

Date : 8/28/2021 8:01:49 AM

From : "Paul Dulberg"

To : "Law Office Of Alphonse Talarico"

BCc : "Paul Dulberg"

**Subject : Re: DEFENDANTS THE LAW OFFICES OF THOMAS J. POPOVICH, P.C.
AND HANS MAST'S MOTION TO DEEM FACTS ADMITTED**

One more thing I forgot to add is that I believe the submission of PDF's as motions to the circuit clerk must be searchable.

Mr Flynn's motions contain some exhibits that are not searchable but once were searchable before they became apart of the Motion and fo break the rules for submitting PDF's in McHenry County

I can look up the rule and quote it if you need me to.

On Aug 28, 2021, at 7:54 AM, Paul Dulberg <Paul_Dulberg@comcast.net> wrote:

Dear Mr Talarico,

Please find the attached PDF named; 2020-07-09_Fwd Dulberg v Popovich et al Documents.pdf dated July 9, 2020 at 11:43:22 AM CDT which contained Dulberg 2650-7892.pdf

This email sent from Julia Williams to Mr Flynn is proof that the Saul Ferris letter (Dulberg 006502) was produced on July 9, 2020, 11 months earlier than Mr Flynn is claiming in this motion.

Excerpt from the motion, Page 1 Number 2:

"Dulberg finally produced said letter in discovery on June 7, 2021 with no explanation why it was not previously produced in this litigation"

Next, please take a look at this timeline I put in this email below with possible deposition scenarios and lets talk about how to force Flynn to depose Ferris and push Ferris into perjury or Mast into yet another altered document scenario

2014-12-31 Disputed Ferris letter claims a meeting with Dulberg happened

2015-02-04 COURT ORDER - **Pretrial settlement conference set for 4/9/2015**
(POP 001106)

2015-02-04 Popovich Letter mailed to Dulberg:

"Please be advised that the Defendant has agreed to submit this matter to the court for purposes of pre-trial settlement conference. What this involves is that all the parties will appear on April 9, 2015 at 1:30 p.m. at the McHenry County Courthouse

in Woodstock, Illinois. We will meet with the judge and discuss the case and potentially negotiate a settlement.

I would you to be available and present for the pre-trial settlement. Please advise whether you are available for the pre-trial settlement conference as scheduled above."

(POP 000144)

2015-02-09 11:18am Dulberg emails Popovich:

"I received your letter on the pre-trial settlement.

I am available on April 9th at 1:30pm.

Few ?'s;

What room #?

Do I need to bring anything?

What should I expect?"

(Dulberg 001398 - Dulberg 001399)(Dulberg 001400)(Dulberg 001402)(Dulberg 001403)(Dulberg 001405)(Dulberg 001406)(Dulberg 001407)

2015-02-09 12:01pm Popovich emails Dulberg:

"First off is the settlement memo accurate and okay with you or is there anything you want to change or modify"

(Dulberg 001403)(Dulberg 001405)

2015-02-09 12:39pm Dulberg emails Popovich:

"What memo?"

(Dulberg 001403)(Dulberg 001405)

2015-02-09 12:42pm Popovich emails Dulberg:

"I sent you a copy of our Memo of the Case....if you don't get it this week let me know.."

(Dulberg 001403)

2015-02-15 4:04pm Dulberg emails Popovich:

"It's Sunday and I haven't seen it."

(Dulberg 001403)

2015-02-16 11:20am Popovich emails Dulberg:

"Paul, Sheila is sending out a letter today with a copy of the Memo for you. Let me know when you get it."

(Dulberg 001398)(Dulberg 001400)(Dulberg 001402)

2015-02-19 2:33pm Dulberg emails Popovich:

"I got it..."

Why does your mail always arrive opened?

Also, many statements in the memo appear inaccurate. Not sure if it really matters.

I'd ask for more \$ in the demand... There is no way what is written is enough"

(Dulberg 001398)(Dulberg 001400)(Dulberg 001402)

2015-03-20 Dulberg emails Balke:

(Dulberg 001334)

From: Paul Dulberg

Sent: Friday, March 20, 2015 3:49 PM

To: brad@balkelaw.com

Subject: Missing Depositions and pre-trial settlement brief

"Hi Brad,

As we discussed, I was to receive via certified US Mail depositions and communications between Hans Mast and myself from Saul Ferris an attorney in Gurnee, IL. Saul Ferris number is (847) 263-7770

I called Saul Ferris office last week and was assured they were sent. I was told to give it another week.

I called Saul Ferris office again today to find out they were mailed to and signed for at 3416 W. Elm St. McHenry, IL. by someone named Anne Oupl on March 7th. This is Hans Mast office.

I called Hans office and apparently no one by that name works there and no one knows anything about receiving the certified mail.

I'm at a loss as to how these documents were sent to the wrong place and am a bit furious because it has the memo about the pre-trial settlement you wanted to see.

Please advise.

Thank you in advance for your help with this matter, Paul"

Paul Dulberg 847-497-4250 Sent from my iPad

2015-05-08 Dulberg emails Balke:

From: Paul Dulberg [<mailto:pdulberg@comcast.net>] Sent: Friday, May 08, 2015 12:34 PM

To: <brad@balkelaw.com>

Subject: Missing memo for pretrial settlement

Hi Brad,

Yesterday Saul Ferris office called and said they just received back the packet they mistakenly sent to Hans Mast at Popovich law firm.

In it is the pretrial settlement memo you wanted to see.

There is also the printed depositions of both the homeowners, the defendant and myself.

I picked these up this morning.

Let me know how to get these to you.

Thank you, Paul

Paul Dulberg 847-497-4250 Sent from my iPad

If Ferris is deposed:

1. Ferris admits he sent the disputed letter with the other documents to Mast's office by mistake

or

2. Ferris claims he mailed the disputed letter separate from the other documents directly to Dulberg
or
3. Ferris produces the original letter with the correct dates showing the disputed letter has been altered
or
4. Ferris admits that this is a form letter that he does a copy/paste on all the time and that he forgot to change the accident and meeting dates

Lets look at these 4 possible scenarios:

1. Ferris admits he mailed the disputed letter with the other documents to Mast's office by mistake
 - a. This means Mast had possession of the disputed letter for up to 61 days and either returned it to Ferris with the other documents
or
 - b. Mast separated the disputed letter from the rest of the documents and mailed it directly to Dulberg
2. Ferris claims he mailed the disputed letter separate from the other documents directly to Dulberg and the date of the meeting on the disputed letter is correct
 - a. This means Ferris was in possession of the pre trial settlement conference memo months before it's creation and falsified the dates he put in the disputed letter
 - b. Ferris perjures himself because he could not possibly be in possession of the pretrial settlement memo before it was created.
3. Ferris produces the original letter with the correct dates showing the disputed letter has been altered
 - a. Ferris claims he sent the original letter with the correct dates directly to Dulberg separate from the other documents sent to Mast - then Dulberg altered the disputed letter
or
 - b. Ferris claims he sent the original letter with the correct dates along with the documents that ended up at Mast's office - then Mast altered the disputed letter.
4. Ferris admits that this is a form letter that he does a copy/paste on all the time and that he forgot to change the accident and meeting dates
 - a. Mast's claim that the disputed letter proves that Dulberg tolled the statute of limitation because of the meeting date dissolves into nothingness

I only see one avenue that deposing Mr Ferris can remotely backfire and that is No. 3. subpart a. from the above scenarios and that would mean Mr Ferris has to explain why he sent Dulberg this disputed letter to the correct address yet sent Dulberg's documents to Mast and how Mr Ferris ended up with Mast's pretrial settlement conference memo produced to Dulberg on February 19, 2015 if Mr Ferris met with Dulberg on December 31, 2014.

This remote possibility would take an expert bullshit artist and a really dumb or complicit judge to pull off.

Call me after you digest this.

Thanks,
Paul

<2020-07-09_Fwd Dulberg v Popovich et al Documents.pdf>