From: **Paul Dulberg** Paul_Dulberg@comcast.net
Subject: Re: Dulberg v Mast; Second Amended Complaint and Statute of Limitations
Date: December 6, 2018 at 3:45 PM
To: The Clinton Law Firm juliawilliams@clintonlaw.net

PD

Hi Julia,
I'm going to look into this further over the weekend but my recollection is that it has a 2 year limit from when it reasonably was discovered but a 6 year maximum limit from the wrongdoing.
Furthermore, if I'm remembering correctly part e or f (?) of the statute removes all those limitations for those underage or disabled.
I was determined to be both mentally and physically disabled since June 28th 2011.
I'll look into it more this weekend and get back to you.
Thanks,
Paul

> On Dec 6, 2018, at 3:11 PM, Julia WIlliams <juliawilliams@clintonlaw.net> wrote:
>
> Dear Paul,
>
> I have reviewed the attached documents.
>
> The Order states that the 2-619 motion was "denied." In this instance, that is not a final denial of the argument. It was not with prejudice. In other words, it was denied here, but it could be renewed through a new 2-619 motion related to our new compliant, it could be plead as an affirmative defense in an answer stating that ultimately the case is not valid because of the statute of limitations which would be argued at summary judgment motion asking the court to rule on the issue later in the case or at trial.
>
> Further, because the Court ruled on the 2-615 motion, the Court cannot reach the merits of the 2-619. This is a procedural rule. The rules of procedure require the court to first rule on the 2-615 motion and then only if the court finds that the complaint states a valid claim does the court look to the 2-619 arguments. Thus the 2-619 claim were denied for procedural reasons.
>
> I did not review the transcript of the proceeding on that date and I do not believe that anyone obtained a copy of the proceedings. If the Judge ruled differently in the transcript, I am happy to review that. However, given the procedural posture of the case, I do not believe a judge would have ruled finally on the 2-619 issues.
>
> Best Regards,
>
> Julia Williams
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>
> > On Dec 1, 2018, at 2:59 PM, Paul Dulberg <Paul_Dulberg@comcast.net> wrote:
> >
> > <e_Reply (of Def) ISO combined mot to Dismiss recd 4.10.18-2.pdf>