

FILED DATE: 4/24/2025 12:48 PM 2022L010905

FILED
4/24/2025 12:48 PM
Mariyana T. Spyropoulos
CIRCUIT CLERK
COOK COUNTY, IL
2022L010905
Calendar, U
32420948

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

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

PAUL DULBERG and THE PAUL)
DULBERG REVOCABLE TRUST,)
)
Plaintiffs,)
)
vs.)
)
KELLY N. BAUDIN a/k/a Baudin &)
Baudin, Baudin & Baudin, an)
Association of Attorneys, Law)
Offices of Baudin & Baudin, Baudin)
& Baudin Law Offices, et al.,)
)
Defendants.)

No. 2022 L 010905

REMOTE VIDEOCONFERENCE REPORT OF PROCEEDINGS

had at the hearing in the above-entitled cause before
the Honorable ANTHONY C. SWANAGAN, Judge of said Court,
on the 22nd day of April, 2025, at the hour of 9:00
o'clock a.m.

STENOGRAPHICALLY REPORTED BY:
BETH SKLAR, CSR, RPR
State of Illinois CSR License No. 084-002148

1 APPEARANCES (Via Videoconference):

2 PAUL DULBERG, PRO SE
3 4606 Hayden Court
4 McHenry, Illinois 60051
5 paul_dulberg@comcast.net

6 Appeared pro se;

7 THOMAS KOST
8 423 Dempster Street
9 Mount Prospect, Illinois 60056
10 847-553-4404
11 st999@gmail.com;

12 ROBERT A. CHAPMAN, ESQUIRE
13 CHAPMAN SPINGOLA, LLP
14 190 South LaSalle Street
15 Suite 3850
16 Chicago, Illinois 60603
17 312-630-9202
18 rchapman@chapmanspingola.com

19 Appeared on behalf of ADR Systems of America,
20 LLC;

21 JEREMY N. BOEDER, ESQUIRE
22 TRIBLER, ORPETT & MEYER, P.C.
23 225 West Washington Street
24 Suite 1300
Chicago, Illinois 60606
312-201-6439
jnboeder@tribler.com

Appeared on behalf of Defendants Kelly N.
Baudin, William Randal Baudin II, and Kelran,
Inc., a/k/a The Baudin Law Group, Ltd.;

STEPHEN L. KONIAK, ESQUIRE
KONICEK & DILLON, P.C.
21 West State Street
Geneva, Illinois 60134
630-262-9655
skoniak@konicekdillonlaw.com

Appeared on behalf of Respondent Alphonse
Talarico.

P R O C E E D I N G S

- - -

1 THE COURT: Case Number 22 L 010905. For
2 today's purposes, it's Dulberg versus ADR Systems.
3 And everybody who's here on that case, why don't
4 you say hello for the sake of the transcript?
5

6 MR. CHAPMAN: Good morning, your Honor.
7 Robert Chapman on behalf of the petitioner ADR
8 Systems.
9

10 THE COURT: Good morning.

11 MR. KONIAK: Good morning, your Honor. Steven
12 Koniak on behalf of Mr. Talarico.

13 THE COURT: Good morning.

14 MR. BOEDER: Good morning, your Honor. Jeremy
15 Boeder on behalf of the Boeder defendants.

16 MR. KOST: Good morning. Thomas Kost with
17 Paul Dulberg, and Paul Dulberg is here too.

18 THE COURT: Good morning to both of you.

19 The thing that I have on my mind for today was
20 to rule on ADR Systems' fee petition. If you check
21 your emails, you should have gotten an order
22 shortly ago with my ruling on that. You know, to
23 me, it is what it is. Hopefully, I explained it
24 sufficiently.

1 But, yeah, the punchline to me is, I did see
2 all the things Mr. Kost and Mr. Dulberg filed on
3 behalf of the plaintiffs, but I think I have --
4 well, let's see.

5 It was sort of amusing to see myself quoted in
6 the transcript, but one of the things I think I
7 said -- I used cliches to say, "The barn door's
8 closed," or "The ship has sailed," or something
9 like that.

10 The key moment was, you know, the
11 December 8th filing of the complaint, as far as I'm
12 concerned, on Rule 137, which is the basis for the
13 fee petition. It's about what goes into any sort
14 of filing, and it was filed by Mr. Talarico, but it
15 was also verified by Mr. Dulberg. And so, you'll
16 read it in the order, but where -- you know, where
17 I came out was that if -- I didn't make any
18 findings on these allegations. But if Mr. Dulberg
19 and Mr. Kost thought that Mr. Talarico wasn't
20 adequately representing what they thought their
21 interests should be, I think their obligation was
22 to sever the relationship and speak up on that
23 point sooner than they did.

24 Like I said, the complaint was filed in

1 December of 2022, and I did not see any timely
2 attempt by Mr. Dulberg to disavow the approach of
3 the complaint. And I just -- you know, I'll just
4 agree with what was said earlier by me and my
5 predecessor, Judge Michael Otto, that I didn't see
6 any basis for the complaint, so that's why I
7 granted -- that's why I granted the motion
8 originally.

9 I reviewed the details of the pleadings and
10 the transcripts provided to me, and I also reviewed
11 the fee petition. So the punchline is, it's in
12 the -- you should -- you should check your emails
13 because sooner or later -- and I even emailed it to
14 myself and I haven't gotten it yet, so I don't know
15 what the delay is, but there should be an order in
16 your emails soon.

17 So with that said, what else is to be done on
18 this case?

19 MR. CHAPMAN: Nothing that we're -- that I am
20 aware of.

21 MR. KONIAK: Nothing that we're aware of, your
22 Honor.

23 MR. BOEDER: Nothing, your Honor.

24 THE COURT: Okay.

1 MR. KOST: May I comment, sir? Thomas Kost.

2 THE COURT: You absolutely may.

3 MR. KOST: When I first heard the argument
4 about breach of contract, which was on May 25,
5 2023, we sent an email, we also provided that to
6 the Court within one week saying it's a fool's
7 argument, it's an idiot argument and we've taken
8 that position the entire time. In fact, we took
9 that position 19 months before you wrote your
10 December 17, 2024, position. We took the same
11 position over and over and over again. And we
12 provided an amended complaint on the 24th of June,
13 which is within a month of first being allowed to,
14 and that was also pressed intentionally by
15 Mr. Talarico. There's absolutely no doubt:
16 There's a long track record of him intentionally,
17 unquestionably intentionally, suppressing this
18 information. That's what I have to say. And so,
19 did you see those things? Because that's -- that
20 was our position 19 months before you took your
21 position.

22 THE COURT: Yeah, I saw all of that, Mr. Kost.
23 And, as I said -- did you get the order or no? Did
24 you check your email?

1 MR. KOST: Yeah. I didn't read it.

2 MR. DULBERG: No.

3 MR. KOST: If you can clarify, please.

4 THE COURT: Well, the point is, Mr. Dulberg
5 was obliged to do something long before that
6 because he signed the complaint. The signing of
7 the complaint is where you get in trouble. And so,
8 that complaint was December 8th, I think, of 2022.
9 Signing the complaint subjects you to, you know,
10 137 liability. And what I think -- I don't know if
11 I should be speculating.

12 Let me just say: I'm not going to say what
13 should have been done, but I will say what could
14 have been done. A client can fire their attorney
15 at any time.

16 Now, at whatever time you thought that your
17 interests weren't being represented in the way you
18 thought they should have been represented, you
19 could have immediately severed the attorney-client
20 relationship and sought to, you know, withdraw the
21 complaint, which I think is what you were invited
22 to do by ADR, but that was some ways down the road.

23 So I guess the point I'm trying to make is
24 that the dye is basically cast and it's in the

1 rule. The dye is basically cast when somebody
2 files a pleading. And, you know, the cases and the
3 rule both say that both the attorney and the client
4 have the responsibility, when they file something,
5 to have investigated the basis for the filing
6 before they file it, and if the filing isn't
7 supported by a reasonable argument in fact or law,
8 in fact and law, then both the attorney and the
9 client are subject to sanction.

10 So I did read all of the things that were
11 submitted since we were last in court and the
12 things that were submitted before, but none of them
13 suggests that Mr. Dulberg disavowed the complaint
14 in a timely fashion, in an official manner on the
15 docket soon enough after it was filed, so that's --
16 that's the basis for me saying that whatever might
17 have been your thought, and I understand your
18 argument that you did not think it was a good
19 approach, but you were obligated to do something
20 sooner than you did, particularly since Mr. Dulberg
21 had signed the complaint.

22 So check your email. It's in the order. The
23 explanation is in the order.

24 So I granted ADR's motion and entered

1 sanctions jointly and severely against Mr. Dulberg,
2 the Dulberg Trust, and Mr. Talarico. Okay?

3 MR. CHAPMAN: Thank you, your Honor.

4 MR. KOST: May I say one other thing, sir, in
5 relation to what you said?

6 THE COURT: All right.

7 MR. KOST: And it's just a simple question. I
8 provided the Court a detailed timeline of what
9 happened on December 8, 2022, and I explained that
10 at 12:56 p.m., that's the first time where these
11 counts called "breach of contract" appeared, at
12 12:56 p.m. on the day it was filed, and Talarico
13 told Dulberg he had internet problems and therefore
14 I gave proof that Dulberg only had ten minutes to
15 look at it, sign the last paper, according to
16 Talarico's instruction, and submitted it to
17 Talarico because Talarico, unquestionably lying at
18 this time, told Dulberg that he needed the
19 certification page even without the thing
20 completed. So I provided -- and my question, my
21 simple question is, Did you see that information
22 that I've provided in the chronological record?

23 THE COURT: Yes, I saw that. And hear me
24 again. Signing it closes the deal. So the reasons

1 why the complaint was signed, the bottom line is,
2 read the statute, read the cases. You know, you're
3 obligated to have investigated and found a good
4 faith basis for the complaint before you signed it.
5 When it's signed and filed, boom, you're on the
6 hook; it's not a valid complaint. So --

7 MR. KOST: And then the mention about the
8 fraud on the Court throughout the entire procedure,
9 including December 8, 2022, I made that very clear.
10 Judge, I just want it, just for the record, that I
11 was very, very clear, that's all.

12 THE COURT: Okay. Well, anything else you
13 want to say for the sake of the transcript? I
14 think I'm going to say I've said all I need to say
15 in the order and what I've said here. But if you
16 want to say anything else before we close, we do
17 have a court reporter, so go right ahead.

18 MR. KOST: No, I'm fine. Thank you, sir.

19 THE COURT: Okay. Well, thank you all for
20 your patience. And, yeah, like I said, if you
21 haven't seen it, check your emails because
22 something should have been sent, even though I
23 didn't get it when I sent it to myself.

24 MR. CHAPMAN: I received it, your Honor.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

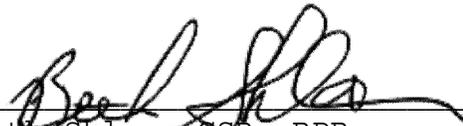
MR. KONIAK: We received it, your Honor.
MR. BOEDER: We received it, your Honor.
MR. CHAPMAN: Thank you, your Honor.
MR. BOEDER: Thank you, your Honor.
(The hearing was concluded at 9:12 a.m.)

FILED DATE: 4/24/2025 12:48 PM 2022L010905

C E R T I F I C A T E

I, Beth Sklar, Certified Shorthand Reporter and Registered Professional Reporter, in and for the State of Illinois, certify that I was authorized to and did stenographically report the foregoing proceedings and that the transcript is a true and complete record of my stenographic notes.

Dated this 22nd day of April, 2025.



Beth Sklar, CSR, RPR
CSR License No. 084-002148



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

FILED DATE: 4/24/2025 12:48 PM 2022L010905

FILED DATE: 4/24/2025 12:48 PM 2022L010905

<p style="text-align: center;">A</p> <p>a.m 1:17 11:5 a/k/a 1:7 2:19 above-entitled 1:14 absolutely 6:2,15 adequately 4:20 ADR 2:12 3:4,8,20 7:22 ADR's 8:24 ago 3:22 agree 5:4 ahead 10:17 al 1:9 allegations 4:18 allowed 6:13 Alphonse 2:23 amended 6:12 America 2:12 amusing 4:5 ANTHONY 1:15 APPEARANCES 2:1 appeared 2:4,12,18,23 9:11 approach 5:2 8:19</p>	<p>April 1:16 12:10 argument 6:3,7,7 8:7,18 Association 1:8 attempt 5:2 attorney 7:14 8:3,8 attorney-client 7:19 Attorneys 1:8 authorized 12:6 aware 5:20,21</p> <hr/> <p style="text-align: center;">B</p> <p>barn 4:7 basically 7:24 8:1 basis 4:12 5:6 8:5,16 10:4 Baudin 1:7,7,8,8,8,9,9,9 1:9 2:18,18,19 behalf 2:12,18,23 3:8 3:12,15 4:3 Beth 1:22 12:4,13 Boeder 2:14 3:14,15,15 5:23 11:2,4 boom 10:5 bottom 10:1 breach 6:4 9:11</p> <hr/> <p style="text-align: center;">C</p>	<p>C 1:15 3:1 12:1,1 called 9:11 case 3:3,5 5:18 cases 8:2 10:2 cast 7:24 8:1 cause 1:14 certification 9:19 Certified 12:4 certify 12:6 Chapman 2:8,9 3:7,8 5:19 9:3 10:24 11:3 check 3:20 5:12 6:24 8:22 10:21 Chicago 2:10,16 chronological 9:22 CIRCUIT 1:1 clarify 7:3 clear 10:9,11 cliches 4:7 client 7:14 8:3,9 close 10:16 closed 4:8 closes 9:24 comment</p>	<p>6:1 complaint 4:11,24 5:3,6 6:12 7:6,7,8,9 7:21 8:13,21 10:1,4,6 complete 12:8 completed 9:20 concerned 4:12 concluded 11:5 contract 6:4 9:11 COOK 1:1 counts 9:11 COUNTY 1:1,1 court 1:1,15 2:2 3:3 3:10,13,18 5:24 6:2,6,22 7:4 8:11 9:6,8 9:23 10:8,12 10:17,19 CSR 1:22,23 12:13 12:14</p> <hr/> <p style="text-align: center;">D</p> <p>D 3:1 Dated 12:10 day 1:16 9:12 12:10 deal 9:24 December 4:11 5:1 6:10 7:8 9:9 10:9 defendants</p>	<p>1:10 2:18 3:15 delay 5:15 Dempster 2:6 DEPARTMENT 1:1 detailed 9:8 details 5:9 DILLON 2:20 disavow 5:2 disavowed 8:13 DIVISION 1:1 docket 8:15 door's 4:7 doubt 6:15 Dulberg 1:4,4 2:2 3:4,17 3:17 4:2,15,18 5:2 7:2,4 8:13 8:20 9:1,2,13 9:14,18 dye 7:24 8:1</p> <hr/> <p style="text-align: center;">E</p> <p>E 3:1,1 12:1,1 earlier 5:4 email 6:5,24 8:22 emailed 5:13 emails 3:21 5:12,16 10:21</p>
---	---	--	---	---

FILED DATE: 4/24/2025 12:48 PM 2022L010905

<p>entered 8:24 entire 6:8 10:8 ESQUIRE 2:8,14,20 et 1:9 everybody 3:5 explained 3:23 9:9 explanation 8:23</p> <hr/> <p style="text-align: center;">F</p> <p>F 12:1 fact 6:8 8:7,8 faith 10:4 far 4:11 fashion 8:14 fee 3:20 4:13 5:11 file 8:4,6 filed 4:2,14,24 8:15 9:12 10:5 files 8:2 filing 4:11,14 8:5,6 findings 4:18 fine 10:18 fire 7:14 first 6:3,13 9:10 fool's</p>	<p>6:6 foregoing 12:7 found 10:3 fraud 10:8</p> <hr/> <p style="text-align: center;">G</p> <p>G 3:1 Geneva 2:21 go 10:17 goes 4:13 going 7:12 10:14 good 3:7,10,11,13,14 3:16,18 8:18 10:3 gotten 3:21 5:14 granted 5:7,7 8:24 Group 2:19 guess 7:23</p> <hr/> <p style="text-align: center;">H</p> <p>happened 9:9 Hayden 2:2 hear 9:23 heard 6:3 hearing 1:14 11:5 hello 3:6 Honor</p>	<p>3:7,11,14 5:22 5:23 9:3 10:24 11:1,2,3,4 Honorable 1:15 hook 10:6 Hopefully 3:23 hour 1:16</p> <hr/> <p style="text-align: center;">I</p> <p>idiot 6:7 II 2:18 Illinois 1:1,23 2:3,6,10 2:16,21 12:6 immediately 7:19 including 10:9 information 6:18 9:21 instruction 9:16 intentionally 6:14,16,17 interests 4:21 7:17 internet 9:13 investigated 8:5 10:3 invited 7:21</p> <hr/> <p style="text-align: center;">J</p> <p>Jeremy 2:14 3:14 jnboeder@tri... 2:17 jointly 9:1</p>	<p>Judge 1:15 5:5 10:10 June 6:12</p> <hr/> <p style="text-align: center;">K</p> <p>Kelly 1:7 2:18 Kelran 2:18 key 4:10 know 3:22 4:10,16 5:3 5:14 7:9,10,20 8:2 10:2 Koniak 2:20 3:11,12 5:21 11:1 KONICEK 2:20 Kost 2:5 3:16,16 4:2 4:19 6:1,1,3,22 7:1,3 9:4,7 10:7,18</p> <hr/> <p style="text-align: center;">L</p> <p>L 1:6 2:20 3:3 LaSalle 2:9 law 1:1,8,9 2:19 8:7 8:8 let's 4:4 liability 7:10 License 1:23 12:14 line 10:1 LLC 2:13 LLP</p>	<p>2:9 long 6:16 7:5 look 9:15 lying 9:17</p> <hr/> <p style="text-align: center;">M</p> <p>manner 8:14 McHenry 2:3 mention 10:7 MEYER 2:14 Michael 5:5 mind 3:19 minutes 9:14 moment 4:10 month 6:13 months 6:9,20 morning 3:7,10,11,13,14 3:16,18 motion 5:7 8:24 Mount 2:6</p> <hr/> <p style="text-align: center;">N</p> <p>N 1:7 2:14,18 3:1 need 10:14 needed 9:18 notes 12:9</p>
---	--	--	---	--

FILED DATE: 4/24/2025 12:48 PM 2022L010905

Number	10:20	4:1 5:11	4:20	sever
3:3	Paul	purposes	Respondent	4:22
<hr/>	1:4,4 2:2 3:17	3:4	2:23	severed
O	3:17	<hr/>	responsibility	7:19
O	paul_dulberg...	Q	8:4	severely
3:1	2:3	question	reviewed	9:1
o'clock	petition	9:7,20,21	5:9,10	ship
1:17	3:20 4:13 5:11	quoted	REVOCABLE	4:8
obligated	petitioner	4:5	1:4	Shorthand
8:19 10:3	3:8	<hr/>	right	12:4
obligation	plaintiffs	R	9:6 10:17	shortly
4:21	1:5 4:3	3:1 12:1	road	3:22
obliged	pleading	Randal	7:22	sign
7:5	8:2	2:18	Robert	9:15
Offices	pleadings	rchapman@c...	2:8 3:8	signed
1:9,9	5:9	2:11	RPR	7:6 8:21 10:1,4
official	please	read	1:22 12:13	10:5
8:14	7:3	4:16 7:1 8:10	rule	signing
Okay	point	10:2,2	3:20 4:12 8:1,3	7:6,9 9:24
5:24 9:2 10:12	4:23 7:4,23	reasonable	ruling	simple
10:19	position	8:7	3:22	9:7,21
order	6:8,9,10,11,20	reasons	<hr/>	sir
3:21 4:16 5:15	6:21	9:24	S	6:1 9:4 10:18
6:23 8:22,23	predecessor	received	S	Sklar
10:15	5:5	10:24 11:1,2	3:1	1:22 12:4,13
originally	pressed	record	sailed	skoniak@koni...
5:8	6:14	6:16 9:22 10:10	4:8	2:22
ORPETT	pro	12:8	sake	somebody
2:14	2:2,4	Registered	3:6 10:13	8:1
Otto	problems	12:5	sanction	soon
5:5	9:13	relation	8:9	5:16 8:15
<hr/>	procedure	9:5	sanctions	sooner
P	10:8	relationship	9:1	4:23 5:13 8:20
P	proceedings	4:22 7:20	saw	sort
3:1	1:13 12:7	REMOTE	6:22 9:23	4:5,13
P.C	Professional	1:13	saying	sought
2:14,20	12:5	report	6:6 8:16	7:20
p.m	proof	1:13 12:7	se	South
9:10,12	9:14	REPORTED	2:2,4	2:9
page	Prospect	1:22	see	speak
9:19	2:6	reporter	4:1,4,5 5:1,5	4:22
paper	provided	10:17 12:4,5	6:19 9:21	speculating
9:15	5:10 6:5,12 9:8	represented	seen	7:11
particularly	9:20,22	7:17,18	10:21	SPINGOLA
8:20	punchline	representing	sent	2:9
patience			6:5 10:22,23	

FILED DATE: 4/24/2025 12:48 PM 2022L010905

st999@gmail.... 2:7 State 1:23 2:21 12:6 statute 10:2 stenographic 12:9 stenographic... 1:22 12:7 STEPHEN 2:20 Steven 3:11 Street 2:6,9,15,21 subject 8:9 subjects 7:9 submitted 8:11,12 9:16 sufficiently 3:24 suggests 8:13 Suite 2:10,15 supported 8:7 suppressing 6:17 SWANAGAN 1:15 Systems 2:12 3:4,9 Systems' 3:20	4:19 6:15 9:2 9:12,17,17 Talarico's 9:16 ten 9:14 thank 9:3 10:18,19 11:3,4 thing 3:19 9:4,19 things 4:2,6 6:19 8:10 8:12 think 4:3,6,21 7:8,10 7:21 8:18 10:14 Thomas 2:5 3:16 6:1 thought 4:19,20 7:16,18 8:17 time 6:8 7:15,16 9:10 9:18 timeline 9:8 timely 5:1 8:14 today 3:19 today's 3:4 told 9:13,18 track 6:16 transcript 3:6 4:6 10:13 12:8 transcripts 5:10 TRIBLER 2:14	trouble 7:7 true 12:8 Trust 1:4 9:2 trying 7:23 <hr/> U understand 8:17 unquestionably 6:17 9:17 <hr/> V valid 10:6 verified 4:15 versus 3:4 Videoconfere... 1:13 2:1 vs 1:6 <hr/> W want 10:10,13,16 Washington 2:15 wasn't 4:19 way 7:17 ways 7:22 we're 5:19,21 we've 6:7 week 6:6 weren't 7:17	West 2:15,21 William 2:18 withdraw 7:20 wrote 6:9 <hr/> X <hr/> Y yeah 4:1 6:22 7:1 10:20 <hr/> Z <hr/> 0 010905 1:6 3:3 084-002148 1:23 12:14 <hr/> 1 12:56 9:10,12 1300 2:15 137 4:12 7:10 17 6:10 19 6:9,20 190 2:9 <hr/> 2 2022 1:6 5:1 7:8 9:9 10:9 2023 6:5 2024 6:10 2025	1:16 12:10 21 2:21 22 3:3 225 2:15 22nd 1:16 12:10 24th 6:12 25 6:4 <hr/> 3 312-201-6439 2:16 312-630-9202 2:11 3850 2:10 <hr/> 4 423 2:6 4606 2:2 <hr/> 5 <hr/> 6 60051 2:3 60056 2:6 60134 2:21 60603 2:10 60606 2:16 630-262-9655 2:22 <hr/> 7 <hr/> 8
--	---	--	--	---

8
9:9 10:9
847-553-4404
2:7
8th
4:11 7:8

9

9:00
1:16
9:12
11:5

FILED DATE: 4/24/2025 12:48 PM 2022L010905