

**CICERO, FRANCE, BARCH & ALEXANDER, P.C.**

A Professional Corporation  
Attorneys at Law  
6323 EAST RIVERSIDE BOULEVARD  
ROCKFORD, ILLINOIS 61114

PAUL R. CICERO  
JOHN W. FRANCE  
RONALD A. BARCH  
CHARLES P. ALEXANDER  
\_\_\_\_\_  
CHANTEL R. BIELSKIS  
ANDREW T. SMITH

TEL: (815) 226-7700  
FAX: (815) 226-7701

September 27, 2012

COPY

Attorney Perry A. Accardo  
Law Office of M. Gerard Gregoire  
200 N. LaSalle Street, Suite 2650  
Chicago, IL 60601-1092

**Case:** *Paul Dulberg v. David Gagnon, Caroline McGuire and Bill McGuire*  
(McHenry County Case No. 12 LA 178)

Dear Mr. Accardo:

**Written Discovery**

Enclosed herewith you will find my clients' response to Mr. Gagnon's written discovery. I note that the interrogatory response is in need of Mr. McGuire's sworn signature. I anticipate having that to you in short order. I do not anticipate changes in the interrogatory answers as Mr. McGuire has already answered interrogatories issued by Plaintiff.

Enclosed herewith you will also find written discovery for response by Mr. Gagnon. Please let me know if you have any questions regarding same.

**Deposition Notices**

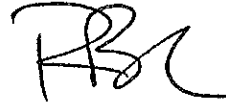
This letter will confirm receipt of your deposition notices: Wednesday, October 31, 2012 at 1:00 p.m. for David Gagnon and Thursday, November 29, 2012 at 1:00 p.m. for Carolyn and Bill McGuire.

Since David Gagnon is your client, I am assuming the notice contains a misnomer and that you really intend to depose Paul Dulberg on October 31, 2012. That date works for me. I can do Mr. Dulberg's deposition that day. Perhaps we can do Mr. Gagnon's deposition that day as well. If we are going to do both, I am proposing that we begin Mr. Dulberg at Noon and Mr. Gagnon at 3:00 p.m. (or immediately following Mr. Dulberg's deposition).

I have no quarrel presenting Mr. and Mrs. McGuire for deposition, but I cannot do that on November 29, as I already have depositions set. I have not cleared the dates with my clients yet, but I am open on November 26, November 27 and November 28.

Please let me know if you are amenable to the deposition schedule above and, if so, your date preference for Mr. and Mrs. McGuire's deposition. By way of carbon copy, I ask Attorney Mast to relate his position on the deposition schedule proposed above. Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to be 'RAB' with a stylized flourish at the end.

RONALD A. BARCH

RB:mj08ltr.PAA

Encl.

cc Tom Malatia (Claim No. 13-2779-11)  
Attorney Hans A. Mast

COMPEX LEGAL SERVICES  
325 Maple Avenue, Torrance, California 90503  
(888) 685-4411

not  
ordered

RECORD REQUEST FORM

Compex Order: E61147

THOMAS J. POPOVICH, P.C.  
3416 W. ELM ST.  
MCHENRY, IL 60050

February 07, 2013

RE: DULBERG V. GAGNON, ET. AL.  
Case No.: 12 LA 000178  
Record Subject: DULBERG, PAUL  
Records requested by: LAW OFFICE OF M. GERARD GREGOIRE

DEAR HANS A. MAST:

Compex Legal Services has been requested by the firm named above to obtain records from the locations listed below.

If you require copies of any of these records, please indicate by checking the box next to the appropriate location(s) and sign and return the form(s) to Compex Legal Services. If no boxes are checked, we will assume you are requesting records from all locations.

**Please note:**

By placing a check mark in the box next to a location, you have indicated your desire to receive a copy of the records received by Compex Legal Services from that location. Should you desire a copy of any original item(s) listed below the location, please indicate by checking the box before the item description. If you check "Films" and/or "Other" which may include copies of original items such as photos, blueprints, video or audio tapes, you must place your order within (2) business days of receipt of this notice to assure proper delivery.

☐ If a location provides a Certificate of No Records, you will receive a copy UNLESS this box is checked

Records    Films    Other  
              (If requested)

☐    ☐    ☐    A. JUSKIE PRINTING INC

If your firm has an account with Compex Legal Services, normal billing will apply. If you represent an insurance carrier and prefer that we bill them directly, please provide the following information:

Carrier \_\_\_\_\_ Adjuster \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_  
City, St \_\_\_\_\_ Zip \_\_\_\_\_  
Claim \_\_\_\_\_ Insured \_\_\_\_\_

Your signature below confirms that you are ordering these records and agree to the terms and conditions(attached)

Authorized signature \_\_\_\_\_ Date \_\_\_\_\_  
(Required)

Print Name \_\_\_\_\_ Title \_\_\_\_\_

E-mail \_\_\_\_\_ Phone \_\_\_\_\_ Fax \_\_\_\_\_

Please return all pages of this form with your signature to FAX (800)479-3365

ATTORNEY OR PARTY WITHOUT ATTORNEY:		TELEPHONE NO	FOR COURT USE ONLY
<b>PERRY A. ACCARDO</b> <b>LAW OFFICE OF M. GERARD GREGOIRE</b> <b>200 NORTH LASALLE STREET, SUITE 2650, CHICAGO, IL 60601</b>		(312) 558-9800	
ATTORNEY FOR: <b>GAGNON</b>			
NAME OF COURT: <b>CIRCUIT COURT FOR THE STATE OF ILLINOIS</b> POST OFFICE & <b>FOR THE COUNTY OF MCHENRY</b> STREET ADDRESS <b>2200 NORTH SEMINARY AVENUE, WOODSTOCK, IL 60098</b>			
PLAINIFF/PETITIONER: <b>DULBERG</b> DEFENDANT/RESPONDENT: <b>GAGNON, ET. AL.</b> CASE NUMBER: <b>12 LA 000178</b>			
<b>NOTICE OF DEPOSITION</b>			

**NOTICE TO ALL PARTIES AND THEIR ATTORNEY(S):**

1. The production of documents by the Custodian of Records of the following business will be required as follows:

	DATE	TIME
<b>JUSKIE PRINTING INC</b> 28 20 HITCHCOCK AVENUE, UNIT E, DOWNERS GROVE, IL 60515	02/25/2013	10:00 AM

Date: February 07, 2013

PERRY A. ACCARDO

(Type or Print Name)

[S] PERRY A. ACCARDO

(Signature)

ATTORNEY AT LAW

(Title)

**NOTICE OF DEPOSITION**

I am employed in LOS ANGELES County, California. I am over the age of 18 and not a party to the within action; my business address is: 1016 WEST JACKSON BOULEVARD, SUITE 213, CHICAGO, IL 60607

On 02/08/13, I gave notice to: SEE SERVICE LIST BELOW

On the above date, I served true copies of the following documents;  
Subpoena

To each party appearing in this action, at the address below, by placing true copies thereof enclosed in a sealed envelope with postage fully pre-paid, in the United States mail at  
325 MAPLE AVENUE,  
TORRANCE, CA 90503

I declare under penalty of perjury under the laws of the State of Illinois that the foregoing is true and correct, and that this declaration was executed on 02/08/13.

SIGNED: \_\_\_\_\_

*Keniqua Latta*

Keniqua Latta

THOMAS J. POPOVICH, P.C.  
HANS A. MAST  
34 16 W. ELM ST  
MCHENRY, IL 60050

CICERO, FRANCE, BARCH & ALEXANDER, P.C.  
CICERO, FRANCE, BARCH & AL  
6323 EAST RIVERSIDE BOULEVARD  
ROCKFORD, IL 61114

STATE OF ILLINOIS )  
 ) SS  
 COUNTY OF MCHENRY )

**IN THE CIRCUIT COURT OF THE TWENTY-SECOND JUDICIAL DISTRICT  
 McHENRY COUNTY, ILLINOIS**

PAUL DULBERG,

Plaintiff(s),

CASE NO. 12LA000178

vs.

DAVID GAGNON, Individually, and as  
 Agent of CAROLINE MCGUIRE and  
 BILL MCGUIRE, and CAROLINE  
 MCGUIRE and BILL MCGUIRE,  
 Individually,

Defendant(s).

**NOTICE OF TAKING DEPOSITION(S)**

PLEASE TAKE NOTICE that the undersigned attorney will take the deposition of:

NAME: CAROLINE MCGUIRE and BILL MCGUIRE C.  
 DATE: November 29, 2012  
 TIME: 1:00 p.m.  
 PLACE: Q & A Reporting Service  
 7115 Virginia Road  
 Suite 105  
 Crystal Lake, Illinois, 60014

YOU ARE HEREBY requested pursuant to ILSC Rule 204 to produce the above listed deponent for the purpose of discovery deposition at the above listed time and place before Merrill Legal Solution, certified shorthand court reporters, or some other office duly authorized by law to take depositions.

The deponents are requested, pursuant to Illinois Supreme Court Rule 204, to produce the following documents and/or tangible things at the aforesaid time and place:

Any and all documents disclosed in Plaintiff's answers to interrogatories and response to Defendant's request for production of documents.

I HEREBY CERTIFY that on September 5, 2012, a true and correct copy of the foregoing Notice of Taking Deposition was mailed to:

Hans A. Mast  
Law Offices of Thomas J. Popovich, P.C.  
3416 W Elm St  
McHenry IL 60050

Attorney for Plaintiff(s) Paul Dulberg

Cicero, France, Barch & Alexander PC  
6323 East Riverside Blvd  
Rockford, IL 61114

Attorney for Co-Defendants, Caroline and Bill McGuire

LAW OFFICE OF M. GERARD GREGOIRE  
200 N LaSalle St Ste 2650  
Chicago, IL 60601-1092  
Telephone: 312-558-9821

By: \_\_\_\_\_

PERRY A. ACCARDO

Firm No.: 46878

Attorney Bar No.: 6228720

Attorney for Defendant(s):

David Gagnon

**CICERO, FRANCE, BARCH & ALEXANDER, P.C.**

**A Professional Corporation  
Attorneys at Law**

**6323 RIVERSIDE BLVD.  
ROCKFORD, IL 61114  
TELEPHONE: (815) 226-7700  
FACSIMILE: (815) 226-7701**

**FACSIMILE TRANSMISSION**

**DATE:** January 15, 2013

**TIME:** 5:05 PM

**RECEIVING LOCATION:**

Attorney Hans A. Mast  
815/344-5280

Attorney Perry A. Accardo  
312/558-9357

**FROM:**

**RONALD A. BARCH**

**TOTAL NUMBER OF PAGES (INCLUDING COVER SHEET):** 3

**COMMENTS AND/OR SPECIAL INSTRUCTIONS:** The original with enclosures will follow by regular U.S. mail.

**IF PROBLEMS OCCUR DURING TRANSMISSION,  
PLEASE CALL (815) 226-7700 AS SOON AS POSSIBLE.**

**TO THE RECIPIENT:**

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE.

**THANK YOU.**

*dpant@allstate.com*

STATE OF ILLINOIS  
IN THE CIRCUIT COURT OF THE 22<sup>ND</sup> JUDICIAL CIRCUIT  
COUNTY OF McHENRY

PAUL DULBERG,

Plaintiff,

vs.

DAVID GAGNON, Individually, and as  
Agent of CAROLINE MCGUIRE and BILL  
MCGUIRE, and CAROLINE MCGUIRE  
and BILL MCGUIRE, Individually,

Defendants.

Case No. 12 LA 178

**NOTICE OF  
DISCOVERY DEPOSITION**

TO: Attorney Hans A. Mast  
Law Offices of Thomas J. Popovich  
3416 West Elm Street  
McHenry, IL 60050

Attorney Perry A. Accardo  
Law Office of M. Gerard Gregoire  
200 N. LaSalle Street, Suite 2650  
Chicago, IL 60601-1092

On December 27, 2012, at 1:30 p.m., at the Law Offices of Thomas J. Popovich, 3416 West Elm Street, McHenry, Illinois, the discovery deposition of **PAUL DULBERG** will be taken before a certified court reporter on oral interrogatories for discovery in this case.

  
RONALD A. BARCH (6209572)

Cicero, France, Barch & Alexander, P.C.  
6323 East Riverside Blvd.  
Rockford, IL 61114  
815/226-7700 fax: 226-7701

**CERTIFICATE OF SERVICE**

I certify that on November 20, 2012, I served this notice by mailing a copy to each person to whom it is directed.

cc: Deb Fisher Reporting

depnnot.plf (mj)

THOMAS J. POPOVICH, P.C.  
3416 W. ELM ST  
MCHENRY, IL 60050  
ATTN: HANS A. MAST

CASE NAME: DULBERG v GAGNON, ET AL.

Not  
Order