

From: Julia Williams juliawilliams@clintonlaw.net  
Subject: Re: Dulberg
Date: November 26, 2019 at 3:33 PM
To: George Flynn gflynn@karballaw.com
Cc: Linda Walters lwalters@KARBALLAW.com, Ed Clinton ed@clintonlaw.net, Mary Winch marywinch@clintonlaw.net

JW

Dear George,

Attached is the supplement interrogatory disclosure.

As for documents, we have produced everything in our possession. You had requested that we identify the bates number that correspond to each document request and also requested that we identify the attachments to reach email. We have been working on this request, but given that we produced over 3600 pages at this point, it has been a struggle on our end.

We have no objection to issuance of third party subpoenas. We have begun that process.

We can also discuss taking Mr. Dulberg's deposition in the near future. Please let me know some dates that work for you.

Best Regards,

Julia Williams
Of Counsel
The Clinton Law Firm
111 W. Washington, Ste. 1437
Chicago, IL 60602
P:312.357.1515
F: 312.201.0737
juliawilliams@clintonlaw.net

This message may be privileged and confidential. If you are not the intended recipient, please delete the email and notify the sender immediately.

On Nov 22, 2019, at 10:38 AM, George Flynn <gflynn@karballaw.com> wrote:

Julia:

I write pursuant to Rule 201(k). As you know, this case is a 2017 filing, and we are entering 2020 without having taken any depositions in the case. While the court has been flexible thus far, it is usually the defendant that suffers the prejudice when courts begin to move cases along that have progressed slowly. I do not want to be in a position where the defense is limited in the future, due to our failure to jump up and down and complain about late discovery answers. Since we have a case within a case here, there will be many witnesses that will need to be deposed. At this juncture, I believe that any subpoenas for third party witnesses will need to be done simultaneously with our commencement of oral fact discovery.

I would like to schedule Mr. Dulberg's deposition in the near future. First, we will need his complete answers to written discovery. I will plan to file a motion to compel next week in order to protect our record, and nudge the case along.

Please feel free to contact me if you would like to discuss this matter.

Very Truly Yours,

George Flynn

Karbal | Cohen | Economou | Silk | Dunne | LLC
150 S. Wacker Drive

Suite 1700

Chicago, IL 60606

<phone_3aef1e25-ed01-4e86-9c05-55877d93199b.jpg> P: (312) 431-3622

<fax_b47779bc-2f12-4a09-9ce3-87f4947c34ef.png> F: (312) 431-3670

<envelope_5540fafc-2f13-4c5f-af64-a2c20113037b.png> E: gflynn@karballaw.com

CONFIDENTIALITY NOTE:

This electronic message transmission contains information from the law firm of Karbal, Cohen, Economou, Silk & Dunne, LLC. which may be confidential or privileged. The information is intended to be for the use of the individual or entity named above. If you are not the intended recipient, please immediately delete this e-mail and be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited.

From: Julia Williams <juliawilliams@clintonlaw.net>

Sent: Monday, November 4, 2019 9:16 AM

To: George Flynn <gflynn@karballaw.com>

Cc: Linda Walters <lwalters@KARBALLAW.com>

Subject: Re: Dulberg

Great. Thank you. 7-14 days is reasonable and we will work on them directly.

Best Regards,

Julia Williams

Of Counsel

The Clinton Law Firm

111 W. Washington, Ste. 1437

Chicago, IL 60602

P:312.357.1515

F: 312.201.0737

juliawilliams@clintonlaw.net

This message may be privileged and confidential. If you are not the intended recipient, please delete the email and notify the sender immediately.

On Nov 4, 2019, at 9:08 AM, George Flynn <gflynn@karballaw.com> wrote:

Julia:

Attached is the order from today. I didn't want to surprise you by asking the court for a time limit on the outstanding answers, but would appreciate if we could get them within 7-14 days.

Thanks

George Flynn

Karbal | Cohen | Economou | Silk | Dunne | LLC

150 S. Wacker Drive

Suite 1700

Chicago, IL 60606

<phone_3aef1e25-ed01-4e86-9c05-55877d93199b.jpg> P: (312) 431-3622

<fax_b47779bc-2f12-4a09-9ce3-87f4947c34ef.png> F: (312) 431-3670

<envelope_5540fafc-2f13-4c5f-af64-a2c20113037b.png> E: gflynn@karballaw.com

<envelope_55401a1c-2113-4c3f-a1b4-a2c20113037b.png> E. ghyml@karballaw.com

CONFIDENTIALITY NOTE:

This electronic message transmission contains information from the law firm of Karbal, Cohen, Economou, Silk & Dunne, LLC. which may be confidential or privileged. The information is intended to be for the use of the individual or entity named above. If you are not the intended recipient, please immediately delete this e-mail and be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited.

<Doc Nov 04, 2019, 0906.pdf>



Dulberg
Supple...26.pdf

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

PAUL DULBERG,)	
)	
Plaintiff,)	
)	
v.)	Case No. 17 LA 377
)	
THE LAW OFFICE OF THOMAS J.)	
POPOVICH, P.C. and HANS MAST,)	
)	
Defendants.)	

**DULBERG’S SUPPLEMENTAL ANSWERS TO DEFENDANTS THE LAW OFFICES
OF THOMAS J.
POPOVICH, P.C.’S INTERROGATORIES TO PLAINTIFF PAUL DULBERG**

Paul Dulberg, by and through his attorneys, The Clinton Law Firm, LLC, pursuant to the provisions of Illinois Supreme Court Rule 213, responds, in supplement, to Defendant, The Law Offices of Thomas J. Popovich, P.C.’s Interrogatories To Plaintiff Paul Dulberg as follows:

INTERROGATORIES

12. Identify and describe each of your employers in the ten year period prior to the accident of June 28, 2011, including any self-employment. For each employer, identify your wage rate or salary, your title, your job description, your required duties, and your income for the ten year period prior to the accident in question.

SUPPLEMENT TO ORIGINAL ANSWER:

1. 1999-2011 Sharp Printing, Inc., 4606 Hayden Ct., McHenry, IL 60051

Paul Dulberg was an owner and operator of Sharp Printing, Inc. along with his two partners Scott Dulberg and Michael McArtor. Dulberg provided full time employment services to Sharp Printing, Inc. and thus was “employed” by Sharp Printing, Inc. However, Dulberg did not draw a salary from Sharp Printing, Inc. and did not receive any profits from the company.

Paul Dulberg was the President, salesperson, graphic designer, 8 color screen print pressman, handled fulfillment, shipping & receiving, as well as other day to day operations of the company.

For income, see tax returns.

Sharp Printing, Inc. operated out of the lower floor of Paul Dulberg's personal residence and paid all utilities bills, including garbage, water, natural gas, electric, internet, phone, and cable. The approximate value is \$650 per month.

19. As a result of your personal injuries from the underlying case, were you unable to work? If so, state:

- (a) The name and address of your employer, if any, at the time of the occurrence, your wage and/or salary, and the name of your supervisor and/or foreperson;**
- (b) The date or inclusive dates on which you were unable to work;**
- (c) The amount of wage and/or income lost by you; and**
- (d) The name and address of your present employer and/or wage and/or salary.**

SUPPLEMENT TO ORIGINAL ANSWER:

Paul Dulberg was self-employed by Sharp Printing and unable to work after the accident. He was also an independent contractor with Juskie Printing. He has not been employed since the date of the accident. See tax returns for lost wages. See SSDI documents for current income.

26. Identify and describe the false and misleading information Mast and Popovich provided to you, and explain how you realized for the first time in December of 2016 that the information was false and misleading and the dismissal of the McGuires was a serious and substantial mistake, as alleged in paragraph 56 of your second amended complaint.

SUPPLEMENT TO ORIGINAL ANSWER:

On December 8, 2016, the mediator issued a net award to Dulberg of \$561,000. Dulberg discovered he could not recover the entire mediation award from Gagnon. At that time Dulberg realized that Mast's advice to settle with the McGuires for \$5,000 was incorrect, because Mast had cited Dulberg being able to recover in full from Gagnon as his reasoning.

27. Identify and describe the expert opinions provided to you in December 2016 as alleged in paragraph 57 of your second amended complaint, including the identity of the expert, the opinions, and any other information provided by the expert which caused you to learn in the summer of 2016 and become reasonably aware that Mast and Popovich did not properly represent you.

SUPPLEMENT TO ORIGINAL ANSWER:

Dr. Landford is a chainsaw expert who was retained by Dulberg during the mediation which occurred in 2016. Landford's expert opinion demonstrates that contrary to Mast's advice, the McGuires were liable for Gagnon's actions with the chainsaw. The expert report came out in February of 2016 and the mediation award was issued in December of 2016.

Respectfully submitted,

/s/ Julia C. Williams

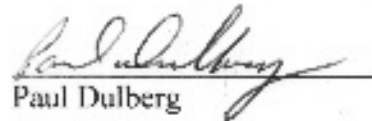
Julia C. Williams

One of Plaintiff's Attorneys

Edward X. Clinton, Jr.
Julia C. Williams
The Clinton Law Firm, LLC
111 W Washington Street
Suite 1437
Chicago, IL 60602
Attorneys for Plaintiff, Atty No. 35893
312.357.1515
ed@clintonlaw.net
juliawilliams@clintonlaw.net

VERIFICATION

Under penalties as provided by law pursuant to § 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true, correct, and complete, 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.


Paul Dulberg