

UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
WESTERN DIVISION

IN RE: ) CHAPTER 7  
 )  
PAUL DULBERG, ) Case Number: 14-83578  
 )  
Debtor. ) JUDGE THOMAS M. LYNCH

**NOTICE TO CREDITORS AND OTHER PARTIES IN INTEREST**

Notified via Electronic filing: Attorney David Leibowitz  
Office of the U.S. Trustee

Notified via U.S. Postal Service: See attached service list.

**Joseph D. Olsen, Trustee has filed papers with the Court regarding his Notice of Binding Mediation Award and Motion to Compensate the Estate's Personal Injury Attorneys for attorney's fees of \$117,000.00 and Advanced Costs of \$84.63 and for Authority to Pay Certain Medical and Attorneys Liens on the Proceeds as well as the Debtor's Personal Injury Exemption of \$15,000.00.**

A copy of said Motion referred to herein is available for inspection at the offices of the Clerk of the U.S. Bankruptcy Court or at the offices of Yalden, Olsen & Willette, during usual business hours.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you want the Court to consider your views on the Motion, then you or your attorney must:

**Attend the hearing on scheduled to be held on the 25<sup>th</sup> day of January 2017 at 9:30 am in courtroom 3100, United States Bankruptcy Court, 327 South Church St., Rockford, IL 61101.**

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an order granting that relief.

Joseph D. Olsen, Trustee

By: YALDEN, OLSEN & WILLETTE, his attorneys

By: s/s Joseph D. Olsen

Yalden, Olsen & Willette  
1318 East State Street  
Rockford, IL 61104  
815-965-8635

**CERTIFICATE OF SERVICE**

I, the undersigned, certify that on January 3<sup>rd</sup>, 2017 I caused the aforesaid to be served upon all persons to whom it is directed via electronic communication as indicated above and by United States Mail as indicated on the attached service list, by depositing the same in the United States Mail at Rockford, Illinois, at or about the hour of 5:00 p.m.

/s/ Marti Maravich

UNITED STATES BANKRUPTCY COURT  
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IN RE: ) CHAPTER 7  
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PAUL DULBERG, ) Case Number: 14-83578  
 )  
Debtor. ) JUDGE THOMAS M. LYNCH

**NOTICE OF BINDING MEDIATION AWARD AND MOTION TO COMPENSATE THE ESTATE'S PERSONAL INJURY ATTORNEYS FOR ATTORNEY'S FEES OF \$117,000.00 AND ADVANCED COSTS OF \$84.63 AND FOR AUTHORITY TO PAY CERTAIN MEDICAL AND ATTORNEYS LIENS ON THE PROCEEDS AS WELL AS THE DEBTOR'S PERSONAL INJURY EXEMPTION OF \$15,000.00.**

NOW COMES the Trustee, Joseph D. Olsen, by his attorneys, Yalden, Olsen & Willette and for his Notice of a Binding Mediation Award and Motion to Compensate the Estate's Personal Injury Attorneys Fees of \$117,000.00 and Advanced Costs of \$84.63 and for Authority to Pay Certain Medical and Attorneys Liens on the Proceeds as Well as the Debtor's Personal Injury Exemption of \$15,000.00 hereby states as follows:

1. That the Debtor, Paul Dulberg, filed his Voluntary Petition for Relief pursuant to Chapter 7 of Title 11 November 26, 2014;
2. That Joseph D. Olsen is the Successor Trustee of the above captioned estate;
3. That on the date of the petition the Debtor, Paul Dulberg, had a certain personal injury cause of action pending against David Dagnon in the Circuit Court of the 22<sup>nd</sup> Judicial Circuit, McHenry County, Illinois in Cause #12 LA 178;
4. That on or about October 31, 2016 this Court authorized the Trustee to enter into a Binding Mediation Agreement which contained a "low/high" component. In essence this mediation award, no matter what it was, could be no lower than \$50,000.00 and no higher than \$300,000.00;
5. That the award of the mediator was in excess of \$300,000.00 and accordingly under the Binding Mediation Agreement the Plaintiff's award was capped at \$300,000.00;

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6. That on or about October 31, 2016 this court authorized the employment of Baudin Law Group, Ltd as attorneys for the Trustee to pursue the aforescribed personal injury cause of action. The engagement agreement with the Baudin Law Group, Ltd provided for a contingency fee of 40% of the amount recovered (Baudin Law Group recovered \$1,000.00 on a Med Pay Policy in addition to medication award.) less the retainer paid (\$3,333.33) and reimbursement for advanced costs;

7. That the Trustee proposes to pay to the Baudin Law Group, Ltd the sum of \$117,000.00 (the contingency fee of 40% of \$300,000.00 plus the contingency fee os 1/3 on the Med Pay Policy of \$1,000.00; is \$120,333.33 minus the aforescribed retainer) and its advanced costs of \$84.63 all is more particularly more set forth in the Trustee's Exhibit "A" which is attached hereto and made a part thereof;

8.(i) Further the Trustee proposes to pay certain medical and other liens on the proceeds of the personal injury exemption as follows:

MedChex/Open Advanced MRI of Round Lake	\$3,390.00
Dr. Karen Levin	\$2,420.00
Hand Surgery Associates S.C.	\$9,189.00
Northwest Community Hospital	\$6,366.00
Powers & Moon/Northern Illinois Medical Center	\$1,323.75
Total Liens:	\$22,688.75

(ii) And the Debtor's previous personal injury attorneys have a claims for advanced costs in pursuing the

personal injury settlement as follows:

The Law Offices of Thomas J Popovich, P.C.	\$1,539.32
Brad J Balke, P.C.	\$1,539.32
Total costs:	\$3,078.64

(iii) And the invoice (1/2) of the Mediator \$1,938.00

9. Further the Trustee proposes to pay the Debtor herein, Paul Dulberg, his personal injury exemption in the amount of \$15,000.00.

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WHEREFORE, the Trustee, Joseph D. Olsen, requests:

A. This Court to authorize the payments to the Trustee's special counsel, Baudin Law Group, Ltd, the sum of \$117,084.63 as in for the contingency fees and advanced costs;

B. This Court to authorize the payments of the other lien claimants of the personal injury proceeds as aforescribed;

C. This Court authorize the payment of ½ the Mediator charges;

D. This Court to authorize the payment of \$15,000.00 to the Debtor as in for his personal injury exemption;

E. To authorize the Trustee to execute any documents necessary to effectuate the afore-described transactions;

JOSEPH D. OLSEN, Trustee

By: YALDEN, OLSEN & WILLETTE, his attorneys

By: s/s Joseph D. Olsen

Joseph D. Olsen  
Yalden, Olsen & Willette  
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Rockford, IL 61104-2228  
815-965-8635  
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Associated Neurology SC  
1900 Hollister Drive  
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Libertyville, IL 60048-5249

Cabelas Visa Center  
World's Foremost Bank  
PO Box 82609  
Lincoln, NE 68501-2609

Capital One Bank (USA), N.A.  
PO Box 71083  
Charlotte, NC 28272-1083

Hand Surgery Associates, SC  
Dr. Sagerman / Dr. Biafora  
515 W. Algonquin Road  
Arlington Heights, IL 60005-4405

Moraine Emergency Physicians  
4102 Medical Center Drive  
McHenry, IL 60050

Northwest Suburban Anesthesiologists  
8163 Solutions Center  
Chicago, IL 60677-8001

Oak Trust Credit Union  
444 N Bola Rd, Suite 101  
Aurora, IL 60502-9620

Walgreens  
3925 W. Elm Street  
McHenry, IL 60050-4361

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Law Office of David L. Stretch  
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McHenry, IL 60050-7410

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PO Box 851001  
Dallas, TX 75285-1001

Capital One Bank  
Attn: General Correspondence  
PO Box 30285  
Salt Lake City, UT 84130-0285

Dr. Frank W. Sek  
4606 W. Elm Street  
McHenry, IL 60050-4015

MidAmerica Hand to Shoulder Clinic  
Dr. Talerico  
75 Remittance Drive, Suite 6035  
Chicago, IL 60675-6035

Northern Illinois Medical Center  
4201 Medical Center Drive  
McHenry, IL 60050-8499

Oak Trust Credit Union  
12251 S Route 59  
Plainfield, IL 60585-9189

Open Advanced MRI of Round Lake  
Medchex  
PO Box 502  
Katonah, NY 10536-0502

Walmart Pharmacy  
3801 Running Brook Farms Boulevard  
Johnsburg, IL 60051-5425

Paul R. Dulberg  
4606 Hayden Court  
McHenry, IL 60051-7918

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