

IN THE TWENTY-SECOND JUDICIAL CIRCUIT
McHENRY COUNTY, ILLINOIS

PAUL DULBERG, INDIVIDUALLY, AND
THE PAUL R. DULBERG REVOCABLE
TRUST,

Plaintiffs,

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
August 26, 2026.

APPEARANCES VIA ZOOM:

PAUL DULBERG

Self-Represented Litigant;

ATTORNEY THOMAS GOOCH

Self-Represented Litigant;

ATTORNEY SABINA SERSHON

Self-Represented Litigant;

ATTORNEY KAVI MODI

On behalf of Popovich and Mast;

ATTORNEY CAMILLE EVANS

On behalf of the Clinton Law Firm and
Julie Williams;

ATTORNEY GEORGE FLYNN

Self-Represented Litigant;

ATTORNEY CHRIS WUNDER,

On behalf of the Lawfirm of
Alphonse A. Talarico.

1 RECORDING TRANSCRIBED BY:
2 Gina Zangara
3 Official Court Reporter

4 THE COURT: All right. Paul Dulberg versus
5 Thomas Gooch, et al.

6 MR. DULBERG: Good morning, Judge. Paul
7 Dulberg, Your Honor, plaintiff.

8 MR. FLYNN: Good morning, your Honor. George
9 Flynn for myself.

10 MR. GOOCH: Good morning, your Honor. Tom
11 Gooch, pro se.

12 MS. SERSHON: Good morning, your Honor. Sabina
13 Sershon, pro se.

14 MR. MODI: Good morning, your Honor. Attorney
15 Kavi Modi for Mast and Popovich.

16 MR. WUNDER: Chris Wunder for the Talarico
17 defendants.

18 THE COURT: Sorry. Go ahead, counsel, for I
19 think Clinton?

20 MS. EVANS: Yes. Camille Evans for Clinton
21 defendants. That's fine.

22 THE COURT: Okay. Do we have everyone? All
23 right. So we've got a number of motions up. I know
24 Mr. Dulberg, it looks like he's filed motions to
reconsider as to a memorandum decision as to each

1 defendant. I believe there's a petition for fees
2 filed by Mr. Flynn. And then we have -- I think
3 there's at least one motion for 304(a) language. Is
4 that correct?

5 A VOICE: Yes, your Honor.

6 A VOICE: Yes, Judge.

7 THE COURT: And --

8 MR. MODI: I'm happy to start, your Honor. This
9 is Kavi Modi for the Popovich and Mast defendants.
10 We filed a motion requesting 304(a) language. As
11 you saw in the motion, your order dismissed with
12 prejudice all the claims against my clients. We
13 don't think there's any reason to delay the
14 enforcement of appeal or the timing of an appeal, if
15 Mr. Dulberg chooses to take one.

16 We'd ask that motion be granted today, or
17 we can enter into a briefing schedule. I saw that
18 plaintiff has filed a response to the motion, and
19 now he's also filed these various motions to
20 reconsider. But we can address that when he
21 presents them.

22 THE COURT: Okay. Well, let me ask you, is
23 there any other defendants that are seeking a 304
24 language order?

1 MR. FLYNN: Judge, I believe I had made an oral
2 motion or indicated in my briefing on the motion to
3 dismiss that I sought 304 language. I do have the
4 pending fee petition that is set for presentation
5 today. So I suppose that might be premature until
6 ruling on this fee petition.

7 THE COURT: Uh-huh. All right.

8 MS. EVANS: Yes. The Clinton defendants also
9 were going to notice up a 304(a) motion for the 9-11
10 status date.

11 THE COURT: Okay. All right. Well, I think the
12 logical way to handle it is we first need to address
13 Mr. Dulberg's various motions to reconsider. And
14 has everyone gotten copies of those motions?

15 MR. GOOCH: Judge, I have a copy of the motion.
16 I never saw a notice. I saw a notice of filing.
17 But I guess it really doesn't matter in the big
18 scheme of things. I wonder if the Court would
19 consider not entering a briefing schedule on that,
20 but reviewing the motion -- the Court reviewing that
21 motion and deciding whether or not it should just
22 be denied sua sponte because it does absolutely
23 nothing --

24 THE COURT: Well, let me address that.

1 Because what I've done so far -- I mean obviously
2 none of these are set for hearing. I did
3 review Mr. Dulberg's motion as to Mr. Gooch and
4 Ms. Sershon. Mr. Dulberg, bear with me. Your 15
5 page motion does not address any of the three
6 bases in which the Court dismissed Mr. Gooch and
7 Ms. Sershon, specifically the statute of
8 limitations, the statute of repose, and the fact
9 that any actions by them cannot as a matter of law
10 been a proximate cause of your injuries. You didn't
11 respond to any of those in your motion. Rather --

12 MR. DULBERG: With all due --

13 THE COURT: No. First of all, don't interrupt
14 me. Secondly, you didn't. You talk about this vast
15 conspiracy involving Mr. Gooch and Mr. Talarico.
16 And I appreciate the information on the Greylord
17 scandal, but I don't know how that has anything to
18 do with this matter.

19 I don't see the utility in the defendants
20 filing responses to these motions to reconsider.
21 Again, I have not read the other ones, but if
22 someone wants to file a written response, then I
23 would allow it. But rather, I think logically, to
24 move this case along, his motions to reconsider

1 should be set down for hearing and oral argument.
2 Does anyone wish to file a written response to
3 Mr. Dulberg's motions to reconsider?

4 MR. GOOCH: I don't want to file a response,
5 your Honor.

6 MR. MODI: Your Honor, we also for the Popovich
7 defendants also would likely not. Is there any way
8 we can reserve the right so that I can speak with
9 the handling partner? I think based on the motion's
10 content as to my clients, it's the same as the other
11 defendants. There's been no discussion of the
12 Court's finding. That it's just a recitation of the
13 complaint allegations.

14 So we can just rely on the underlying
15 briefing on the motions to dismiss, but I'd like to
16 check with, you know, the higher-ups.

17 THE COURT: Anyone else?

18 MR. FLYNN: Judge, I do not wish to file a
19 response. I do have the pending fee petition that I
20 would request the right -- request leave to amend it
21 as we continue to show up, or as I continue to show
22 up for these hearings and have to continue engaging
23 in this litigation. I'll try to be as efficient as
24 I can. I'm not going to respond to this particular

1 motion.

2 But I would just like to point out that
3 with respect to my fee petition, if Mr. Dulberg
4 intends to oppose it, you know, there are a lot of
5 pleadings and whatnot that I reviewed and did not
6 bill for, and I could have. So I don't know what
7 his petition is on the fee petition, if he's
8 opposing it or not.

9 THE COURT: Okay. Mr. Dulberg, are you looking
10 for an opportunity to file a written response to
11 Mr. Flynn's petition for attorney's fees?

12 MR. DULBERG: Yes, I am, your Honor.

13 THE COURT: All right. How long are you asking
14 for that?

15 MR. DULBERG: Well, here. I was going to have a
16 motion on him filed by September 4th, a motion to
17 reconsider, and --

18 THE COURT: I thought you'd already filed one
19 against --

20 MR. DULBERG: No, not against Mr. Flynn yet.
21 The other defendants. Mr. Flynn, I singled out
22 special, and I'm working on him. And yes, I would
23 like to go over and be able to answer his fee
24 petition as well.

1 As far as my motions, I am asking that
2 whether the defendants want to reply to them or not,
3 that this all be -- that today be basically treated
4 as a presentation only for the two motions --

5 THE COURT: I'm not expecting you to argue your
6 motions today. We'll set them over for hearing.

7 MR. DULBERG: We can continue to the September
8 11th court date that's already set for status on
9 everything.

10 THE COURT: Well, that doesn't necessarily mean
11 I have availability to do a hearing. That's a
12 little bit different animal. But regardless.

13 MR. DULBERG: Status and briefing schedule.

14 THE COURT: I'm trying to move this case along,
15 okay? We've got the September 11th date. I guess
16 we'll continue everything for status. How long do
17 you want -- and obviously, Mr. Flynn, you know, your
18 attorney's fees are ongoing. I understand that.

19 MR. FLYNN: Okay. Thank you, Judge.

20 THE COURT: You certainly can supplement your
21 petition as your fees increase. But Mr. Dulberg,
22 how long do you need to file a response to his
23 written petition?

24 MR. DULBERG: If I could have the standard

1 amount. It's going to take me a while to figure it
2 all out. It is, I think, 40-some pages. I don't
3 remember how many pages this thing is.

4 THE COURT: I'll give you 28 days. We are going
5 to keep that September 11th date in place. We'll
6 enter and continue other various motions for 304(a)
7 language until then for status. Counsel who needs
8 to reach out to his superiors to determine whether
9 he wants to file a written response to -- I believe
10 on the Popovich defendants?

11 MR. MODI: Correct.

12 THE COURT: So obviously I would expect you to
13 have an answer on that by then. If everyone has
14 waived a written response, we'll simply on September
15 11th set a hearing date, which we'll get to as soon
16 as we can. Anything else we need to address today?

17 MR. DULBERG: There is one thing, your Honor.
18 Since you pointed out some issues with the motion
19 that I filed, I would ask that I be able to quickly
20 amend that before the status date to address your
21 concerns.

22 MR. GOOCH: Well, that causes a jurisdictional
23 issue, if he did that, Judge. I have a hearing on
24 what he's filed. Now that's he's got an idea of

1 what you think, he just wants to expand this into
2 more of this. I mean --

3 THE COURT: Well, he can file a motion to amend
4 his motion if he wants. I just -- based on what's
5 there, I mean this is just -- there's nothing to
6 reconsider based on what's there as far as I'm
7 concerned. But you know, he has got a right to
8 argue it.

9 If you want to file an amended one, file a
10 motion seeking leave to amend your motion. But
11 that's not before me today.

12 MS. SERSHON: Your Honor, if I may, too, just on
13 behalf of myself, I am fine not writing a response
14 to the motion. I wasn't able to respond when the
15 Court initially asked everybody.

16 THE COURT: Okay. Thank you for clarifying
17 that. Okay. Anything else we need to address
18 today?

19 MS. EVANS: Yes, Judge. I just spoke to the
20 handling partner. We will argue. We won't be
21 needing to filing a response to the motion to
22 reconsider. So whenever you set the hearing date,
23 that's when we'll just argue.

24 THE COURT: Okay.

1 MR. WUNDER: And Judge, I don't know if you
2 heard me earlier, but I don't need to file a written
3 response for the Talarico defendants either.

4 THE COURT: All right. This is what I'm going
5 to do. I'm going to set it for a hearing date. The
6 attorney who represents the Popovich's, if for some
7 reason you feel the need to file a written response,
8 you are going to have to file a motion for leave.

9 MR. MODI: That's fine, your Honor.

10 THE COURT: Otherwise, I'm just setting it for
11 hearing so we can move this along. I know everyone
12 is anxious to move on with this case. September
13 15th? Are people available then?

14 MR. GOOCH: Works for me.

15 A VOICE: That does not work for me, Judge. I
16 apologize.

17 THE COURT: Okay. What about September 14th?

18 A VOICE: I don't even know what he's setting.

19 A VOICE: September 14th is fine, Judge.

20 MS. SERSHON: It's fine with me, your Honor.

21 A VOICE: That also works.

22 MR. GOOCH: Works for me, your Honor. Again, I
23 would make mention of the fact that Mr. Kost is
24 again interfering in these proceedings, and I

1 really -- he has a right -- it's a public courtroom,
2 but he doesn't have a right to participate like he's
3 a party, and certainly not as an attorney. They
4 mute themselves, and then they have a dialogue, and
5 just like a ventriloquist, the plaintiff then says
6 whatever he has been told to say.

7 THE COURT: Okay. Mr. Gooch, I think we can get
8 through that. Let's look at the forest rather than
9 the trees, okay?

10 A VOICE: Judge, I'm still looking at that date.
11 I had a mediation that was either going to be set on
12 the 14th or the 22nd. I just need to double check
13 that.

14 MS. SERSHON: Your Honor, will we strike the
15 9-11 date then?

16 THE COURT: Yeah. I think we would. But let's
17 see if we can pin down this date first, okay?

18 MS. EVANS: The 14th is good for us, your Honor.

19 A VOICE: Okay, yeah, that works.

20 THE COURT: Okay, good. All right. So this is
21 going to be at 10:00 a.m. on the 14th for hearing on
22 Mr. Dulberg's various motions to reconsider. I
23 know, Mr. Dulberg, you said you need to file one on
24 Mr. Flynn. When can you get that on file?

1 MR. DULBERG: I was hoping to have it done by
2 September 4th, that deadline.

3 THE COURT: All right. Mr. Flynn, any problems
4 with arguing it on the 14th if you get it on the
5 4th?

6 MR. DULBERG: No, your Honor.

7 THE COURT: Okay. So we'll hear them all on the
8 14th. We'll strike the 11th date. We'll enter and
9 continue the various motions for 304 language until
10 then. We'll enter and continue the petition for
11 fees until then. He has got 28 days. Let me check
12 something.

13 I know with Mr. Talarico, I dismissed the
14 complaint without prejudice with leave to replead.
15 He was to file an amended complaint within 28 days.
16 I'm going to extend that generally until we get
17 these resolved, so that Mr. Dulberg doesn't have to
18 file an amended complaint while arguing a motion to
19 reconsider. Okay? Any questions on that?

20 MR. DULBERG: Yeah, I have a question on what
21 Mr. Flynn just agreed to. Is he giving up his right
22 to reply to whatever I file, or to respond? We're
23 going right to a hearing?

24 MR. FLYNN: For the time being, yeah.

1 THE COURT: All right. Obviously if there's
2 something that -- I don't want to put you in a spot
3 because you haven't -- versus the other defendants
4 who have seen the motions to reconsider, you haven't
5 seen it. So if you feel you need to file a written
6 response, just file a motion.

7 MR. FLYNN: Fair enough.

8 THE COURT: But that's your call. Okay. All
9 right. I'll just need an order when you get a
10 chance.

11 MR. MODI: I will prepare one, Judge.

12 THE COURT: All right. Thank you.

13 MR. MODI: For the filing of the amended
14 complaint, I've noted you're extending it generally,
15 so I could note until after the hearing on the 14th?

16 THE COURT: Right. So depending on the Court's
17 ruling on that, then I will address it. But again,
18 it seems counter-productive to require him to file
19 an amended complaint with a deadline when he has got
20 a motion to reconsider pending.

21 MR. MODI: Yes, sir. Okay.

22 THE COURT: Okay? All right. I'll just need an
23 order when you get a chance. Thank you.

24 (The end of proceedings.)

1 STATE OF ILLINOIS)
2) SS:
3 COUNTY OF McHENRY)
4

5 I, GINA ZANGARA, an official Court Reporter
6 for the Circuit Court of McHenry County,
7 Twenty-Second Judicial Circuit of Illinois,
8 transcribed the electronic recording of the
9 proceeding in the above-entitled cause to the best
10 of my ability and based on the quality of the
11 recording, and I hereby certify the foregoing to be
12 a true and accurate transcript of said electronic
13 recording.
14

15 *Gina Zangara*
16 Certified Shorthand Reporter
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23 Dated this 27th day of August, 2026.
24