

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

PAUL R. DULBERG)
Plaintiff,)
v.) Case No. **2025LA000360**
THOMAS W. GOOCH, et al.,)
Defendants.)

**PLAINTIFF’S MOTION FOR LEAVE TO FILE AMENDED TALARICO MOTION TO
RECONSIDER INSTANTER, FOR APPROVAL OF LENGTH AND FORM, AND FOR
BRIEFING AND DECISION ON WRITTEN SUBMISSIONS**

NOW COMES Plaintiff, Paul R. Dulberg, pro se, and moves for leave to file instanter the attached amended motion to reconsider concerning Alphonse A. Talarico and the Law Office of Alphonse A. Talarico (the Talarico Defendants), for approval of its length and form, and for the scheduling and submission relief described below. This motion is brought pursuant to the August 26, 2026 Order (Dkt. 0516, p. 2, ¶ 4), the Court’s authority over its interlocutory orders, section 2-1007 of the Code of Civil Procedure (735 ILCS 5/2-1007), and Twenty-Second Judicial Circuit Local Rules 2.01(N) and (Q). In support, Plaintiff states:

**A. THE PENDING RECONSIDERATION REQUEST AND THE PROPOSED
AMENDMENT**

01. The August 7, 2026 Order granted the section 2-615 portion of the Talarico Defendants’ motion to dismiss without prejudice and allowed Plaintiff to amend. (Ex. ER-2, Dkt. 0500, pp. 16–17.) The Court retains authority to reconsider interlocutory orders while it retains jurisdiction. *Hernandez v. Pritikin*, 2012 IL 113054, ¶ 42.

02. The August 26, 2026 Order continued Plaintiff’s pending motions to reconsider, permitted him to seek leave to amend them, and set argument for September 14, 2026, at 10:00 a.m., with attendance in person or by Zoom. (Dkt. 0516, p. 1, ¶ 1; p. 2, ¶¶ 4, 10.) Plaintiff seeks leave for the Talarico motion independently of the reconsideration motions concerning other defendants.

03. Exhibit MFL-T1 is the completed, 17-page proposed “Plaintiff’s Amended Motion to Reconsider August 7, 2026 Order Concerning Talarico Defendants Based on Mistakes in Law,” dated September 11, 2026. Plaintiff requests that Exhibit MFL-T1 be deemed filed instanter

upon entry of the order granting leave, as the operative amended version of his pending Talarico reconsideration motion.

04. The following four supporting exhibits remain attached/embedded in Exhibit MFL-T1 and also accompany this leave motion as separately identified copies under their existing designations:

Exhibit ER-1 — July 29, 2026 Report of Proceedings, Dkt. 0499, 49 pages.

Exhibit ER-2 — August 7, 2026 Memorandum Decision and Order, Dkt. 0500, 17 pages.

Exhibit FA-4 — SAMPLE First Amended Complaint, 35 pages.

Exhibit FA-5 — Five-step chart concerning the alleged 22L010905 sequence, 1 page.

05. The separately supplied copies are the same materials attached/embedded in Exhibit MFL-T1 and permit access directly from the leave package without first opening MFL-T1. Their existing exhibit designations and page labels are retained so the amended motion's citations continue to identify the intended materials. The proposed amended motion also cites pleadings, exhibits, and proceedings already filed in this action by document identification and pinpoint references.

06. Exhibit FA-4 is submitted solely as an illustrative exhibit supporting the alternative amendment request. Filing it as a supporting exhibit will not make it the operative complaint. Plaintiff requests leave to file the amended reconsideration motion, with FA-4 retaining the limited role expressly described in that motion. (Ex. MFL-T1, pp. 7–8, ¶ 19; p. 12, ¶ 26.)

B. REASONS FOR AMENDMENT AND APPROVAL OF THE EXHIBITED FORM

07. The proposed amended motion addresses the Order's separate organizational and causation grounds, identifies the original Complaint's pertinent allegations, explains the three causal links identified by the Court, and separately addresses the alleged fee losses, fraud, conspiracy, and alternative amendment relief. It supplies pinpoint references for review of those issues. (Ex. MFL-T1, p. 4, ¶¶ 10–11; pp. 6–8, ¶¶ 14–20; pp. 8–13, ¶¶ 21–27; pp. 13–17, ¶¶ 28–39.)

08. Plaintiff requests prior approval under Local Rule 2.01(Q) to file the 17-page proposed amended motion identified as Exhibit MFL-T1, together with its separately identified supporting

exhibits. Plaintiff also requests approval of Exhibit MFL-T1 in the form submitted. The 17-page count includes the motion's caption, signature, and verification; the four supporting exhibits contain 102 additional pages.

09. The additional length permits the Court to evaluate the distinct issues and their cited support in readable form. The proposed submission provides a completed explanation of the alleged errors, with supporting citations available for examination by the Court and the Talarico Defendants. Plaintiff asks the Court to consider that identified submission in resolving the pending reconsideration request.

C. DETERMINATION OF LEAVE BEFORE THE MERITS AND A DEFINED BRIEFING SCHEDULE

10. Plaintiff requests that the Court determine this motion for leave before reaching the merits of the Talarico reconsideration motion. If leave is granted, Plaintiff requests that the Court defer merits disposition until completion of the briefing authorized below and modify the September 14, 2026 setting concerning Talarico to permit determination of leave and scheduling.

11. Good cause supports that sequence. The August 26 Order established September 4, 2026 as the deadline for Plaintiff's Flynn reconsideration motion, permitted requests to amend the other pending reconsideration motions, and set argument for September 14. (Dkt. 0516, p. 1, ¶ 2; p. 2, ¶¶ 4, 10.) During that interval, Plaintiff has been preparing the Flynn reconsideration materials and revisions to the other pending motions. The completed Talarico amendment reflects review of the original pleading, the identified grounds for dismissal, the supporting exhibits, and the accuracy of the pinpoint citations.

12. Resolving leave first will identify the written motion to which the Talarico Defendants may respond. Plaintiff proposes that they have 21 days after entry of the order granting leave to file and serve a response, and that Plaintiff have 14 days after service of a timely response to file and serve a reply, or such other periods as the Court directs. That opportunity for response addresses any need to answer the amended presentation before the Court decides it.

13. To the extent necessary to present this leave motion at the September 14 setting, Plaintiff requests permission to proceed on shortened notice and to provide the new courtesy materials

on the schedule the Court directs. Judge Costello's February 10, 2023 Standing Order addresses advance presentation and delivery of contested-hearing courtesy copies. (Courtroom 204 Standing Order, pp. 1–2.) Plaintiff requests the Court's express direction for this submission on the existing schedule.

14. If the Court requires additional notice, a response, or further time to determine leave, Plaintiff alternatively requests a short continuance of the Talarico merits hearing so that the leave request can first be resolved. This scheduling relief is requested for good cause under section 2-1007 (735 ILCS 5/2-1007) and Local Rule 2.01(N). Plaintiff will appear at the scheduled September 14 hearing unless expressly excused. This motion does not seek a change to the settings for other defendants' motions.

D. REQUEST FOR DECISION ON WRITTEN SUBMISSIONS WITHOUT ORAL ARGUMENT

15. After completion of authorized briefing, Plaintiff requests that the Court decide the Talarico reconsideration motion on the written submissions and cited materials properly before it, without oral argument. The detailed written arguments and pinpoint citations permit a precise presentation of the issues and their asserted support. Plaintiff maintains each ground and request for relief presented in his written motion; this request concerns the manner of submission.

16. If the Court requires clarification before deciding the motion, Plaintiff requests an opportunity to provide a short written response to the questions identified by the Court within a deadline it sets. If the Court determines that oral argument is necessary, Plaintiff requests that it be scheduled after completion of the authorized briefing.

17. The August 26 Order extended the deadline for Plaintiff's amended complaint against the Talarico Defendants until after the Court rules on the motions to reconsider. (Dkt. 0516, p. 2, ¶ 9.) Plaintiff requests that this existing extension remain in effect while the Talarico reconsideration request is pending. The amended motion's request for 28 days after disposition to file an amended complaint remains a matter for the Court's ruling on that motion. (Ex. MFL-T1, p. 17, ¶ 39.)

18. WHEREFORE, Plaintiff respectfully requests that the Court:

A. Grant leave to file Exhibit MFL-T1, the 17-page PLAINTIFF'S AMENDED MOTION TO RECONSIDER AUGUST 7, 2026 ORDER CONCERNING TALARICO DEFENDANTS BASED ON MISTAKES IN LAW, together with supporting Exhibits ER-1, ER-2, FA-4, and FA-5;

B. Approve the motion's 17-page length under Local Rule 2.01(Q) and its form as submitted;

C. Deem the amended motion and its identified supporting exhibits filed instanter upon entry of the order granting leave, as the operative amended presentation of Plaintiff's pending Talarico reconsideration request, and direct their docketing accordingly;

D. Determine leave before reaching the Talarico reconsideration merits and modify the September 14 setting concerning Talarico to permit the leave determination and scheduling, with merits disposition deferred until completion of authorized briefing;

E. Allow the Talarico Defendants 21 days after entry of the order granting leave to file and serve a response, and Plaintiff 14 days after service of a timely response to file and serve a reply, or set such other periods as the Court directs;

F. Grant any necessary permission for shortened notice and direct the timing of the new courtesy materials, or alternatively continue the Talarico merits hearing long enough to permit proper consideration of the leave request;

G. Decide the Talarico reconsideration motion on the written submissions after authorized briefing, without oral argument, subject to any further clarification or hearing the Court directs;

H. Maintain the amended-complaint extension in paragraph 9 of the August 26 Order while reconsideration remains pending; and

I. Grant such other relief as the Court deems just.

Respectfully submitted,

/s/ Paul R. Dulberg

Paul R. Dulberg, Plaintiff pro se

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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: September 11, 2026

CERTIFICATE OF SERVICE

I certify that on September 11, 2026, I served a true and correct copy of the foregoing document on all counsel and parties of record through eFileIL/EFSP electronic service.

/s/ Paul R. Dulberg

Date: September 11, 2026

Paul R. Dulberg