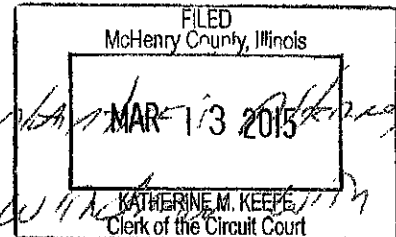


STATE OF ILLINOIS }
COUNTY OF MCHENRY } SSGEN. NO. 12 CA 178
☐ Jury ☐ Non-Jury

Dulberg vs. Rogers et al.

Date 3/12/15 Plaintiff's Attorney [Signature] Defendant's Attorney [Signature]

ORDER



This matter coming to be heard on plaintiff's motion to withdraw from the case, the court being fully advised in the premises it is ordered:

1. Law Office of Thomas R. Rogers motion to withdraw as counsel for plaintiff is granted.
2. Plaintiff Paul Dulberg shall have 21 days in which to return new counsel or file Supplementary Appearance.
3. Matter is continued to April 14, 2015 for status or plaintiff's new appearance. (4/10/15) (D)

Prepared by: R. Rogers, Rogers

Attorney for: [Signature]

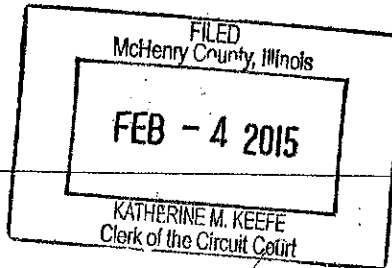
Attorney Registration No.: 629171 **SCANNED**

4. 4/9/15 pretrial is scheduled.

CIRCUIT COURT FOR THE 22ND JUDICIAL CIRCUIT

172!

STATE OF ILLINOIS }
COUNTY OF MCHENRY } SS



GEN. NO. 12 LA 178
☐ Jury ☐ Non-Jury

Dulberg

vs.

GAGNON

Date

2/04/15

Plaintiff's
Attorney

Popouch

Defendant's
Attorney

Lishoski

ORDER

This matter coming to be heard for status, IT IS HEREBY ORDERED:

① This matter is set for a pretrial settlement conference on April 9, 2015 at 1:30 p.m. in @201.

② ✓

SCANNED

Prepared by:

Popouch

Attorney for:

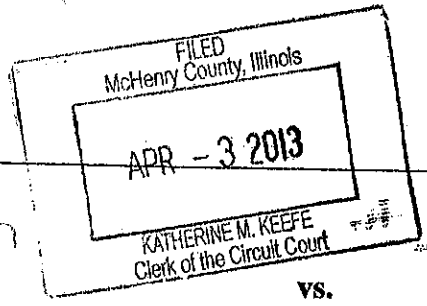
Pliff

Attorney Registration No.:

Judge:

[Signature]

STATE OF ILLINOIS }
COUNTY OF MCHENRY } SS



GEN. NO. 12LA178
☐ Jury ☐ Non-Jury

PAUL DUBERG

vs.

DAVID GARNON, et al.

Date 4/3/13 Plaintiff's Attorney MAST Defendant's Attorney McHenry & BACH GARNON & A CANNON

ORDER

Counsel for all parties appearing, and the Court being advised that the McHenry Defendants chain saw and various manuals were presented for inspection, photographing and copying on March 11, 2013,

It is ordered:

The Protective Order entered on August 17, 2012 is hereby modified and amended as follows:

The items of said chain saw and associated parts, accessories, manuals and paperwork are free to use same in the ordinary course; provided, however, that owners shall not sell or otherwise dispose of ~~chain saw~~ parts, accessories, manuals or chain saw without further order of the court.

Prepared by: _____

Attorney for: _____

Attorney Registration No.: _____

Judge _____

G. M.

STATE OF ILLINOIS
COUNTY OF MCHENRY } SS

GEN. NO. 12CA178

☐ Jury ☐ Non-Jury

Dulberg

vs.

Gagnon

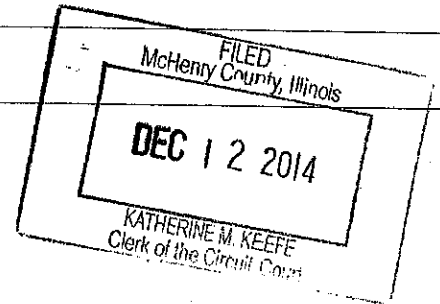
Date

Plaintiff's
Attorney

Mud

Defendant's
Attorney

ORDER



It is ordered:

① The case is continued for status
and trial setting February 4, 2015
9:00am in 201. (D) ✓

② Rule 213 (D) witnesses to be disclosed
by February 4, 2015.

Prepared by:

Attorney for:

Attorney Registration No.:

Judge

SCANNED

Circuit Clerk Use Only

ORD

ORDJ

ORDDWP

Plaintiff

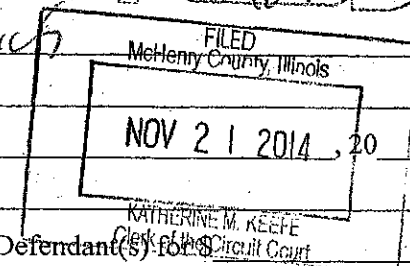
VS

Case Number 12 LA 178

Defendant

ORDER

FAXED



- ☒ Plaintiff(s) appear in person/by attorney R. Lumbre-Perovich
- ☐ Defendant(s) appear in person/by attorney _____
- ☐ Summons not served; alias summons to issue; return date _____
- ☐ Summons has been properly served on Defendant(s) _____
- ☐ Defendant(s) appear and admit liability. Judgment for Plaintiff(s) against Defendant(s) for \$ _____ plus interest of \$ _____ plus attorney fees of \$ _____ for a total of \$ _____ plus court costs.
- ☐ Defendant(s), having failed to appear or otherwise respond to the summons, is found in default. Judgment for Plaintiff(s) against Defendant(s) for \$ _____ plus interest of \$ _____ plus attorney fees of \$ _____ for a total of \$ _____ plus court costs.
- ☐ Case set for ☐ trial ☐ arbitration on _____, 20____ at _____ m. in Courtroom _____
- ☐ Defendant(s) shall file an Appearance within _____ days of today's date, or without further Notice to Defendant(s), the trial date will be stricken and a judgment by default will be entered against Defendant(s) and in favor of Plaintiff(s).

NOTICE TO DEFENDANT(S): THIS IS THE ONLY NOTICE YOU WILL RECEIVE OF THE TRIAL, OR ARBITRATION DATE AND YOUR OBLIGATION TO FILE AN APPEARANCE.

- ☐ Defendant(s) shall file an answer or other pleading within _____ days of today's date.
- ☒ This case is continued on Motion of ☒ Plaintiff; ☐ Defendant; ☐ By Agreement; ☐ Court; to 11/12 2014, 2014 at 9:00 a.m. for STATUS OF 212(F)(3)
- ☐ Case called, Plaintiff(s) fail to appear. Case dismissed for Plaintiff's failure to prosecute. dismissed
- ☐ Case dismissed with/without prejudice on Plaintiff's motion. Am. 24
- ☐ After trial of this case, the Court enters a Judgment for Plaintiff(s) against Defendant(s) for \$ _____ plus interest of \$ _____ plus attorney fees of \$ _____ for a total of \$ _____ plus court costs. (D)
- ☐ After trial of this case, the Court enters a Judgment for Defendant(s) against Plaintiff(s).
- ☐ COURT FURTHER ORDERS: _____

SCANNED

Date: _____

Judge

P1

Nov 21 2014 11:42am

Sender: GUEST

TTI = Law Offices T Popovich TTI Number: 1-815-344-5280

Destination	Type	Mode	Start Time	Time	Page Note	Result	Details
18777159317	FAX	Fine	11/21 11:41am	01'28"	2	* O K	



The Law Offices of Thomas J. Popovich P.C.

3416 W. ELM STREET
MCHENRY, ILLINOIS 60050
TELEPHONE: 815.344.3797
FACSIMILE: 815.344.5280

www.popovichlaw.com

THOMAS J. POPOVICH
HANS A. MAST
JOHN A. KORNAK

MARK J. VOGG
ROBERT J. LUMBER

November 21, 2014

VIA FACSIMILE: 877/715-9317

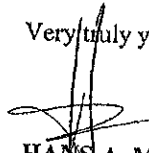
Perry Accardo
Law Office of Steven A. Lihosit
200 N. LaSalle Street, Suite 2550
Chicago, IL 60601-1092

RE: *Paul Dulberg vs. David Gagnon, Caroline McGuire and Bill McGuire*
McHenry County Case: 12 LA 178

Dear Mr. Accardo:

Please find enclosed the court order entered in the above-reference matter by Judge Meyer.

Very truly yours,


HANS A. MAST

smq
Enclosure

WAUKEGAN OFFICE
210 NORTH MARTIN LUTHER
KING JR. AVENUE
WAUKEGAN, IL 60085

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

B1 # 4

Circuit Clerk Use Only

ORD

ORDJ

ORDDWP

Plaintiff

vs

Case Number

Defendant

ORDER

FILED

- ☒ Plaintiff(s) appear in person/by attorney R. Leuter. Povich
- ☐ Defendant(s) appear in person/by attorney _____
- ☐ Summons not served; alias summons to issue; return date _____
- ☐ Summons has been properly served on Defendant(s) _____
- ☐ Defendant(s) appear and admit liability. Judgment for Plaintiff(s) against Defendant(s) for \$ _____ plus interest of \$ _____ plus attorney fees of \$ _____ for a total of \$ _____ plus court costs.
- ☐ Defendant(s), having failed to appear or otherwise respond to the summons, is found in default. Judgment for Plaintiff(s) against Defendant(s) for \$ _____ plus interest of \$ _____ plus attorney fees of \$ _____ for a total of \$ _____ plus court costs.
- ☐ Case set for ☐ trial ☐ arbitration on _____, 20____ at _____ m. in Courtroom _____
- ☐ Defendant(s) shall file an Appearance within _____ days of today's date, or without further Notice to Defendant(s), the trial date will be stricken and a judgment by default will be entered against Defendant(s) and in favor of Plaintiff(s).

FILED 20
McHenry County, Illinois
OCT - 1 2014
KATHERINE M. KEEFE
Clerk of the Circuit Court

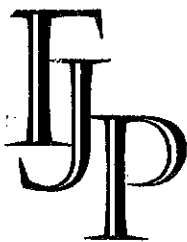
NOTICE TO DEFENDANT(S): THIS IS THE ONLY NOTICE YOU WILL RECEIVE OF THE TRIAL, OR ARBITRATION DATE AND YOUR OBLIGATION TO FILE AN APPEARANCE.

- ☐ Defendant(s) shall file an answer or other pleading within _____ days of today's date.
- ☒ This case is continued on Motion of ☐ Plaintiff; ☐ Defendant; ☐ By Agreement; ☐ Court; to 11/21, 2014 at 2:00 p.m. for Harris and Tramm (D)
- ☐ Case called, Plaintiff(s) fail to appear. Case dismissed for Plaintiff's failure to prosecute.
- ☐ Case dismissed with/without prejudice on Plaintiff's motion.
- ☐ After trial of this case, the Court enters a Judgment for Plaintiff(s) against Defendant(s) for \$ _____ plus interest of \$ _____ plus attorney fees of \$ _____ for a total of \$ _____ plus court costs.
- ☐ After trial of this case, the Court enters a Judgment for Defendant(s) against Plaintiff(s).
- ☐ COURT FURTHER ORDERS: _____

SCANNED

Date: _____

Judge



The Law Offices of Thomas J. Popovich P.C.

3416 W. ELM STREET
McHENRY, ILLINOIS 60050

TELEPHONE: 815.344.3797

FACSIMILE: 815.344.5280

www.popovichlaw.com

THOMAS J. POPOVICH

HANS A. MAST

JOSEPH A. KORNAK

MARK J. VOGG

ROBERT J. LUMBER

October 1, 2014

VIA FACSIMILE: 877/715-9317

Perry Accardo
Law Office of Steven A. Lihosit
200 N. LaSalle Street, Suite 2550
Chicago, IL 60601-1092

RE: *Paul Dulberg vs. David Gagnon, Caroline McGuire and Bill McGuire*
McHenry County Case: 12 LA 178

Dear Mr. Accardo:

Please find enclosed the court order entered in the above-reference matter by Judge Meyer.

Very truly yours,

HANS A. MAST

smq
Enclosure

WAUKEGAN OFFICE
210 NORTH MARTIN LUTHER
KING JR. AVENUE
WAUKEGAN, IL 60085

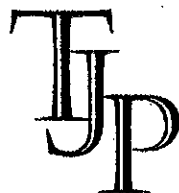
P1

Oct 1 2014 01:51pm

Sender: GUEST

TT1: Law Offices T Popovich TT1 Number: 1-815-344-5280

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The Law Offices of Thomas J. Popovich P.C.

3416 W. ELM STREET
McHENRY, ILLINOIS 60050
TELEPHONE: 815.344.3797
FACSIMILE: 815.344.5280
www.popovichlaw.com

THOMAS J. POPOVICH
HANS A. MAST
JOHN A. KORNAK

MARK J. VOGG
ROBERT J. LUMBER

October 1, 2014

VIA FACSIMILE: 877/715-9317

Perry Accardo
Law Office of Steven A. Lihosit
200 N. LaSalle Street, Suite 2550
Chicago, IL 60601-1092

RE: *Paul Dulberg vs. David Gagnon, Caroline McGuire and Bill McGuire*
McHenry County Case: 12 LA 178

Dear Mr. Accardo:

Please find enclosed the court order entered in the above-reference matter by Judge Meyer.

Very truly yours,

HANS A. MAST

smq
Enclosure

WAUKEGAN OFFICE
210 NORTH MARTIN LUTHER
KING JR. AVENUE
WAUKEGAN, IL 60085

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

(5)

Plaintiff

Dahlberg

vs

Defendant

Gagnon

Case Number

12LA000178

Circuit Clerk Use Only

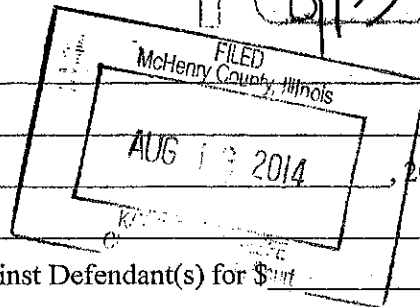
ORD

ORDJ

ORDDWP

ORDER

FILED
8/12



- ☒ Plaintiff(s) appear in person/by attorney _____
- ☐ Defendant(s) appear in person/by attorney _____
- ☐ Summons not served; alias summons to issue; return date _____
- ☐ Summons has been properly served on Defendant(s) _____
- ☐ Defendant(s) appear and admit liability. Judgment for Plaintiff(s) against Defendant(s) for \$ _____, plus interest of \$ _____ plus attorney fees of \$ _____ for a total of \$ _____ plus court costs.
- ☐ Defendant(s), having failed to appear or otherwise respond to the summons, is found in default. Judgment for Plaintiff(s) against Defendant(s) for \$ _____, plus interest of \$ _____ plus attorney fees of \$ _____ for a total of \$ _____ plus court costs.
- ☐ Case set for ☐ trial ☐ arbitration on _____, 20____ at _____ m. in Courtroom _____
- ☐ Defendant(s) shall file an Appearance within _____ days of today's date, or without further Notice to Defendant(s), the trial date will be stricken and a judgment by default will be entered against Defendant(s) and in favor of Plaintiff(s).

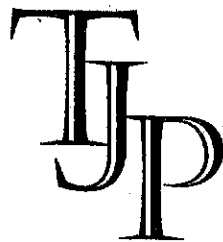
NOTICE TO DEFENDANT(S): THIS IS THE ONLY NOTICE YOU WILL RECEIVE OF THE TRIAL, OR ARBITRATION DATE AND YOUR OBLIGATION TO FILE AN APPEARANCE.

- ☐ Defendant(s) shall file an answer or other pleading within _____ days of today's date.
- ☒ This case is continued on Motion of ☐ Plaintiff; ☐ Defendant; ☐ By Agreement; ☐ Court; to Oct 1, 2014 at 9:00 a.m. for trial setting.
- ☐ Case called, Plaintiff(s) fail to appear. Case dismissed for Plaintiff's failure to prosecute.
- ☐ Case dismissed with/without prejudice on Plaintiff's motion.
- ☐ After trial of this case, the Court enters a Judgment for Plaintiff(s) against Defendant(s) for \$ _____, plus interest of \$ _____ plus attorney fees of \$ _____ for a total of \$ _____ plus court costs.
- ☐ After trial of this case, the Court enters a Judgment for Defendant(s) against Plaintiff(s).
- ☐ COURT FURTHER ORDERS: _____

Date:

SCANNED

Judge



The Law Offices of Thomas J. Popovich P.C.

3416 W. ELM STREET

McHENRY, ILLINOIS 60050

TELEPHONE: 815.344.3797

FACSIMILE: 815.344.5280

www.popovichlaw.com

THOMAS J. POPOVICH

HANS A. MAST

JOHN A. KORNAK

MARK J. VOGG

ROBERT J. LUMBER

August 13, 2014

VIA FACSIMILE: 877/715-9317

Perry Accardo

Law Office of Steven A. Lihosit

200 N. LaSalle Street, Suite 2550

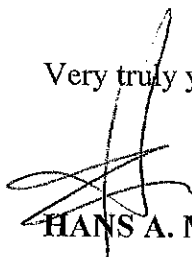
Chicago, IL 60601-1092

RE: *Paul Dulberg vs. David Gagnon, Caroline McGuire and Bill McGuire*
McHenry County Case: 12 LA 178

Dear Mr. Accardo:

Please find enclosed the court order entered in the above-reference matter by Judge Meyer.

Very truly yours,



HANS A. MAST

smq

Enclosure

WAUKEGAN OFFICE
210 NORTH MARTIN LUTHER
KING JR. AVENUE
WAUKEGAN, IL 60085

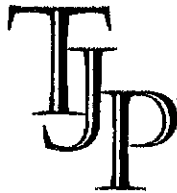
P1

Aug 13 2014 01:00pm

Sender: GUEST

TTI: Law Offices T Popovich TTI Number: 1-815-344-5280

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The Law Offices of Thomas J. Popovich P.C.

3416 W. ELM STREET
 McHENRY, ILLINOIS 60050
 TELEPHONE: 815.344.3797
 FACSIMILE: 815.344.5280
www.popovichlaw.com

THOMAS J. POPOVICH
 HANS A. MAST
 JOHN A. KORNAK

MARK J. VOGG
 ROBERT J. LUMBER

August 13, 2014

VIA FACSIMILE: 877/715-9317

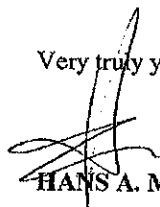
Perry Accardo
 Law Office of Steven A. Lihosit
 200 N. LaSalle Street, Suite 2550
 Chicago, IL 60601-1092

RE: *Paul Dulberg vs. David Gagnon, Caroline McGuire and Bill McGuire*
 McHenry County Case: 12 LA 178

Dear Mr. Accardo:

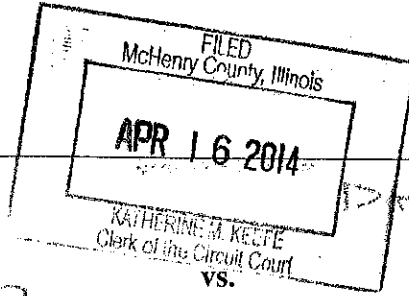
Please find enclosed the court order entered in the above-reference matter by Judge Meyer.

Very truly yours,


 HANS A. MAST

smq
 Enclosure

WAUKEGAN OFFICE
 210 NORTH MARTIN LUTHER
 KING JR. AVENUE
 WAUKEGAN, IL 60085

STATE OF ILLINOIS }
COUNTY OF MCHENRY } SS

GEN. NO. 12LA 178

☒ Jury ☐ Non-JuryPAUL
DUBERGHDAVID GARNON,
et al

Date 4/16/14 Plaintiff's Attorney ROSS Defendant's Attorney ROSS
ROSS ROSS ROSS ROSS

ORDER

This cause coming on before the Court on the Motion for Protective Order, and the Court having heard the oral argument of the parties, and there being no objection,

IT IS ORDERED:

- (1) The Motion for Protective Order is granted.
- (2) Case shall remain set for 8/13/14 at 9:00 a.m.

SCANNED

Prepared by: ROSSAttorney for: McHenry DefendantsAttorney Registration No.: 6209572

Judge

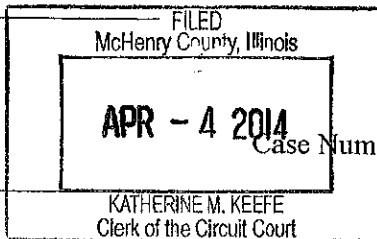
IN THE CIRCUIT COURT OF THE TWENTY-SECOND JUDICIAL CIRCUIT
McHENRY COUNTY, ILLINOIS

#2

Plaintiff

vs

Defendant



Circuit Clerk Use Only

ORD

ORDJ

ORDDWP

Case Number

1264178

ORDER

- ☒ Plaintiff(s) appear in person/by attorney.
- ☒ Defendant(s) appear in person/by attorney.
- ☐ Summons not served; alias summons to issue; return date _____, 20____.
- ☐ Summons has been properly served on Defendant(s) _____.
- ☐ Defendant(s) appear and admit liability. Judgment for Plaintiff(s) against Defendant(s) for \$ _____, plus interest of \$ _____ plus attorney fees of \$ _____ for a total of \$ _____ plus court costs.
- ☐ Defendant(s), having failed to appear or otherwise respond to the summons, is found in default. Judgment for Plaintiff(s) against Defendant(s) for \$ _____, plus interest of \$ _____ plus attorney fees of \$ _____ for a total of \$ _____ plus court costs.
- ☐ Case set for ☐ trial ☐ arbitration on _____, 20____ at _____ m. in Courtroom _____.
- ☐ Defendant(s) shall file an Appearance within _____ days of today's date, or without further Notice to Defendant(s), the trial date will be stricken and a judgment by default will be entered against Defendant(s) and in favor of Plaintiff(s).

NOTICE TO DEFENDANT(S): THIS IS THE ONLY NOTICE YOU WILL RECEIVE OF THE TRIAL, OR ARBITRATION DATE AND YOUR OBLIGATION TO FILE AN APPEARANCE.

- ☐ Defendant(s) shall file an answer or other pleading within _____ days of today's date.
- ☒ This case is continued on Motion of ☐ Plaintiff; ☐ Defendant; ☒ By Agreement; ☐ Court; to 8/13, 2014 at 9:00 A m. for STATUS OF F-12 DISCOVERY
- ☐ Case called, Plaintiff(s) fail to appear. Case dismissed for Plaintiff's failure to prosecute.
- ☐ Case dismissed with/without prejudice on Plaintiff's motion.
- ☐ After trial of this case, the Court enters a Judgment for Plaintiff(s) against Defendant(s) for \$ ⑤ ✓, plus interest of \$ _____ plus attorney fees of \$ _____ for a total of \$ _____ plus court costs.
- ☐ After trial of this case, the Court enters a Judgment for Defendant(s) against Plaintiff(s).
- ☐ COURT FURTHER ORDERS: _____

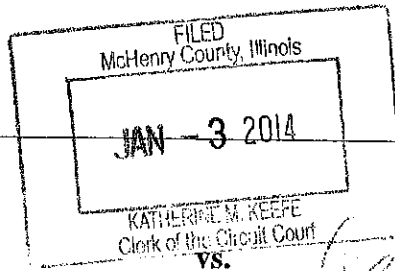
Date:

4/4/13

Judge

SCANNED

(2)

STATE OF ILLINOIS
COUNTY OF MCHENRY } SS

GEN. NO. 12LA178

☐ Jury ☐ Non-Jury

Deberg

vs.

Bognon

Date

1/3/4

Plaintiff's
Attorney

MoA

Defendant's
Attorney

Acala

ORDER

Now comes parties for case
STATUS:

IT is ordered:

This cause is continued to
April 4, 2014 at9:00am in 201 for further
status of discovery and trial
setting. (D)

Prepared by:

Attorney for:

Attorney Registration No.:

Judge

SCANNED

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

15172

Sam Duhay
Plaintiff

Circuit Clerk Use Only	
_____	ORD
_____	ORDJ
_____	ORDDWP

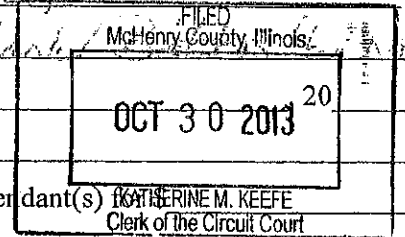
vs

David Gagnon et al
Defendant

Case Number 12 CO 179

ORDER

- ☒ Plaintiff(s) appear in person/by attorney B. Lombro - Representing
- ☒ Defendant(s) appear in person/by attorney David Gagnon, et al
- ☐ Summons not served; alias summons to issue; return date _____
- ☐ Summons has been properly served on Defendant(s) _____
- ☐ Defendant(s) appear and admit liability. Judgment for Plaintiff(s) against Defendant(s) _____ plus interest of \$ _____ plus attorney fees of \$ _____ for a total of \$ _____ plus court costs.
- ☐ Defendant(s), having failed to appear or otherwise respond to the summons, is found in default. Judgment for Plaintiff(s) against Defendant(s) for \$ _____, plus interest of \$ _____ plus attorney fees of \$ _____ for a total of \$ _____ plus court costs.
- ☐ Case set for ☐ trial ☐ arbitration on _____, 20____ at _____ m. in Courtroom _____
- ☐ Defendant(s) shall file an Appearance within _____ days of today's date, or without further Notice to Defendant(s), the trial date will be stricken and a judgment by default will be entered against Defendant(s) and in favor of Plaintiff(s).



NOTICE TO DEFENDANT(S): THIS IS THE ONLY NOTICE YOU WILL RECEIVE OF THE TRIAL, OR ARBITRATION DATE AND YOUR OBLIGATION TO FILE AN APPEARANCE.

- ☐ Defendant(s) shall file an answer or other pleading within _____ days of today's date.
- ☒ This case is continued on Motion of ☐ Plaintiff; ☐ Defendant; ☐ By Agreement; ☐ Court; to January 2, 2014 at 9:00 A m. for status Reminded
- ☐ Case called, Plaintiff(s) fail to appear. Case dismissed for Plaintiff's failure to prosecute.
- ☐ Case dismissed with/without prejudice on Plaintiff's motion.
- ☐ After trial of this case, the Court enters a Judgment for Plaintiff(s) against Defendant(s) for \$ _____, plus interest of \$ _____ plus attorney fees of \$ _____ for a total of \$ _____ plus court costs.
- ☐ After trial of this case, the Court enters a Judgment for Defendant(s) against Plaintiff(s).
- ☐ COURT FURTHER ORDERS: _____

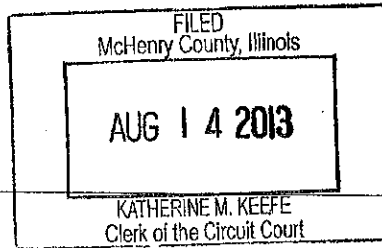
SCANNER

Date: _____

Judge

CIRCUIT COURT FOR THE 22ND JUDICIAL CIRCUIT

STATE OF ILLINOIS }
COUNTY OF MCHENRY } SS



GEN. NO. 12 LA 178
☐ Jury ☐ Non-Jury

Dubois

vs.

GIBSON et al

Date 8/14/13 Plaintiff's Attorney Defendant's Attorney

ORDER

This case coming on for status on medical discovery, counsel for Plaintiff + the McGinn Defendants appearing, and the Court being advised,

IT IS ORDERED:
case is reset to 10/30/13 at 9:00 AM. for further status on medical discovery.

(D) ✓

SCANNED

Prepared by: _____

Attorney for: _____

Attorney Registration No.: _____

Judge

[Signature]

ILLINOIS
OF MCHENRY } SSFILED
McHenry County, Illinois

JUN - 5 2013

KATHERINE M. KEEFE
Clerk of the Circuit CourtGEN. NO. B LA 178☐ Jury ☐ Non-Jury

Dulberg

vs.

Bagnon, et al.

Date 6-5-13Plaintiff's
AttorneyR. Luntz
Hana MastDefendant's
AttorneyPerry Accardo-Bagnon
C. Bielkiss For
Ron Busch-McGuire

ORDER

This matter coming before the Court for status on non-medical fact discovery, all parties having notice and the Court being fully advised in the premises;

IT IS HEREBY ORDERED:

- ① Non-medical fact discovery is closed with the exception of witness Mike Thomas;
- ② The case is continued to 8-14-13 at 9 AM for status on F2 discovery.

③ ✓

SCANNED

Prepared by:

C. Bielkiss (Ron Busch)

Attorney for:

Defendants-McGuire

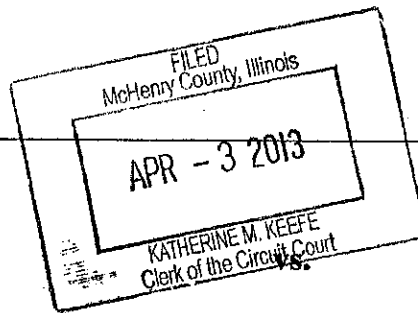
Attorney Registration No.:

Judge

[Signature]

STATE OF ILLINOIS
COUNTY OF MCHENRY } SSGEN. NO. 12LA178
☐ Jury ☐ Non-Jury

PAUL DULBERG



DAVID GAGNON, et al.

Date 4/3/13 Plaintiff's Attorney MAST Defendant's Attorney McGuire & Breen
GAGNON -> A CANGE

ORDER

Counsel for all parties appearing, and the Court being advised that the McGuire Defendants' chainsaw and owners' manual were presented for inspection, photographing and copying on March 11, 2013,

IT IS ORDERED:

~~AND~~ The Protective Order entered on August 12, 2012 is hereby modified and amended as follows:

The owners of said chain saw and associated parts, accessories, manual and paperwork are free to use same in the ordinary course; provided, however, that owners shall not sell or otherwise discard ~~parts, accessories, manuals or~~ ^{parts, accessories, manuals or} chainsaw without further order of the court.

Prepared by: _____

Attorney for: _____

Attorney Registration No.: _____

Judge _____

SCANNED

GAM

STATE OF ILLINOIS
COUNTY OF MCHENRY } SSGEN. NO. 12 LA 178☐ Jury ☐ Non-Jury

PAUL DULBERG

vs.


DAVID GARNON
et alDate 4/3/13 Plaintiff's Attorney MAST Defendant's Attorney McGuire → BACH
GARNON → Accordo

ORDER

This cause coming on for status,
counsel for all parties appearing,
and the Court being advised,

IT IS ORDERED:

Cause is reset for status on the
completion of fact discovery
(non-medical) for 6/5/13

at 9:00 Am. 

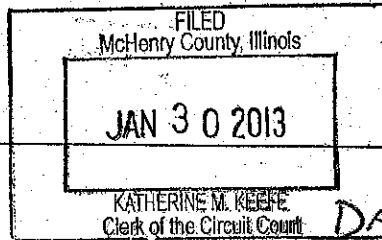
parts, documents, records of

Prepared by: _____

Attorney for: _____

Attorney Registration No.: _____

Judge 

STATE OF ILLINOIS }
COUNTY OF MCHENRY } SSGEN. NO. 12 LA 170
☐ Jury ☐ Non-Jury

PAUL DUEBERG

VS.

DAVIDA GAGNON

et al.

Date 1/30/13 Plaintiff's Attorney MAST Defendant's Attorney BARCH → McGuire ACCORDO → GAGNON

ORDER

THIS CAUSE COMING ON FOR STATUS ~~AND ON~~ AND ON
McGuire DEFENDANTS' MOTIONS FOR LEAVE TO
AMEND ANSWER TO INCLUDE AFFIRMATIVE DEFENSES,
MOTION FOR LEAVE TO FILE CROSS-CLAIM FOR
CONTRIBUTION AND MOTION TO COMPEL AS TO
DEFENDANT GAGNON, COUNSEL FOR ALL PARTIES
APPEARING,

IT IS ORDERED:

- (1) ~~DEF~~ McGuire DEFENDANTS' MOTION FOR LEAVE TO
ADD AFFIRMATIVE DEFENSE IS GRANTED;
- (2) McGuire DEFENDANTS' MOTION TO FILE CROSS-CLAIM
FOR CONTRIBUTION IS GRANTED;
- (3) McGuire DEFENDANTS' MOTION TO COMPEL AS TO
DEFENDANT GAGNON IS GRANTED; DEFENDANT GAGNON
TO ANSWER WRITEN ~~DISC~~ DISCOVERY BY 2/4/13;
- (4) CAUSE RESET FOR STATUS ON COMPLETION
OF PARTY DEPOSITIONS FOR 4/3/13 at 9:00 AM.

SCANNED

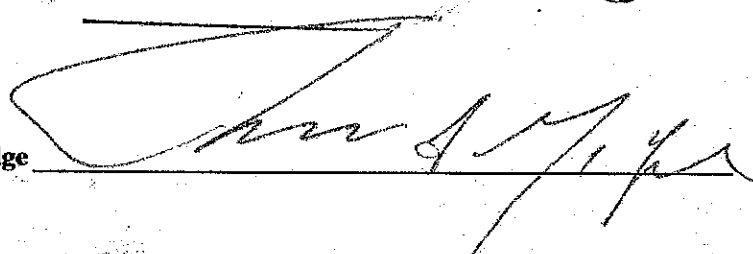
D✓

Prepared by: _____

Attorney for: _____

Attorney Registration No.: _____

Judge



1/12/2 #11

Circuit Clerk Use Only

ORD

ORDJ

ORDDWP

Plaintiff

vs

Case Number

Defendant

ORDER

12 (A) 128
FILED
1108

- ☒ Plaintiff(s) appear in person/by attorney R. Lumber - Revue
- ☐ Defendant(s) appear in person/by attorney _____
- ☐ Summons not served; alias summons to issue; return date _____
- ☐ Summons has been properly served on Defendant(s) _____
- ☐ Defendant(s) appear and admit liability. Judgment for Plaintiff(s) against Defendant(s) for a total of \$ _____ plus interest of \$ _____ plus attorney fees of \$ _____ plus court costs.
- ☐ Defendant(s), having failed to appear or otherwise respond to the summons, is found in default. Judgment for Plaintiff(s) against Defendant(s) for \$ _____ plus interest of \$ _____ plus attorney fees of \$ _____ for a total of \$ _____ plus court costs.
- ☐ Case set for ☐ trial ☐ arbitration on _____, 20____ at _____ m. in Courtroom _____
- ☐ Defendant(s) shall file an Appearance within _____ days of today's date, or without further Notice to Defendant(s), the trial date will be stricken and a judgment by default will be entered against Defendant(s) and in favor of Plaintiff(s).

FILED
McHenry County, Illinois
NOV 28 2012
KATHERINE M. KEEFE
Circuit Clerk

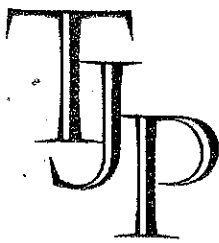
NOTICE TO DEFENDANT(S): THIS IS THE ONLY NOTICE YOU WILL RECEIVE OF THE TRIAL, OR ARBITRATION DATE AND YOUR OBLIGATION TO FILE AN APPEARANCE.

- ☐ Defendant(s) shall file an answer or other pleading within _____ days of today's date.
- ☒ This case is continued on Motion of ☐ Plaintiff; ☐ Defendant; ☒ By Agreement; ☐ Court; to 1/30, 2013 at 9:00 a.m. for STATE OF ILLINOIS (P)
- ☐ Case called; Plaintiff(s) fail to appear. Case dismissed for Plaintiff's failure to prosecute. Ram 201 (P)
- ☐ Case dismissed with/without prejudice on Plaintiff's motion.
- ☐ After trial of this case, the Court enters a Judgment for Plaintiff(s) against Defendant(s) for \$ _____ plus interest of \$ _____ plus attorney fees of \$ _____ for a total of \$ _____ plus court costs.
- ☐ After trial of this case, the Court enters a Judgment for Defendant(s) against Plaintiff(s).
- ☒ COURT FURTHER ORDERS: All written discovery shall be completed by 1/30/13

SCANNED

Date:

Judge



The Law Offices of Thomas J. Popovich P.C.

3416 W. ELM STREET
McHENRY, ILLINOIS 60050
TELEPHONE: 815.344.3797
FACSIMILE: 815.344.5280
www.popovichlaw.com

THOMAS J. POPOVICH
HANS A. MAST
JOHN A. KORNAK

MARK J. VOGG
JAMES P. TUTAJ
ROBERT J. LUMBER
THERESA M. FREEMAN

November 28, 2012

VIA FACSIMILE: 815/226-7701

Ronald A. Barch
Cicero, France, Barch & Alexander, PC
6323 E. Riverside Blvd.
Rockford, IL 61114

VIA FACSIMILE: 312/558-9357

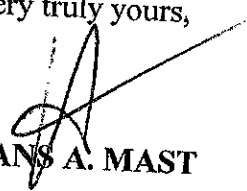
Perry Accardo
Law Office of M. Gerard Gregoire
200 N. LaSalle Street, Suite 2650
Chicago, IL 60601-1092

RE: *Paul Dulberg vs. David Gagnon, Caroline McGuire and Bill McGuire*
McHenry County Case: 12 LA 178

Dear Counselors:

Please find enclosed the court order entered in the above-reference matter by Judge Meyer.

Very truly yours,


HANS A. MAST

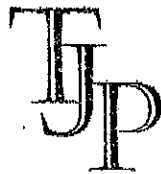
smq
Enclosure

**** Transmit Conf. Report ****

P.1
LAW OFFICE T POPOVICH Fax 1-815-344-5280

Nov 28 2012 02:44pm

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18152267701	Normal	28:02:41pm	1'00"	2	* O K	Brdcast
13125589357	Normal	28:02:43pm	0'29"	2	# O K	Brdcast



The Law Offices of Thomas J. Popovich P.C.

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THOMAS J. POPOVICH
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THERESA M. FREEMAN

November 28, 2012

VIA FACSIMILE: 815/226-7701

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Rockford, IL 61114

VIA FACSIMILE: 312/558-9357


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

RE: *Paul Dulberg vs. David Gagnon, Caroline McGuire and Bill McGuire*
McHenry County Case: 12 LA 178

Dear Counselors:

Please find enclosed the court order entered in the above-reference matter by Judge Meyer.

Very truly yours,


HANS A. MAST

smg
Enclosure

SMAGNOCHEBER3_PAVILLET-Notes to Amy re Order 11-26-12.mxd

WAUKEGAN OFFICE
210 NORTH MARTIN LUTHER
KING JR. AVENUE
WAUKEGAN, IL 60085

15 1-#3

Paul Dalberg
Plaintiff

FILED

Circuit Clerk Use Only	
<input checked="" type="checkbox"/>	ORD
<input type="checkbox"/>	ORDJ
<input type="checkbox"/>	ORDDWP

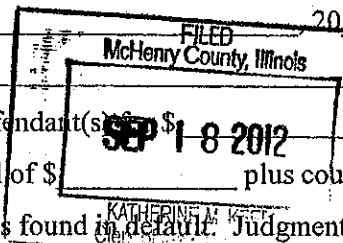
VS

DAVID GAGNON et al
Defendant

Case Number [REDACTED]

ORDER

- ☒ Plaintiff(s) appear in person/by attorney R. Lumbert - Law Office T. Reynolds
- ☒ Defendant(s) appear in person/by attorney _____
- ☐ Summons not served; alias summons to issue; return date _____
- ☐ Summons has been properly served on Defendant(s) _____
- ☐ Defendant(s) appear and admit liability. Judgment for Plaintiff(s) against Defendant(s) for \$ _____ plus interest of \$ _____ plus attorney fees of \$ _____ for a total of \$ _____ plus court costs.
- ☐ Defendant(s), having failed to appear or otherwise respond to the summons, is found in default. Judgment for Plaintiff(s) against Defendant(s) for \$ _____, plus interest of \$ _____ plus attorney fees of \$ _____ for a total of \$ _____ plus court costs.
- ☐ Case set for ☐ trial ☐ arbitration on _____, 20____ at _____ m. in Courtroom _____
- ☐ Defendant(s) shall file an Appearance within _____ days of today's date, or without further Notice to Defendant(s), the trial date will be stricken and a judgment by default will be entered against Defendant(s) and in favor of Plaintiff(s).



NOTICE TO DEFENDANT(S): THIS IS THE ONLY NOTICE YOU WILL RECEIVE OF THE TRIAL, OR ARBITRATION DATE AND YOUR OBLIGATION TO FILE AN APPEARANCE.

- ☐ Defendant(s) shall file an answer or other pleading within _____ days of today's date.
- ☒ This case is continued on Motion of ☐ Plaintiff; ☐ Defendant; ☒ By Agreement; ☐ Court; to Nov 28, 2012 at 9:00 A m. for status - Ramsey
- ☐ Case called, Plaintiff(s) fail to appear. Case dismissed for Plaintiff's failure to prosecute.
- ☐ Case dismissed with/without prejudice on Plaintiff's motion.
- ☐ After trial of this case, the Court enters a Judgment for Plaintiff(s) against Defendant(s) for \$ _____ plus interest of \$ _____ plus attorney fees of \$ _____ for a total of \$ _____ plus court costs.
- ☐ After trial of this case, the Court enters a Judgment for Defendant(s) against Plaintiff(s).
- ☐ COURT FURTHER ORDERS: _____

Date: _____

[Signature]
Judge

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

15 173

Circuit Clerk Use Only

ORD

ORDJ

ORDDWP

Plaintiff

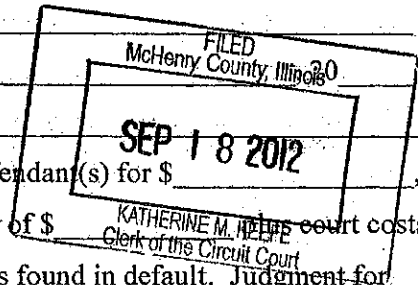
vs

Case Number 12 LA 178

Defendant

ORDER

- ☒ Plaintiff(s) appear in person/by attorney R. Lumbra. Law of T. Repulich
- ☒ Defendant(s) appear in person/by attorney
- ☐ Summons not served; alias summons to issue; return date
- ☐ Summons has been properly served on Defendant(s)
- ☐ Defendant(s) appear and admit liability. Judgment for Plaintiff(s) against Defendant(s) for \$ plus interest of \$ plus attorney fees of \$ for a total of \$ plus court costs.
- ☐ Defendant(s), having failed to appear or otherwise respond to the summons, is found in default. Judgment for Plaintiff(s) against Defendant(s) for \$ plus interest of \$ plus attorney fees of \$ for a total of \$ plus court costs.
- ☐ Case set for ☐ trial ☐ arbitration on , 20 at m. in Courtroom
- ☐ Defendant(s) shall file an Appearance within days of today's date, or without further Notice to Defendant(s), the trial date will be stricken and a judgment by default will be entered against Defendant(s) and in favor of Plaintiff(s).

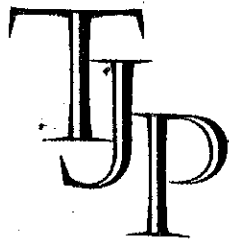


NOTICE TO DEFENDANT(S): THIS IS THE ONLY NOTICE YOU WILL RECEIVE OF THE TRIAL, OR ARBITRATION DATE AND YOUR OBLIGATION TO FILE AN APPEARANCE.

- ☐ Defendant(s) shall file an answer or other pleading within days of today's date.
- ☒ This case is continued on Motion of ☐ Plaintiff; ☐ Defendant; ☒ By Agreement; ☐ Court; to Nov 21, 2012 at 9:00 A m. for status - Remedy
- ☐ Case called, Plaintiff(s) fail to appear. Case dismissed for Plaintiff's failure to prosecute.
- ☐ Case dismissed with/without prejudice on Plaintiff's motion.
- ☐ After trial of this case, the Court enters a Judgment for Plaintiff(s) against Defendant(s) for \$ plus interest of \$ plus attorney fees of \$ for a total of \$ plus court costs.
- ☐ After trial of this case, the Court enters a Judgment for Defendant(s) against Plaintiff(s).
- ☐ COURT FURTHER ORDERS:

Date:

[Signature]
Judge



The Law Offices of Thomas J. Popovich P.C.

3416 W. ELM STREET
McHENRY, ILLINOIS 60050
TELEPHONE: 815.344.3797
FACSIMILE: 815.344.5280
www.popovichlaw.com

THOMAS J. POPOVICH
HANS A. MAST
JOHN A. KORNAK[†]
DIANA M. REITER

MARK J. VOGG
JAMES P. TUTAJ
ROBERT J. LUMBER
THERESA M. FREEMAN

September 21, 2012

VIA FACSIMILE: 815/226-7701

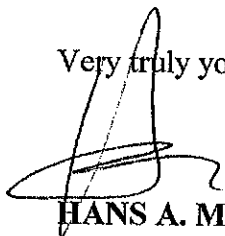
Ronald A. Barch
Cicero, France, Barch & Alexander, PC
6323 E. Riverside Blvd.
Rockford, IL 61114

RE: *Paul Dulberg vs. David Gagnon, Caroline McGuire and Bill McGuire*
McHenry County Case: 12 LA 178

Dear Mr. Barch:

Please find enclosed the court order entered in the above-reference matter by Judge Meyer.

Very truly yours,



HANS A. MAST

smq
Enclosure

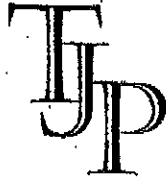
S:\Main\DULBERG, PAUL\Letters\Letter to Atty Barch re Order 9-21-12.wpd

**** Transmit Conf. Report ****

P.1
LAW OFFICE T POPOVICH Fax 1-815-344-5280

Sep 21 2012 11:32am

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
18152267701	Normal	21:11:30am	1'36"	3	* 0 K	



The Law Offices of Thomas J. Popovich P.C.

3416 W. ELM STREET
McHENRY, ILLINOIS 60050
TELEPHONE: 815.344.3797
FACSIMILE: 815.344.5280
www.popovichlaw.com

THOMAS J. POPOVICH
HANS A. MAST
JOHN A. KORNAK
DIANA M. REITER

MARK J. VOGG
JAMES P. TUTAJ
ROBERT J. LUMBER
THERESA M. FREEMAN

September 21, 2012

VIA FACSIMILE: 815/226-7701

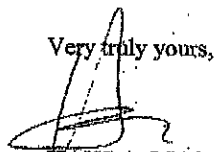
Ronald A. Barch
Cicero, France, Barch & Alexander, PC
6323 E. Riverside Blvd.
Rockford, IL 61114

RE: *Paul Dulberg vs. David Gagnon, Caroline McGuire and Bill McGuire*
McHenry County Case: 12 LA 178

Dear Mr. Barch:

Please find enclosed the court order entered in the above-reference matter by Judge Meyer.

Very truly yours,



HANS A. MAST

smg
Enclosure

SM:slm/DULBERG, PAUL;ctm:slm;cler to Amy Barch; cc Order 9-21-12.smg

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

1-0
#9

Dulberg
Plaintiff

vs

Gagnon
Defendant



Case Number 12 LA 178

Circuit Clerk Use Only
ORD
ORDJ
ORDDWP

ORDER

- ☒ Plaintiff(s) appear in person/by attorney T. Freeman / Popovich
☐ Defendant(s) appear in person/by attorney Ron Barch
☐ Summons not served; alias summons to issue; return date _____, 20____
☐ Summons has been properly served on Defendant(s)
☐ Defendant(s) appear and admit liability. Judgment for Plaintiff(s) against Defendant(s) for \$ _____
plus interest of \$ _____ plus attorney fees of \$ _____ for a total of \$ _____ plus court costs.
☐ Defendant(s), having failed to appear or otherwise respond to the summons, is found in default. Judgment for
Plaintiff(s) against Defendant(s) for \$ _____, plus interest of \$ _____
plus attorney fees of \$ _____ for a total of \$ _____ plus court costs.
☐ Case set for ☐ trial ☐ arbitration on _____, 20____ at _____ m. in Courtroom _____
☐ Defendant(s) shall file an Appearance within _____ days of today's date, or without further Notice to
Defendant(s), the trial date will be stricken and a judgment by default will be entered against Defendant(s) and in
favor of Plaintiff(s).

**NOTICE TO DEFENDANT(S): THIS IS THE ONLY NOTICE YOU WILL RECEIVE OF THE TRIAL,
OR ARBITRATION DATE AND YOUR OBLIGATION TO FILE AN APPEARANCE.**

- ☐ Defendant(s) shall file an answer or other pleading within _____ days of today's date.
☒ This case is continued on Motion of ☐ Plaintiff; ☐ Defendant; ☐ By Agreement; ☒ Court;
to 9-18, 2012 at 9:00 a m. for Status
☐ Case called, Plaintiff(s) fail to appear. Case dismissed for Plaintiff's failure to prosecute. (D)
☐ Case dismissed with/without prejudice on Plaintiff's motion.
☐ After trial of this case, the Court enters a Judgment for Plaintiff(s) against Defendant(s) for \$ _____
plus interest of \$ _____ plus attorney fees of \$ _____ for a total of \$ _____ plus court costs.
☐ After trial of this case, the Court enters a Judgment for Defendant(s) against Plaintiff(s).
☒ COURT FURTHER ORDERS: Plaintiff's Motion for Protective Order is
granted as set forth in Plaintiff's Motion.

Date: _____

Thomas A. Meyer
Judge

IN THE CIRCUIT COURT OF THE 22nd JUDICIAL CIRCUIT
McHENRY COUNTY, ILLINOIS

PAULO DULBERG

v

DAVUID GAGNON, etc., et al.

Case No. 12LA178

ORDER OF RECUSAL OR ORDER FOR SUBSTITUTION OF JUDGE

Reason for Reassignment:

____ Motion for Substitution of Judge: ____ by Right ____ for Cause

☒ Recusal/Judicial Conflict (Reason) Popovich firm

____ Other: _____

IT IS ORDERED: that the above entitled case is referred to the office of the Presiding Judge for reassignment.

Dated: July 25, 2012

Michael L. Dulberg
JUDGE

ORDER OF REASSIGNMENT

This cause being referred to the office of the Chief Judge for random selection of a judge;

IT IS HEREBY ORDERED that pursuant to assignment by the office of the Chief Judge this cause is reassigned for _____

Status on August 8, 2012 at 9:00 a.m.

☒ Assigned to the Civil Division, Courtroom 201 (Judge Thomas A. Meyer currently assigned to that division/courtroom).

____ Assigned to the Honorable _____

____ Case transferred to the Chief Judge for reassignment to a judge outside of McHenry County.

Dated: 7-25-12

Michael J. Sullivan
Chief Judge

Attorney Ronald Barch
6323 East Riverside Blvd.
Rockford, IL 61114

Attorney Thomas Popovich
3416 W. Elm St.
McHenry, IL 60050

Proof of Service

The undersigned certifies that a copy of the forgoing document was served upon all parties of record by way of mail, fax or hand delivery on: July 25, 2012

Lusy Huffman

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

Attorney Hans A. Mast

Law Offices of Thomas J. Popovich, PC

3416 West Elm Street

McHenry, IL 60050

TEL: (815) 226-7700

FAX: (815) 226-7701

February 12, 2014

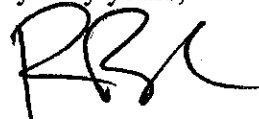
Case: *Paul Dulberg v. David Gagnon, Caroline McGuire and Bill McGuire*
(McHenry County Case No. 12 LA 178)

Dear Mr. Mast:

Enclosed herewith you will find the settlement draft necessary to conclude the settlement between Mr. Dulberg and Bill and Carolyn McGuire. I am also providing you with a copy of the "Filed" stamped Good Faith Finding and Order of Dismissal.

Please feel free to call if you have any questions concerning the above or the enclosed. I otherwise wish you and Mr. Accardo well with the remainder of the case.

Very truly yours,



RONALD A. BARCH

RB:mj\42ltr.HAM

Encl.

cc Tom Malatia (Claim No. 13-2779-11)
Attorney Perry Accardo

ORD 1

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE 22ND JUDICIAL CIRCUIT
COUNTY OF McHENRY

PAUL DULBERG,

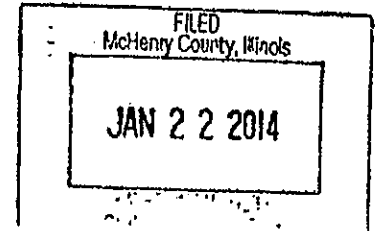
Plaintiff,

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



GOOD FAITH FINDING AND ORDER OF DISMISSAL

THIS CAUSE coming on to be heard on the Motion for Good Faith Finding and for Order of Dismissal with Prejudice filed by Defendants Bill McGuire and Carolyn McGuire, and the Court being fully advised in the premises,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That settlement between Plaintiff Paul Dulberg and Defendants Bill McGuire and Carolyn McGuire (improperly named Caroline) constitutes a fair and reasonable and good faith settlement within the meaning of the Illinois Joint Tortfeasor Contribution Act, 740 ILCS 0.01 et seq.

2. That the good faith settlement shall henceforth constitute a bar to any and all claims that Plaintiff Paul Dulberg and Defendant David Gagnon and other known or unknown tortfeasors may have against Defendants Bill McGuire and Carolyn McGuire on account of or arising out of the injuries, if any, sustained by Plaintiff Paul Dulberg as a result of the alleged chain saw accident that occurred on June 28, 2011, whether by way of original action, third party claim, cross-claim, counterclaim, claim for contribution or otherwise.

3. That Defendants Bill McGuire and Carolyn McGuire be and are hereby dismissed from the above-captioned lawsuit as party defendants and cross-claimants, with prejudice, and in bar of further suit.

4. That that there is no just reason to delay the enforcement or appeal of this good faith finding and order of dismissal.

DATED: _____



JUDGE Thomas A. Meyer

Prepared by:
Ronald A. Barch
Cicero, France, Barch & Alexander, PC
6323 East Riverside Blvd.
Rockford, IL 61114
815/226-7700

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

February 12, 2014

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

Attorney Perry A. Accardo
Law Office of Steven A. Lihosit
200 N. LaSalle Street, Suite 2550
Chicago, IL 60601

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

Dear Counsel:

With my departure from the case I feel compelled to address the subject of the chain saw that was involved in Mr. Dulberg's injury. Early on in the case a protective order was entered which prohibited Mr. and Mrs. McGuire from destroying or otherwise disposing of the chain saw and any associated documentation. The primary purpose behind the order of protection was to preserve the chainsaw and associated documentation until such time that Plaintiff's counsel could inspect and photograph same.

On March 20, 2013, the chain saw and owner's manual were made available for inspection and photographing. Plaintiff's counsel inspected and photographed the chainsaw. Plaintiff's counsel also secured a photocopy of the owner's manual.

On April 3, 2013, the protective order was modified to allow the Plaintiffs to use the subject chainsaw, owner's manual and associated paperwork in the ordinary course. The order further provides, however, that the owners may not destroy, dispose of, or sell the items without further order of the court.

Given the above, I am concerned about the possibility of a spoliation claim in the event the McGuires destroy, dispose of, or otherwise sell the chainsaw following my departure from the case. Please advise in writing whether you believe there is any reason to maintain the protective order as it currently exists. If not, I believe it makes sense to have the April 3, 2013 version of the protective order vacated.

I look forward to hearing from both of you at your earliest convenience.

Very truly yours,

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

RONALD A. BARCH

RB:mj\44ltr.OC

Encl.

CC Tom Malatia (13-2779-11)

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE 22ND JUDICIAL CIRCUIT
COUNTY OF McHENRY

PAUL DULBERG,)	
)	
Plaintiff,)	Case No. 12 LA 178
)	
vs.)	
)	
DAVID GAGNON, Individually, and as)	
Agent of CAROLINE MCGUIRE and BILL)	
MCGUIRE, and CAROLINE MCGUIRE)	
and BILL MCGUIRE, Individually,)	
)	
Defendants.)	

**MOTION FOR GOOD FAITH FINDING AND FOR ORDER OF
DISMISSAL WITH PREJUDICE BY DEFENDANTS BILL McGUIRE
AND CAROLYN McGUIRE**

Defendants, BILL McGUIRE (aka William McGuire) and CAROLYN McGUIRE (improperly named Caroline), by and through their attorneys, Cicero, France, Barch & Alexander, P.C., hereby move this Court to dismiss all claims against them with prejudice and further request this Court to find that the settlement set forth in this motion was made in good faith and within the meaning and contemplation of the Illinois Contribution Among Joint Tortfeasors Act, 740 ILCS 100/1, et seq. In support of their Motion, Defendants Bill McGuire and Carolyn McGuire state as follows:

1. On or about March 15, 2012, Plaintiff Paul Dulberg filed a multiple count complaint seeking damages for personal injuries he generally attributes to a chain saw incident that occurred on or about June 28, 2011, at and upon the premises owned by Defendants Bill McGuire and Carolyn McGuire, known commonly as 1016 West Elder Avenue, City of McHenry, County of McHenry, State of Illinois.

2. Plaintiff generally alleges that Defendant David Gagnon injured him with a chain

saw while working under the supervision and control of Defendants Bill McGuire and Carolyn McGuire. Defendant David Gagnon denies any and all liability for Plaintiff Paul Dulberg's injuries. Defendants Bill McGuire and Carolyn McGuire also deny any and all liability for Plaintiff Paul Dulberg's injuries and further deny that Defendant David Gagnon was under their control and supervision and working or acting as their employee or agent at the time of the alleged chain saw incident.

3. On February 1, 2013, Defendants Bill McGuire and Carolyn McGuire filed a cross-claim for contribution against Defendant David Gagnon. The cross-claim for contribution seeks contribution from Defendant David Gagnon for injuries claimed by Plaintiff Paul Dulberg and is based upon the terms and provisions of the Illinois Contribution Among Joint Tortfeasors Act, 740 ILCS 100/1, et seq.

4. Plaintiff Paul Dulberg and Defendants Bill McGuire and Carolyn McGuire have negotiated a settlement of all claims which Plaintiff brought or could have brought against Defendants Bill McGuire and Carolyn McGuire. The settlement was negotiated at arm's length over a substantial period of time, and with the advice of counsel on the part of both parties. There is no collusion or fraud on the part of any of the parties to the negotiation.

5. Pursuant to Section 100/2(c) of the Contribution Act, an alleged tortfeasor that settles with a claimant in good faith shall be discharged from liability for contribution to any other tortfeasors.

6. Defendants Bill McGuire and Carolyn McGuire deny and continue to deny liability to Plaintiff Paul Dulberg and further contest the nature and scope of the injuries Plaintiff Paul Dulberg attributes to the subject chain saw incident.

7. The lump-sum payment of \$5,000.00 to Plaintiff Paul Dulberg by or on behalf of

Defendants Bill McGuire and Carolyn McGuire constitutes adequate consideration for purposes of a good faith settlement under Section 100/2(c) of the Contribution Act.

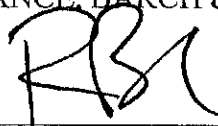
8. Defendants Bill McGuire and Carolyn McGuire respectfully suggest that the settlement with Plaintiff Paul Dulberg is and was made in good faith within the meaning of the Illinois Contribution Among Joint Tortfeasors Act, 740 ILCS 100/2(c).

WHEREFORE, the Defendants, BILL MCGUIRE and CAROLYN MCGUIRE, respectfully pray for the Court as follows:

- (1) For an Order declaring that the settlement between Plaintiff Paul Dulberg and Defendants Bill McGuire and Carolyn McGuire was made and entered into in good faith within the meaning of the Illinois Contribution Among Joint Tortfeasors Act, 740 ILCS 100/1, et seq.;
- (2) For an Order dismissing all civil complaints, cross-claims, counterclaims and contribution claims currently pending against Defendants Bill McGuire and Carolyn McGuire, and arising out of or otherwise connected to the injuries claimed by Plaintiff Paul Dulberg, with prejudice;
- (3) For an Order declaring that any potential future claims against Defendants Bill McGuire and Carolyn McGuire, including, without limitation, claims for contribution arising out of or otherwise connected to the chain saw incident and injuries claimed by Plaintiff Paul Dulberg, are barred;
- (4) For an Order declaring for purposes of Illinois Supreme Court Rule 304(a) that there is no just reason to delay enforcement or appeal of the Dismissal Order; and
- (5) That this Court enter an order granting such further relief as this Court deems just.

CAROLYN MCGUIRE and BILL MCGUIRE, Defendants,
by their attorneys,
CICERO, FRANCE, BARCH & ALEXANDER, P.C.,

By



RONALD A. BARCH (6209572)

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

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing document was
served upon:

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

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

by depositing the same in the United States Post Office Box addressed as above, postage prepaid,
at Rockford, Illinois, at 5:00 o'clock p.m. on 1/9/14.



Cicero, France, Barch & Alexander, P.C.
6323 East Riverside Blvd.
Rockford, IL 61114
815/226-7700
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STATE OF ILLINOIS
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)	
Defendants.)	

GOOD FAITH FINDING AND ORDER OF DISMISSAL

THIS CAUSE coming on to be heard on the Motion for Good Faith Finding and for Order of Dismissal with Prejudice filed by Defendants Bill McGuire and Carolyn McGuire, and the Court being fully advised in the premises,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That settlement between Plaintiff Paul Dulberg and Defendants Bill McGuire and Carolyn McGuire (improperly named Caroline) constitutes a fair and reasonable and good faith settlement within the meaning of the Illinois Joint Tortfeasor Contribution Act, 740 ILCS 0.01 et seq.
2. That the good faith settlement shall henceforth constitute a bar to any and all claims that Plaintiff Paul Dulberg and Defendant David Gagnon and other known or unknown tortfeasors may have against Defendants Bill McGuire and Carolyn McGuire on account of or arising out of the injuries, if any, sustained by Plaintiff Paul Dulberg as a result of the alleged chain saw accident that occurred on June 28, 2011, whether by way of original action, third party claim, cross-claim, counterclaim, claim for contribution or otherwise.

3. That Defendants Bill McGuire and Carolyn McGuire be and are hereby dismissed from the above-captioned lawsuit as party defendants and cross-claimants, with prejudice, and in bar of further suit.

4. That that there is no just reason to delay the enforcement or appeal of this good faith finding and order of dismissal.

DATED: _____

JUDGE Thomas A. Meyer

Prepared by:
Ronald A. Barch
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Rockford, IL 61114
815/226-7700