

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

PAUL R. DULBERG, INDIVIDUALLY
AND THE PAUL R. 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,
WILLIAM RANDAL BAUDIN II *A/K/ A*
BAUDIN & BAUDIN, BAUDIN &
BAUDIN AN ASSOCIATION OF
ATTORNEYS, LAW OFFICES OF
BAUDIN & BAUDIN, BAUDIN &
BAUDIN LAW OFFICES, KELRAN, INC
A/K/A THE BAUDIN LAW GROUP, Ltd.,
JOSEPH DAVID OLSEN, *A/K/JA*
YALDEN, OLSEN & WILLETTE LAW
OFFICES, CRAIG A WILLETTE, *A/K/A*
YALDEN, OLSEN & WILLETTE LAW
OFFICES, RAPHAEL E YALDEN II,
A/K/A YALDEN, OLSEN & WILLETTE
LAW OFFICES, ADR SYSTEMS OF
AMERICA, LLC., ASSUMED NAME ADR
COMMERCIAL SERVICES, ALLSTATE
PROPERTY AND CASULTY
INSURANCE COMPANY

Defendants

CASE NO. 2022L010905

PLAINTIFFS' MOTION FOR EXTENSION OF TIME TO RESPOND TO THE BAUDIN DEFENDANTS' 735 ILCS 5/2-619.1 MOTION TO DISMISS PURSUANT TO ILLINOIS SUPREME COURT RULE 183

Now comes the Plaintiffs, by and through their Attorney Alphonse A. Talarico, and in support for their motion for Extension of Time state as follows.

1. On May 18, 2023, this Honorable Court set a briefing schedule granting Plaintiffs' up to and including June 1, 2023 to Respond to the Baudin Defendants' Motion to Dismiss and granting the Baudin Defendants' up to and including June 15, 2023 to Reply. (Please see Plaintiffs' Exhibit A the May 18, 2023 Order attached)
2. On April 17, 2023 Michael D. McArtor, Plaintiff's lifelong friend, live in housemate and care giver was unexpectedly found dead with the manner of death described as "PENDING INVESTIGATION" (Please see Plaintiffs' Exhibit B CERTIFICATE OF DEATH RECORD attached)
3. Plaintiff Paul Dulberg thereafter had to not only contend with his own grief and loss of his caretaker, but also Michael D. McArtor out of state family for weeks following.
4. From May 18, 2023 through the first week or so of June 2023 Plaintiff Paul R. Dulberg became uncommunicative generally and specifically with his attorney herein.
5. It was impossible for his attorney to properly craft a Response without communication from his client Paul Dulberg.
6. During at least four times within the period Attorney Alphonse A. Talarico was in communication by phone and email with the Baudin Defendants' Jeremy Boeder who kindly agreed to extend Plaintiffs' time for filing their Response.
7. The last communication between attorneys resulted, with this Honorable Court's permission/agreement to reset the briefing schedule dates to Plaintiffs' Response due

on or before June 22, 2023 and the Baudin Defendants' Reply on or before July 6, 2023.

WHEREFORE PLAINTIFFS PRAY THAT THIS HONORABLE
COURT grant the Motion for Extension of time and reset the briefing
schedule as requested.

/s/ Alphonse A. Talarico

Alphonse A. Talarico
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Cook County No. 53293
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Northbrook, Illinois 60062
312.808.1410
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AFFIDAVIT

I, Alphonse A. Talarico, being first duly sworn on oath, depose and say:

- 1) That I am the attorney representing the Plaintiffs and if called to testify have knowledge of the facts stated herein.
- 2) That I have read the Plaintiffs' Motion for Extension of Time to Respond to the Baudin Defendants 735 ILCS 5/2-619.1 .
- 3) That all the facts and averments set forth therein are true to the best of my personal knowledge and belief.

FURTHER AFFIANT SAYETH NOT.

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except

as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

/s/ Alphonse A. Talarico

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PAUL R. DULBERG, INDIVIDUALLY AND THE PAUL R.
DULBERG REVOCABLE TRUST,

Plaintiffs

vs.

KELLY N. BAUDIN, *et al.*

Defendants

Case No.: 2022 L 010905

ORDER

This cause coming before the Court on Plaintiffs' Motion to Serve Defendants by Special Order of Court (the "Motion to Serve Baudin Defendants"); notice given and the Court being fully advised;

It is hereby ordered:

(1) Kelly N. Baudin, William Randal Baudin, II and Kelran Inc. a/k/a The Baudin Law Group, Ltd. (collectively, the "Baudin Defendants") expressly consent to Personal Jurisdiction and affirmatively waive any objections to the court's personal jurisdiction over them, by statement made in open court by counsel for the Baudin Defendants;

§ 554 (2) Plaintiff's Motion to Serve Defendants is denied as moot as it relates to the Baudin Defendants;

¶ 184 (3) Plaintiff withdraws his Motion to Serve Defendants, without prejudice, as to defendants Baudin & Baudin; Baudin & Baudin an Association of Attorneys; Law Offices of Baudin & Baudin; Baudin & Baudin Law Offices; and Baudin & Baudin Law Offices;

(4) The Baudin Defendants' Section 2-619.1 Motion to Dismiss is advanced to this date and the following briefing schedule is set on the same:

¶ 131 a. Plaintiffs' response brief is due on June 1, 2023;

¶ 131 b. The Baudin Defendants' reply brief is due on June 15, 2023;

¶ 124 c. The Baudin Defendants' shall submit a full set of courtesy copies to the Court on or before June 20, 2023. The Baudin Defendants shall deliver one electronic set of courtesy copies and one paper set of courtesy copies, with all exhibits tabbed. Both sets of courtesy copies shall include a copy of the pleading being challenged; and

635 d. The Baudin Defendants' motion is set for status on disposition at 9:45 a.m. on July 31, 2023. The status conference will be held via Zoom:

Meeting ID: 768 225 2047

Passcode: 902018

Call In #: 312-626-6799

Prepared by:

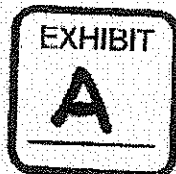
TRIBLER ORPETT & MEYER, P.C.
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Chicago, Illinois 60606
(312) 201-6400
docket@tribler.com
Firm No. 39950

Judge

Judge Michael F. Otto

MAY 18 2023

Circuit Court - 2065



CERTIFICATION OF DEATH RECORD

MCHENRY COUNTY DEPARTMENT OF HEALTH WOODSTOCK, ILLINOIS MEDICAL EXAMINER/CORONER CERTIFICATE OF DEATH

STATE FILE NUMBER 2023 0032252

MEDICAL EXAMINER'S CASE NUMBER 23-000571

DATE ISSUED 4/20/2023

DECEDENT'S LEGAL NAME MICHAEL D MCARTOR		SEX MALE	DATE OF DEATH APRIL 17, 2023	
COUNTY OF DEATH MCHENRY	AGE AT LAST BIRTHDAY 52 YEARS	DATE OF BIRTH SEPTEMBER 03, 1970		
CITY OR TOWN MCHENRY	HOSPITAL OR OTHER INSTITUTION NAME 4808 HAYDEN CT.			
PLACE OF DEATH DECEDENT'S HOME				
BIRTHPLACE WAUKEGAN, IL	SOCIAL SECURITY NUMBER [REDACTED]	STATUS AT TIME OF DEATH NEVER MARRIED/NEVER IN CIVIL UNION	SURVIVING SPOUSE/CIVIL UNION PARTNER'S MAIDEN NAME	EVER IN U.S. ARMED FORCES? NO
RESIDENCE 4808 HAYDEN CT.	APT. NO.	CITY OR TOWN MCHENRY	INSIDE CITY LIMITS? YES	
COUNTY MCHENRY	STATE IL	ZIP CODE 60051	FATHER/CO-PARENT'S NAME PRIOR TO FIRST MARRIAGE/CIVIL UNION HUBERT LEO MCARTOR	MOTHER/CO-PARENT'S NAME PRIOR TO FIRST MARRIAGE/CIVIL UNION CHERYL DENISE HOMAN
INFORMANT'S NAME HUBERT LEO MCARTOR		RELATIONSHIP FATHER	MAILING ADDRESS 5312 RUNNYMEDE DR, KNOXVILLE, TN, 37918	
METHOD OF DISPOSITION CREMATION	PLACE OF DISPOSITION THE LAKES CREMATORY	LOCATION - CITY OR TOWN AND STATE LAKE VILLA, IL	DATE OF DISPOSITION APRIL 19, 2023	
FUNERAL HOME HAMSHIER LAKESIDE FUNERALS AND CREMATIONS, 12 N. PISTAKEE LAKE ROAD, FOX LAKE, IL, 60020				
FUNERAL DIRECTOR'S NAME COLETTE BELLAIR			FUNERAL DIRECTOR'S ILLINOIS LICENSE NUMBER 034014823	
LOCAL REGISTRAR'S NAME MELISSA HALL ADAMSON			DATE FILED WITH LOCAL REGISTRAR APRIL 19, 2023	
<div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <p>CAUSE OF DEATH PART I. PENDING INVESTIGATION</p> <p>BASED ON CAUSE (First disease or condition resulting in death)</p> <p>a. _____ Due to (or as a consequence of) _____</p> <p>b. _____ Due to (or as a consequence of) _____</p> <p>c. _____ Due to (or as a consequence of) _____</p> </div> <div style="width: 35%; background-color: black; height: 100px;"></div> </div>				
PART II. Enter other significant conditions contributing to death but not resulting in the underlying cause given in PART I.			WAS AN AUTOPSY PERFORMED?	
			WERE AUTOPSY FINDINGS USED TO COMPLETE CAUSE OF DEATH?	
FEMALE PREGNANCY STATUS			MANNER OF DEATH PENDING INVESTIGATION	
DATE OF INJURY	TIME OF INJURY	PLACE OF INJURY	INJURY AT WORK?	
LOCATION OF INJURY				
DESCRIBE HOW INJURY OCCURRED:			IF TRANSPORTATION INJURY, SPECIFY:	
ATTEND THE DECEASED?	DATE LAST SEEN ALIVE	WAS MEDICAL EXAMINER OR CORONER CONTACTED?	DATE PRONOUNCED APRIL 17, 2023	TIME OF DEATH 06:15 AM
CERTIFIER MEDICAL EXAMINER/CORONER			DATE CERTIFIED APRIL 19, 2023	
NAME, ADDRESS AND ZIP CODE OF PERSON COMPLETING CAUSE OF DEATH DR MICHAEL R REIN, 2200 N. SEMINARY AVENUE, WOODSTOCK, IL, 60098				PHYSICIAN'S LICENSE NUMBER

This is to certify that this is a true and correct copy from the official death record filed with the Illinois Department of Public Health.

EXHIBIT

B

Melissa Hall Adamson

Registrar, McHenry County Health Dept.

SEAL

