

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

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December 26, 2013

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 be advised that we will accept your \$5,000 settlement offer on behalf of you clients, Caroline and Bill McGuire. Please forward your settlement agreement to my attention. Also, please present a motion for good faith finding with regard to the settlement.

As I understand it, you have no liens on the file other than our attorney's lien.

Thank you for your cooperation.

Very truly yours,

  
HANS A. MAST

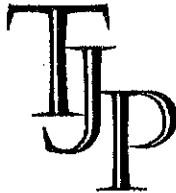
smq

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

Sender: GUEST

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

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smq

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

## Request for Taxpayer Identification Number and Certification

Give Form to the  
requester. Do not  
send to the IRS.

Print or type See Specific Instructions on page 2.	Name (as shown on your income tax return)	
	Business name/disregarded entity name, if different from above	
	Check appropriate box for federal tax classification (required): <input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ <input type="checkbox"/> Other (see instructions) ▶ _____	
	<input type="checkbox"/> Exempt payee	
	Address (number, street, and apt. or suite no.) City, state, and ZIP code List account number(s) here (optional)	
Requester's name and address (optional)		

### Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I Instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number								
				-				

Employer identification number								
				-				

### Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below).

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 4.

Sign  
Here

Signature of  
U.S. person ▶

Date ▶

### General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

#### Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

**Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,
- The U.S. grantor or other owner of a grantor trust and not the trust, and
- The U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

**Foreign person.** If you are a foreign person, do not use Form W-9. Instead, use the appropriate Form W-8 (see Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

**Nonresident alien who becomes a resident alien.** Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

**Example.** Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity not subject to backup withholding, give the requester the appropriate completed Form W-8.

**What is backup withholding?** Persons making certain payments to you must under certain conditions withhold and pay to the IRS a percentage of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

#### Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the Part II Instructions on page 3 for details),
3. The IRS tells the requester that you furnished an incorrect TIN,
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See the Instructions below and the separate Instructions for the Requester of Form W-9.

Also see *Special rules for partnerships* on page 1.

#### Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account, for example, if the grantor of a grantor trust dies.

#### Penalties

**Failure to furnish TIN.** If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

**Civil penalty for false information with respect to withholding.** If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

**Criminal penalty for falsifying information.** Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

**Misuse of TINs.** If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

#### Specific Instructions

##### Name

If you are an individual, you must generally enter the name shown on your income tax return. However, if you have changed your last name, for instance, due to marriage without informing the Social Security Administration of the name change, enter your first name, the last name shown on your social security card, and your new last name.

If the account is in joint names, list first, and then circle, the name of the person or entity whose number you entered in Part I of the form.

**Sole proprietor.** Enter your individual name as shown on your income tax return on the "Name" line. You may enter your business, trade, or "doing business as (DBA)" name on the "Business name/disregarded entity name" line.

**Partnership, C Corporation, or S Corporation.** Enter the entity's name on the "Name" line and any business, trade, or "doing business as (DBA)" name on the "Business name/disregarded entity name" line.

**Disregarded entity.** Enter the owner's name on the "Name" line. The name of the entity entered on the "Name" line should never be a disregarded entity. The name on the "Name" line must be the name shown on the income tax return on which the income will be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a domestic owner, the domestic owner's name is required to be provided on the "Name" line. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on the "Business name/disregarded entity name" line. If the owner of the disregarded entity is a foreign person, you must complete an appropriate Form W-8.

**Note.** Check the appropriate box for the federal tax classification of the person whose name is entered on the "Name" line (individual/sole proprietor, Partnership, C Corporation, S Corporation, Trust/estate).

**Limited Liability Company (LLC).** If the person identified on the "Name" line is an LLC, check the "Limited liability company" box only and enter the appropriate code for the tax classification in the space provided. If you are an LLC that is treated as a partnership for federal tax purposes, enter "P" for partnership. If you are an LLC that has filed a Form 8832 or a Form 2553 to be taxed as a corporation, enter "C" for C corporation or "S" for S corporation. If you are an LLC that is disregarded as an entity separate from its owner under Regulation section 301.7701-3 (except for employment and excise tax), do not check the LLC box unless the owner of the LLC (required to be identified on the "Name" line) is another LLC that is not disregarded for federal tax purposes. If the LLC is disregarded as an entity separate from its owner, enter the appropriate tax classification of the owner identified on the "Name" line.

**Other entities.** Enter your business name as shown on required federal tax documents on the "Name" line. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on the "Business name/disregarded entity name" line.

## Exempt Payee

If you are exempt from backup withholding, enter your name as described above and check the appropriate box for your status, then check the "Exempt payee" box in the line following the "Business name/disregarded entity name," sign and date the form.

Generally, individuals (including sole proprietors) are not exempt from backup withholding. Corporations are exempt from backup withholding for certain payments, such as interest and dividends.

**Note.** If you are exempt from backup withholding, you should still complete this form to avoid possible erroneous backup withholding.

The following payees are exempt from backup withholding:

1. An organization exempt from tax under section 501(c)(3), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2),
  2. The United States or any of its agencies or instrumentalities,
  3. A state, the District of Columbia, a possession of the United States, or any of their political subdivisions or instrumentalities,
  4. A foreign government or any of its political subdivisions, agencies, or instrumentalities, or
  5. An international organization or any of its agencies or instrumentalities.
- Other payees that may be exempt from backup withholding include:
6. A corporation,
  7. A foreign central bank of issue,
  8. A dealer in securities or commodities required to register in the United States, the District of Columbia, or a possession of the United States,
  9. A futures commission merchant registered with the Commodity Futures Trading Commission,
  10. A real estate investment trust,
  11. An entity registered at all times during the tax year under the Investment Company Act of 1940,
  12. A common trust fund operated by a bank under section 584(a),
  13. A financial institution,
  14. A middleman known in the investment community as a nominee or custodian, or
  15. A trust exempt from tax under section 664 or described in section 4947.

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 15.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 9
Broker transactions	Exempt payees 1 through 5 and 7 through 13. Also, C corporations.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 5
Payments over \$600 required to be reported and direct sales over \$5,000 <sup>1</sup>	Generally, exempt payees 1 through 7 <sup>2</sup>

<sup>1</sup> See Form 1099-MISC, Miscellaneous Income, and its instructions.

<sup>2</sup> However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney, and payments for services paid by a federal executive agency.

## Part I. Taxpayer Identification Number (TIN)

**Enter your TIN in the appropriate box.** If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS Individual Taxpayer Identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are a single-member LLC that is disregarded as an entity separate from its owner (see *Limited Liability Company (LLC)* on page 2), enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

**Note.** See the chart on page 4 for further clarification of name and TIN combinations.

**How to get a TIN.** If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local Social Security Administration office or get this form online at [www.ssa.gov](http://www.ssa.gov). You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at [www.irs.gov/businesses](http://www.irs.gov/businesses) and clicking on Employer Identification Number (EIN) under Starting a Business. You can get Forms W-7 and SS-4 from the IRS by visiting [IRS.gov](http://IRS.gov) or by calling 1-800-TAX-FORM (1-800-829-3676).

If you are asked to complete Form W-9 but do not have a TIN, write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

**Note.** Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

**Caution:** A disregarded domestic entity that has a foreign owner must use the appropriate Form W-8.

## Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, below, and items 4 and 5 on page 4 indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on the "Name" line must sign. Exempt payees, see *Exempt Payee* on page 3.

**Signature requirements.** Complete the certification as indicated in items 1 through 3, below, and items 4 and 5 on page 4.

**1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983.** You must give your correct TIN, but you do not have to sign the certification.

**2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983.** You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

**3. Real estate transactions.** You must sign the certification. You may cross out item 2 of the certification.

**4. Other payments.** You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

**5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions.** You must give your correct TIN, but you do not have to sign the certification.

### What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account <sup>1</sup>
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor <sup>2</sup>
4. a. The usual revocable savings trust (grantor is also trustee) b. So-called trust account that is not a legal or valid trust under state law	The grantor-trustee <sup>3</sup> The actual owner <sup>4</sup>
5. Sole proprietorship or disregarded entity owned by an individual	The owner <sup>4</sup>
6. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulation section 1.671-4(b)(2)(i)(A))	The grantor <sup>4</sup>
For this type of account:	Give name and EIN of:
7. Disregarded entity not owned by an individual	The owner
8. A valid trust, estate, or pension trust	Legal entity <sup>4</sup>
9. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
10. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
11. Partnership or multi-member LLC	The partnership
12. A broker or registered nominee	The broker or nominee
13. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
14. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulation section 1.671-4(b)(2)(i)(B))	The trust

<sup>1</sup> List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

<sup>2</sup> Circle the minor's name and furnish the minor's SSN.

<sup>3</sup> You must show your individual name and you may also enter your business or "DBA" name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

<sup>4</sup> List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships* on page 1.

\*Note. Grantor also must provide a Form W-9 to trustee of trust.

**Note.** If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

### Secure Your Tax Records from Identity Theft

Identity theft occurs when someone uses your personal information such as your name, social security number (SSN), or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-808-4490 or submit Form 14039.

For more information, see Publication 4535, Identity Theft Prevention and Victim Assistance.

Victims of identity theft who are experiencing economic harm or a system problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-828-4059.

**Protect yourself from suspicious emails or phishing schemes.** Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to [phishing@irs.gov](mailto:phishing@irs.gov). You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at: [spam@uce.gov](mailto:spam@uce.gov) or contact them at [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft) or 1-877-IDTHEFT (1-877-438-4338).

Visit [IRS.gov](http://IRS.gov) to learn more about identity theft and how to reduce your risk.

### Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.

# Request for Taxpayer Identification Number and Certification

Give Form to the  
requester. Do not  
send to the IRS.

Name (as shown on your income tax return)  
**Law Offices of Thomas J. Popovich, P.C.**

Business name/disregarded entity name, if different from above

Check appropriate box for federal tax classification (required):  
☐ Individual/sole proprietor  
☒ C Corporation  
☐ S Corporation  
☐ Partnership  
☐ Trust/estate  
☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶  
☐ Other (see instructions) ▶

Address (number, street, and apt. or suite no.)  
**3416 W. Elm Street**

City, state, and ZIP code  
**McHenry, IL 60050**

List account number(s) here (optional)

Requester's name and address (optional)

**Part I Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

**Social security number**

			-				
--	--	--	---	--	--	--	--

**Employer identification number**

3	6	-	4	2	7	5	0	8	5
---	---	---	---	---	---	---	---	---	---

**Note.** If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

**Part II Certification**

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. citizen or other U.S. person (defined below).

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 4.

**Sign Here** Signature of U.S. person ▶ *Thomas J. Popovich* Date ▶ *1-13-14*

## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

## Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued).
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

**Note.** If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

**Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

## **GENERAL RELEASE AND SETTLEMENT AGREEMENT**

NOW COMES PAUL DULBERG, and in consideration of the payment of Five-Thousand (\$5,000.00) Dollars to him, by or on behalf of the WILLIAM MCGUIRE and CAROLYN MCGUIRE (aka Bill McGuire; improperly named as Caroline McGuire) and AUTO-OWNERS INSURANCE COMPANY, the payment and receipt of which is hereby acknowledged, PAUL DULBERG does hereby release and discharge the WILLIAM MCGUIRE and CAROLYN MCGUIRE and AUTO-OWNERS INSURANCE COMPANY, and any agents or employees of the WILLIAM MCGUIRE and CAROLYN MCGUIRE and AUTO-OWNERS INSURANCE COMPANY, of and from any and all causes of action, claims and demands of whatsoever kind or nature including, but not limited to, any claim for personal injuries and property damage arising out of a certain chain saw incident that allegedly occurred on or about June 28, 2011, within and upon the premises known commonly as 1016 West Elder Avenue, City of McHenry, County of McHenry, State of Illinois.

IT IS FURTHER AGREED AND UNDERSTOOD that there is presently pending a cause of action in the Circuit Court of the 22<sup>nd</sup> Judicial Circuit, McHenry County, Illinois entitled "Paul Dulberg, Plaintiff, vs. David Gagnon, Individually, and as agent of Caroline McGuire and Bill McGuire, and Caroline McGuire and Bill McGuire, Individually, Defendants", Cause No. 2012 LA 178, and that this settlement is contingent upon WILLIAM MCGUIRE and CAROLYN MCGUIRE being dismissed with prejudice as parties to said lawsuit pursuant to a finding by the Circuit Court that the settlement between the parties constitutes a good faith settlement for purposes of the Illinois Joint Tortfeasor Contribution Act, 740 ILCS 100/0.01, *et seq.*

IT IS FURTHER AGREED AND UNDERSTOOD that as part of the consideration for this agreement the undersigned represents and warrants as follows (check applicable boxes):

- ☐ I was not 65 or older on the date of the occurrence.
- ☐ I was not receiving SSI or SSDI on the date of the occurrence.
- ☐ I am not eligible to receive SSI or SSDI.
- ☐ I am not currently receiving SSI or SSDI.

IT IS FURTHER AGREED AND UNDERSTOOD:

- a. That any subrogated claims or liens for medical expenses paid by or on behalf of PAUL DULBERG shall be the responsibility PAUL DULBERG, including, but not limited to, any Medicare liens. Any and all reimbursements of medical expenses to subrogated parties, including Medicare's rights of reimbursement, if any, shall be PAUL DULBERG's responsibility, and not the responsibility of the parties released herein.
- b. That any outstanding medical expenses are PAUL DULBERG's responsibility and all payment of medical expenses hereafter shall be PAUL DULBERG's responsibility, and not the responsibility of the parties released



- c. That PAUL DULBERG agrees to save and hold harmless and indemnify the parties released herein against any claims made by any medical providers, including, but not limited to Medicare or parties subrogated to the rights to recover medical or Medicare payments.

IT IS FURTHER AGREED AND UNDERSTOOD by the parties hereto that this agreement contains the entire agreement between the parties with regard to materials set forth herein, and shall be binding upon and inure to the benefit of the parties hereto, jointly and severally, and the executors, conservators, administrators, guardians, personal representatives, heirs and successors of each.

IT IS FURTHER AGREED AND UNDERSTOOD that this settlement is a compromise of a doubtful and disputed claim and no liability is admitted as a consequence hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the dates set forth below.

Dated: \_\_\_\_\_

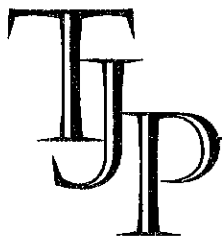
\_\_\_\_\_  
PAUL DULBERG

STATE OF ILLINOIS        )  
                                      ) SS.  
COUNTY OF MCHENRY    )

PAUL DULBERG personally appeared before me this date and acknowledged that she executed the foregoing Release and Settlement Agreement as his own free act and deed for the uses and purposes set forth therein.

Dated this \_\_\_\_\_ day of January, 2014.

\_\_\_\_\_  
Notary Public



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](http://www.popovichlaw.com)

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

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

December 10, 2013

Paul Dulberg  
4606 Hayden Court  
McHenry, IL 60051

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

Dear Paul:

Please find enclosed a copy of David Gagnon's transcript taken February 4, 2013 for your review.

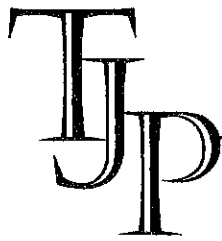
Very truly yours,



HANS A. MAST

smq  
Enclosure

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



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

---

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JAMES P. TUTAJ  
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THERESA M. FREEMAN

December 2, 2013

Paul Dulberg  
4606 Hayden Court  
McHenry, IL 60051

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

Dear Paul:

Please find enclosed a copy of your deposition transcript taken January 24, 2013 for your review.

Very truly yours,



HANS A. MAST

smq  
Enclosure

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

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

November 18, 2013

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

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

**Issued For Settlement Purposes Only**

Dear Mr. Mast:

I am writing to confirm our telephone conversation earlier this morning, wherein I advised you that I was authorized to propose settlement of Mr. Dulberg's claim against Carolyn and Bill McGuire for a lump-sum total of \$5,000.00. The settlement would of course be contingent upon customary settlement documents, including a release, a good faith settlement finding and dismissal.

Pursuant to your request, I searched my file materials for lien notices. The only notice of lien contained in my file at this time is your Attorney's Lien (enclosed). I have asked my contact at Auto-Owners Insurance Company to confirm no lien notices have arrived on his end since Mr. Dulberg's case was assigned to me for the defense of Mr. and Mrs. McGuire. I do not anticipate any lien notices, but just wanted to be safe.

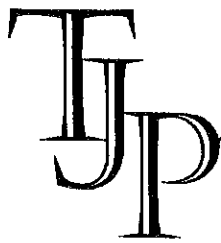
I understand that you intend to run my settlement proposal by Mr. Dulberg. I look forward to hearing from you once you have had a chance to confer with him.

Very truly yours,



RONALD A. BARCH

RB:mj\37ltr.HAM  
cc Tom Malatia (Claim No. 13-2779-11)  
Encl.



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

---

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

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

November 5, 2013

Paul Dulberg  
4606 Hayden Court  
McHenry, IL 60051

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

Dear Paul:

Please find enclosed the deposition notes from Dr. Sagerman's deposition taken October 15, 2013 regarding your care and treatment for your review.

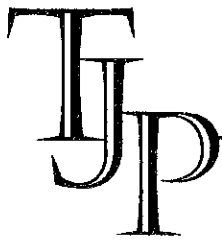
Be advised that Dr. Ford's deposition is currently scheduled for November 20, 2013.

Very truly yours,

**HANS A. MAST**

smq  
Enclosure

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



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

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

November 5, 2013

Paul Dulberg  
4606 Hayden Court  
McHenry, IL 60051

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

Dear Paul:

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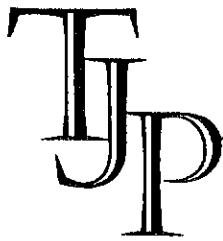
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THERESA M. FREEMAN

September 6, 2013

Paul Dulberg  
4606 Hayden Court  
McHenry, IL 60051

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

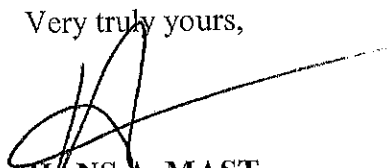
Dear Paul:

Please be advised that the defense has scheduled the depositions of your treaters as follows:

Dr. Levin on October 1, 2013;  
Dr. Sagerman on October 15, 2013; and  
Dr. Talerico on October 16, 2013.

If you have any questions, please feel free to call.

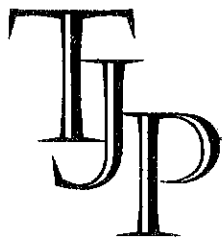
Very truly yours,



HANS A. MAST

smq

WAUKEGAN OFFICE  
210 NORTH MARTIN LUTHER  
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THERESA M. FREEMAN

September 6, 2013

Paul Dulberg  
4606 Hayden Court  
McHenry, IL 60051

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

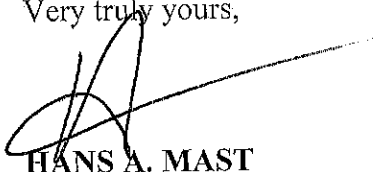
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Very truly yours,

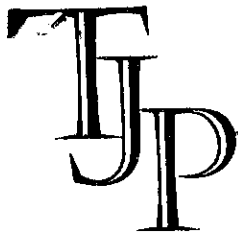


HANS A. MAST

smq

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August 29, 2013

Paul Dulberg  
4606 Hayden Court  
McHenry, IL 60051

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

Dear Paul:

Please find enclosed your medical expense report itemizing your medical bills related to the underlying occurrence in the amount of \$53,974.33.

Please review the medical expense report and advise me if there are any bills that we are missing related to your care in this case.

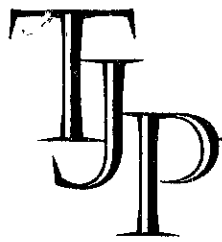
Very truly yours,



HANS A. MAST

smq  
Enclosure

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



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

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August 29, 2013

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4606 Hayden Court  
McHenry, IL 60051

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

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Very truly yours,

  
HANS A. MAST

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

MEDICAL EXPENSE REPORT

PAUL DULBERG

DATE OF ACCIDENT: JUNE 28, 2011

DATE OF REPORT: MAY 20, 2013

MEDICAL EXPENSES

Paul Dulberg

Date of Accident: June 28, 2011

Date of Report: May 20, 2013

---

Moraine Emergency Physicians

PO Box 8759

Philadelphia, PA 19101-8759

800-355-2470 - Acct. MN1711179003233

06/28/11 ..... \$1,346.00 ..... \$1,346.00

Northern Illinois Medical Center

4201 Medical Center Drive

McHenry, IL 60050-8409

815-344-5000 - Acct. 11179-00323

06/28/11 ..... \$1,323.75 ..... \$1,323.75

McHenry Radiologists Imaging Associates

PO Box 220

McHenry, IL 60051-0220

815-759-0800 - Acct. 235130-QMRIG

06/28/11 ..... \$50.00 ..... \$50.00

Dr. Frank W. Sek

4606 W. Elm Street

McHenry, IL 60050

815-385-0164

07/01/11 ..... \$80.00

07/08/11 ..... 80.00

01/14/12 ..... 80.00

02/13/12 ..... 80.00

03/13/13 ..... 100.00

04/24/13 ..... 90.00

08/06/12 ..... 80.00

Total ..... \$590.00

Associated Neurology SC

Attn: Dr. Levin

1900 Hollister Drive

Suite 250

Libertyville, IL 60048

847-549-0055 - Chart # 18062

07/28/11 .....	\$225.00	
08/10/11 .....	930.00	
01/30/12 .....	105.00	
02/13/12 .....	75.00	
03/13/12 .....	1,415.00	
05/16/12 .....	75.00	
02/04/13 .....	<u>115.00</u>	
Total .....		\$2,940.00

MidAmerica Hand to Shoulder Clinic

Dr. Talerico

75 Remittance Drive

Suite 6035

Chicago, IL 60675

708-237-7200 - Acct. 1002454

12/02/11 .....	\$230.00	
01/06/12 .....	<u>160.00</u>	
Total .....		\$390.00

Dynamic Hand Therapy & Rehab

498 S US Highway 12

Suite C

Fox Lake, IL 60020

847-587-3301 - Acct. 0042000185

12/06/11 thru 03/12/13 .....	\$26,005.00	\$26,005.00
------------------------------	-------------	-------------

Open Advanced MRI of Round Lake

Medchex

PO Box 502

Katohah, NY 10536

866-959-1100 - Acct. 265065

02/03/12 .....	\$3,390.00	\$3,390.00
----------------	------------	------------

Hand Surgery Associates, SC

Dr. Sagerman/Dr. Biafora

515 W. Algonquin Road

Arlington Heights, IL 60005

847-956-0099 - Acct. 80330

04/02/12 .....	\$116.00	
05/14/12 .....	90.00	
05/17/12 .....	116.00	
06/06/12 .....	171.00	
07/09/12 .....	8,338.00	
10/22/12 .....	116.00	

12/03/12 .....	282.00	
01/14/13 .....	<u>90.00</u>	
Total .....		\$9,319.00

Northwest Community Hospital  
 25709 Network Place  
 Chicago, IL 60673  
 847-618-4747 - Acct. 71265382

07/09/12 .....	\$6,366.00	\$6,366.00
----------------	------------	------------

Northwest Suburban Anesthesiologist, Ltd  
 8163 Solutions Center  
 Chicago, IL 60677-8001  
 800-709-2715 - Acct. 71265382

07/09/12 .....	\$1,365.00	\$1,365.00
----------------	------------	------------

Walgreens  
 3925 W. Elm Street  
 McHenry, IL 60050  
 815-363-0722

06/28/11 .....	\$48.68	\$48.68
----------------	---------	---------

Walmart Pharmacy  
 3801 Running Brook Farms Blvd.  
 Johnsburg, IL 60051

05/16/12 .....	\$25.79	
06/11/12 .....	126.08	
07/09/12 .....	16.11	
07/19/12 .....	21.15	
08/02/12 .....	126.08	
10/02/12 .....	126.08	
11/16/12 .....	126.78	
12/28/12 .....	126.54	
02/09/13 .....	<u>126.68</u>	
Total .....		\$821.29

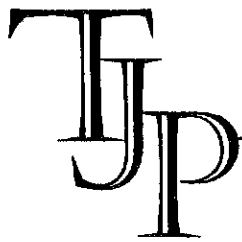
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TOTAL EXPENSES: .....		\$53,954.72
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Misc Expenses

Medical Supplies .....	\$19.61	
Total Misc. Expenses .....		\$19.61

TOTAL ALL EXPENSES .....		<u>\$53,974.33</u>
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The Law Offices of Thomas J. Popovich P.C.

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

August 14, 2013

MARK J. VOGG  
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THERESA M. FREEMAN

Paul Dulberg  
4606 Hayden Court  
McHenry, IL 60051

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

Dear Paul:

Please be advised that the defense is in the process of scheduling the depositions of Drs. Sagerman, Levin, Talerico and Ford.

That will probably take some time to complete. In the meantime, please advise if you have any other questions regarding the status of your case.

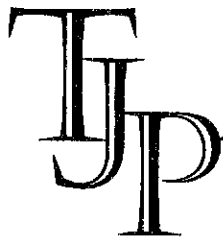
Very truly yours,



HANS A. MAST

smq

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ROBERT J. LUMBER  
THERESA M. FREEMAN

Paul Dulberg  
4606 Hayden Court  
McHenry, IL 60051

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

Dear Paul:

Please be advised that the defense is in the process of scheduling the depositions of Drs. Sagerman, Levin, Talerico and Ford.

That will probably take some time to complete. In the meantime, please advise if you have any other questions regarding the status of your case.

Very truly yours,

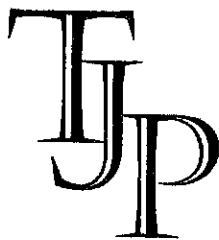


HANS A. MAST

smq

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





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](http://www.popovichlaw.com)

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

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

May 31, 2013

Paul Dulberg  
4606 Hayden Court  
McHenry, IL 60051

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

Dear Paul:

Defense counsel would like to depose Mike Thomas. Do you know where he is located?

Please contact me to discuss.

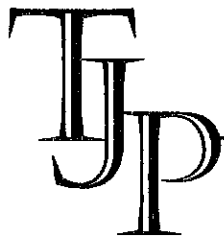
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HANS A. MAST

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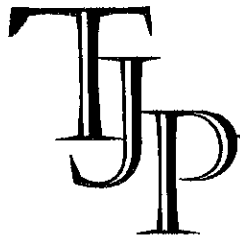
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THERESA M. FREEMAN

May 28, 2013

Paul Dulberg  
4606 Hayden Court  
McHenry, IL 60051

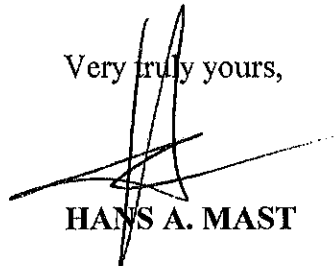
**RE: *Paul Dulberg vs. David Gagnon, Caroline McGuire and Bill McGuire***  
**McHenry County Case: 12 LA 178**

Dear Paul:

Please find enclosed your medical expense report itemizing your medical bills related to the underlying occurrence in the amount of \$53,974.33.

Please review the medical expense report and advise me if there are any bills that we are missing related to your care in this case.

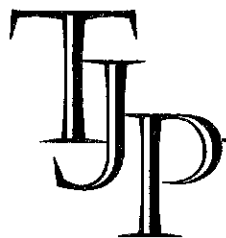
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HANS A. MAST

smq  
Enclosure

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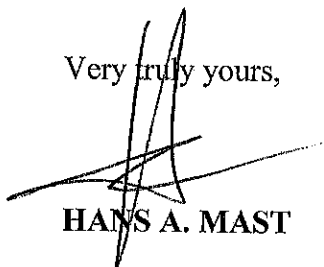
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WAUKEGAN OFFICE  
210 NORTH MARTIN LUTHER  
KING JR. AVENUE  
WAUKEGAN, IL 60085

MEDICAL EXPENSE REPORT

PAUL DULBERG

DATE OF ACCIDENT: JUNE 28, 2011

DATE OF REPORT: MAY 20, 2013

# MEDICAL EXPENSES

Paul Dulberg

Date of Accident: June 28, 2011

Date of Report: May 20, 2013

---

Moraine Emergency Physicians

PO Box 8759

Philadelphia, PA 19101-8759

800-355-2470 - Acct. MNI711179003233

06/28/11 ..... \$1,346.00 ..... \$1,346.00

Northern Illinois Medical Center

4201 Medical Center Drive

McHenry, IL 60050-8409

815-344-5000 - Acct. 11179-00323

06/28/11 ..... \$1,323.75 ..... \$1,323.75

McHenry Radiologists Imaging Associates

PO Box 220

McHenry, IL 60051-0220

815-759-0800 - Acct. 235130-QMRIG

06/28/11 ..... \$50.00 ..... \$50.00

Dr. Frank W. Sek

4606 W. Elm Street

McHenry, IL 60050

815-385-0164

07/01/11 ..... \$80.00

07/08/11 ..... 80.00

01/14/12 ..... 80.00

02/13/12 ..... 80.00

03/13/13 ..... 100.00

04/24/13 ..... 90.00

08/06/12 ..... 80.00

Total ..... \$590.00

Associated Neurology SC

Attn: Dr. Levin

1900 Hollister Drive

Suite 250

Libertyville, IL 60048

847-549-0055 - Chart # 18062

07/28/11 .....	\$225.00	
08/10/11 .....	930.00	
01/30/12 .....	105.00	
02/13/12 .....	75.00	
03/13/12 .....	1,415.00	
05/16/12 .....	75.00	
02/04/13 .....	<u>115.00</u>	
Total .....		\$2,940.00 ✓

MidAmerica Hand to Shoulder Clinic

Dr. Talerico

75 Remittance Drive

Suite 6035

Chicago, IL 60675

708-237-7200 - Acct. 1002454

12/02/11 .....	\$230.00	
01/06/12 .....	<u>160.00</u>	
Total .....		\$390.00

Dynamic Hand Therapy & Rehab

498 S US Highway 12

Suite C

Fox Lake, IL 60020

847-587-3301 - Acct. 0042000185

12/06/11 thru 03/12/13 .....	\$26,005.00	\$26,005.00 ✓
------------------------------	-------------	---------------

Open Advanced MRI of Round Lake

Medchex

PO Box 502

Katohah, NY 10536

866-959-1100 - Acct. 265065

02/03/12 .....	\$3,390.00	\$3,390.00
----------------	------------	------------

Hand Surgery Associates, SC

Dr. Sagerman/Dr. Biafora

515 W. Algonquin Road

Arlington Heights, IL 60005

847-956-0099 - Acct. 80330

04/02/12 .....	\$116.00	
05/14/12 .....	90.00	
05/17/12 .....	116.00	
06/06/12 .....	171.00	
07/09/12 .....	8,338.00	
10/22/12 .....	116.00	

12/03/12 .....	282.00	
01/14/13 .....	<u>90.00</u>	
Total .....		\$9,319.00

Northwest Community Hospital  
 25709 Network Place  
 Chicago, IL 60673  
 847-618-4747 - Acct. 71265382

07/09/12 .....	\$6,366.00	\$6,366.00
----------------	------------	------------

Northwest Suburban Anesthesiologist, Ltd  
 8163 Solutions Center  
 Chicago, IL 60677-8001  
 800-709-2715 - Acct. 71265382

07/09/12 .....	\$1,365.00	\$1,365.00
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Walgreens  
 3925 W. Elm Street  
 McHenry, IL 60050  
 815-363-0722

06/28/11 .....	\$48.68	\$48.68
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Walmart Pharmacy  
 3801 Running Brook Farms Blvd.  
 Johnsburg, IL 60051

05/16/12 .....	\$25.79	
06/11/12 .....	126.08	
07/09/12 .....	16.11	
07/19/12 .....	21.15	
08/02/12 .....	126.08	
10/02/12 .....	126.08	
11/16/12 .....	126.78	
12/28/12 .....	126.54	
02/09/13 .....	<u>126.68</u>	
Total .....		\$821.29

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TOTAL EXPENSES: .....	\$53,954.72
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Misc Expenses

Medical Supplies .....	\$19.61
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Total Misc. Expenses .....	\$19.61
----------------------------	---------

TOTAL ALL EXPENSES .....	<u>\$53,974.33</u>
--------------------------	--------------------



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

PAUL DULBERG,

Plaintiff(s),

vs.

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

Defendant(s).

CASE NO. 12LA000178

**NOTICE OF NAME CHANGE**

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

YOU ARE HEREBY NOTIFIED, that effective April 15, 2013, the Law Office of M.  
Gerard Gregoire will change its name, address and fax number to:

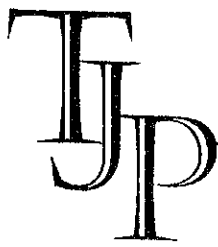
LAW OFFICE OF STEVEN A. LIHOSIT  
200 N. LaSalle St., Ste 2550  
Chicago, IL 60601  
Telephone: 312-558-9800

**PROOF OF SERVICE BY MAIL**

I, PERRY A. ACCARDO, the attorney, certify that I served this notice by mailing a copy to the above named attorney(s), at the above address(s), and depositing the same in the U.S. mail at 200 North LaSalle St, Ste 2650, Chicago, Illinois, at 4:30 p.m., on 4/17/13, with proper postage prepaid.

LAW OFFICE OF STEVEN A. LIHOSIT  
200 N. LaSalle St., Ste 2550  
Chicago, IL 60601  
Telephone: 312-558-9821  
ATTORNEY Bar Number: 6228720

  
\_\_\_\_\_  
Signature



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

3416 W. ELM STREET  
McHENRY, ILLINOIS 60050  
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HANS A. MAST  
JOHN A. KORNAK

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

February 19, 2013

Dynamic Hand Therapy & Rehab  
498 S. US Hwy 12, Suite C  
Fox Lake, IL 60020

**RE: Patient: Paul Dulberg**  
**Patient No.: 0042000185**

Dear Dynamic Hand Therapy:

Enclosed please find an executed letter of protection signed by my client, Paul Dulberg. Please feel free to forward a lien to my attention and I would be happy to honor it for purposes of settlement and/or recovery obtained in this case.

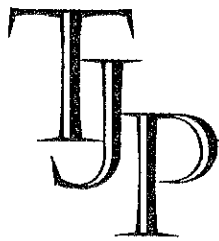
Thank you for your cooperation.

Very truly yours,

**COPY**  
HANS A. MAST

smq  
Enclosure

c: Paul Dulberg ✓



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

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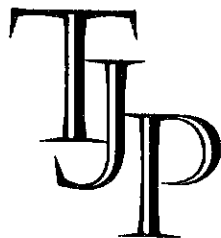
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HANS A. MAST

smq  
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February 11, 2013

Paul Dulberg  
4606 Hayden Court  
McHenry, IL 60051

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

Dear Paul:

Please be advised that I just completed the deposition of David Gagnon. David Gagnon is a very interesting character. He testified pretty much as expected. He testified that during the branch cutting you had chosen to hold the branch out in front of you with your left arm and with your right arm down by your side. He said that when he went to cut a limb off the branch you unexpectedly reached over with your right arm and grabbed onto the branch below the cutting point. He did not expect you to do this and therefore, as he cut the branch he also "nipped" your arm. He doesn't believe that he did anything wrong in attempting to cut the branch.

Obviously, this case is going to come down to your word against David's word. With your testimony, it seemed very clear that David was negligent in operating the chainsaw to cause it to strike your right forearm. Unfortunately, David's version of the accident is much different. Given the conflict in the testimony, it is difficult to determine how a jury will ultimately decide liability in this case. If the jury decides for you, you will obviously win. However, if the jury finds for Mr. Gagnon, you will lose. One additional factor is that David testified that you stated after the fall "I may never have to work the rest of my life" and that you urged him to help by offering favorable testimony. If true, this could be problematic to the case.

We have the depositions of Mr. and Mrs. McGuire in a few weeks. I will keep you advised.

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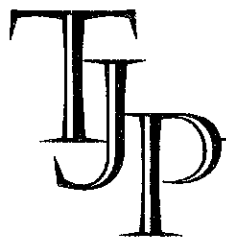
  
HANS A. MAST

smq

S:\Main\DULBERG, PAUL\Letters\Letter to client 2-6-13.wpd

E-MAIL RESPONSE  
2-13-13

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



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

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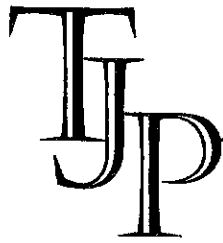
  
HANS A. MAST

E-MAIL RESPONSE  
2-13-13

smq

S:\Mala\DU\BERG, PAUL\Letters\Letter to client 2-6-13.mpd

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KING JR. AVENUE  
WAUKEGAN, IL 60085



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February 8, 2013

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4606 Hayden Court  
McHenry, IL 60051

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

Dear Paul:

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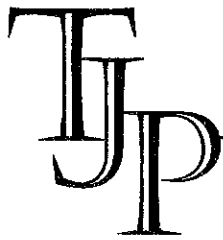
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HANS A. MAST

smq  
Enclosure

*Signed & dropped off  
2-13-13*



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