

FILED DATE: 1/23/2025 5:26 PM 2022L010905

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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - LAW DIVISION

PAUL DULBERG and THE PAUL
DULBERG REVOCABLE TRUST,

Plaintiffs,

vs.

KELLY N. BAUDIN a/k/a Baudin &
Baudin, Baudin & Baudin, an
Association of Attorneys, Law
Offices of Baudin & Baudin,
Baudin & Baudin Law Offices, et
al.

Defendants.

Case No.
2022 L 010905

REMOTE VIDEOCONFERENCE REPORT OF
PROCEEDINGS had at the hearing of the
above-entitled cause before the HONORABLE ANTHONY
SWANAGAN, Judge of said Court, proceedings being
held via videoconference on December 17, 2024,
commencing at the hour of 1:30 p.m.

STENOGRAPHICALLY REPORTED BY:
ROBIN M. CHIMNIAK, CSR, RMR
State of Illinois CSR License No. 084-001999

PRESENT:

MR. PAUL DULBERG
4606 Hayden Court
McHenry, Illinois 60051
paul_dulberg@comcast.net

Appeared pro se via video
conference;

THOMAS KOST
423 Dempster Street
Mount Prospect, Illinois 60056
847.553.4404
St999@gmail.com

Appeared via videoconference;

CHAPMAN SPINGOLA, LLP
ROBERT A. CHAPMAN, ESQ.
190 South LaSalle Street
Suite 3850
Chicago, Illinois 60603
312.606.8752
rchapman@chapmanspingola.com

Appeared via videoconference on
behalf of ADR Systems of America,
LLC;

LEWIS BRISBOIS BISGAARD & SMITH, LLP
ZACHARY MCGOURTY, ESQ.
550 West Adams Street
Suite 300
Chicago, Illinois 60661
312.463.3481
zachary.mcgourty@lewisbrisbois.com

Appeared via videoconference on
behalf of Joseph David Olsen, Craig
A. Willette, and Raphael E. Yalden II;

PRESENT: (Continued)

TRIBLER ORPETT & MEYER P.C.
JEREMY N. BOEDER, ESQ.
225 West Washington Street
Suite 2550
Chicago, Illinois 60606-3408
312.201.6411
Jnboeder@tribler.com

Appeared via videoconference on
behalf of Defendants
Kelly N. Baudin, William Randal
Baudin II, and Kelran Inc. A/k/a The
Baudin Law Group, Ltd.;

KONICEK & DILLON
THOMAS J. LONG, ESQ.
21 W. State Street
Geneva, Illinois 60134
630.262.9655
tlong@konicekdilllonlaw.com

Appeared via videoconference on
behalf of Respondent Alphonse
Talarico.

* * * * *

1 (Whereupon the following
2 proceedings commenced at
3 1:30 p.m.)

4 THE COURT: I have a 1:30 case, that is
5 Dulberg versus multiple defendants, Case No. 2022
6 L 010905.

7 I thought I would see a bunch of
8 folks here. Since we have a court reporter here,
9 why don't you folks that are here identify
10 yourselves for the sake of the transcript.

11 MR. MCGOURTY: Good morning, your
12 Honor. Zach McGourty on behalf of the Olsen,
13 Willette, and the Yalden defendants.

14 THE COURT: Good afternoon.

15 MR. BOEDER: Good afternoon, your
16 Honor. Jeremy Boeder on behalf of the Baudin set
17 of defendants.

18 THE COURT: Good afternoon.

19 MR. LONG: Thomas Long on behalf of
20 respondent Alphonse Talarico.

21 I just spoke with Bob Chapman, who
22 represents ADR. He was at his car hustling home
23 to get on.

24 THE COURT: Okay.

1 MR. LONG: So he may be a few minutes
2 late.

3 THE COURT: Okay. Well, I suppose we
4 can wait, unless there's something that the
5 parties tell me we can do now, while his trustee
6 for Mr. Dulberg's trust -- and usually
7 Mr. Dulberg joins us as well.

8 Why don't I twiddle my thumbs for
9 a few minutes just to see who all will be here.

10 I guess I'll go silent, maybe
11 until -- I'll say 1:37, just to pick an odd time.
12 So we'll see who we have by then. Okay?

13 MR. LONG: Okay. Thanks, Judge.

14 MR. BOEDER: Thank you.

15 (Brief pause.)

16 THE COURT: Okay. We're going to
17 recall Case No. 22 L 010905, Dulberg versus
18 multiple defendants. We've taken a brief recess
19 because when we first began talking, I didn't see
20 everybody who I thought I would see. I was
21 informed that a couple of people were on the way.
22 Hopefully folks are here now.

23 We do have a court reporter here
24 now, so I'll ask everyone who was here previously

1 and folks who had just joined us to identify
2 yourselves for the sake of the transcript.

3 So I'll let it be free-for-all.
4 You can decide amongst yourselves who wants to
5 shout out first.

6 MR. CHAPMAN: Good afternoon, your
7 Honor. I apologize for being late. I also
8 apologize that I don't have my tie on.

9 Robert Chapman for the petitioner,
10 ADR Systems.

11 THE COURT: Good afternoon.

12 MR. LONG: Good afternoon, your Honor.
13 Thomas Long for respondent, Alphonse Talarico.

14 THE COURT: Good afternoon.

15 MR. MCGOURTY: Good afternoon, your
16 Honor. Zach McGourty on behalf of the Olsen,
17 Willette, and the Yalden defendants.

18 THE COURT: Good afternoon.

19 MR. BOEDER: Good afternoon, again,
20 your Honor. Jeremy Boeder on behalf of the
21 Baudin set of defendants.

22 MR. KOST: And this is Thomas Kost, but
23 my video does not seem to work.

24 And Paul Dulberg is right here on

1 the same microphone. He can identify himself.

2 MR. DULBERG: I'm Paul Dulberg.

3 THE COURT: Good afternoon. Your
4 camera was working before. So while we were in
5 silent mode, we could hear and see you. So I do
6 know that you're there. So thank you for joining
7 us.

8 Who wants to tell me what we're
9 doing today? I'm aware of one motion notice for
10 today by the Olsen, Willette, and Yalden
11 defendants, but I'm not sure what else we're
12 doing. So who wants to tell me where we are?

13 MR. MCGOURTY: Well, we can get the
14 Olsen motion out of the way. It's pretty much a
15 housekeeping motion.

16 We were dismissed back in May of
17 2023. A notice of appeal was filed that's since
18 been dismissed for want of prosecution, so we're
19 just looking for an order formally to dismiss us
20 from the case.

21 THE COURT: Is there any objection to
22 that? I'll note the basis for that, but anybody
23 want to object?

24 Mr. Dulberg, did you have

1 something to say? I'm sorry.

2 MR. DULBERG: I don't know enough about
3 it to object or not object.

4 THE COURT: I'm comfortable that I do,
5 and so I'm going to grant the motion, because the
6 appeal was dismissed. That is on the docket, so
7 I am going to grant the motion to dismiss those
8 defendants with prejudice.

9 What else are we doing today?

10 MR. KOST: Well --

11 MR. CHAPMAN: I --

12 MR. KOST: Go ahead.

13 MR. CHAPMAN: No.

14 MR. KOST: Somebody else want to lead?
15 I'm sorry.

16 MR. BOEDER: I will speak.

17 I don't think there is anything
18 else to be done. I think all defendants have
19 been dismissed. The motion for sanctions has now
20 been ruled upon. I can speak for myself, but I
21 imagine it's the case for at least one other here
22 who have been sort of hanging on at this point,
23 only because there was a motion for sanctions
24 pending and the case, for that reason, remained

1 open. That certainly is why I'm here.

2 But I don't believe there is
3 anything further to address here. I know that in
4 your Honor's order relative to the motion for
5 sanctions you invited a further pleading on that
6 matter, and I will allow those who are
7 participating there to speak to that, if they
8 have any need to, but I don't think there is any
9 other reason to have anything further addressed
10 here today or on further dates set.

11 MR. LONG: Judge, I agree with Jeremy,
12 with the exception of Mr. Chapman, who obviously
13 was invited to spindle a motion to present his
14 fees and what he's seeking in sanctions.

15 But other than that, I think the
16 case is over.

17 THE COURT: Okay. I thought so. But
18 there is such a complex bunch of pleadings here
19 and there, I wanted to make sure.

20 Who was about to speak? Was that
21 you, Mr. Dulberg?

22 MR. DULBERG: Yes. We, on July 15th,
23 2023, we submitted a document, which were
24 basically seven different motions, and two of

1 them don't seem to be relevant much more, but we
2 were asking for a motion to strike from the
3 record Talarico's response, Plaintiff's response
4 to Defendant ADR Systems of America LLC's
5 Rule 137 motion for sanctions filed on
6 February 8th, 2024, because Talarico is
7 extremely, extremely hostile to our interests and
8 basically in multiple ways has been sabotaging
9 our case --

10 MR. LONG: Judge, I don't want to hear
11 anything about my client.

12 MR. DULBERG: May I continue to speak?
13 May I continue to speak?

14 THE COURT: Stop. Stop, Mr. Long.
15 Let's let Mr. Dulberg go ahead, and I'll let you
16 have something to say. I'm going to have
17 something to say, too, but I'll let you have
18 something to say, Mr. Long.

19 But go ahead, Mr. Dulberg. Go
20 ahead.

21 MR. DULBERG: Yes. So we were asking
22 for a motion to strike from the record Talarico's
23 response of February 8th, 2024, and a motion to
24 resubmit our own response because Talarico simply

1 does not represent us; far from it. He is
2 extremely, extremely hostile to the interests of
3 my entire family and has done incredibly cruel
4 things to us.

5 We also asked for a motion to
6 compel Talarico to provide us with our case
7 files. We never received any case files from
8 Talarico, and per contract, as I have at
9 www.fraudonthecourt.net in group exhibits --
10 slash exhibits, in Group Exhibit 46, I have all
11 the contracts between us and Talarico, and it's
12 all by the hour, and he's required to give us our
13 case files. He didn't follow any of his
14 contractual obligations regarding case files.

15 We also asked for the unredacted
16 and complete record of reported telephone
17 conversations between us, because it would go
18 right to the heart of the issue of who is
19 actually responsible for the resulting 137
20 sanctions.

21 I don't want to go too fast. I
22 have a couple other things, and I have a list
23 here. I could just submit the list, possibly, to
24 the court reporter, if it's okay with you, so we

1 can put a complete --

2 MR. LONG: It's not okay with me.

3 MR. DULBERG: Okay. Fair enough. Then
4 I'll --

5 THE COURT: Mr. Long. Mr. Long, hold
6 up. I can just say what's okay about what gets
7 said here, okay? So I understand you might have
8 something to say in response or that you'd rather
9 certain things not go uncontradicted on the
10 record, so I'm going to let you have your say,
11 but I get to decide who has their say.

12 And so you hold your horses for
13 the time being.

14 Mr. Dulberg, your motion and the
15 list of things that you wanted, they're all on
16 the docket. So tell you what, I'm going to ask
17 you, Mr. Long, to be the person who reflects --
18 sends us an order that reflects what I'm about to
19 say:

20 A couple of things, Mr. Dulberg.
21 Even if you didn't think that Mr. Talarico was
22 appropriately representing your interests as far
23 as the motion for sanctions was concerned, his
24 interests were at stake as well. And so he had

1 absolute right to put forth whatever he thought
2 was in his best interest to defeat the motion for
3 sanctions. And you may have the opinion that you
4 had different interests as far as that motion was
5 concerned. I did not see that. And your
6 interests are basically intertwined, in that he's
7 responsible for what he wrote, and you're
8 responsible for what he wrote. And that would be
9 vice versa as well: You're jointly responsible.
10 Lawyer and client are responsible for pleadings
11 made by a lawyer.

12 Now, you were free to present
13 things independently, if you so chose, but the
14 punch line, as far as I was concerned, is that I
15 looked at the petition for sanctions on its
16 merit, and I looked at what was the conduct for
17 which ADR sought to sanction you and your
18 attorney, and I did not see -- I think -- you
19 know, the order mentioned -- I couldn't
20 imagine -- I'm paraphrasing, but I couldn't
21 imagine a basis on which there was reasonable
22 grounds for the breach of contract complaint
23 against ADR.

24 And so as far as any pleadings on

1 the motions for sanctions are concerned, I guess
2 I'll just say that your request for any further
3 right to file other pleadings is denied, except
4 to the extent that you may want to file something
5 in response to Mr. Chapman's petition for fees.
6 Because that's the one thing that I anticipate is
7 still on the way. So that's number one.

8 And I guess secondly, I'm going to
9 deny your request for any relief against
10 Mr. Talarico as far as your files, because that's
11 not in front of me. You know, those sorts of
12 disputes between lawyers and their clients are
13 sometimes the result -- they are sometimes
14 disputes that produce other litigation, but I
15 don't have any basis for reviewing your request
16 for files. There are ways in which clients are
17 supposed to address those requests. I don't know
18 whether you have, but those requests aren't
19 supposed to be handled here. So I'm going to
20 deny your request for anything to do regarding a
21 dispute over files between you and Mr. Talarico.

22 Now, I'll also say I am not
23 expressing any opinion, nor am I in a position to
24 express an opinion or make any ruling on anything

1 that you're suggesting that Mr. Talarico did that
2 was adverse to the interests of you or your
3 family. Again, I only decide what's in front of
4 me and what's in front of me based on what this
5 case has been about.

6 So that's all I'm going to say
7 about those motions. I don't think you need to
8 list them for the sake of the court reporter,
9 because they are all already on the docket.

10 So, Mr. Long, I'm going to ask you
11 to just send us an order reflecting that I'm
12 denying those motions that were already on the
13 docket.

14 Now, Mr. Long, do you want to --
15 have something to say on behalf of your client,
16 go right ahead.

17 MR. LONG: Yes. I'll just kind of work
18 from the back.

19 Judge, what I was going to do is
20 put together an order indicating that all pending
21 motions filed by Mr. Dulberg are denied -- just
22 so we're all clear -- and any requests by
23 Mr. Dulberg relative to Mr. Talarico's file as
24 to -- that's the language I'm going to use, if

1 that's acceptable to your Honor.

2 THE COURT: That's acceptable. Yes.

3 MR. LONG: And as to the others, Zach
4 and Jeremy, I don't know if they want to add
5 anything, or if they want to do their own orders?

6 MR. MCGOURTY: I can go ahead and
7 submit an order for our motion.

8 THE COURT: Yes. I anticipated that.
9 So I'll be looking for that, too.

10 MR. LONG: And then -- sorry, Judge.

11 THE COURT: Go ahead.

12 MR. LONG: And then I apologize for my
13 abruptness earlier. It's just been kind of a
14 series of statements and pleadings impugning my
15 client's integrity. With the court reporter, I
16 just couldn't let it go, where we're getting into
17 a soliloquy about Mr. Talarico, and that's not
18 even an issue here. I apologize to your Honor.

19 THE COURT: That's okay. You get to
20 defend your client's integrity. Just don't
21 interrupt when you do it. I'm going to always
22 give folks to have a chance to have a say when
23 they think they need to.

24 MR. LONG: It's part of our DNA as

1 lawyers.

2 MR. KOST: May I respond, sir?

3 THE COURT: What do you want to
4 respond?

5 MR. KOST: It's Thomas Kost. To what
6 you said. If I may place a comment on the record?

7 THE COURT: Go right ahead.

8 MR. KOST: Thank you, sir.

9 Referring to what happens between
10 ourselves and Mr. Talarico, we consider it
11 central to the case, because it's a form of
12 sabotage which benefits opposing counsel. It
13 goes directly to the heart of benefiting opposing
14 counsel, and I've described that in over 900
15 videos, which is available on a public website.
16 So that was the main point.

17 It's not simply between us and
18 Talarico. It's what Talarico does. And not only
19 Talarico, they do it for the benefit of opposing
20 counsel, and this we see as a fundamental
21 sabotage of the entire case.

22 In fact, we state that it is
23 July 11th, 2022, where he was basically horse-
24 trading Dulberg's interests from that point, and

1 that was about five months before we ever filed
2 the case.

3 In addition, I never signed the
4 original complaint. He only got Dulberg to sign
5 on December 8th, 2022, because he really couldn't
6 do that trick that I described in the videos on
7 me, and I never signed. So there is a number of
8 issues.

9 I also have other issues I'd like
10 to bring up. I don't want to tax your patience,
11 sir. May I continue?

12 THE COURT: No. I rarely say no to
13 people having their say, but I know what I read,
14 and I know how narrow were the issues that I was
15 deciding here.

16 And so the substance of the case,
17 for the most part, was decided quite a while ago,
18 and it went through an appeal. There's all sorts
19 of things that -- for which I think the horses
20 are long gone, the barn door closed and locked
21 quite a while ago. And so this isn't -- this is
22 not, as far as I'm concerned, the time to try to
23 rehash alleged sabotage going back to the
24 beginning of the case.

1 So that's why, unlike my usual
2 practice of letting people have their full say,
3 I'm going to say this is late in the game for
4 further say, I think.

5 And so forgive my abruptness, but,
6 no, I don't think I need to hear any more. Okay?

7 MR. KOST: Thank you, sir.

8 THE COURT: Thank you.

9 MR. CHAPMAN: Your Honor --

10 THE COURT: And I --

11 MR. CHAPMAN: I didn't mean to
12 interrupt you, if you weren't through.

13 THE COURT: Go ahead.

14 MR. CHAPMAN: Thank you, your Honor.

15 I saw at the end of the order you
16 suggested I spindle up a motion. I didn't know
17 if it might make sense, just for us, since we're
18 all here now -- for example, if we said I had
19 21 days to file a fee petition, X number days for
20 a response and a reply, that might save us some
21 time down the road. If that's something that you
22 would consider?

23 THE COURT: Well, the reason I wasn't
24 going to suggest that is because, you know, we've

1 got holiday schedules coming up, and -- oh, the
2 other reason I didn't want to do that is because
3 I generally am not allowed to do things on the
4 calendar. That's why they give me a coordinator,
5 to help make sure we have control over our
6 calendar.

7 But our coordinator is out. So
8 you'll notice usually she is here and I count on
9 her to give me dates and help me with scheduling.
10 But since she is not here, I would be giving you
11 some date that would be subject to being
12 rescinded once she says, You've got a trial. You
13 can't do that, or something similar, so --

14 MR. CHAPMAN: I just -- my only fear
15 was -- and I don't know enough of this particular
16 call. I know on some calls if I spindle up a
17 motion, I don't know if it's -- if I would get a
18 date. If you're saying if you spindle up your
19 fee petition, it will be a date, like, two weeks
20 from filing, that's fine.

21 I just didn't want to end up where
22 we -- we can't present something to you for three
23 months or -- I'm exaggerating, but that's the
24 only thing that was on my mind. I appreciate

1 that your coordinator is not here. I'll just
2 follow your direction.

3 THE COURT: Yes. Because here is the
4 scoop. Our status calendar shows up way in
5 advance, but our motion calendar does not.

6 I will tell you, I'm going to be
7 out two weeks in January, so the week of the 13th
8 and the week of the 20th, but I would imagine,
9 given today's date, you could spindle a motion on
10 our regular motion call on a Tuesday or a
11 Thursday at 9:45 before that -- and let me just,
12 before I rest on that presumption, I'm going to
13 take a look on our calendar right now. And one
14 thing I can do is I can project whether we are
15 full already certain days out. And so let's see.

16 Actually, I do not think we are
17 full -- this is interesting. I'm working
18 Christmas Eve. I guess most of the world is not,
19 but I see Tuesday, the 24th, we have plenty of
20 room on the motion calendar at 9:45. Same is
21 true on Thursday the 26th. Same is true on New
22 Year's Eve, December 31st. And looks like we
23 have at least one spot on January 2nd, a few
24 spots on January 7th, a couple of spots on

1 January 9th.

2 MR. CHAPMAN: Thank you.

3 THE COURT: So I'm saying all of that
4 to say, rather than me giving you a date that
5 will be undone by the higher authority of the
6 coordinator, yes, just spindle a motion.

7 MR. CHAPMAN: I will. Thank you, your
8 Honor.

9 THE COURT: Okay.

10 MR. CHAPMAN: Sounds fine. Thank you.

11 THE COURT: Then I guess the other
12 thing I'll say is, if you'd like, when you
13 spindle the motion, what you can do is reach out
14 to the other side, and if you can agree on a
15 briefing schedule for the motion, you can submit
16 that in the agreed order, and then you won't even
17 have to come in.

18 MR. CHAPMAN: That sounds like a good
19 idea, your Honor. Thank you.

20 THE COURT: All right. Anything else
21 for today?

22 MR. BOEDER: Nothing.

23 MR. CHAPMAN: Not for the petitioner.

24 THE COURT: Well, thanks, everybody,

1 for your time and your patience. You have a good
2 holiday season, and I will see at least some of
3 you in 2025, presumably, or maybe even before
4 that, given that we have some free space on the
5 motion call before then.

6 So thanks, everybody. Thank you,
7 Madam Court Reporter.

8 MR. LONG: Thanks, Judge.

9 MR. MCGOURTY: Thank you, your Honor.

10 MR. BOEDER: Happy Holidays.

11 MR. KOST: Thank you, sir.

12 THE COURT: Same to all of you,
13 bye-bye.

14 THE COURT REPORTER: Thank you, your
15 Honor.

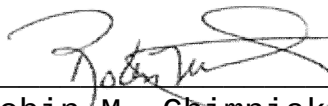
16 (Whereupon the proceedings
17 concluded at 1:58 p.m.)
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CERTIFIED SHORTHAND REPORTER

CERTIFICATE

I, ROBIN M. CHIMNIAK, a Certified
Shorthand Reporter of the State of Illinois,
do hereby certify that I reported in shorthand
the remotely held proceedings had at the
hearing aforesaid and that the foregoing is a
true, complete, and correct transcript of the
proceedings of said hearing as appears from my
stenographic notes so taken and transcribed by
me.

IN WITNESS WHEREOF, I do hereunto set
my hand at Chicago, Illinois, on this 10th day of
January, 2025.


Robin M. Chimniak
Certified Shorthand Reporter
State of Illinois
CSR License No. 084-001999



A				
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