



T Kost <tkost999@gmail.com>

complaints

18 messages

T Kost <tkost999@gmail.com>
To: Paul Dulberg <Paul_Dulberg@comcast.net>

Tue, Sep 27, 2022 at 6:45 PM

see attached

 **complaints.zip**
15K

T Kost <tkost999@gmail.com>
To: Paul Dulberg <Paul_Dulberg@comcast.net>

Tue, Sep 27, 2022 at 11:07 PM

I put a lot more in. The zip attachment is the newest version.

you can add stuff if you want right into the text file.

It is important we are always using and editing the most recent version.

Every time there is a newest version all the older versions will be treated as out-of-date and useless.

See attachment for newest version

On Tue, Sep 27, 2022 at 4:45 PM T Kost <tkost999@gmail.com> wrote:
| see attached

 **complaints.zip**
27K

T Kost <tkost999@gmail.com>
To: Paul Dulberg <Paul_Dulberg@comcast.net>

Thu, Sep 29, 2022 at 12:50 AM

The very latest complaints folder. I am finished for now and you can edit if you want.

[Quoted text hidden]

 **complaints.zip**
33K

T Kost <tkost999@gmail.com>
To: Paul Dulberg <Paul_Dulberg@comcast.net>

Thu, Sep 29, 2022 at 9:42 PM

Newest, most updated version.

Don't edit this one before talking to me

[Quoted text hidden]

 **complaints.zip**
44K

T Kost <tkost999@gmail.com>
To: Paul Dulberg <Paul_Dulberg@comcast.net>

Sun, Oct 2, 2022 at 3:03 AM

Newest version. The Baudin stuff is so developed that it is almost ready (except exhibits).

[Quoted text hidden]

 **complaints.zip**
57K

T Kost <tkost999@gmail.com>
To: Paul Dulberg <Paul_Dulberg@comcast.net>

Mon, Oct 3, 2022 at 12:40 PM

newest, best version attached

[Quoted text hidden]

 **complaints.zip**
62K

T Kost <tkost999@gmail.com>
To: Paul Dulberg <Paul_Dulberg@comcast.net>

Wed, Oct 5, 2022 at 8:18 AM

newest attached

[Quoted text hidden]

 **complaints.zip**
63K

T Kost <tkost999@gmail.com>
To: Paul Dulberg <Paul_Dulberg@comcast.net>

Wed, Oct 5, 2022 at 4:26 PM

newest attached. Includes the newest Baudin and Gooch material

[Quoted text hidden]

 **complaints.zip**
71K

T Kost <tkost999@gmail.com>
To: Paul Dulberg <Paul_Dulberg@comcast.net>

Thu, Oct 6, 2022 at 2:31 AM

Newest complaints.

Has all the Baudin Gooch stuff we discussed plus some things you haven't seen yet.

[Quoted text hidden]

 **complaints.zip**
73K

T Kost <tkost999@gmail.com>
To: Paul Dulberg <Paul_Dulberg@comcast.net>

Thu, Oct 6, 2022 at 3:51 AM

I'm sending this latest one out close to 4:00AM.

I figured out the Gooch code. It is included in the Gooch complaint. I'll explain tomorrow.

[Quoted text hidden]

 **complaints.zip**
75K

T Kost <tkost999@gmail.com>
To: Paul Dulberg <Paul_Dulberg@comcast.net>

Thu, Oct 6, 2022 at 4:38 AM

By the way, there is direct evidence of Gooch collaborating with Flynn. It's already included in the newest Gooch complaint.

Can you spot how they collaborate?

[Quoted text hidden]

T Kost <tkost999@gmail.com>
To: Paul Dulberg <Paul_Dulberg@comcast.net>

Thu, Oct 6, 2022 at 11:47 PM

best yet attached

[Quoted text hidden]

 **complaints.zip**
79K

T Kost <tkost999@gmail.com>
To: Paul Dulberg <Paul_Dulberg@comcast.net>

Sat, Oct 8, 2022 at 1:27 AM

newest attached.

Baudins is ready to have the details filled in by you.

[Quoted text hidden]

 **complaints.zip**
80K

T Kost <tkost999@gmail.com>
To: Paul Dulberg <Paul_Dulberg@comcast.net>

Tue, Nov 1, 2022 at 1:51 AM

The Baudin Olsen complaint is ready for you to begin to edit. attached.

[Quoted text hidden]

 **2_baudin_olsen_complaint.txt**
83K

Paul Dulberg <Paul_Dulberg@comcast.net>
To: Tom Kost <tkost999@gmail.com>

Tue, Nov 1, 2022 at 6:49 AM

Baudin and Olsen Complaint

LEGAL MALPRACTICE

A. Parties and Venue

1. Paul Dulberg, is a resident of McHenry County, Illinois, and was such a resident at all times complained of herein.

2. Baudin & Baudin is a law firm operating in McHenry County, Illinois, and transacting business on a regular and daily basis in McHenry County, Illinois.

3. W. Randal Baudin, at all times relevant herein, was a licensed attorney in the State of Illinois, engaged in the practice of law in McHenry County, Illinois, and a shareholder in Baudin & Baudin.
5. As an agent, employee, or shareholder in Baudin & Baudin, Baudin & Baudin is liable for Randal Baudin's actions alleged herein.
6. Randal Baudin is individually liable for his own legal and settlement malpractice done while acting as an agent, employee, or shareholder in Baudin & Baudin.
7. W. Randal Baudin II, at all times relevant herein, was a licensed attorney in the State of Illinois, engaged in the practice of law in McHenry County, Illinois, and a shareholder in Baudin & Baudin.
8. W. Randal Baudin II is individually liable for his own legal and settlement malpractice done while acting as an agent, employee, or shareholder in Baudin & Baudin.
9. As an agent, employee, or shareholder in Baudin & Baudin, Baudin & Baudin is liable for W. Randal Baudin II's actions alleged herein.
10. The Baudin Law Group is a law firm operating in McHenry County, Illinois, and transacting business on a regular and daily basis in McHenry County, Illinois.
11. W. Randal Baudin II, at all times relevant herein, was a licensed attorney in the State of Illinois, engaged in the practice of law in McHenry County, Illinois, and a shareholder in The Baudin Law Group.
12. W. Randal Baudin II is individually liable for his own legal and settlement malpractice done while acting as an agent, employee, or shareholder in The Baudin Law Group.
13. As an agent, employee, or shareholder in The Baudin Law Group, The Baudin Law Group is liable for Randal Baudin II's actions alleged herein.
14. Kelly Baudin, at all times relevant herein, was a licensed attorney in the State of Illinois, engaged in the practice of law in McHenry County, Illinois, and a shareholder in The Baudin Law Group.
15. Kelly Baudin is individually liable for her own legal and settlement malpractice done while acting as an agent, employee, or shareholder in The Baudin Law Group.
16. As an agent, employee, or shareholder in The Baudin Law Group, The Baudin Law Group is liable for Kelly Baudin's actions alleged herein.

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[Quoted text hidden]

<2_baudin_olsen_complaint.txt>

T Kost <tkost999@gmail.com>
To: Paul Dulberg <Paul_Dulberg@comcast.net>

Fri, Nov 4, 2022 at 5:42 PM

The most up-to-date version of the Baudin-Olsen complaint attached.

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 **2_baudin_olsen_complaint.txt**
83K

Paul Dulberg <Paul_Dulberg@comcast.net>
To: Tom Kost <tkost999@gmail.com>

Sat, Nov 5, 2022 at 5:29 AM

The last entry below is where I am currently at. Could use a little help at this point.

Baudin and Olsen Complaint

LEGAL MALPRACTICE

A. Parties and Venue

1. Paul Dulberg, is a resident of McHenry County, Illinois, and was such a resident at all times complained of herein.
2. Baudin & Baudin is a law firm operating in McHenry County, Illinois, and transacting business on a regular and daily basis in McHenry County, Illinois.
3. W. Randal Baudin, at all times relevant herein, was a licensed attorney in the State of Illinois, engaged in the practice of law in McHenry County, Illinois, and a shareholder in Baudin & Baudin.
5. As an agent, employee, or shareholder in Baudin & Baudin, Baudin & Baudin is liable for Randal Baudin's actions alleged herein.
6. Randal Baudin is individually liable for his own legal and settlement malpractice done while acting as an agent, employee, or shareholder in Baudin & Baudin.
7. W. Randal Baudin II, at all times relevant herein, was a licensed attorney in the State of Illinois, engaged in the practice of law in McHenry County, Illinois, and a shareholder in Baudin & Baudin.
8. W. Randal Baudin II is individually liable for his own legal and settlement malpractice done while acting as an agent, employee, or shareholder in Baudin & Baudin.
9. As an agent, employee, or shareholder in Baudin & Baudin, Baudin & Baudin is liable for W. Randal Baudin II's actions alleged herein.
10. The Baudin Law Group is a law firm operating in McHenry County, Illinois, and transacting business on a regular and daily basis in McHenry County, Illinois.
11. W. Randal Baudin II, at all times relevant herein, was a licensed attorney in the State of Illinois, engaged in the practice of law in McHenry County, Illinois, and a shareholder in The Baudin Law Group.
12. W. Randal Baudin II is individually liable for his own legal and settlement malpractice done while acting as an agent, employee, or shareholder in The Baudin Law Group.
13. As an agent, employee, or shareholder in The Baudin Law Group, The Baudin Law Group is liable for Randal Baudin II's actions alleged herein.
14. Kelly Baudin, at all times relevant herein, was a licensed attorney in the State of Illinois, engaged in the practice of law in McHenry County, Illinois, and a shareholder in The Baudin Law Group.
15. Kelly Baudin is individually liable for her own legal and settlement malpractice done while acting as an agent, employee, or shareholder in The Baudin Law Group.
16. As an agent, employee, or shareholder in The Baudin Law Group, The Baudin Law Group is liable for Kelly Baudin's actions alleged herein.
17. Venue was and is therefore claimed proper in McHenry County, Illinois, as the Defendants transact substantial and regular business in and about McHenry County in the practice of law, where their offices are located.

- Info on Baudin's for federal complaint. (Can Baudin & Baudin be named in federal complaint?)
- Info about Trustee Olsen for federal complaint. (Can Olsen be named in the state complaint?)

B. Relevant Facts

GAGNON AND MCGUIRES

- On or about June 28, 2011, Dulberg assisted Caroline McGuire ("Caroline"), William McGuire ("William") (Caroline and William collectively referred to herein as "the McGuires"), and David Gagnon ("Gagnon") in trimming long branches of a pine tree on the McGuires' property.
- Caroline McGuire and William McGuire are a married couple, who own real property in McHenry, McHenry County, Illinois ("the Property").
- David Gagon is Caroline's son and William's stepson.
- Paul Dulberg ("Dulberg") lives in the next neighborhood over from the McGuire family.
- Dulberg was invited to the McGuire's property to see if he wanted any of the wood from the tree.
- On June 28, 2011, at the Property, Gagnon was operating a chainsaw to remove branches from a tree and cut it down on the Property.
- The McGuire's purchased and owned the chainsaw that was being utilized to trim, remove branches and cut down the tree.
- William physically assisted with removing the cut branches from the work area while supervising Gagnon's actions.
- Caroline physically assisted by retrieving and providing any and all tools requested by William McGuire and David Gagnon while supervising Gagnon's and William's actions.
- Gagnon was acting on behalf of the McGuires' under their supervision and at the McGuires' direction.
- Caroline, William, and Gagnon all knew, or should have known that a chainsaw was dangerous and to take appropriate precautions when utilizing the chain saw.
- The safety information was readily available to Caroline and William as the safety instructions are included with the purchase of the chainsaw.
- The safety information indicated that the failure to take appropriate caution and safety measures could result in serious injury.
- The safety information indicated that the likelihood of injury when not properly utilizing the chainsaw or not following the safety precautions is very high.
- The safety instructions outlined are easy to follow and do not place a large burden on the operator of the chainsaw or the owner of the property.
- Caroline McGuire, William McGuire, and David Gagnon had notice of the potentially dangerous conditions by acquiring a chain saw that was provided with attached warnings and safety information implying that a reasonable person should exercise appropriate caution and follow the safety instructions for the chainsaw.
- Caroline, William, and Gagnon failed to act as reasonable persons by either not exercising appropriate care, failing to follow the safety instructions, or failing to instruct Gagnon to exercise appropriate care and/or follow the safety instructions.
- Caroline and William, owners of the property and the chainsaw, instructed Gagnon to use the chain saw despite Gagnon not being trained in operating the chainsaw.
- Caroline and William failed to instruct and require that Gagnon utilize the chainsaw only in compliance with the safety measures outlined in the owner's manual.
- Gagnon failed to utilize the chainsaw in compliance with the safety measures outlined in the owner's manual.

- Caroline and Gagnon asked Dulberg to assist.
- Caroline, William and Gagnon failed to provide Dulberg with any of the safety information outlined in the owner's manual.
- Caroline and William McGuire failed to provide Gagnon or Dulberg with any of the protective equipment necessary for the type of work to be performed as written within the safety measures outlined in the owner's manual.
- Gagnon operated the chainsaw in close proximity to Dulberg and it struck Dulberg in the right arm, Dulberg's dominant arm, cutting him severely requiring medical attention to save Dulberg's life.
- Dulberg incurred substantial and catastrophic injuries, including, but not limited to, pain and suffering, loss of use of his right arm which resulted in a finding of permanent disability by Social Security Administration on April 20, 2017 (Please see Exhibit A attached); current and future medical expenses in amount in excess of \$260,000.00; Dulberg's lifelong career in photography, graphic design, and commercial printing; lost wages in excess of one million dollars; and other damages.

POPOVICH AND MAST

On or about December 1, 2011 Dulberg hired Mast, Popovich, and Thomas J. Popovich, individually to represent him in prosecuting his claims against Gagnon and the McGuires.

Mast, Popovich, and Thomas J. Popovich, individually entered into an attorney client relationship with Dulberg. exhibit (Use contract for legal services)

Based upon the attorney client relationship, Mast, Popovich, and Thomas J. Popovich, individually owed professional duties to Dulberg, including a duty of care.

On February 1, 2013, The McGuires filed a counterclaim against Gagnon. exhibit (CROSS-CLAIM FOR CONTRIBUTION AGAINST CO-DEFENDANT DAVID GAGNON File stamped 2/1/2013)

The cross-claim accused Gagnon of the following negligent acts and/or omissions:

- a. Caused or permitted a chainsaw to make contact with Plaintiff's right arm;
- b. Failed to operate said chainsaw in a safe and reasonable manner so as to avoid injuring Plaintiff's right arm;
- c. Failed to maintain a reasonable and safe distance between the chainsaw he was operating and Plaintiff's right arm;
- d. Failed to properly instruct Plaintiff prior to approaching him with an operating chainsaw;
- e. Failed to properly warn Plaintiff prior to approaching him with an operating chainsaw;
- f. Failed to maintain the chainsaw in the idle or off position when he knew or should have known that Plaintiff was close enough to sustain injury from direct contact with the subject chainsaw;
- g. Failed to maintain a proper lookout for Plaintiff while operating the subject chainsaw;
- h. Failed to maintain proper control over an operating chainsaw;
- i. Was otherwise negligent in the operation and control of the subject chainsaw.

David Gagnon has never filed an answer to this cross-claim filed by the McGuires.

Not answering a cross-claim is an admission to all points made in the cross-claim.

* Popovich hid key documents that supported the version of events of the day of the chainsaw accident told by Dulberg and contradicted the version of events told by Gagnon, Carolyn McGuire, and Bill McGuire from Dulberg, the opposing counsel, and Dulberg's future attorneys, including the Baudins.

[Quoted text hidden]

[Quoted text hidden]

<2_baudin_olsen_complaint.txt>

T Kost <tkost999@gmail.com>

Sat, Nov 12, 2022 at 8:03 AM

To: Paul Dulberg <Paul_Dulberg@comcast.net>

The newest Baudin complaint is attached. All the text messages have been fixed. It is time to add exhibits.

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2_baudin_olsen_complaint.txt

85K