

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

PAUL R. DULBERG, Individually
and THE PAUL R. DULBERG
REVOCABLE TRUST,

Plaintiff,

vs.

No. 2025 LA 360

THOMAS W. GOOCH, SABINA
SERSHON, EDWARD X. CLINTON,
JULIA WILLIAMS, ALPHONSE
TALARICO, GEORGE FLYNN,
THOMAS J. POPOVICH, HANS
MAST, THE GOOCH FIRM, CLINTON
LAW FIRM, LLC, LAW OFFICE OF
ALPHONSE A. TALARICO,

Defendants.

REPORT OF PROCEEDINGS of the hearing before the
Honorable JUDGE KEVIN G. COSTELLO, commencing on
July 28, 2026.

RECORDING TRANSCRIBED BY:

Cristin M. Kelly
Official Court Reporter

1 APPEARANCES:

2 PAUL R. DULBERG (via Zoom)
3 Self-Represented Litigant;

4 ATTORNEY THOMAS GOOCH (via Zoom)
5 Self-Represented Litigant;

6 ATTORNEY SABINA SERSHON (via Zoom)
7 Self-Represented Litigant;

8 ATTORNEY CAMILLE D. EVANS (via Zoom)
9 for the Defendants Edward X. Clinton, Julia
10 Williams, and Clinton Law Firm, LLC;

11 ATTORNEY CHRISTOPHER WUNDER (via Zoom)
12 For the Defendants Alphonse Talarico and Law
Office of Alphonse A. Talarico;

13 ATTORNEY KYLE McCONNELL (via Zoom)
14 For the Defendant George K. Flynn;

15 ATTORNEY KAVI MODI (via Zoom)
16 for the Defendants Thomas J. Popovich and Hans
17 Mast.
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1 THE COURT: All right. Paul Dulberg versus Thomas
2 Gooch, et al.

3 MR. DULBERG: Good morning, your Honor --

4 MR. GOOCH: Good morning, your Honor. Go ahead.

5 MR. DULBERG: Plaintiff Paul Dulberg, pro se.

6 THE COURT: Okay.

7 MR. GOOCH: Good morning, your Honor. Tom Gooch,
8 pro se.

9 MS. SERSHON: Good morning, your Honor. Sabina
10 Sershon, pro se.

11 THE COURT: All right. Do we have any other
12 counsel --

13 MR. MODI: Good morning, your Honor --

14 THE COURT: -- on this matter?

15 MR. MODI: Yes. Good morning, your Honor. Kavi
16 Modi for Defendants Popovich and Hans Mast.

17 MS. EVANS: And Camille Evans on behalf of the
18 Clinton defendants.

19 MR. WUNDER: Good morning, Judge. Chris Wunder for
20 the Talarico defendants.

21 THE COURT: Okay.

22 MR. McCONNELL: Kyle McConnell on behalf of
23 Defendant George Flynn.

24 THE COURT: Okay. Mr. Dulberg, you've got a motion

1 for leave to file a surreply; is that correct?

2 MR. DULBERG: Yes, your Honor.

3 THE COURT: All right. Does anyone have an
4 objection?

5 MR. GOOCH: I do, your Honor.

6 THE COURT: Okay. Go ahead.

7 MR. GOOCH: First, your Honor, I don't think it
8 says anything. I mean, I've read it. I mean, I don't
9 think it gives any new information to the Court and I
10 don't think there's any indication that we went in our
11 replies beyond the scope of the response. So I don't
12 think it'll contribute anything to the Court.

13 And frankly, your Honor, I don't believe for
14 one moment Mr. Dulberg wrote it. I think if he were
15 under oath, he would tell you that either -- there's a
16 lawyer ghostwriting, and not a very good one. Or his
17 brother is using AI to write briefs. And Mr. Dulberg
18 was a township road worker. He didn't write that brief.

19 And for all of those reasons, but most
20 particularly because it adds nothing, you should deny
21 the request.

22 THE COURT: All right. Thank you. Anyone else
23 wish to --

24 MR. WUNDER: Judge, I also object to the surreply

1 as far as the Talarico defendants. The surreply simply
2 says, Well, they didn't address certain things in their
3 response. That's not the purpose of a surreply. The
4 purpose of a surreply, Judge, is obviously to prevent
5 some sort of sandbagging or bringing up, you know, new
6 arguments in a reply brief. That's not what's happened
7 here. But other than that, I do echo what Mr. Gooch
8 said. That's all I have, Judge.

9 THE COURT: All right. Thank you. Anyone else
10 from the defense side want to make a --

11 MR. MODI: Yes, your Honor. I'll also note that on
12 behalf of the Popovich and Mast defendants, the surreply
13 does not add any new information. This was information
14 already present in plaintiff's response to our motion to
15 dismiss, and so we'd like to deny the motion on that
16 ground.

17 THE COURT: All right. Anyone else?

18 MS. EVANS: Yes -- we -- oh, I'm sorry. Go ahead.

19 THE COURT: Go ahead --

20 MR. McCONNELL: No, we join -- we join the
21 objection on behalf of George Flynn for the reasons
22 already stated.

23 THE COURT: Okay. Thank you.

24 MS. EVANS: Yeah, agreed on behalf of the Clinton

1 defendants.

2 THE COURT: All right. Mr. Dulberg, anything you
3 want to add to your position? I have -- just so you
4 know, I have read your motion and I did read the
5 proposed surreply.

6 MR. DULBERG: Okay. So you understand that there
7 are new arguments and sharpened materially (audio
8 distortion) --

9 THE COURT: Actually, I don't, but go ahead.

10 MR. DULBERG: Mr. Gooch stated that I was an
11 employee of some road -- I -- he must be talking about
12 somebody else.

13 THE COURT: Okay. I -- I -- all due respect to
14 Mr. Gooch, that's irrelevant to my analysis as to
15 whether I'm going to grant your motion or not. I -- you
16 know, I'm not going to try and speculate as to how it
17 was written. Regardless, the issue is whether a
18 surreply is needed in this case. So anything you want
19 to add briefly to your written submission?

20 MR. DULBERG: For the reasons that I stated, it's
21 clear that I believe that I didn't -- that based
22 materially new stuff and that I deserved a chance to
23 respond to those, and I very briefly did.

24 A VOICE: What are they --

1 THE COURT: All right.

2 MR. DULBERG: If you want me to go over what I
3 responded to, but if you've read it --

4 THE COURT: No. Again, I did read your proposed
5 surreply. What I'm looking at -- and how I typically
6 handle written motions, and I think this is consistent
7 with the other judges in the building and throughout the
8 State, is a motion is filed. I give an opportunity to
9 file a written response, which we did and certainly, I
10 allowed you in this case and you've done and I
11 appreciate that. There were replies filed. I've read
12 all of that material.

13 The only times -- and there are limited
14 occasions in my career when I've allowed surreplies, but
15 that's only when I believe that there is new information
16 brought out in reply, which in fairness should be --
17 should allow a surreply. I didn't find that in this
18 case. I think you're just attempting to add more to
19 your -- to your argument. I don't think that the
20 replies went into new areas, and I don't think it's
21 necessary for a surreply in this case.

22 So the motion's denied. We'll see everyone
23 tomorrow for argument.

24 MR. GOOCH: Thank you, your Honor.

1 MR. WUNDER: Thank you, Judge. Have a good day.

2 MR. GOOCH: Who's doing the order?

3 THE COURT: I'll need one of the defense counsels
4 to do an order. You guys can sort it out as to whom,
5 okay?

6 MR. MODI: I can do the order.

7 THE COURT: All right. Thank you.

8 MR. GOOCH: Okay. Thank you.

9 (Which were all the proceedings
10 had in the above-entitled cause
11 this date.)
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1 IN THE TWENTY-SECOND JUDICIAL CIRCUIT
2 McHENRY COUNTY, ILLINOIS

3 I, CRISTIN M. KELLY, an Official Court
4 Reporter for the Twenty-Second Judicial Circuit of
5 Illinois, do hereby certify that the foregoing Report of
6 Proceedings was electronically recorded and is a true,
7 correct, and complete transcript so taken at the time
8 and place hereinabove set forth to the best of my
9 ability based on the quality of the electronic
10 recording.

11
12
13 *Cristin M. Kelly*
14 Cristin M. Kelly
15 Official Court Reporter

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24 Dated this 4th day of August, 2026