

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

PAUL R. DULBERG, INDIVIDUALLY)
AND THE PAUL R. DULBERG)
REVOCABLE TRUST)
Plaintiffs,)
vs.) CASE NO. 2022L010905
ADR SYSTEMS OF AMERICA, LLC., et al.)
Defendants,)

COURT APPROVED SUPPLEMENT TO DULBERG’S RESPONSE TO
ADR’S PETITION FOR AN AWARD OF ATTORNEY’S FEES AND COSTS

A. TALARICO INTENTIONALLY LIED TO THE COURT ON FEBRUARY 8, 2024
TO HARM DULBERG AND TO IMPROPERLY INFLUENCE JUDGE
SWANAGAN’S DECEMBER 17, 2024 RULINGS

- On December 17, 2024 in court Judge Swanagan stated:

(QUOTE 1:)¹ “I couldn’t imagine -- I’m paraphrasing, but I couldn’t imagine a basis on which there was reasonable grounds for the breach of contract complaint against ADR.”

Judge Swanagan did not realize that Dulberg and Kost stated virtually the same thing to Talarico about 19 months earlier. Not only did we agree with QUOTE 1, but we went into detail of how Talarico was using the term “contract” illogically (in a way that contradicts the legal definition of contract). (Exhibit AN)² We will go further than QUOTE 1 in stating “breach of contract” is a fool’s argument, and Talarico did indeed look like a fool making the argument on May 25, 2023.
- When Talarico first presented his “breach of contract” argument to the Court on May 25, 2023, upon first hearing it Kost knew it was a horrible argument and that Kost and Dulberg never included this in the draft of the complaint given to Talarico on December 1, 2022 and reproduced by Talarico on December 6, 2022³. Kost explained the mistake in Talarico’s “breach of contract” argument to Talarico about one week after first hearing it on May 25, 2023 and 19 months before QUOTE 1 was made.⁴ (Exhibit AN)²
- We then fixed the problem, wrote an Amended Complaint draft based on the fraudulent document Chapman sent to Dulberg on October 28, 2022 and with no mention of Talarico’s ridiculous “breach of contract” argument, and sent it to Talarico more than 18 months before Judge

1 See page 13, line 19 in December 17, 2024 Report of Proceedings
2 See ¶23 and Exhibit AN in DULBERG’S RESPONSE TO ADR’S PETITION FOR AN AWARD OF ATTORNEY’S FEES AND COSTS
3 See ¶3-7 and all exhibits accompanying ¶3-7 in DULBERG’S RESPONSE TO ADR’S PETITION FOR AN AWARD OF ATTORNEY’S FEES AND COSTS
4 It took one week for Kost to respond because Kost was busy nursing his sick father (from whom Talarico was knowingly stealing money). It only took a single morning (about 2 hours) of research to spot the mistakes in Talarico’s “breach of contract” argument and report the mistakes to Talarico via email.

Swanagan stated QUOTE 1. Email is (**Exhibit AO**)¹ and the draft amended complaint is (**Exhibit AP**)².

4. But Judge Swanagan assumed (when ruling against Dulberg and Kost on December 17, 2024) that Dulberg and Kost held the opposite view as Judge Swanagan. How did this happen? It is because Talarico intentionally lied to the court on February 8, 2024 in order to give Judge Swanagan (and anyone who reads the common law record of 22L010905) the impression that “breach of contract” as explained by Talarico in the May 25, 2023 hearing and on February 8, 2024 is a position that Dulberg and Kost have also taken and continue to support. Judge Swanagan (unwittingly) relied on Talarico’s intentional deception of February 8, 2024 in Judge Swanagan’s December 17, 2024 ruling.
5. Please recall that on July 15, 2024 we submitted a motion to strike the February 8, 2024 document from the record and to be allowed to submit our own answer with the correct timeline of events. We did this to try to avoid the same mistakes that appear in QUOTE 1 (and QUOTES 2 through 7 below) before the statements were entered into the record. We knew the February 8, 2024 document intentionally misrepresented our views and that Talarico was *intentionally acting to hurt us*.
6. Judge Swanagan ruled against our request stating:

(QUOTE 2:)³ “Even if you didn’t think that Mr. Talarico was appropriately representing your interests as far as the motion for sanctions was concerned, his interests were at stake as well. And so he had absolute right to put forth whatever he thought was in his best interest to defeat the motion for sanctions.”

If Talarico acted on February 8, 2024 to state Talarico’s position to protect Talarico’s interests to defeat the motion for sanctions, then QUOTE 2 seems fair and consistent. But that is not what happened. Talarico acted on February 8, 2024 to intentionally misstate ***Dulberg’s position*** toward the “breach of contract” claim throughout the document and is clearly indicated in the chosen name of the document, “PLAINTIFFS’ RESPONSE TO DEFENDANT ADR SYSTEMS OF AMERICA, LLC’S RULE 137 MOTION FOR SANCTIONS” (the term “plaintiff” meaning Dulberg). Talarico lied to the court intentionally to shift (or transfer) the blame for the December 8, 2022 “breach of contract” claim from himself to Dulberg and Kost.

7. Judge Swanagan then (unknowingly) took Talarico’s intentional misrepresentation of Dulberg’s position toward the “breach of contract” claim for ***Dulberg’s actual position*** toward the “breach of contract” claim (by believing in Talarico’s intentional lie of February 8, 2024). This explains why Judge Swanagan did not know that his QUOTE 1 claim was effectively made by Kost about 19 months before it was made by Judge Swanagan.

B. AT WHAT POINT IS A FORMER CLIENT AND A FORMERLY RETAINED ATTORNEY CONSIDERED “DIVORCED”?

¹ See ¶24 in DULBERG’S RESPONSE TO ADR’S PETITION FOR AN AWARD OF ATTORNEY’S FEES AND COSTS

² See ¶24 in DULBERG’S RESPONSE TO ADR’S PETITION FOR AN AWARD OF ATTORNEY’S FEES AND COSTS

³ See page 12, line 21 in December 17, 2024 Report of Proceedings

8. Judge Swanagan interpreted the point at which Talarico can no longer file documents claiming to represent *Dulberg's views and positions* in this way:

(QUOTE 3:)¹ “And you may have the opinion that you had different interests as far as that motion was concerned. I did not see that. And your interests are basically intertwined, in that he’s responsible for what he wrote, and you’re responsible for what he wrote. And that would be vice versa as well: You’re jointly responsible. Lawyer and client are responsible for pleadings made by a lawyer.”

9. When applied to the Dulberg-Talarico attorney-client relationship, when we consider the following short sequence of events:
- January 8, 2024: Talarico intentionally misadvises Dulberg how to format a Supreme Court Petition to destroy his case (**Exhibit BJ**)
 - January 14, 2024: Talarico abruptly resigns as counsel (**Exhibit AY**)²
 - January 28, 2024: Talarico has ARDC complaint filed against him by Dulberg
 - February 6, 2024: Talarico filed a MOTION TO WITHDRAW AS COUNSEL in 22L010905
 - February 8, 2024: Talarico submits PLAINTIFFS’ RESPONSE TO DEFENDANT ADR SYSTEMS OF AMERICA, LLC’S RULE 137 MOTION FOR SANCTIONS to court on behalf of Dulberg planting intentional lie(s) into the record attributable to Dulberg³.
 - February 29, 2024: The Court formally granted Talarico’s MOTION TO WITHDRAW AS COUNSEL

At what point in the sequence can Talarico no longer (by law) file documents claiming to represent Dulberg’s views and positions? (In other words, at what point is Talarico and Dulberg said to be finally “divorced”?)

10. At least 2 questions of law arise in this case:
- How is an attorney who resigned as counsel under hostile, questionable circumstances weeks before (and who already had at least a couple of documents sent to the ARDC by his former client about intentional harm the attorney was doing to the client) able to make statements *on behalf of their former client* on the court record?
 - Even when retained as counsel, how can an attorney who is actively lying to the court to harm their client’s interests be said to ‘represent’ or ‘work for’ or “have interests intertwined with” their client in the meaning of QUOTE 3?

C. TALARICO INTENTIONALLY TRICKED THE COURT INTO INADVERTENTLY USING A “STRAW MAN ARGUMENT” AGAINST DULBERG ON DECEMBER 17, 2024

11. In QUOTE 1 Judge Swanagan appears to not recognize that Dulberg and Kost came to identical conclusions as Judge Swanagan at least 19 months before the Judge Swanagan stated QUOTE 1. Then, in QUOTE 2 and QUOTE 3 Judge Swanagan draws conclusions based on this

¹ See page 13, line 3 in December 17, 2024 Report of Proceedings

² See (Exhibit AY) in DULBERG’S RESPONSE TO ADR’S PETITION FOR AN AWARD OF ATTORNEY’S FEES AND COSTS

³ Dulberg never reviewed or signed/verified the February 8, 2024 PLAINTIFFS’ RESPONSE TO DEFENDANT ADR SYSTEMS OF AMERICA, LLC’S RULE 137 MOTION FOR SANCTIONS

(inadvertent) misrepresentation of Dulberg's position. As a simple 2 step process this can be written as follows:

STEP 1: Misstate Dulberg's position (example QUOTE 1)

STEP 2: Base conclusions on misstatement in STEP 1 (examples: QUOTES 2 and 3)

Expressed as the simple 2 step process stated above, the Court's argument of December 17, 2024 can be seen to take the form of what is commonly known as a "straw man argument".

D. HOW THE MISTAKE WENT UNNOTICED ON DECEMBER 17, 2024

12. It is because Talarico's document submitted February 8, 2024 was trusted and taken at face value by the Court. Judge Swanagan explained:

(QUOTE 4):¹ "...I know what I read, and I know how narrow were the issues that I was deciding here. And so the substance of the case, for the most part, was decided quite a while ago, and it went through an appeal. There's all sorts of things that -- for which I think the horses are long gone, the barn door closed and locked quite a while ago. And so this isn't -- this is not, as far as I'm concerned, the time to try to rehash alleged sabotage going back to the beginning of the case."

(QUOTE 5):² "...I'm going to say this is late in the game for further say, I think. And so forgive my abruptness, but, no, I don't think I need to hear any more. Okay?"

13. Note the phrases:

"...not the time to rehash alleged sabotage going back to the beginning of the case."

"...horses are long gone, the barn door closed and locked quite a while ago."

"...late in the game..."

Each of these 3 phrases are used to refer to evidence of acts performed on and around December 8, 2022 and later.

14. The sanctionable act took place on December 8, 2022. (Neither Chapman nor the Court disagree on the day the sanctionable act took place.) Yet when Dulberg asked for discovery of what actually transpired on and around December 8, 2022, Dulberg was told it is too "late in the game" and that the "horses are long gone, the barn door closed and locked quite a while ago" for any discovery or examination of evidence "going back to the beginning of the case" (on December 8, 2022).
15. What QUOTE 4 and QUOTE 5 do in practice is focus on issuing the punishment for sanctions (*the results of acts of fraud on the court*) while ignoring any specifics of the underlying actions which caused sanctions (*acts of fraud on the court*). As an example, the comment:

(QUOTE 6):³ "I'm going to deny your request for any relief against Mr. Talarico as far as your files, because that's not in front of me. You know, those sorts of disputes between lawyers and their clients are sometimes the result -- they are sometimes disputes that produce other litigation, but I don't have any basis for reviewing your request for files. There are ways in which clients are supposed to address those requests. I don't know whether you have, but those requests aren't supposed to be handled here. So I'm going to

1 See page 18, line 13 in December 17, 2024 Report of Proceedings

2 See page 19, line 3 in December 17, 2024 Report of Proceedings

3 See page 14, line 8 in December 17, 2024 Report of Proceedings

deny your request for anything to do regarding a dispute over files between you and Mr. Talarico.”

The case files would contain the work product done on and around December 8, 2022. They would show how Talarico edited the body of the complaint that Talarico received from Dulberg before Talarico filed it on December 8, 2022. The case files would also contain all expert opinion that Talarico received from our retained expert witness.

16. Similarly, our request for unredacted and complete record of recorded telephone conversations between Talarico and Dulberg and Talarico and Thomas Kost and between Talarico and all third parties and opposing counsel performed while representing his clients (and the case files) would settle, once and for all, exactly how Talarico edited the December 8, 2022 complaint and how Talarico informed Dulberg that Talarico was having “internet issues” so Dulberg should simply sign the last page of the complaint Dulberg received from Talarico at 12:56PM (on December 8, 2022) and send it back to Talarico in that form at 1:04PM (on December 8, 2022).¹

17. Judge Swanagan stated:

(QUOTE 7):² “Now, I’ll also say I am not expressing any opinion, nor am I in a position to express an opinion or make any ruling on anything that you’re suggesting that Mr. Talarico did that was adverse to the interests of you or your family. Again, I only decide what’s in front of me and what’s in front of me based on what this case has been about. So that’s all I’m going to say about those motions.”

We are providing direct evidence that Talarico intentionally lied to the court on February 8, 2024, and Judge Swanagan (unknowingly) based his December 17, 2024 orders on the same information that Talarico intentionally lied about. Talarico has continuously committed fraud against Dulberg *as well as* fraud on the court.

18. Judge Swanagan stated, “And your interests are basically intertwined, in that he’s responsible for what he wrote, and you’re responsible for what he wrote.” (From QUOTE 3) Intertwined in a legal and ethical way? Or intertwined like serpent and rodent? Like rapist and victim? Because there is a world of difference between these two opposite poles. If intertwined like serpent and rodent, then Talarico would (opportunisticly) use his February 8, 2024 statement (on behalf of Dulberg) to intentionally hurt Dulberg and to lie about Dulberg. This is indeed what transpired. Because if intertwined like serpent and rodent, then Talarico would use QUOTE 3 by Judge Swanagan as an opportunity to state an intentional lie about Dulberg on February 8, 2024 (which Talarico did). The Court would then issue a ruling on December 17, 2024 taking Talarico’s intentional lie about Dulberg as true (which the Court did). This would leave Dulberg (the person being lied about) unable to correct the record (which is what happened).

E. ACTS OF CORRUPTION CARRIED OUT WHILE FILING ORIGINAL COMPLAINT ON DECEMBER 8, 2022 (AND AFTER)

¹ Described in ¶14 (with Exhibit AH and Exhibit AI) in DULBERG’S RESPONSE TO ADR’S PETITION FOR AN AWARD OF ATTORNEY’S FEES AND COSTS

² See page 14, line 22 in December 17, 2024 Report of Proceedings

19. The relation between Talarico and ADR Systems follows a simple, straightforward 5 step pattern, each step being demonstrated through evidence. The relation between Talarico and Allstate is exactly the same, as if they are mirrors of each other. These relationships are compared in Table 17 below.

TABLE 17: RES JUDICATA GAME PLAN (AS A 5 STEP PROCESS)

	ADR SYSTEMS	ALLSTATE
STEP 1	2022-10-28: Come into possession of incriminating evidence against party	2022-05-24: Come into possession of incriminating evidence against party
STEP 2	2022-12-08 Insert single “breach of contract” count into complaint with (1) no connection to incriminating evidence and (2) no supporting facts in body of complaint, just before filing complaint without client review	2022-12-08 Insert single “breach of contract” count into complaint with (1) no connection to incriminating evidence and (2) no supporting facts in body of complaint, just before filing complaint without client review
STEP 3	Delete any mention of the incriminating evidence in STEP 1 from filed complaint	Delete any mention of the incriminating evidence in STEP 1 from filed complaint
STEP 4	2023-05-25 party easily dismissed after absurd “breach of contract” argument given in court	2023-09-21 party easily dismissed after absurd “breach of contract” argument given in court
STEP 5	2023-06-24 mess up appeal petition and Amended Complaint	2023-10-20 mess up appeal petition

20. A June 1, 2023 email (**Exhibit AN**)¹ serves as evidence of our position with respect to a “breach of contract” claim and on June 24, 2023 our draft of Amended Complaint was given to Talarico. In addition, a September 6 email chain (**Exhibit BK**) and a September 20 email chain (**Exhibit BL**) serves as evidence of our position with respect to a “breach of contract” claim against Allstate and claims of fraud on the court (which we were urging Talarico to raise). Yet these emails are intentionally suppressed in the February 8, 2024 document by Talarico and Dulberg and Kost are blamed for the “breach of contract” argument.
21. “Breach of contract” is a fool’s argument, and Talarico did indeed look like a fool making the argument on May 25, 2023. How can it be argued that STEP 1 through STEP 5 are unintentional or accidents? A person cannot ‘accidentally’ forget about being in possession of forged court reporter’s signatures attached to depositions in the underlying case 12LA178 involving Allstate and the Baudins and then make an accusation of “breach of contract” against Allstate instead. (**Exhibit AJ1**) (**Exhibit AJ2**) (**Exhibit AJ3**) (**Exhibit AJ4**) (**Exhibit AJ5**) (**Exhibit AJ6**) (**Exhibit AJ7**) (**Exhibit AJ8**) (**Exhibit AJ9**) (**Exhibit AJ10**) (**Exhibit AJ11**) (**Exhibit AJ12**) (**Exhibit AJ13**) (**Exhibit AJ15**) (**Exhibit AJ16**)²
22. How can an attorney who is actively lying to the court to harm their client’s interests be said to ‘represent’ or ‘work for’ or “have interests intertwined with” their client in the meaning of QUOTE 3? We believe the apparent contradiction can be explained by distinguishing between providing *de facto* ‘legal representation’ from providing *de jure* ‘legal representation’ and by distinguishing what it means to ‘work for’ a client

¹ See ¶23 and (Exhibit AN) in DULBERG’S RESPONSE TO ADR’S PETITION FOR AN AWARD OF ATTORNEY’S FEES AND COSTS

² See ¶16 and all exhibits accompanying ¶16 in DULBERG’S RESPONSE TO ADR’S PETITION FOR AN AWARD OF ATTORNEY’S FEES AND COSTS

de facto compared to what it means to ‘work for’ a client *de jure*.¹

23. In case 22L010905 did Talarico act as Dulberg’s retained attorney *de facto* as well as *de jure*? The question is not normally asked because representing the client *de jure* is often assumed to be the same as representing the client *de facto*. But the 5 steps shown in Table 17 make no sense if Talarico is following step 1 to step 5 against both ADR Systems and Allstate as Dulberg’s retained attorney *de facto*.

F. EFFORTS TO CORRECT AN INTENTIONAL LIE (PLANTED IN THE CLR BY ONES RETAINED OR FORMERLY RETAINED ATTORNEY) CAN BE JUDICIALLY ESTOPPED

24. When attempting to correct a lie intentionally placed in the record or raise the same issues in the future in the corrected form, Dulberg could be judicially estopped from doing so (or be completely ignored). Dulberg could be judicially estopped into an intentional lie maliciously placed into the record in Dulberg’s name by Dulberg’s formerly retained attorney(s). *This means that Dulberg is made to look like a liar when he tries to tell the truth* (about the intentional lie planted in the record) any time in the future.
25. Table 18 below lists 10 intentional lies (listed from latest to earliest) through 4 cases.

TABLE 18: Lies intentionally planted in court records by Dulberg’s retained or formerly retained attorney to hurt Dulberg from 2012 to 2025 (Listed latest lie to earliest lie, not a comprehensive list)

Case	Intentionally planted lie
Legal Malpractice 22L010905	Dulberg and Kost support Talarico’s “breach of contract” claim against ADR Systems and Allstate
Legal Malpractice 17LA377	The high low agreement was executed by Dulberg.
Bankruptcy 14-83578	Dulberg gave consent to binding mediation. Dulberg “didn’t want a jury trial” because he “didn’t think he would make a good witness”.
Personal Injury 12LA178	It is Gagnon’s word vs Dulberg’s word. Carolyn McGuire gave Dulberg money for medications before Dulberg went to pharmacy. Dulberg went to the McGuire house directly from the hospital. Dulberg is lying about going directly to the pharmacy from the hospital. Dulberg is lying about paying for his own perscriptions. There are no timestamps on the pharmacy receipts.

26. The first entry in Table 18 was placed in the February 8, 2024 document Talarico filed with the court. The statement goes to the heart of whether Dulberg should be punished with sanctions. It is an intentional lie placed on the record by Talarico to encourage the court to punish Dulberg with sanctions. Note that it is only the latest in at least 10 intentional lies placed in the common law record by Dulberg’s retained or formerly retained attorneys.

¹ The most common translation of “*de facto*” is “in fact,” and this term refers to a situation that exists in real life. “*De jure*,” translated as “according to the law,” refers to something in accordance with the law as it is written. When something is *de jure*, it is officially recognized and authorized by state, local government, or some other law-making body.

27. **The case of 17LA377.** History of the statement “The high low agreement was executed by Dulberg.” Dulberg clearly informed Gooch during their first meeting on December 16, 2016 that Dulberg never agreed to Binding Mediation and never signed the Binding Mediation agreement. Gooch placed the statement in Dulberg’s original complaint filed on November 26, 2017 (paragraph 16) and Dulberg immediately informed Gooch the statement was incorrect. However, the same statement has continued to appear and is attributed to Dulberg in a number of documents since then, including 2 documents written by the Illinois Supreme Court as late as 2024. As of today (2025) Dulberg has a nine year history (and growing) of having the statement attributed to him and placed in documents and our many efforts to correct the record are regularly ignored.
28. **The underlying case of BK 14-83578.** history of the statement “Dulberg gave consent to binding mediation. Dulberg “didn’t want a jury trial” because he “didn’t think he would make a good witness” first appears in an Report of Proceedings in Federal Bankruptcy Court on October 31, 2016. The statement appeared next in the form of “The high low agreement was executed by Dulberg” described in paragraph 27 above, and then did not appear again until it appeared on June 6, 2024 (in Baudins response to the ARDC complaint against them).
29. **The underlying case of 12LA178,** history of the listed statements first appear in depositions around which Dulberg’s retained attorneys Popovich and Mast destroyed key evidence and intentionally led defendants Carolyn McGuire and Gagnon to commit perjury around the destroyed key evidence. At least 9 of the 10 depositions total have no valid certification pages and at least 5 depositions have forged signatures of court reporters.¹

G. INTENTIONAL OR ACCIDENTAL? THE SANCTIONABLE ACT AS A “HOAX” PLAYED ON THE COURT AND ON DULBERG

30. The 5 steps shown in Table 17 make no sense if Talarico is following step 1 to step 5 against both ADR Systems and Allstate as Dulberg’s retained attorney de facto. Is Talarico acting accidentally or intentionally? How can it be argued that Talarico (who actively lied to the court to harm their client’s interests) actually ‘represents’ or ‘works for’ or “has interests intertwined with” their client in the meaning of QUOTE 3? It cannot. But Table 17 can be interpreted to show that even though Talarico represented Dulberg de jure during this time, Talarico was not representing Dulberg de facto during this time (though Talarico was pretending to).
31. Talarico intentionally set up a Res Judicata bar on any claim Dulberg has against ADR Systems forever in the future by setting up an intentionally fraudulent “breach of contract” claim as a simple frivolous lawsuit set up to be summarily dismissed quickly and then Talarico intentionally destroyed any filing of any amended complaint and intentionally destroyed any possible appeal. The deliberate addition of ‘breach of contract’ claims is willful and wanton prima facie professional misconduct and fraud against Dulberg.²

¹ See ¶16 and all exhibits accompanying ¶16 in DULBERG’S RESPONSE TO ADR’S PETITION FOR AN AWARD OF ATTORNEY’S FEES AND COSTS

² It is prima facie negligent conduct for an attorney to misadvise a client on a settled point of law that can be looked up through ordinary research techniques.

32. Talarico also intentionally set up a Res Judicata bar on any claim Dulberg has against Allstate forever in the future by setting up an intentionally fraudulent ‘breach of contract’ claim as a simple frivolous lawsuit set up to be summarily dismissed quickly and then Talarico intentionally destroyed any possible appeal.
33. “Breach of contract” is a fool’s argument, and Talarico did indeed look like a fool making the argument on May 25, 2023. Let us consider the (very real) possibility that *Talarico knew it was a fool’s argument* and he was simply pretending to support it. If this is true, it explains all of Talarico’s actions in STEP 1 to STEP 5 in Table 17 and all of Talarico’s subsequent actions. The actions in STEP 1 to STEP 5 then make perfect sense as parts of a well-coordinated plan and are no longer seen as a series of bumbling ‘mistakes’. Talarico’s behavior makes perfect sense if he is understood to be retained by Dulberg and representing Dulberg de jure while Talarico is not representing Dulberg de facto (though pretending to).
34. As for Table 18, how can it be argued that Talarico (who actively lied to the court to harm Dulberg’s interests) actually ‘represented’ or ‘worked for’ or “had interests intertwined with” their client in the meaning of QUOTE 3? It cannot. Table 18 can be seen as a well coordinated set of mutually reinforcing lies intentionally placed in the CLR of 4 cases. Talarico’s intentional lie of February 8, 2024 is a very important lie among the 10 listed intentional lies in Table 18 (appearing at the top of the list), because it is the lie that is used to hide all the other lies from being discovered. While Talarico’s intentional lie of February 8, 2024 is an attempted clandestine way to shift blame to Dulberg for the sanctionable act of December 8, 2022, Table 18 helps remind us that it is just one more tree in a forest of intentional lies planted in the CLR by Dulberg’s own retained and formerly retained attorneys from 2012 to the present.
35. Once again, we can explain the apparent contradiction by distinguishing Talarico’s de facto ‘legal representation’ from Talarico’s de jure ‘legal representation’ of Dulberg. De facto (translated as “in fact”) legal representation can be seen by Talarico’s *actual behavior* as shown in Table 17 and Table 18. We can recognize the behavior in Table 17 and Table 18 to be that of an attorney that represents Dulberg de jure while actively and intentionally trying to set Dulberg up to lose de facto.
36. When Talarico told Dulberg (on and before October 31, 2023) not to attend the hearing scheduled for October 31, 2023 in 22L010905 before Judge Otto, was Talarico representing Dulberg’s interests de facto? No. (The reasons Talarico gave Dulberg to not attend the hearing are stated in **Exhibit AV**)¹.
37. When on the telephone (just before the October 31, 2023 hearing) Talarico made Dulberg believe that ADR erred by filing in the Circuit Court because the jurisdiction had already transferred to the Appellate Court and if ADR wanted to file a Motion for Status that they would have to address it at the Appellate Court level or wait until the Appellate Court sent the case back down to the Circuit Court, was Talarico representing

¹ See ¶¶31-32 and (Exhibit AV) in DULBERG’S RESPONSE TO ADR’S PETITION FOR AN AWARD OF ATTORNEY’S FEES AND COSTS

Dulberg's interests de facto? No. When Talarico further led Dulberg to believe that if Dulberg were to file an answer to the Motion for Status or attend the Circuit Court hearing to explain that the appeal was filed then Dulberg would be forfeiting his appeal and the jurisdiction would automatically revert back to the Circuit Court and that the time limit for filing any appeal would have expired, was Talarico representing Dulberg's interests de facto? No. (**Exhibit AV**)¹

38. In the same way, Table 16 (**Exhibit BM**) lists actions of Dulberg's retained attorneys in underlying cases 12LA178 and BK 14-83578 and in related legal malpractice case 17LA377. The actions are listed in a way that shows which party benefits from which action taken by Dulberg's retained attorneys. Are the patterns shown in Table 18 accidental or intentional? How can it be argued that *any of the attorneys* who actively lied to the court to harm Dulberg's interests actually 'represented' or 'worked for' or "had interests intertwined with" their client Dulberg in the meaning of QUOTE 3? It cannot.

H. RECENTLY DISCOVERED INFORMATION ON RETAINED EXPERT WITNESS ALAN KRAVETS

39. In February of 2022 Talarico claimed to retain an expert witness named Alan Kravets in related case 17LA377. Talarico also claimed to retain Alan Kravets for 22L010905. (**Exhibit BA**)²
- a. Did Kravets play a role in determining legal sufficiency of Talarico's final edit between 9:14AM and 12:56AM on December 8, 2022?
 - b. Did Alan Kravets advise Talarico to place counts 4 and 5 in the final edit of the complaint?
 - c. Was Alan Kravets consulted by Talarico when Talarico told Dulberg not to attend the October 31, 2023 status hearing?³
 - d. If not, what was Alan Kravets retained for? (If yes, then the legal advice of expert witness Alan Kravets goes to the heart of the question of who is responsible for the penalty of sanctions.)
40. As the date of this filing we have no evidence that the Alan Kravets responding to us by email even exists. The person corresponding by email claims that they:
- a. accepted a retainer of \$5,400 for 22L010905 that Dulberg paid (**Exhibit BN-1**) and (**Exhibit BN-2**), and they...
 - b. did no billable work on the case 22L010905 (**Exhibit BN-3**), even though they...
 - c. refuse to give any money back to Dulberg or to Kost (**Exhibit BN-4**) and (**Exhibit BN-5**).

¹ See ¶31-32 and (Exhibit AV) in DULBERG'S RESPONSE TO ADR'S PETITION FOR AN AWARD OF ATTORNEY'S FEES AND COSTS

² See ¶21 and (Exhibit BA) in DULBERG'S RESPONSE TO ADR'S PETITION FOR AN AWARD OF ATTORNEY'S FEES AND COSTS

³ Described in ¶31-32 in DULBERG'S RESPONSE TO ADR'S PETITION FOR AN AWARD OF ATTORNEY'S FEES AND COSTS

41. Alan Kravets has received \$14,250.00¹ in total from Dulberg and Kost and Dulberg and Kost has received no money back. Even though Alan Kravets admitted receiving \$5,400 retainer for 22L010905, Alan Kravets claimed to have not even done 0.1 hours of billable work on 22L010905. Alan Kravets claims he has no obligation to return the \$5,400 to Dulberg and Kost. Alan Kravets claimed he already sent the money to Talarico, and since Talarico was alive when Talarico received the money, apparently Alan Kravets considers the matter closed. (see Exhibits listed in ¶39)
42. In related case 17LA377 Dulberg was billed \$8,850.00 for services. Dulberg has no evidence of any work being done, no evidence of any opinion given, for over \$8,850.00 paid to Alan Kravets for 17LA377. In related case 17LA377 Alan Kravets did offer to return \$2,250 of the \$8,850.00 retainer Alan Kravets received for case 17LA377 but the letters that Dulberg and Kost received from Kravets for some strange reason used the term “Mr Dulberg” associated with a person named “Dave Dulberg”. The term “Mr Dulberg”, used throughout both letters, seems to refer to two different people (Paul Dulberg and Dave Dulberg). (**Exhibit BN-6**) The letter was written in such a way that if Dulberg signed the letter, Dulberg would be authorizing Alan Kravets to send the check to a person named “Dave Dulberg”.
43. The same letters also use the term “Mr Kost” to refer only to a person named “Richard Kost” in both letters. It was Thomas Kost that wrote and signed the check and the check was drawn from Thomas Kost’s bank account. (The only relation the payment had to a person named “Richard Kost” is that Thomas Kost shared a checking account with Richard Kost (who is Thomas Kost’s father) and the name of “Richard Kost” appeared at the top of the check because Thomas Kost used a check with an older outdated header before new checks were printed with the names of both Thomas Kost and Richard Kost appearing at the top of the check.) Yet, for some strange reason, Alan Kravets addresses the letter to “Richard Kost” and uses the term “Mr. Kost” throughout the letter only in reference to a person named “Richard Kost”. Since Richard Kost died on September 8, 2024, Alan Kravets seems to think he needs a copy of Richard Kost’s will and other information to proceed with any return of funds. Alan Kravets seems unable to associate “Mr Kost” with Thomas Kost at all. (This is inexplicable because in Alan Kravets’ first “Informed Consent Document” the name “Thomas Kost” was mentioned numerous times and the name “Richard Kost” was never mentioned. (**Exhibit BN-6**) Just as “Paul Dulberg” and “David Dulberg” are both associated with the term “Mr Dulberg” in the letter from Alan Kravets, so the term “Mr Kost” is not at all associated with Thomas Kost, but only with Thomas Kost’s dead father.
44. Is the confusion in the term “Mr Dulberg” referring to two different names intentional or accidental? Is the confusion in the term “Mr Kost” referring to the wrong party intentional or accidental? How can it be argued that Talarico actually ‘represented’ or ‘worked for’ or “has interests intertwined with” Dulberg in the meaning of QUOTE 3 if we have no work product from Alan Kravets, supposedly paid \$8,850.00 to Alan Kravets, and yet we do not even know if the Alan Kravets in the emails is a real person? It cannot be argued. Even though Talarico represented

¹ On 03/16/2022 Dulberg additionally paid \$304.80 for a Lawyerport (Westlaw) subscription to be shared by Talarico and Kravets
Again on 02/08/2023 Dulberg additionally paid \$1,670.86 for a Lawyerport (Westlaw) subscription to be shared by Talarico and Kravets

Dulberg de jure during this time, Talarico was not representing Dulberg de facto during this time.

45. Mr Talarico's current counsel Tom Long (personally) and the firm Konicek & Dillon represented Thomas J. Popovich in the Twenty Second Judicial Circuit. 15LA78 and 12LA326 (First Circuit Case No. 2012L000196), cases where Associate Judges Thomas A. Meyer and Joel D. Berg (presiding Judges in 17LA377) recused themselves due to Judicial Conflicts of Interest with Popovich in some cases but not in other cases. Both Tom Long and Talarico are aware that personal friends of Popovich served as Judges in related legal malpractice case 17LA377 and this knowledge was never brought to the court's attention (deliberately). Members of the firm Konicek & Dillon are potential witnesses to Judicial Fraud that benefits Popovich. (Exhibit BI-1) (Exhibit BI-2) (Exhibit BI-3) (Exhibit BI-4) (Exhibit BI-5) (Exhibit BI-6) (Exhibit BI-7)¹

I. AN EVIDENTIARY HEARING WOULD HELP QUICKLY RESOLVE KEY ISSUES (AT THE HEART OF BOTH SANCTIONS AND FRAUD ON THE COURT) AND CORRECT THE 22L010905 COMMON LAW RECORD

46. There are many purposes to correcting the common law record at this time, including:
- a. Clarification of the actual timeline² can resolve the confusion which led to mistakes and help prevent future mistakes from arising.
 - b. Clarification of evidence for any reviewing higher court (since the reviewing higher court will most likely make the same mistake after reading the February 8, 2024 submission).
 - c. Clarification of evidence for any Federal Rule of Civil Procedure 60(d)(3) motion in the future (for the same reason as above).
 - d. Clarification of evidence and common law record for any possible Civil Rights case (for the same reason as above).
47. Clarification gives all parties access to evidence concerning the original sanctionable act of December 8, 2022 such as:
- a. Calling Talarico and Alan Kravets as witnesses to verify whether Alan Kravets as he communicates through the emails is a real person and to learn of his relation to sanctionable acts.
 - b. Obtaining unredacted and complete record of recorded telephone conversations between Talarico and Dulberg and Talarico and Thomas Kost and between Talarico and all third parties and opposing counsel performed while representing his clients (because they go the heart of actions taken on and around December 8, 2022, October 31, 2023 and other interactions during actions of fraud on the court and sanctionable actions.
 - c. Obtaining CASE FILES (work product) for the same reason as ¶46 section b, and other evidence.
48. Sealed Federal Court medical records with respect to fraud on the court and conspiracy to commit fraud on the court are important because they show that the attorneys that committed these acts against Dulberg knew that Dulberg was both physically and mentally disabled at the time the acts were committed (as described in detail in the Federal Court medical records). Talarico argued that Dulberg was legally disabled

¹ See ¶55 and (Exhibits BI-1, BI-2, BI-3, BI-4, BI-5, BI-6 and BI-7) in DULBERG'S RESPONSE TO ADR'S PETITION FOR AN AWARD OF ATTORNEY'S FEES AND COSTS

² Described in ¶2-37 in DULBERG'S RESPONSE TO ADR'S PETITION FOR AN AWARD OF ATTORNEY'S FEES AND COSTS

on August 29, 2023 before Judge Otto. Talarico committed the acts described in this document and in DULBERG'S RESPONSE TO ADR'S PETITION FOR AN AWARD OF ATTORNEY'S FEES AND COSTS against a client Talarico knew was physically disabled, mentally disabled, permanently disabled and (as Talarico himself argued) legally disabled. These disabilities are the reason why Thomas Kost speaks at court hearings for Dulberg and why Dulberg asked Thomas Kost to act as his guardian. (**Exhibit BO**)

49. A Table of fees and costs (**Exhibit BN-7**) shows how much money Talarico charged Dulberg and Kost while Talarico committed these acts (of fraud against Dulberg and fraud on the court. Talarico knew that Talarico left Dulberg in substantial debt to pay Talarico for the services described in this document and in DULBERG'S RESPONSE TO ADR'S PETITION FOR AN AWARD OF ATTORNEY'S FEES AND COSTS.

WHEREFORE, the Plaintiffs, **PAUL R. DULBERG, INDIVIDUALLY AND THE PAUL R. DULBERG REVOCABLE TRUST**, *pray* that the Court enter an Order ***DENYING*** ADR'S PETITION FOR AN AWARD OF ATTORNEYS' FEES AND COSTS ***WITH PREJUDICE***.

Respectfully submitted, this 14th day of March 2025

By: /s/ Paul R. Dulberg
Paul R. Dulberg
4606 Hayden Ct.
McHenry, Illinois 60051
(847) 497-4250
Paul_Dulberg@comcast.net

Pro se for Plaintiffs: Plaintiffs PAUL R. DULBERG, INDIVIDUALLY AND THE PAUL R. DULBERG REVOCABLE TRUST

VERIFICATION BY CERTIFICATION PURSUANT TO SECTION 1-109

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief, and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

/s/ Paul R. Dulberg
Paul R. Dulberg

Date : 1/6/2024 11:52:32 AM
From : "Alphonse Talarico"
To : "Paul Dulberg" , "Paul Dulberg" , "T Kost"
Subject : Preamble

Gentlemen,

Please use the word "Preamble".

PREAMBLE: Much of the matter that follows can be characterized as fraud by officers of the court. Currently there are nine (9) related ARDC investigations pending (#2023INO2517, #2023INO2518, #2023INO3135, #2023INO3136, #2023INO3894-R, #2023INO, 2023INO3898-R, #2023INO3897-R, 2023INO3895-R, #2023 INO3896-R), two (2) submitted Judicial Inquiry Board "Complaints against a Judge," and one (1) Judiciary Inquiry Board "Complaint against a Judge" that was unable to be processed because the individual named is no longer an active Illinois state court judge.

The events of this matter occurred over a period of time in excess of 14 years and the Record on Appeal , with at least two known dates missing from the file, is currently equal to or greater than two thousand six hundred and sixty pages (2660).

This matter was hampered not only by the fraud by officers of the court but also by the traumatic life events that befell Plaintiff/Appellant Paul Dulberg but also his attorney as follows:

1. the unexpected death of key witness, lifelong friend and live-in caretaker Michael Mc Artor;
2. the disappearance of, false arrest and medieval interrogations , imprisonment and, by law, lack of the ability to consult with an attorney, nor contact anyone of Plaintiff/Appellant's attorney Alphonse A. Talarico's fiancé during a scheduled stopover in Tokyo, Japan on the way to O'Hare International Airport, Illinois.

The Appellate Court was made aware of each traumatic life event through motions for extension of time and other related and consequential motion practice but culminated in the order that ended this matter before the Appellate Court. (A)

The history of this matter are as follows:



T Kost <tkost999@gmail.com>

Strategy which focuses on primary cause of action10 messages

T Kost <tkost999@gmail.com>

Fri, Sep 1, 2023 at 9:45 AM

To: Paul Dulberg <Paul_Dulberg@comcast.net>, Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>

There are a few things that I believe we are doing incorrectly. This needs to be discussed so I am starting this email thread to explain my position.

- 1) When Dulberg filed lawsuit 17LA377 against Popovich and Mast the complaint listed causes of action.
- 2) During the law and motion portion of 17LA377 fraud on the court was committed by officers of the court.
- 3) When we discovered fraud on the court taking place a NEW CAUSE OF ACTION emerged against officers of the court committing fraud on the court.

The problem we are experiencing is that we did not recognize that the new cause of action (fraud on the court) is now the PRIMARY CAUSE OF ACTION. I believe this is a mistake.

Once you know about the fraud on the court (like now), your primary cause of action should change to "fraud on the court" and "extrinsic fraud". Your secondary causes of action are your current lawsuits.

You cannot wait to act on the fraud. You have to act on the fraud on the court as your primary cause of action.

What you are doing wrong in my opinion is that you do not recognize "fraud on the court" as your primary cause of action. You already have a case under [Civil Rights Violation – Title 42 Section 1983](#) but you are not acting on it because you are pursuing secondary causes of action.

Paul Dulberg <Paul_Dulberg@comcast.net>

Fri, Sep 1, 2023 at 9:50 AM

To: Tom Kost <tkost999@gmail.com>

Cc: Law Office Of Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>

I believe you are correct, however Mr Talarico is putting out a fire this morning due to a clerk not getting the file to the appellate court on time.

Please refrain from bothering him till the fire is out.

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Exhibit BK

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Fri, Sep 1, 2023 at 11:37 AM

Mr Talerico can read this later. Since this is in writing I am going to proceed to explain why I believe your current course of action is incorrect.

1) In general, you cannot deal with issues involving fraud without addressing the fraud. If you try I believe you are falling into a trap.

2) When fraud is involved in producing a result, fraud becomes the primary issue, not the result.

I believe we are currently treating fraud on the court as an additional issue, not as THE PRIMARY ISSUE. We currently talk about dealing with it "in a few months" or "later". I suspect this is because we have not yet recognized that your PRIMARY CAUSE OF ACTION HAS CHANGED.

In legal terms I believe that our "gravaman" has changed. I am using the following definition of "Gravaman":

The "Gravamen" of the Complaint is the part of an accusation that weighs most heavily against the accused; the substantial part of a charge or complaint. The Gravamen represents that aspect of the case that if resolved would most likely bring the case to a close. In cases of [Fraud Upon the Court](#) the [Omission](#) is usually a simple matter that if presented to a judge at an Evidentiary Hearing would most certainly have to be factored in to the the Judgment."

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Strangely, even though we have this information Judges presiding over our cases are not allowed to see it. This means we are sitting on this information. We are not acting as if "fraud on the court" is our primary cause of action.

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FILED DATE: 3/17/2025 12:00 AM 2022L010905

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Fri, Sep 1, 2023 at 2:17 PM

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Exhibit BK

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The answer (as I currently understand it) is through Declaratory Judgments until one has enough information to file a civil rights violation case. In our special case I believe we already have an overwhelming amount of evidence to prove Extrinsic Fraud and Fraud on the Court.

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Fri, Sep 1, 2023 at 4:09 PM

A separate important point about accusing someone of fraud is that the accuser must be able to explain how and when they first learned about the fraud.

So it is important to ask: When did we learn about Clinton and Williams committing fraud on the court?
The answer is: A few months ago.

The defense will have a right to inquire whether you knew about fraud but delayed releasing the information intentionally.

I do not believe we want to be perceived as knowing about Fraud on the Court but not acting on the knowledge. Once we know we should articulate it in written form. (We have just finished placing the accusations of Fraud on the Court in written form.)

But once we have it in written form we should introduce it as evidence that can be used in court. If we do not take prompt steps to make this evidence valid in court then the question can be asked: Why didn't we act sooner?

For many reasons I do not believe we want to hoard evidence of fraud privately. We should have a clear and direct plan of action for putting it before the eyes of any sitting Judge promptly as valid evidence that can be used in court.

Fraud on the Court should be taken as the 'gravatas' of accusations. Fraud on the Court and Extrinsic Fraud should be presented to a Judge as a PRIMARY CAUSE OF ACTION.

(Strangely, it is as if sitting on this information helps perpetrate the fraud on the court AGAINST US. We will be helping to keep the fraud going.)

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Exhibit BK

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Sat, Sep 2, 2023 at 12:38 AM

Let's look closely at 2 small quotes:

"The maxim that fraud vitiates every transaction into which it enters ..."

"It is axiomatic that fraud vitiates everything."

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If large elements of these cases become void due to the taint of fraud, then the Fraud on the Court and Extrinsic Fraud become THE MAIN ISSUE. Because fraud voids everything it touches, our current strategy of dealing with Fraud on the Court at some later date seems to make no sense.

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I believe we need a strategy that gets the evidence of Fraud on the Court in front of the eyes of Judge Otto and in front of the eyes of the Court of Appeals in the case of Popovich and Mast.

I believe we cannot continue to "tip-toe" around the Extrinsic Fraud and Fraud on the Court that unquestionably took place. I think we could be fools for pursuing the extremely damaged cases without the Judge being informed of the Fraud on the Court that took place.

On Fri, Sep 1, 2023 at 4:09 PM T Kost <tkost999@gmail.com> wrote:

A separate important point about accusing someone of fraud is that the accuser must be able to explain how and when they first learned about the fraud.

So it is important to ask: When did we learn about Clinton and Williams committing fraud on the court? The answer is: A few months ago.

The defense will have a right to inquire whether you knew about fraud but delayed releasing the information intentionally.

I do not believe we want to be perceived as knowing about Fraud on the Court but not acting on the knowledge. Once we know we should articulate it in written form. (We have just finished placing the accusations of Fraud on the Court in written form.)

But once we have it in written form we should introduce it as evidence that can be used in court. If we do not

take prompt steps to make this evidence valid in court then the question can be asked: Why didn't we act sooner?

For many reasons I do not believe we want to hoard evidence of fraud privately. We should have a clear and direct plan of action for putting it before the eyes of any sitting Judge promptly as valid evidence that can be used in court.

Fraud on the Court should be taken as the 'gravatas' of accusations. Fraud on the Court and Extrinsic Fraud should be presented to a Judge as a PRIMARY CAUSE OF ACTION.

(Strangely, it is as if sitting on this information helps perpetrate the fraud on the court AGAINST US. We will be helping to keep the fraud going.)

On Fri, Sep 1, 2023 at 2:17 PM T Kost <tkost999@gmail.com> wrote:

The mistake in our current approach can be seen clearly in the case of Judge Otto granting the Baudin Summary Judgment over the 2 year statute of limitations issue.

1) We had the evidence in our possession to refute the argument. This is the information in the Clinton-Williams ARDC Complaint.

2) We could not use the evidence in Judge Otto's court.

This is how things will probably end up over and over unless we address the Fraud on the Court as the PRIMARY CAUSE OF ACTION.

The primary legal question (in my opinion) should be: How do you bring the extrinsic evidence of Fraud on the Court before the judge as valid evidence?

The answer (as I currently understand it) is through Declaratory Judgments until one has enough information to file a civil rights violation case. In our special case I believe we already have an overwhelming amount of evidence to prove Extrinsic Fraud and Fraud on the Court.

If we continue on our current course we are simply hoarding evidence of Fraud on the Court and (incorrectly) sitting on it.

On Fri, Sep 1, 2023 at 11:46 AM T Kost <tkost999@gmail.com> wrote:

Paul, let me know when I have your permission to send this message directly to Mr Talerico. I do not know why you would try to block information of this nature.

On Fri, Sep 1, 2023 at 11:37 AM T Kost <tkost999@gmail.com> wrote:

Mr Talerico can read this later. Since this is in writing I am going to proceed to explain why I believe your current course of action is incorrect.

1) In general, you cannot deal with issues involving fraud without addressing the fraud. If you try I believe you are falling into a trap.

2) When fraud is involved in producing a result, fraud becomes the primary issue, not the result.

I believe we are currently treating fraud on the court as an additional issue, not as THE PRIMARY ISSUE. We currently talk about dealing with it "in a few months" or "later". I suspect this is because we have not yet recognized that your PRIMARY CAUSE OF ACTION HAS CHANGED.

In legal terms I believe that our "gravaman" has changed. I am using the following definition of "Gravaman":

The "Gravamen" of the Complaint is the part of an accusation that weighs most heavily against the accused; the substantial part of a charge or complaint. The Gravamen represents that aspect of the case that if resolved would most likely bring the case to a close. In cases of [Fraud Upon the Court](#) the [Omission](#) is usually a simple matter that if presented to a judge at an Evidentiary Hearing would most certainly have to be factored in to the the Judgment."

In other words, the "gravaman" of our accusations have changed. Fraud on the court and extrinsic

fraud are now our most serious accusations. "Fraud on the court" is our "gravaman".

In this language, I believe our current mistake is that we are not addressing the 'gravaman' of our accusations (which is Fraud on the court).

If what I write is correct, then our highest priority would be to establish the accusation of "Fraud on the court" as our primary cause of action. We are currently in possession of overwhelming evidence of "fraud on the court". We have also articulated charges of "fraud on the court" in writing with exhibits.

Strangely, even though we have this information Judges presiding over our cases are not allowed to see it. This means we are sitting on this information. We are not acting as if "fraud on the court" is our primary cause of action.

This, I believe, is a mistake we need to correct.

On Fri, Sep 1, 2023 at 9:50 AM Paul Dulberg <Paul_Dulberg@comcast.net> wrote:

I believe you are correct, however Mr Talarico is putting out a fire this morning due to a clerk not getting the file to the appellate court on time.

Please refrain from bothering him till the fire is out.

On Sep 1, 2023, at 9:45 AM, T Kost <tkost999@gmail.com> wrote:

There are a few things that I believe we are doing incorrectly. This needs to be discussed so I am starting this email thread to explain my position.

1) When Dulberg filed lawsuit 17LA377 against Popovich and Mast the complaint listed causes of action.

2) During the law and motion portion of 17LA377 fraud on the court was committed by officers of the court.

3) When we discovered fraud on the court taking place a NEW CAUSE OF ACTION emerged against officers of the court committing fraud on the court.

The problem we are experiencing is that we did not recognize that the new cause of action (fraud on the court) is now the PRIMARY CAUSE OF ACTION. I believe this is a mistake.

Once you know about the fraud on the court (like now), your primary cause of action should change to "fraud on the court" and "extrinsic fraud". Your secondary causes of action are your current lawsuits.

You cannot wait to act on the fraud. You have to act on the fraud on the court as your primary cause of action.

What you are doing wrong in my opinion is that you do not recognize "fraud on the court" as your primary cause of action. You already have a case under Civil Rights Violation – Title 42 Section 1983 but you are not acting on it because you are pursuing secondary causes of action.



T Kost <tkost999@gmail.com>

sample Allstate Surreply and sample Baudin Motion to Reconsider.

8 messages

T Kost <tkost999@gmail.com>

Tue, Sep 19, 2023 at 2:09 PM

To: Paul Dulberg <Paul_Dulberg@comcast.net>, Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>

Each document is only 4 or 5 pages.

The theory in each document is that we can introduce newly discovered information. This information is so newly discovered that Mr Talarico hasn't even seen it yet.

Mr Talarico, please consider this approach and let me know what you think.

2 attachments

 **sample Dulberg Surreply1.pdf**
228K

 **sample Motion to Reconsider1.pdf**
195K

Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>

Tue, Sep 19, 2023 at 5:31 PM

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Gentlemen,

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Whether it is 4 or 5 or 6 pages I strongly caution that what you have written, is a motion to amend the pleadings and should be carefully reviewed and properly supported by relevant case law.

At this point I have used up most of the time I set aside to prepare for the hearing on September 21, 2023.

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Rather than appear and let the judge question me about things I have not prepared for, I think another approach would be advisable.

I am sorry that the representation has come to this point but sanctions and contempt citations are a tool the Honorable Judge has available.

I am not the attorney for going forward as I am swimming against your current and i have not gone

Exhibit BL

forward with my attempt to hire a part-time attorney or retain co-counsel.

Respectfully,

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This seems to be our only difference. I really want us to be clear about how and when we can get the clear and convincing evidence for fraud on the court in case 12LA178 and case 17LA377 (in the thumbdrive) entered as part of the common law record. You never told us how to do it and we have been trying to do it since July.

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No problem

thank you

your help has been greatly appreciated

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Paul and I want to show the evidence we have of Fraud on the Court involving Allstate to Judge Otto.

I want to raise the issue of newly discovered Fraud on the Court to Judge Otto. You seem to be claiming we risk being in contempt if we raise the issue and give the evidence.

This seems to be our only difference. I really want us to be clear about how and when we can get the clear and convincing evidence for fraud on the court in case 12LA178 and case 17LA377 (in the thumbdrive) entered as part of the common law record. You never told us how to do it and we have been trying to do it since July.

I believe we are in agreement about everything except that. Let's work it out tomorrow.

On Tue, Sep 19, 2023 at 5:31 PM Alphonse Talarico <contact@lawofficeofalphonsetalarico.com> wrote:

Gentlemen,

regarding the "sur-reply"

I am sad to inform you that what you have sent me is not a counter-affidavit in form or contents

Additionally, it is not a sur-reply because you have not shown where Allstate raises issues that were not raised in Allstate's Motion for Summary Judgment nor raised in Dulberg response to Allstate's Motion for summary judgment..

Whether it is 4 or 5 or 6 pages I strongly caution that what you have written, is a motion to amend the pleadings and should be carefully reviewed and properly supported by relevant case law.

At this point I have used up most of the time I set aside to prepare for the hearing on September 21, 2023.

If I am to use tomorrow to fix the problem and get a motion on file, I will not have time to review at all.

Rather than appear and let the judge question me about things I have not prepared for, I think another approach would be advisable.

I am sorry that the representation has come to this point but sanctions and contempt citations are a tool the Honorable Judge has available.

I am not the attorney for going forward as I am swimming against your current and I have not gone forward with my attempt to hire a part-time attorney or retain co-counsel.

Respectfully,

Exhibit BL

FILED DATE: 3/17/2025 12:00 AM 2022L010905

Alphonse A. Talarico esq.

From: T Kost <tkost999@gmail.com>

Sent: Tuesday, September 19, 2023 2:09 PM

To: Paul Dulberg <Paul_Dulberg@comcast.net>; Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>

Subject: sample Allstate Surreply and sample Baudin Motion to Reconsider.

Each document is only 4 or 5 pages.

The theory in each document is that we can introduce newly discovered information. This information is so newly discovered that Mr Talerico hasn't even seen it yet.

Mr Talerico, please consider this approach and let me know what you think.

PRIME MOVERS OF A SYSTEM OF FRAUD CAN BE IDENTIFIED BY WATCHING FOR WHO CONSISTENTLY BENEFITS FROM FRAUDULENT ACTIONS

A system of fraud is designed to hide and disguise the prime movers who are driving the fraud. If fraud is detected the system is designed to focus the blame on various levels of decoys and to take various fall back positions.

One way to see past the disguises and fall back positions is to record and examine who consistently benefited from individual acts by Dulberg's retained attorneys.

**TABLE 16: INDIVIDUAL ACTS BY DULBERG'S RETAINED ATTORNEYS
COMPARED TO WHO BENEFITED FROM THE ACTS**

INDIVIDUAL ACTIONS OF DULBERG'S RETAINED ATTORNEYS	DID ALLSTATE BENEFIT?	DID DULBERG BENEFIT?
Popovich and Mast redirected medical lien liability from the Defendants to Plaintiff	Yes	No
Popovich and Mast forged documents and destroyed evidence (at least 15 examples)	Yes	No
Popovich and Mast corrupted the interrogatory and document production process to sabotage client's case and to benefit defendants (in collaboration with opposing attorneys)	Yes	No
Popovich and Mast suppressed information on mental health issues related to Dulberg's injury	Yes	No
Popovich and Mast corrupted the deposition process to sabotage client's case and to benefit defendants in collaboration with opposing attorneys (9 out of 10 depositions have no valid certification pages)	Yes	No
Popovich and Mast knew Defendant Gagnon effectively admitted to negligence for Dulberg's injury	Yes	No
Popovich and Mast knew Defendant Gagnon committed perjury	Yes	No
Popovich and Mast knew Defendant Carolyn McGuire committed perjury	Yes	No
Popovich and Mast committed settlement fraud	Yes	No
Popovich and Mast violated federal bankruptcy laws	Yes	No
Balke contracted with Dulberg (who Balke knew had no standing as plaintiff) and not with the Bankruptcy Trustee (who had standing as plaintiff)	Yes	No
Balke told Dulberg (about 11 weeks later) he would withdraw counsel if Dulberg does not settle with Allstate for \$50,000	Yes	No

INDIVIDUAL ACTIONS OF DULBERG'S RETAINED ATTORNEYS	DID ALLSTATE BENEFIT?	DID DULBERG BENEFIT?
The Baudins contracted with Dulberg (who Baudins knew had no standing as plaintiff) instead of with the Bankruptcy Trustee (who had standing as plaintiff)	Yes	No
The Baudins knew or should have known Defendant Gagnon effectively admitted to negligence for Dulberg's injury as early as March, 2013	Yes	No
The Baudins moved to cap the value of PI case 12LA178 (with defendants Allstate alone)	Yes	No
The Baudins closed the deal with an upper cap of \$300,000 (in violation of the automatic stay)	Yes	No
The Baudins coerced Dulberg to agree and misinformed him of where the 'upper cap' came from	Yes	No
The Baudins moved to contract with Bankruptcy Trustee only after capping value of 12LA178	Yes	No
The Baudins misled Bankruptcy Judge that Dulberg wanted Binding Mediation (about 11 weeks after the deal was closed)	Yes	No
Gooch-Walczyk and Clinton-Williams concealed key evidence in collaboration with each other (Tilschner v Spangler certified slip ruling)	Yes	No
Gooch-Walczyk and Clinton-Williams concealed the admission of negligence by Defendant Gagnon for Dulberg's injury in underlying case 12LA178 in collaboration with each other	Yes	No
Gooch-Walczyk and Clinton-Williams concealed Bankruptcy and Violations of Federal Bankruptcy Laws (automatic stay, loss of standing to pursue claim, capping value of assets in BK estate, etc) in collaboration with each other	Yes	No
Gooch-Walczyk and Clinton-Williams concealed true sources of \$300,000 upper cap on the value of the PI claim in collaboration with each other	Yes	No
Clinton-Williams concealed Dulberg's bankruptcy (from the 17LA377 Common Law Record and Reports of Proceedings)	Yes	No
Clinton-Williams suppressed emails from Saul Ferris	Yes	No
Suppress key evidence (Tilschner v Spangler certified slip ruling)	Yes	No
Clinton-Williams suppressed large numbers of emails from Brad Balke	Yes	No
Clinton-Williams collaborated with opposing attorney to flood Dulberg with over 6,000 documents just before Clinton-Williams withdrew as Dulberg's counsel	Yes	No

INDIVIDUAL ACTIONS OF DULBERG'S RETAINED ATTORNEYS	DID ALLSTATE BENEFIT?	DID DULBERG BENEFIT?
Clinton-Williams suppressed all information on what the Baudins did to Dulberg	Yes	No
Clinton-Williams suppressed evidence that Defendant Gagnon effectively admitted negligence for Dulberg's injury as early as March, 2013.	Yes	No
Clinton-Williams collaborated with opposing counsel to suppress Barch documents before Dulberg's deposition	Yes	No
Clinton-Williams collaborated with opposing counsel to weaken verification pages of discovery production	Yes	No
Clinton-Williams collaborated with opposing counsel during the deposition of Hans Mast and after. Cannot introduce evidence of fraud on the court in 12LA178 and 17LA377 to Judge (even though it is critical to know in order to make an accurate decision)	Yes	No
Talarico did not introduce evidence of fraud on the court in 12LA178 and 17LA377 or of Clinton-Williams sophisticated system of document and information suppression or of Clinton-Williams collaboration with opposing counsel to any presiding Judge (even though it is critical to know in order to make an accurate decision)	Yes	No
Talarico allowed defendants to be dismissed on 2 year statute of limitations grounds while never raising evidence of Clinton-Williams sophisticated system of document and information suppression or Clinton-Williams collaboration with opposing counsel to any presiding Judge	Yes	No
Talarico played 'hoaxes' on Dulberg and planted 'time-bombs' in Dulberg's efforts to appeal	Yes	No
In the 2nd Appellate Court: Dulberg lost the right to know if Judges or the clerk grant or deny an order	Yes	No
Dulberg lost the right to know which Judges are involved in granting or denying an order (if any) so Dulberg lost the right to ask for recusal of any Judge	Yes	No
Dulberg lost the right to supplement the record with Meyer recusal information	Yes	No
Dulberg lost the right to supplement the record with bankruptcy information	Yes	No
Dulberg lost the right to appeal multiple issues listed in the appeal application	Yes	No
Dulberg lost the right to file an appeal	Yes	No

One would never know actions listed in the first column were of Dulberg's retained attorneys by looking at who benefited from the actions. The bias Dulberg's retained attorneys showed toward

the opposing counsel instead of their own client is shown to be absurdly disproportionate in Table 16. One interpretation which is consistent with the mappings, fraud charts, evidence and Table 16 above is as follows:

- Allstate as the common point of corruption and prime mover.
- The attorneys in the light blue region effectively act as 'moles' or 'spies' (and effectively act as agents or employees) of Allstate.
- The attorneys in the light yellow region effectively act as 'moles' or 'spies' (and effectively act as agents or employees) of Allstate.
- Allstate 'walks on water' through the legal system.

A system-based approach shows that the light blue region works in a way that consistently benefits Allstate and the light yellow region also works in a way that consistently benefits Allstate. This remains true irrespective of which attorney or law firm Dulberg retained.

Date : 4/14/2023 3:55:57 PM
From : "Paul Dulberg"
To : "Law Office Of Alphonse Talarico"
Cc : "Alphonse Talarico"
BCc : "Paul Dulberg" , "Tom Kost"
Subject : Re: Dulberg vs Baudin 2022 L 01-0905 CCI
Dear Mr Talarico,

The estimated delivery date of the check mailed to you for Mr Kravitz retainer fee of \$5400.00 is 4/20/2023.

Thank You,
Paul

On Apr 10, 2023, at 4:29 PM, Alphonse Talarico
<contact@lawofficeofalphonsetalarico.com> wrote:

Yes, that is correct.



From: Paul Dulberg <Paul_Dulberg@comcast.net>
Sent: Monday, April 10, 2023 12:56 PM
To: Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>
Cc: Alphonse Talarico <alphonsetalarico@gmail.com>
Subject: Re: Dulberg vs Baudin 2022 L 01-0905 CCI

Mr Talarico,

Just to confirm, Is the \$5400 mentioned in the email chain the amount needed as the experts retainer for the Baudin case?

Thanks,
Paul

On Apr 10, 2023, at 10:29 AM, Alphonse Talarico
<contact@lawofficeofalphonsetalarico.com> wrote:



From: Alan Kravets <alan@kravets.net>
Sent: Wednesday, February 15, 2023 5:31 PM
To: Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>
Subject: Re: Dulberg vs Baudin 2022 L 01-0905 CCI

Al
No problem-
I read the order and transcript —

Looking forward to seeing a copy of your appeal —
Alan

Alan Kravets
1340 N. Astor St.
Unit 2803
Chicago , IL 60610
312-320-3264
Alan@kravets.net

On Feb 15, 2023, at 1:15 PM, Alphonse Talarico
<contact@lawofficeofalphonsetalarico.com> wrote:

Mr. Kravets,

I am sorry I have not responded to your email sooner but I honestly haven't had the time.

I could list all that I am doing but lets just say wake, work, eat and sleep again.

The judge granted summary judgement in the Dulberg v. Popovich (Report of Proceedings attached) and I am going to appeal the decision.

The judge (calendar R) in the Law Division case at the Case Management Conference transferred the case for reassignment then to Calendar S then reassigned today to Calendar U.

I will review your email in detail as soon as I can take a deep breath.

Sorry about the delay.

Al



From: Alan Kravets <alan@kravets.net>

Sent: Friday, February 3, 2023 10:18 AM

To: Alphonse Talarico

<contact@lawofficeofalphonsetalarico.com>

Cc: Alan Kravets <alan@kravets.net>

Subject: Dulberg vs Baudin 2022 L 01-0905 CCI

Dear Mr Talarico

You have already seen some information about myself in the form of a Resume/ CV .

After reviewing your description of the unusually complicated facts in this case, I suggest I would initially act as your Consultant in this case. My compensation would be at the rate of \$450.00 an hour including time spent in preparation for depositions, or Court appearances, preparing any written reports, if needed, giving depositions and testifying in Court. In addition, reasonable travel expenses, in this case only mileage (using published IRS cost per mile) in excess of 60 miles from downtown Chicago , reasonable copying costs from a third party copying center , delivery charges such as UPS or Fed Ex, and any other costs approved by you in advance, would also be reimbursed.

I will require a retainer of \$5,400 and use it for the first 12 hours of work and costs if needed, and will bill monthly thereafter. Any unused time will be refunded. The retainer will be held in my general business account and will require the Informed Consent of your Client to allow me to do so. I will, in a separate letter ,request your Clients written Informed Consent.

Within the last few years , I have been engaged to testify as an expert at trial or by deposition in some of the following cases;

-Lake County Il -Suit for Specific Performance

-Cook County ,Il Law Division— Commission Dispute, a national brokerage firm and their salesperson ,

-Cook County, Il Law Division— Malpractice case ,a licensed Illinois Attorney

-Hennepin County (Minneapolis)
Mn —Broker malpractice, an
industrial/commercial broker

-Bankruptcy Court Northern District
Illinois --A valuation matter For a
Trustee in a Chapter 7 Case ,

-Federal District Court, Southern
District New York --Prepared ,as an
expert in real estate and UCC Sales,
an Affidavit in support of a Motion
for a Temporary Restraining Order
to prevent the sale of a property
valued in excess of \$300 Million
Dollars.

-Cook County ,Il Law Division —
Malpractice case, a Illinois licensed
attorney for malpractice in a real
estate related matter - testified as
the Expert Opinion Witness as to "
professional negligence " as used in
IPI No 3.08 in front of a 12 person
jury trial ,

-Numerous appearances as a Rebuttal witness over the years , in different State Courts, typically to defend ,as the Real Estate Broker of Record, as to the sale process or as to the results of a foreclosure sale. A full list of all cases in which I have been engaged is available to you and to be part of my Opinion, if needed.

If later engaged , as your Expert Witness, these terms and rates stated above would apply. I would review all the Pleadings, Depositions, communications other experts opinions, and other relevant material , as you direct, and provide you with my opinion ,about the specific disputed issues in the case upon which you want me to opine. I suggest I start by reviewing the relevant Pleadings in the current case, and information on the Chapter 11 Bankruptcy case.

I quote in part from an email that the attorney who engaged me , in the “professional negligence” jury trial noted above, a few years ago, after he obtained a very successful multi million dollar verdict, "...Again thank you for your patience and cooperation with what turned out to be an extraordinary unusual trial.... The jurors we spoke with were also very complimentary of you as a witness.”

I am an Active Member of the Illinois Bar - in good standing since May 17,1966. My ARDC number is 1528017.

I am an Active Licensed Illinois Real Estate Managing Broker- in good standing from October 20, 1972 through April 30,2023 (and will renew my current License) - License Number 471001335.

I am also licensed as a Active Real Estate Broker in good standing, in Indiana and Michigan. I hold

inactive status as a Broker or
Salesperson in Florida, New York,
Arizona , Wisconsin and New Jersey.

If you have any other questions
please contact me and thank you
for calling.

Please confirm your receipt of this
Email. Based upon the Caption of
the case I do not have any conflicts
with the named Defendants.

Thank you for considering me to act
for you and your client in this
matter.

Alan Kravets

Alan Kravets, Esq
1340 N Astor St.
Suite 2803
Chicago, Illinois 60610
+1(312) 320-3264

Alan@kravets.net

<Report of Proceedings Feb 1 2023 CC-Civil - 2017LA000377 -
2_8_2023 - - - REOP - -.pdf>

CRYSTAL LAKE BANK & TRUST COMPANY, N.A.®

A WINTRUST COMMUNITY BANK
9801 W. Higgins, Box 32, Rosemont, IL 60018

Account Number:
Statement Date:
Page :

XXXXXX5528
04/25/2023
3 of 5

Transaction Detail (Continued)

Date	Description	Deposits	Withdrawals	Balance
Apr 14	POS PURCHASE POS PURCHASE TERMINAL 62619201 IL0079 SPRING GR IL TRAN DATE 04-14-23 5229268000010410		-\$48.83	\$6,343.81
Apr 14	ELECTRONIC BILL PAY SBPCNTT1 ALPHONSE TALARICO 2007405		-\$5,400.00	\$943.81
Apr 17	POS PURCHASE MERCHANT PURCHASE TERMINAL 55546503 FAMILY FOOD MART MCHENRY IL TRAN DATE 04-14-23 5229268000010410		-\$16.59	\$927.22
Apr 17	POS PURCHASE MERCHANT PURCHASE TERMINAL 85121783 FOX LAKE ANIMAL HO SPIT FOX LAKE IL TRAN DATE 04-14-23 5229268000010410		-\$77.60	\$849.62
Apr 17	POS PURCHASE MERCHANT PURCHASE TERMINAL 05259583 ADVANCED UROLOGY L TD C CHICAGO IL TRAN DATE 04-14-23 5229268000010410		-\$115.83	\$733.79
Apr 17	ELECTRONIC BILL PAY GB5C3PRP FIFTH THIRD BANK - 2007954		-\$380.00	\$353.79
Apr 18	POS PURCHASE POS PURCHASE TERMINAL 003L6T18 RICHMOND CITGO RICHMOND IL TRAN DATE 04-18-23 5229268000010410		-\$5.53	\$348.26
Apr 18	POS PURCHASE POS PURCHASE TERMINAL 08714197 RICHMOND LIQUOR & T OBAC RICHMOND IL TRAN DATE 04-18-23 5229268000010410		-\$37.41	\$310.85
Apr 19	DEPOSIT	\$4,000.00		\$4,310.85
Apr 20	ELECTRONIC BILL PAY 8BSC4TCE ALPHONSE TALARICO 2009604		-\$4,000.00	\$310.85
Apr 21	DEPOSIT	\$4,000.00		\$4,310.85
Apr 24	DEPOSIT	\$4,000.00		\$8,310.85
Apr 24	POS PURCHASE POS PURCHASE TERMINAL 13770066 WAL WAL-MART SUPER 852 JOHNSBURG IL TRAN DATE 04-24-23 5229268000010410		-\$21.37	\$8,289.48
Apr 24	ELECTRONIC BILL PAY HBPCYTXF ALPHONSE TALARICO 2010702		-\$4,000.00	\$4,289.48
Apr 25	ELECTRONIC BILL PAY PBQCDT85 ALPHONSE TALARICO 2011249		-\$4,000.00	\$289.48
Apr 25	INTEREST CREDIT	\$0.01		\$289.49
Apr 25	Ending Balance			\$289.49

28 0000066 0003-0005 TWS600CL042623090430 01 L 88

Exhibit BN-2

From: Alan Kravets alan@kravets.net
Subject: Fwd: Dulberg v Baudin
Date: March 10, 2025 at 3:39 PM
To: Paul Dulberg pauldulberg@gmail.com

Please see my email response to your questions in this case. I will respond in a separate email about the Popovich case.

If your new attorney has any questions, please confirm his name to me and I will certainly accept his call or contact request.

Alan Kravets ,Esq
 1340 N. Astor St.
 Unit 2803
 Chicago , Il 60610
 312-320-3264
 Alan@kravets.net

Begin forwarded message:

From: Alan Kravets <alan@kravets.net>
Date: March 10, 2025 at 11:50:30 AM CDT
To: Alan Kravets <alan@kravets.net>
Subject: Dulberg v Baudin

To answer your questions and comments on the above case -

A . Third Parties-

- 1 Mr Talarico asked you and you agreed to engage me as your Expert Witness and Consultant. Mr Talarico paid my Retainer. That's a direct relationship -not a Third Party .
- 2- Richard Kost and Thomas Kost and I have no relationship- They are Third Parties in the context of this matter .
- 3- There were no Third Parties in this case and As you know I was paid by Mr Talarico directly.
- 4- Based on the Popovich case , it was obvious I had to make that clear. -which I did -in case any payments were made in the future by a Third Party - other than by you or Mr Talarico
- 5-I checked with Mr Talarico and he indicated that he did not return the \$5400 I returned to him after I was terminated . He indicated he applied the funds to his unpaid fees and expenses .

Please contact him for further information ,if any ,about the \$5400- or this matter.

B- Time Spent on this Matter-

- 1- You are correct that I spent much more than 15 minutes on this matter . I reviewed material Mr Talarico sent me so I could determine the basic facts of the case and more.
- 2 I do not bill for any of the time I spend prior to my engagement.
- 3- I confirmed with Mr Talarico last week , that After my engagement, I was never sent anything to review , which is necessary for me to formulate an opinion nor was directed to prepare any opinion.
- 4- I do not bill for work I did not perform.
- 5- Again , I returned the entire retainer to the person who paid the retainer to me after I was terminated.

If you have any further questions about this matter , please contact Mr Talarico.

Alan Kravets ,Esq
 1340 N. Astor St.
 Unit 2803
 Chicago , Il 60610
 312-320-3264
 Alan@kravets.net

From: Alan Kravets alan@kravets.net
Subject: Fwd: Dulberg v Popovich - Need further information
Date: March 11, 2025 at 4:52 PM
To: Paul Dulberg pauldulberg@gmail.com

Please see my response and request for further information.

I will respond by tomorrow to your recent email I received today ,Monday .

Alan Kravets ,Esq
 1340 N. Astor St.
 Unit 2803
 Chicago , Il 60610
 312-320-3264
 Alan@kravets.net

Begin forwarded message:

From: Alan Kravets <alan@kravets.net>
Date: March 10, 2025 at 2:19:41 PM CDT
To: Alan Kravets <alan@kravets.net>
Subject: Dulberg v Popovich - Need further information

A—To answer your question about an opinion ;

1- No opinion was produced because I was never directed or asked to prepare an opinion- and therefore had no billable time spent on this matter after the last entry. I did receive some materials needed to formulate an opinion . Please see my bills which you received from Mr Talarico, which indicates the materials I reviewed.

2- As you well know or if you do not ,an expert witness or consultant bills for its time in reviewing the materials it needs to formulate an opinion or report - necessary to even formulating an opinion .

B -Need more Information before I can return the unused balance of the retainer -

My February 6, 2024 letter -to which you just responded- provided you with the options at that time , over a year ago, to receive the return of the unused retainer. Circumstances have changed because of the death of Mr Kost .

I have now been advised that it is best practice in the event of the death of the Third Party person who paid the retainer to obtain the following information about the decedent;

a -Copy of Mr Richard Kost , Last Will and Contact information of the Executor, if there was a Will -and the Attorney , if any, representing the Estate

b -If there was no will , a description and contact information of the Heirs . According to the published obituary of Richard William Kost , he was survived by 3 children Judy,Joseph and Thomas .

c Case number and location of the Probate Case if one was filed. Also, The contact information of Attorney representing the estate in that case .

I have answered all of your question's..

When I get that information from you , I will review and determine the next steps.

If you prefer I correspond with your attorney please advise me directly confirming the name and ask that person to contact me.

Alan Kravets ,Esq
 1340 N. Astor St.
 Unit 2803
 Chicago , Il 60610
 312-320-3264
 Alan@kravets.net

From: Alan Kravets alan@kravets.net
Subject: Answer to Question on Baudin Case - Deposit of funds. -Who paid
Date: March 12, 2025 at 3:18 PM
To: Paul Dulberg pauldulberg@gmail.com

1 -I have no reason to believe that you did not send out a check and paid the retainer . Unfortunately, I have no evidence that you paid me the \$5400 and not someone else. If you did pay me , please look at the back of the check or wire transfer information and let me know which of my accounts into which I deposited the money .

2- Again , there were no Third Parties in this case , only you and Mr Talarico.
The informed consent is clear - it covers the situation - which actually occurred in the Popovich case - where you directed a Third Party to pay my retainer- Richard Kost .- who had no interest in that case.. Instead my records indicate your attorney in the Baudin case- not a Third Party - paid my Retainer.

3- You are correct -The terms and the concepts clearly stated in the Informed Consent are the same.
However two totally different fact situations occurred about which the agreement was meant to cover- which it did .

4- to repeat - In this case -

A there was no Third Party .Your attorney paid the \$5400 retainer -I returned it to him.

B .The person who paid my Retainer -Mr Talarico was alive when I returned to him the entire amount .

I don't know what else I can say except send me the account number into which I deposited the check or where you wired the funds. I promise I will promptly look for the transaction -the receipt of the funds- that should be in my account - and report back .

Alan Kravets ,Esq
1340 N. Astor St.
Unit 2803
Chicago , IL 60610
312-320-3264
Alan@kravets.net

Mr Dulberg letter

Return

February 6, 2024

Richard W. Kost
423 Dempster Street
Mount Prospect IL 60056

✓ Paul R. Dulberg
4606 Hayen Court
McHenry IL 60051

Re: Return of \$2,250 – balance of unused Retainer – Dulberg vs Popovich 17LA377

Gentlemen:

Your prior attorney, Mr. Talarico, and who engaged me as an Expert Witness in the above-referenced case has terminated my services.

In 2022, Mr. Kost paid my Retainer on behalf of Mr. Dulberg.

I would appreciate a direction as to the return of the unused balance after two years of \$2,250. Please respond by mailing back your decision. There is no need for Mr. Kost to sign if Mr. Dulberg directs me to send the check to Mr. Kost, who paid the initial Retainer.

Thank you.

Alan Kravets, Esq.
1340 N. Astor Street #2803
Chicago IL 60610
Alan@kravets.net
(312) 320-3264

Return the \$2,250 unused balance of Retainer by check payable to Richard W. Kost.

Paul Dulberg
Date Signed: February ____, 2024

Pay \$2,250 balance to Dave Dulberg.

Richard W. Kost
Date Signed: February ____, 2024

NOTE: IF THE BALANCE
GOES TO MR DULBERG
- YOU - I Need MR KOST
APPROVAL.

MR DULBERG

Please Sign
Date and
Return or
notify

Thank you

Mr Kost letter

RETURN

February 6, 2024

Richard W. Kost
423 Dempster Street
Mount Prospect IL 60056

Paul R. Dulberg
4606 Hayen Court
McHenry IL 60051

Re: Return of \$2,250 – balance of unused Retainer – Dulberg vs Popovich 17LA377

Gentlemen:

Your prior attorney, Mr. Talarico, and who engaged me as an Expert Witness in the above-referenced case has terminated my services.

In 2022, Mr. Kost paid my Retainer on behalf of Mr. Dulberg.

I would appreciate a direction as to the return of the unused balance after two years of \$2,250. Please respond by mailing back your decision. There is no need for Mr. Kost to sign if Mr. Dulberg directs me to send the check to Mr. Kost, who paid the initial Retainer.

Thank you.

Alan Kravets, Esq.
1340 N. Astor Street #2803
Chicago IL 60610
Alan@kravets.net
(312) 320-3264

Return the \$2,250 unused balance of Retainer by check payable to Richard W. Kost.

Paul Dulberg

Date Signed: February ____, 2024

Pay \$2,250 balance to Dave Dulberg.

Richard W. Kost

Date Signed: February ____, 2024

NO NEED TO RETURN
IF MR DULBERG
AGREES YOU SHOULD
RECEIVE THE BALANCE

Mr Kost!
Please contact
Mr DULBERG
and modify
or Date Sign
and Return
Thank you

Recorded Transaction Date	Retainers and Fees paid to Talarico	Running total of Retainers and Fees paid to Talarico	Costs paid to Talarico	Running total of Costs paid to Talarico	Running total of Retainers, Fees and Costs paid to Talarico	Description	Individual Costs - Paid directly to vendor	Running total of Costs Paid directly to vendors	Transaction Reference No.	Running total of everything
10/20/2020	7,500.00	7,500.00			7,500.00	Partial Retainer			CLB - 1954	7,500.00
11/04/2020	2,500.00	10,000.00			10,000.00	Balance of Retainer			CLB - 1955	10,000.00
01/27/2021	4,000.00	14,000.00			14,000.00	Fees			CLB - 1959	14,000.00
02/01/2021	4,000.00	18,000.00			18,000.00	Fees			CLB - 1960	18,000.00
02/09/2021	4,000.00	22,000.00			22,000.00	Fees			CLB - 2023	22,000.00
02/09/2021	4,000.00	26,000.00			26,000.00	Fees			CLB - 2024	26,000.00
02/19/2021						Court Reporter - Stacy Collins	150.00	150.00		26,150.00
03/18/2021	4,000.00	30,000.00			30,000.00	Fees			CLB - 2027	30,150.00
04/16/2021						Court Reporter - Stacy Collins	85.00	235.00		30,235.00
04/22/2021	4,000.00	34,000.00			34,000.00	Fees			CLB - 2032	34,235.00
04/22/2021	4,000.00	38,000.00			38,000.00	Fees			CLB - 2033	38,235.00
06/22/2021	4,000.00	42,000.00			42,000.00	Fees			CLB - 2040	42,235.00
06/22/2021	4,000.00	46,000.00			46,000.00	Fees			CLB - 2041	46,235.00
06/22/2021	4,000.00	50,000.00			50,000.00	Fees			CLB - 2042	50,235.00
07/21/2021	4,000.00	54,000.00			54,000.00	Fees			CLB - 2047	54,235.00
07/21/2021	4,000.00	58,000.00			58,000.00	Fees			CLB - 2048	58,235.00
07/21/2021	4,000.00	62,000.00			62,000.00	Fees			CLB - 2049	62,235.00
08/25/2021						Court Reporter Cristin Kelly	81.25	316.25		62,316.25
09/09/2021						Court Reporter Cristin Kelly	70.00	386.25		62,386.25
09/13/2021	4,000.00	66,000.00			66,000.00	Fees			CLB - 1961	66,386.25
09/13/2021	4,000.00	70,000.00			70,000.00	Fees			CLB - 1962	70,386.25
09/13/2021	4,000.00	74,000.00			74,000.00	Fees			CLB - 1963	74,386.25
11/10/2021	4,000.00	78,000.00			78,000.00	Fees			CLB - 1973	78,386.25
11/10/2021	4,000.00	82,000.00			82,000.00	Fees			CLB - 1974	82,386.25
11/10/2021	4,000.00	86,000.00			86,000.00	Fees			CLB - 1975	86,386.25
11/15/2021						Court Reporter	20.00	406.25		86,406.25
11/17/2021						Court Reporter - Maureen Urbanski	30.00	436.25		86,436.25
11/18/2021						Court Reporter	5.00	441.25		86,441.25
12/01/2021						Court Reporter	25.00	466.25		86,466.25
12/01/2021						Court Reporter - Maureen Urbanski	30.00	496.25		86,496.25
12/06/2021			332.50	332.50	86,332.50	Ferris - US Legal Support			CLB - 1977	86,828.75

Exhibit BN-7

Recorded Transaction Date	Retainers and Fees paid to Talarico	Running total of Retainers and Fees paid to Talarico	Costs paid to Talarico	Running total of Costs paid to Talarico	Running total of Retainers, Fees and Costs paid to Talarico	Description	Individual Costs - Paid directly to vendor	Running total of Costs Paid directly to vendors	Transaction Reference No.	Running total of everything
12/20/2021	4,000.00	90,000.00			90,332.50	Fees			RTK USB - 1286	90,828.75
12/20/2021	4,000.00	94,000.00			94,332.50	Fees			RTK USB - 1287	94,828.75
12/20/2021	4,000.00	98,000.00			98,332.50	Fees			RTK USB - 1288	98,828.75
01/06/2022						Court Reporter Kristine Ferru	120.00	616.25		98,948.75
01/10/2022						Court Reporter Kristine Ferru	130.00	746.25		99,078.75
01/11/2022						Court Reporter Kristine Ferru	43.75	790.00		99,122.50
01/11/2022						Court Reporter Heather Hartwig	81.38	871.38		99,203.88
01/12/2022						Court Reporter Maureen Urbanski	70.00	941.38		99,273.88
01/12/2022						Court Reporter Heather Hartwig	110.00	1,051.38		99,383.88
01/12/2022						Court Reporter Stacy Collins	37.50	1,088.88		99,421.38
01/13/2022						Court Reporter Kathleen Strombach	60.00	1,148.88		99,481.38
01/23/2022			1,200.00	1,532.50	99,532.50	Jury Verdicts IL			RTK USB - 1262	100,681.38
01/23/2022			7,200.00	8,732.50	106,732.50	KRAVITS RETAINER 12LA178			RTK USB - 1263	107,881.38
02/07/2022	4,000.00	102,000.00			110,732.50	Fees			RTK USB - 1264	111,881.38
02/07/2022	4,000.00	106,000.00			114,732.50	Fees			RTK USB - 1265	115,881.38
02/07/2022	4,000.00	110,000.00			118,732.50	Fees			RTK USB - 1266	119,881.38
02/24/2022						Court Reporter Kristine Ferru	75.00	1,223.88		119,956.38
02/25/2022						Court Reporter Cristin Kelly	65.00	1,288.88		120,021.38
03/03/2022						Court Reporter Kathleen Strombach	20.00	1,308.88		120,041.38
03/03/2022						Court Reporter Judy Carlson	20.00	1,328.88		120,061.38

Exhibit BN-7

Recorded Transaction Date	Retainers and Fees paid to Talarico	Running total of Retainers and Fees paid to Talarico	Costs paid to Talarico	Running total of Costs paid to Talarico	Running total of Retainers, Fees and Costs paid to Talarico	Description	Individual Costs - Paid directly to vendor	Running total of Costs Paid directly to vendors	Transaction Reference No.	Running total of everything
03/04/2022						Court Reporter Maureen Urbanski	140.00	1,468.88		120,201.38
03/04/2022						Court Reporter Stacy Collins	45.00	1,513.88		120,246.38
03/08/2022						Court Reporter Heather Hartwig	41.56	1,555.44		120,287.94
03/08/2022				10,532.50	120,532.50	OMNI Retainer (Court Reporters signatures)			CLB - 1988	122,087.94
03/16/2022						Court Reporter Heather Hartwig	10.39	1,565.83		122,098.33
03/16/2022				10,837.30	120,837.30	Lawyerport (Westlaw)			CLB - 1989	122,403.13
03/25/2022						Court Reporter Judy Carlson	60.00	1,625.83		122,463.13
03/25/2022						Court Reporter Kristine Ferru	68.75	1,694.58		122,531.88
03/25/2022						Court Reporter Maureen Urbanski	85.00	1,779.58		122,616.88
03/28/2022						Court Reporter Stacy Collins	35.00	1,814.58		122,651.88
03/30/2022	4,000.00	114,000.00			124,873.30	Fees			CLB - 1902	126,651.88
03/30/2022	4,000.00	118,000.00			128,837.30	Fees			CLB - 1903	130,651.88
03/30/2022	4,000.00	122,000.00			132,837.30	Fees			CLB - 1904	134,651.88
03/31/2022						Court Reporter Cristin Kelly	50.00	1,864.58		134,701.88
03/31/2022						Court Reporter Heather Hartwig	75.00	1,939.58		134,776.88
03/31/2022						Court Reporter Kathleen Strombach	150.00	2,089.58		134,926.88
04/11/2022						Court Reporter Judy Carlson	55.00	2,144.58		134,981.88
04/13/2022				11,506.80	133,506.80	Gazelle			CLB - 1907	135,651.38
04/13/2022						Court Reporter Heather Hartwig	-22.50	2,122.08		135,628.88
05/02/2022						Court Reporter Stacy Collins	431.25	2,553.33		136,060.13
05/02/2022	4,000.00	126,000.00			137,506.80	Retainer Kost case			RTK USB - 158	140,060.13
05/02/2022	4,000.00	130,000.00			141,506.80	Retainer Kost case			RTK USB - 159	144,060.13

Recorded Transaction Date	Retainers and Fees paid to Talarico	Running total of Retainers and Fees paid to Talarico	Costs paid to Talarico	Running total of Costs paid to Talarico	Running total of Retainers, Fees and Costs paid to Talarico	Description	Individual Costs - Paid directly to vendor	Running total of Costs Paid directly to vendors	Transaction Reference No.	Running total of everything
05/02/2022	2,000.00	132,000.00			143,506.80	Retainer Kost case			RTK USB - 160	146,060.13
05/16/2022			150.00	11,656.80	143,656.80	Gazelle			CLB - 1910	146,210.13
05/16/2022			95.00	11,751.80	143,751.80	Gazelle			CLB - 1912	146,305.13
06/03/2022	4,000.00	136,000.00			147,751.80	Fees			CLB - 1917	150,305.13
06/03/2022	4,000.00	140,000.00			151,751.80	Fees			CLB - 1918	154,305.13
06/03/2022	4,000.00	144,000.00			155,751.80	Fees			CLB - 1919	158,305.13
06/09/2022			2,000.00	13,751.80	157,751.80	OMNI Retainer (Exhibit 12)			CLB - 1920	160,305.13
06/16/2022						Court Reporter Kathleen Strombach	30.00	2,583.33		160,335.13
06/16/2022			1,000.00	14,751.80	158,751.80	Dr Bobby Lanford Retainer			CLB - 1922	161,335.13
06/30/2022			1,650.00	16,401.80	160,401.80	KRAVITZ (Refill Retainer)			CLB - 1926	162,985.13
07/15/2022						Court Reporter Judy Carlson	145.00	2,728.33		163,130.13
08/03/2022	4,000.00	148,000.00			164,401.80	Fees			CLB - EB1CQW7X	167,130.13
08/04/2022	4,000.00	152,000.00			168,401.80	Fees			CLB - OBHCDWNM	171,130.13
08/08/2022			160.00	16,561.80	168,561.80	GAZELLE			CLB - YBFC6WCV	171,290.13
08/08/2022	4,000.00	156,000.00			172,561.80	Fees			CLB - JBSCWWSW	175,290.13
08/10/2022			113.00	16,674.80	172,674.80	GAZELLE			CLB - PB4CXWIO	175,403.13
08/11/2022			87.75	16,762.55	172,762.55	GAZELLE			CLB - 1930	175,490.88
09/22/2022	4,000.00	160,000.00			176,762.55	Fees			CLB - 9B4C9NQX	179,490.88
09/23/2022	4,000.00	164,000.00			180,762.55	Fees			CLB - VBRC9NLM	183,490.88
09/26/2022	4,000.00	168,000.00			184,762.55	Fees			CLB - DBZCONGW	187,490.88
09/27/2022						D&E REPORTING	7.54	2,735.87		187,498.42
						Court Reporter Kathleen Strombach	65.00	2,800.87		187,563.42
10/07/2022			87.27	16,849.82	184,849.82	D&E REPORTING (and) JPL Process Service, LLC			CLB - GBAC9VL9	187,650.69

Exhibit BN-7

Recorded Transaction Date	Retainers and Fees paid to Talarico	Running total of Retainers and Fees paid to Talarico	Costs paid to Talarico	Running total of Costs paid to Talarico	Running total of Retainers, Fees and Costs paid to Talarico	Description	Individual Costs - Paid directly to vendor	Running total of Costs Paid directly to vendors	Transaction Reference No.	Running total of everything
10/14/2022						Court Reporter Jean Nerbo	87.50	2,888.37		187,738.19
10/18/2022						Consultation/ Retainer O'Flaherty Law (Meyer made threats of felony charges from the bench)	195.00	3,083.37		187,933.19
10/26/2022						UNITED STATES POSTAL SERVICE	12.60	3,095.97		187,945.79
10/26/2022						Court Reporter Jean Nerbo	32.50	3,128.47		187,978.29
10/27/2022				22,965.85	190,965.85	OMNI (1/2) (and) JPL Process Service, LLC			CLB - MBACNVYH	194,094.32
10/28/2022				28,965.85	196,965.85	OMNI (2/2)			CLB - YBHCVE7	200,094.32
11/07/2022				29,140.85	197,140.85	GAZELLE				200,269.32
11/15/2022						NORTHERN ILLINOIS BANKRUPTCY COURT	127.00	3255.47	CASH # 3245413 MM	200,396.32
11/15/2022	6,000.00	174,000.00			203,140.85	Fees			CLB - IBYC2VJO	206,396.32
11/16/2022	6,000.00	180,000.00			209,140.85	Fees			CLB - FB6C6VHU	212,396.32
11/18/2022						Court Reporter Kathleen Strombach	160.00	3,415.47		212,556.32
11/28/2022	10,000.00	190,000.00			219,140.85	RETAINER BAUDIN OLSEN COMPLAINT			CLB - AB7C5OSC	222,556.32
12/05/2022				29,935.85	219,935.85	GAZELLE			CLB - OB4C2OY3	223,351.32
12/08/2022						Court Reporter Judy Carlson	90.00	3,505.47		223,441.32
12/13/2022				31,196.32	221,196.32	JPL PROCESS SERVICE & GAZELLE			CLB - MBACIOUH	224,701.79
12/14/2022				31,222.35	221,222.35	JPL PROCESS SERVICE			CLB - OBICMOE7	224,727.82

Exhibit BN-7

Recorded Transaction Date	Retainers and Fees paid to Talarico	Running total of Retainers and Fees paid to Talarico	Costs paid to Talarico	Running total of Costs paid to Talarico	Running total of Retainers, Fees and Costs paid to Talarico	Description	Individual Costs - Paid directly to vendor	Running total of Costs Paid directly to vendors	Transaction Reference No.	Running total of everything
12/15/2022			122.52	31,344.87	221,344.87	COOK COUNTY SHERIFF			CLB - SBRC5ORI	224,850.34
12/29/2022						Court Reporter Kathleen Strombach	85.00	3,590.47		224,935.34
01/03/2023	6,000.00	196,000.00			227,344.87	Fees				230,935.34
01/03/2023	6,000.00	202,000.00	276.75	31,621.62	233,621.62	Fees (and) Winnebago County Sheriff - GAZELLE - JPL PROCESS SERVICE				237,212.09
01/17/2023						ADOBE	637.37	4,227.84		237,849.46
2/08/2023						Court Reporter Judy Carlson	100.00	4,327.84		237,949.46
02/08/2023			1,670.86	33,292.48	235,292.48	Lawyerport (Westlaw)			CLB - SBDCJU3L	239,620.32
02/13/2023	6,000.00	208,000.00			241,292.48	Fees			CLB - XB1C6UYM	245,620.32
02/14/2023	6,000.00	214,000.00			247,292.48	Fees			CLB - YBSC2UGN	251,620.32
02/21/2023						Intellius	3.99	4,331.83		251,624.31
02/21/2023						Intellius	4.99	4,336.82		251,629.30
02/21/2023						Intellius	4.99	4,341.81		251,634.29
02/21/2023						Intellius	24.86	4,366.67		251,659.15
02/22/2023						22nd Judicial Circuit Clerk via AllPaid	5.50	4,372.17		251,664.65
02/22/2023						22nd Judicial Circuit Clerk via AllPaid	18.50	4,390.67		251,683.15
02/24/2023						Court Reporter Kristine Ferru	110.00	4,500.67		251,793.15
02/27/2023						Court Reporter Kristine Ferru	107.50	4,608.17		251,900.65
03/02/2023						22nd Judicial Circuit Clerk via AllPaid	52.25	4,660.42		251,952.90
03/10/2023			1,500.00	34,792.48	248,792.48	All estimated costs to date (need to find actuals in emails)				253,452.90

Exhibit BN-7

Recorded Transaction Date	Retainers and Fees paid to Talarico	Running total of Retainers and Fees paid to Talarico	Costs paid to Talarico	Running total of Costs paid to Talarico	Running total of Retainers, Fees and Costs paid to Talarico	Description	Individual Costs - Paid directly to vendor	Running total of Costs Paid directly to vendors	Transaction Reference No.	Running total of everything
03/20/2023						Intellius	4.99	4,665.41		253,457.89
03/20/2023						Intellius	4.99	4,670.40		253,462.88
03/20/2023						Intellius	24.86	4,695.26		253,487.74
03/22/2023	6,000.00	220,000.00			254,792.48	Fees			CLB - ABNCJPUZ	259,487.74
03/24/2023	6,000.00	226,000.00			260,792.48	Fees			CLB - 8B8CJP2Y	265,487.74
04/10/2023			130.00	34,922.48	260,922.48	GAZELLE			CLB - WBNCMTPA	265,617.74
04/14/2023			5,400.00	40,322.48	266,322.48	KRAVITZ 2nd RETAINER (Baudin Case)			CLB - SBPCNTT1	271,017.74
04/20/2023	4,000.00	230,000.00			270,322.48	Fees			CLB - 8BSC4TCE	275,017.74
04/24/2023	4,000.00	234,000.00			274,322.48	Fees			CLB - HBPCYTXF	279,017.74
04/25/2023	4,000.00	238,000.00			278,322.48	Fees			CLB - PBQCDT85	283,017.74
05/03/2023						Intellius	4.99	4,700.25		283,022.73
05/03/2023						Intellius	4.99	4,705.24		283,027.72
05/03/2023						Intellius	24.86	4,730.10		283,052.58
05/03/2023			2,000.00	42,322.48	280,322.48	Kost expenses			RTK USB - 196	285,052.58
05/10/2023			2,000.00	44,322.48	282,322.48	Kost expenses			RTK USB - 197	287,052.58
05/20/2023						Staples	145.00	4,875.10		287,197.58
05/22/2023	4,000.00	242,000.00			286,322.48	Fees			CLB - UBCCZTSV	291,197.58
05/23/2023	4,000.00	246,000.00			290,322.48	Fees			CLB - 5BTCMTZU	295,197.58
06/02/2023	4,000.00	250,000.00			294,322.48	Fees			USB - 0101	299,197.58
06/07/2023			837.20	45,159.68	295,159.68	Court Reporter VERITEXT			CLB - KBUC9QM2	300,034.78
06/12/2023						Intellius	4.99	4,880.09		300,039.77
06/12/2023						Intellius	4.99	4,885.08		300,044.76
06/12/2023						Intellius	24.86	4,909.94		300,069.62
06/15/2023	12,000.00	262,000.00			307,159.68	Fees			USB - 0102	312,069.62
07/14/2023	12,000.00	274,000.00	1,623.00	46,782.68	320,782.68	Fees, OMNI & ODYSSEY			USB - 1001	325,692.62
08/21/2023			26.11	46,808.79	320,808.79	(Look up in emails)			USB - 1051	325,718.73
08/24/2023	12,000.00	286,000.00			332,808.79	Fees			USB -1002	337,718.73

Recorded Transaction Date	Retainers and Fees paid to Talarico	Running total of Retainers and Fees paid to Talarico	Costs paid to Talarico	Running total of Costs paid to Talarico	Running total of Retainers, Fees and Costs paid to Talarico	Description	Individual Costs - Paid directly to vendor	Running total of Costs Paid directly to vendors	Transaction Reference No.	Running total of everything
09/05/2023			233.30	47,042.09	333,042.09	(Look up in emails)			USB - 1052	337,952.03
09/14/2023	15,000.00	301,000.00			348,042.09	Fees			USB - 1003	352,952.03
09/29/2023	10,000.00	311,000.00			358,042.09	Retainer for additional cases			USB - 1004	362,952.03
10/16/2023			669.50	47,711.59	358,711.59	Court Reporter VERITEXT			USB - 1053	363,621.53
10/18/2023	15,000.00	326,000.00			373,711.59	Fees			USB - 1096	378,621.53
10/31/2023			600.00	48,311.59	374,311.59	Audit Trail Pro LLC			USB - 1054	379,221.53
11/16/2023	15,000.00	341,000.00			389,311.59	Fees			USB - 1097	394,221.53
12/01/2023						UNITED STATES POSTAL SERVICE	77.53	4,987.47		394,299.06
12/15/2023	15,000.00	356,000.00			404,311.59	Fees			USB - 1098	409,299.06
01/02/2024						22nd Judicial Circuit Clerk via AllPaid	21.75	5,009.22		409,320.81
01/03/2024						22nd Judicial Circuit Clerk via AllPaid	93.50	5,102.72	USB - 2300412011	409,414.31
01/03/2023			329.00	48,640.59	404,640.59	Court Reporter VERITEXT			USB - 1055	409,743.31
01/18/2024						ADOBE	701.12	5,803.84		410,444.43
01/26/2024			329.00	48,969.59	404,969.59	Court Reporter VERITEXT			USB - 1056	410,773.43
01/26/2024			123.46	49,093.05	405,093.05	Tiff Appeal (Only change recorded in this Table)			USB - 1057	410,896.89
02/02/2024						EaseUS	180.57	5,984.41		411,077.46
02/06/2024						DRI Recovery Tools	105.19	6,089.60		411,182.65
		\$356,000.00 (total of Retainers and Fees paid to Talarico)		\$49,093.05 (Total of Costs paid to Talarico)	\$405,093.05 (Combined totals of Retainers, Fees and Costs paid to Talarico)			\$6,089.60 (Total of Costs Paid directly to vendors)		\$411,182.65 (Combined totals of everything)

Exhibit BN-7

Date : 8/23/2023 3:41:16 PM

From : "Paul Dulberg"

To : "Alphonse Talarico"

Cc : "Tom Kost"

BCc : "Paul Dulberg"

Subject : Fwd: DOJ

Attachment : U.S. DoJ_US Att Office N.D. of Ill W. Div_ Dulberg v. Colvin, No. 15 C 50219 (N.D. Ill.) LTR-Flash Drive of Doc. 8 Administrative Record.pdf; ATT00002.bin;

I forgot to mention that I am only able to view the contents of the drive pictured on page 2.

I cannot save, copy or print any of it.

It does not work on apple/Macintosh, I was only able to launch the program on it to view the file on a windows operating system.

I was instructed to keep the letter with the flash drive as verification for authenticity and only allow others to view it with me present and never allow anyone to keep the drive.

How do we use/present this to the Judge if the medical information is locked on the DOJ flash drive due the the federal court ordered seal?

Begin forwarded message:

From: Paul Dulberg <Paul_Dulberg@comcast.net>

Subject: DOJ

Date: August 23, 2023 at 3:19:09 PM CDT

To: Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>



U.S. Department of Justice

*United States Attorney
Northern District of Illinois
Western Division*

*Monica V. Mallory
Assistant United States Attorney*

*327 South Church Street, Suite 3300
Rockford, Illinois 61101*

*Phone: 815-987-4457
Fax: 815-987-4236
Email: monica.mallory@usdoj.gov*

August 23, 2023

Paul Dulberg

Re: *Paul Dulberg v. Carolyn Colvin*, No. 15 C 50219 (N.D. Ill.)

Dear Dulberg:

Enclosed is a copy of the Administrative Record filed as docket item 8 in the above-referenced case. The enclosed flash drive serial number 0013973 containing the administrative record is password protected. The password is Dulberg15#50219.

Very truly yours,

MORRIS PASQUAL
Acting United States Attorney

By: **MONICA MALLORY**
MONICA V. MALLORY
Assistant United States Attorney

Digitally signed by MONICA
MALLORY
Date: 2023.08.21 10:51:27 -05'00'



Exhibit BO