

**Date : 6/6/2023 3:04:02 PM**

**From : "Alphonse Talarico"**

**To : "Paul Dulberg"**

**Subject : To whom it may concern ,Re: Affidavit paragraph #3 edit**

I have left for the day, I will respond as soon as feasible,

Sent from my iPhone

On Jun 6, 2023, at 2:09 PM, Paul Dulberg <Paul\_Dulberg@comcast.net> wrote:

Please forward me the affidavit with the changes to review and sign.

If you sent it, I must not have been included in the email.

The 13 pages and subsequent emails were merely me trying to share and understand the process of the state of Illinois and social security when the P2A class would have been first given so I would be able to affix an accurate date in the affidavit but since we are limited on time I believe the changes I made to #3 are the best we can do unless Mr Talarico has a better suggestion.

Paul

On Jun 6, 2023, at 2:00 PM, T Kost <tkost999@gmail.com> wrote:

----- Forwarded message -----

From: **T Kost** <[tkost999@gmail.com](mailto:tkost999@gmail.com)>

Date: Tue, Jun 6, 2023 at 1:57 PM

Subject: Re: Affidavit paragraph #3 edit

To: Alphonse Talarico <[contact@lawofficeofalphonsetalarico.com](mailto:contact@lawofficeofalphonsetalarico.com)>

I understand. Your suggestions were in writing and appear earlier in this email thread. Our logic is that we have to avoid any comment about 'qualifying' in the year '2013' because we do not have the paperwork to back up that statement with evidence. Thanks for the feedback.

Baudin argument #3 may have challenges. Let us know if there is any way we can help with it.

On Tue, Jun 6, 2023 at 1:48 PM Alphonse Talarico <[contact@lawofficeofalphonsetalarico.com](mailto:contact@lawofficeofalphonsetalarico.com)> wrote:

My suggestions were overridden by direct instruct of client.

I await client review and additional instructions.

**From:** T Kost <[tkost999@gmail.com](mailto:tkost999@gmail.com)>  
**Sent:** Tuesday, June 6, 2023 1:43 PM  
**To:** Alphonse Talarico <[contact@lawofficeofalphonsetalarico.com](mailto:contact@lawofficeofalphonsetalarico.com)>  
**Subject:** Re: Affidavit paragraph #3 edit

That is fine, My concern is that we produce the most accurate statement possible. If you feel something is not quite right and you have an alternative suggestion, I'd like you to please make that suggestion. Thanks.

On Tue, Jun 6, 2023 at 12:56 PM Alphonse Talarico <[contact@lawofficeofalphonsetalarico.com](mailto:contact@lawofficeofalphonsetalarico.com)> wrote:

Gentlemen,

The changes by Mr. Dulberg have been incorporated based on instructions, not suggestions.

Additionally, he has sent to me, within the last few hours, 13 pages which I emailed to Mr. Dulberg a question whether and if so, where he wants the 13 pages into his affidavit and /or response.

In response to your latest email an I instructed to add "R2.45 Plaintiff Paul R. Dulberg is also classified by the Illinois Secretary of State to have

a class P2A disability as a result of the injuries that occurred on June 28, 2011. A class P2A disability is defined as follows:" to the ANSWER TO THE BAUDIN SUMMARY JUDGEMENT  
[sic] Motion ?

Please respond in writing so there is better communication between attorney-client(s).

Your anticipated cooperation is greatly appreciated,  
Alphonse A. Talarico Esq.

**From:** T Kost <[tkost999@gmail.com](mailto:tkost999@gmail.com)>  
**Sent:** Tuesday, June 6, 2023 12:21 PM  
**To:** Paul Dulberg <[Paul\\_Dulberg@comcast.net](mailto:Paul_Dulberg@comcast.net)>; Alphonse Talarico <[contact@lawofficeofalphonsetalarico.com](mailto:contact@lawofficeofalphonsetalarico.com)>  
**Subject:** Affidavit paragraph #3 edit

CURRENT EDITING OF AFFIDAVIT PARAGRAPH #3:

3. In 2013 I qualified for P2a status from the State of Illinois which is permanent and continues to be my permanent classification through today. P2a classification is defined as :

PAUL'S SUGGESTED CHANGE IS AS FOLLOWS:

3. On June 28, 2011 I suffered injuries which qualified me for a P2A disability classification from the Illinois Secretary of State

which is a permanent and continues to be my permanent classification through today. P2A classification is defined as:ur

ALSO IN THE ANSWER TO THE BAUDIN SUMMARY JUDGEMENT MOTION WE HAVE:

R2.45 Plaintiff Paul R. Dulberg is also classified by the Illinois Secretary of State to have

a class P2A disability as a result of the injuries that occurred on June 28, 2011. A class

P2A disability is defined as follows:

Tom's suggested solution is that R2.45 in the answer has to match paragraph #3 in the affidavit. Because Paul doesn't really know if he qualified in 2013 or some other year we can avoid any possible incorrect statement in the affidavit by avoiding the number "2013" in our answer or affidavit.

My suggestion is that the R2.45 statement listed above and Paul's edit of paragraph #3 in the affidavit are the most accurate statements we can make. If Paul cannot say with certainty that qualification occurred in 2013, then we should avoid any statement with the term "2013" in it.