



SC

No. 2-23-0072

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IN THE APPELLATE COURT OF ILLINOIS  
SECOND JUDICIAL DISTRICT

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PAUL R. DULBERG,

Plaintiff-Appellant

) Appeal from the Circuit Court of the  
) 22<sup>nd</sup> Judicial Circuit, McHenry County,  
) Illinois  
) **Relief Sought: Appellant's Brief Due Date**  
) **Extended to July 31, 2023**

HANS MAST and the LAW OFFICES OF  
THOMAS J. POPOVICH, P.C.

Defendants-Appellees

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)  
) Honorable Joel D. Berg, Judge Presiding  
) Date of Notice of Appeal March 3, 2023  
) Date of Judgment February 1, 2023  
) Date of Post judgment Motion Order. None

**FIRST MOTION FOR EXTENSION OF TIME TO FILE APPELLANT'S BRIEF**  
(Civil)

Plaintiff-Appellant Paul R. Dulberg ("APPELLANT") moves this Honorable Court for an **extension of time to file Appellant's Brief to JULY 31, 2023** and in support of said motion states as follows:

1. On May 22, 2023 and before filing this motion, Plaintiff's attorney telephoned both attorneys representing the Defendants and left a voice mail message for each indicating that I would be seeking an extension of time for filing the Appellant's brief for 60 days based upon various problems within the Record on Appeal and my other court hearings. I asked that if either had an objection, to please notify me so I could include the objection within this motion. (ISCR 361(a) and Local Rule Article 1

General Rules 102(b).

1a) Hereafter, Defendants' attorney left a voice and e-mail message indicating that they had no objection to the motion.

2. The number of days requested, the number of days granted and the total number of days is (0) none as this is Plaintiff's first request. (Local Rule 104 (a)(1))

3. The total number of days requested, and the total number of days granted to other parties are (0) none. (Local Rule 104(a)(2))

4. The number of days that will have elapsed from the date of filing of the notice of appeal to the date that the case will be ready for disposition is two hundred days .

(Local Rule 104(a)(3), Local Rule 106(b) and Local Rule 108(a) & (b))

5. Appellant filed his Notice of Appeal on March 3, 2023.

6. The Record on Appeal was filed on April 24, 2023 and made available for download on April 25, 2023 (Please see attached as Appellant's Exhibit A the Circuit Court Clerk's Certification of Record and Appellant's Exhibit B the Appellate Court Clerk's notification of availability.)

7. Appellant's Brief is due for filing with the Clerk of the Appellate Court within 35 days from April 25, 2023 on May 30, 2023.

8. Thirty-five days is insufficient to prepare and file Appellant's Brief for the following reasons:

8(a) The record on appeal consists of three volumes totaling 2,660 pages;

8(b) Appellant requested the entire record be prepared, but Appellant's attorney has discovered missing report of proceedings, mismatched sections, documents with only one of the Defendants' names where it should be all,

Memorandums of Law where the body of the motions should be, violations of the Supreme Court of Illinois Standards and Requirements for Electronic Filing the Record on Appeal (Revised- Effective March 1, 2022) regarding §1. Definitions (i) Hyperlink-... and so on. (Investigation Continues.)

9. Appellant's attorney has made extensive efforts to have Appellant's Brief ready for filing by the May, 30, 2023 considering the above listed problems, his Court hearing schedule on April 25, 2023 case # 2021P008775 Public Administrator's motion, May 4, 2023 case # 2022L010905 where he argued a "Motion for a Special Order" and additionally he had to brief two separate 735 ILCS 5/2-619.1 motions and a separate 735 ILCS 5/2-615 motion for hearings on May 25, 2023 and July 31, 2023, resolve a dispute regarding an order to be entered on May 4, 2023 where the Honorable Judge declined to choose between proposed orders and there was no Court Reporter, drafting and filing/serving case # 2023CH04351 on May 2, 2023 a Complaint for Declaratory Judgment with an expiring Statute of Limitations against a municipal corporation and twenty-one additional defendants and two emergency personal problems.

10. Appellant is a sole practitioner and has no full-time staff to help in the preparation of Appellant's Brief.

Wherefore, Plaintiff-Appellant prays that this Honorable Court recognize Plaintiff-Appellant's Attorney good faith and extensive efforts to comply with the initial briefing Schedule, the problems caused by the Report on Appeal based on its page size and the errors by the Clerk of the Circuit Court in preparation of the Record on Appeal (and as additional relief consider ordering the Clerk to prepare an amended Record on

Appeal) and grant Appellant a minimum of 60 days up to and including July 31, 2023 to file his Appellant's Brief and any and all additional relief this Honorable Court deems equitable and just.

Dated: May 24, 2023

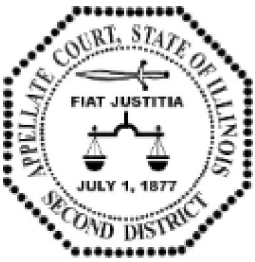
Respectfully submitted,

By: /s/ Alphonse A. Talarico  
ARDC 6184530  
707 Skokie Boulevard suite 600  
Northbrook, Illinois 60062  
(312) 808-1410  
contact@lawofficeofalphonsetalarico.com

**VERIFICATION BY CERTIFICATION PURSUANT TO SECTION 1-109**

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

**PROOF OF DELIVERY**

SC

I am sending this Motion for Extension of Time to File Appellant's Brief, Exhibits A and B, Proposed Order and Notice of Filing to George K. Flynn and Michelle M. Blum, Karbal Cohen Economou Silk Dunne, LLC, 200 S Wacker Drive, Suite 2550, Chicago, Illinois 60606, Tel (312) 431-3700, Fax: (312) 431-3670, gflynn@karballaw.com, mblum@karballaw.com by an approved electronic filing service provider (EFSP) on May 24, 2023 at 4:30 p.m.

I certify that everything in the *Proof of Delivery* is true and correct. I understand that a false statement herein is perjury and has penalties provided by law under 735 ILCS 5/1-109.

Dated: May 24, 2023

/s/ Alphonse A. Talarico  
ARDC 6184530  
707 Skokie Boulevard suite 600  
Northbrook, Illinois 60062  
(312) 808-1410  
contact@lawofficeofalphonsetalarico.com

APPEAL TO THE APPELLATE COURT OF ILLINOIS  
SECOND JUDICIAL DISTRICT  
FROM THE CIRCUIT COURT OF THE TWENTY-SECOND JUDICIAL CIRCUIT  
MCHEMRY COUNTY, ILLINOIS

DULBERG, PAUL

Plaintiff/Petitioner

v.

MAST, HANS ET AL

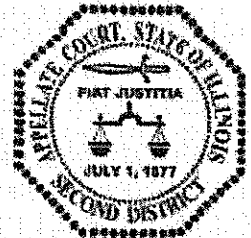
Defendant/Respondent

Reviewing Court No: 2-23-0072

Circuit Court/Agency No: 2017LA000377

Trial Judge/Hearing Officer: JOEL D BERG

E FILED **2**  
Transaction ID: 2-23-0072  
File Date: 4/24/2023 10:00 AM  
Jeffrey H. Kaplan, Clerk of the Court  
APPELLATE COURT 2ND DISTRICT

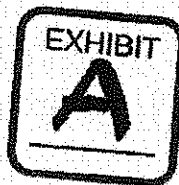


CERTIFICATION OF RECORD

The record has been prepared and certified in the form required for transmission to the reviewing court. It consists of:

- 2 Volume(s) of the Common Law Record, containing 2148 pages
- 1 Volume(s) of the Report of Proceedings, containing 512 pages
- 0 Volume(s) of the Exhibits, containing 0 pages

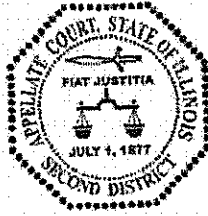
I hereby certify this record pursuant to Supreme Court Rule 324, this 21 DAY OF APRIL, 2023



*Katherine M. Keefe*

(Clerk of the Circuit Court or Administrative Agency)

KATHERINE M. KEEFE, CLERK OF THE 22nd JUDICIAL CIRCUIT COURT ©  
WOODSTOCK, ILLINOIS 60098



**ILLINOIS APPELLATE COURT  
SECOND DISTRICT**

55 SYMPHONY WAY  
ELGIN, IL 60120  
(847) 695-8750

April 25, 2023

Alphonse A. Talarico  
Law office of Alphonse Talarico  
707 Skokie Boulevard, #600  
Northbrook, IL 60062

RE: Dulberg, Paul R., v. Mast, Hans, et al.  
Appeal No.: 2-23-0072  
County: McHenry County  
Trial Court No.: 17LA377

The electronic record on appeal in the above case has been filed. In most cases, you may access all sections of the electronic record at <https://researchil.tylerhost.net>. In any other case, a link to the appropriate section(s) of the electronic record will be e-mailed to you from [reply@efilingmail.tylertech.cloud](mailto:reply@efilingmail.tylertech.cloud). (Please ensure that you are a service contact in Odyssey eFileIL.) The court hereby orders briefing due dates as follows:

Appellant's brief due:

05/30/2023

Appellee's brief due:

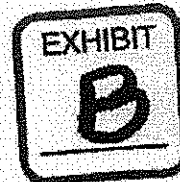
07/05/2023

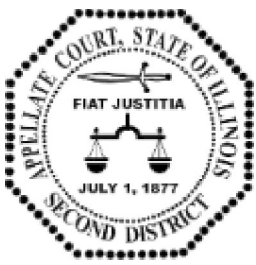
Appellant's reply brief due:  
(Ill. S. Ct. Rs. 341, 342, 343)

07/18/2023

Jeffrey H. Kaplan  
Clerk of the Court

cc: George Kenneth Flynn  
Michelle Marie Blum





SC

No. 2-23-0072

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)Honorable Joel D. Berg, Judge Presiding  
)Date of Notice of Appeal March 3, 2023  
)Date of Judgment February 1, 2023  
)Date of Post judgment Motion Order: None

**NOTICE OF FILING MOTION FOR EXTENSION OF TIME TO FILE APPELLANT'S BRIEF**

TO: George K. Flynn and Michelle M. Blum  
Karbali Cohen Economou Silk Dunne, LLC  
200 S Wacker Drive, Suite 2550  
Chicago, Illinois 60606  
Tel: (312) 431-3700, Fax: (312) 431-3670  
[gflynn@karballaw.com](mailto:gflynn@karballaw.com)  
[mblum@karballaw.com](mailto:mblum@karballaw.com)

PLEASE TAKE NOTICE that on May 24, 2023, the undersigned filed the NOTICE OF FILING MOTION FOR EXTENSION OF TIME TO FILE APPELLANT'S BRIEF of Plaintiff-Appellant Paul R. Dulberg with the Clerk of the Appellate Court Second District, Illinois, a copy is hereby served upon you.



**CERTIFICATE OF SERVICE BY ELETRONIC DELIVERY**

I, Alphonse Talarico, an attorney, on oath state that I served the foregoing.

NOTICE OF FILING MOTION FOR  
EXTENSION OF TIME TO FILE  
APPELLANT'S BRIEF upon  
counsel listed above by an approved  
electronic filing service provider  
(EFSP) on May 24, 2023 at 4:30 p.m.

/s/ Alphonse A. Talarico  
ARDC 6184530  
707 Skokie Boulevard suite 600  
Northbrook, Illinois 60062  
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/s/ Alphonse A. Talarico