

1 STATE OF ILLINOIS )  
 ) SS:  
2 COUNTY OF MCHENRY )

3 IN THE TWENTY-SECOND JUDICIAL CIRCUIT  
4 MCHENRY COUNTY, ILLINOIS

5 PAUL DULBERG, )  
 )  
6 Plaintiff, )  
 )  
7 vs. ) No. 12 LA 178  
 )  
8 DAVID GAGNON, Individually, )  
9 and as Agent of CAROLINE )  
10 MCGUIRE and BILL MCGUIRE and )  
11 CAROLINE MCGUIRE and BILL )  
12 MCGUIRE, Individually, )  
13 Defendants. )

14 ELECTRONICALLY RECORDED Report of  
15 Proceedings had in the above-entitled cause before  
16 The Honorable Thomas A. Meyer, Judge of the Circuit  
17 Court of McHenry County, Illinois, on the 21st day of  
18 July, 2016, in the Michael J. Sullivan Judicial Center,  
19 Woodstock, Illinois.

20 APPEARANCES:

21 THE BAUDIN LAW GROUP LTD., by:  
22 MS. KELLY N. BAUDIN,

23 on behalf of the Plaintiff;

24 LAW OFFICE OF STEVEN A. LIHOSIT, by:  
MS. SHOSHAN E. REDDINGTON,

on behalf of the Defendant David Gagnon.

1       THE COURT: I'm going to skip to Dulberg versus  
2 Gagnon.

3       MS. BAUDIN: Good morning, Your Honor.

4       THE COURT: Good morning.

5       MS. BAUDIN: Kelly Baudin on behalf of the  
6 plaintiff. Mr. Dulberg is present and approaching.

7       MS. REDDINGTON: Good morning, Judge. Shoshan  
8 Reddington for the defendant.

9       THE COURT: Good morning.

10       MS. REDDINGTON: We talked last night. We've got  
11 some things agreed to, so I would like to just give us a  
12 moment to discuss that and step back up.

13       THE COURT: Okay. I will pass.

14       MS. BAUDIN: Thank you.

15       MS. REDDINGTON: Thank you.

16       THE COURT: All right. Thank you.

17                       (Whereupon, the above-entitled cause  
18                       was passed and subsequently recalled.)

19       MS. BAUDIN: Okay, Judge. As you know, we had  
20 previously been discussing binding mediation. We came  
21 to a semi-agreement, --

22       THE COURT: Okay.

23       MS. BAUDIN: -- but we would like probably two weeks  
24 to just see if we can figure out the details and see if

1 we can reach an agreement on how that is going to  
2 proceed. So I think we're looking at an August 4th date  
3 for that.

4 THE COURT: Can't do August 4th --

5 MS. BAUDIN: Oh, okay. I just was looking at two  
6 weeks, Your Honor.

7 THE COURT: -- because that's when I'm not here.

8 MS. BAUDIN: Oh, I see on the calendar. I  
9 apologize.

10 THE COURT: Any day after that.

11 MS. REDDINGTON: The following week, anything?

12 MS. BAUDIN: Grab my -- Let's say either the 8th or  
13 the 10th are probably the best.

14 THE COURT: Either's fine?

15 MS. REDDINGTON: My calendar's currently crashed on  
16 my -- so I can't answer that, but --

17 MS. BAUDIN: Why don't we do the 10th, just so  
18 it's --

19 THE COURT: Is there a date you know you're going to  
20 be here?

21 MS. REDDINGTON: No.

22 THE COURT: Okay.

23 MS. REDDINGTON: Judge, and I have several motions,  
24 and what I'd like to do is get the trial stricken which

1 is on 9/- --

2 MS. BAUDIN: 27th I believe or 22nd?

3 MS. REDDINGTON: -- the 26th, and then to set it for  
4 the status instead on the 8/10, and then I also had a  
5 motion on an IME. I'm a little stymied right now  
6 because my claim rep is out this week and there's a  
7 couple of issues that I can't answer for counsel, but if  
8 we do get the agreement in place, what we'd like to do  
9 is do the mediation and then come back for a status to  
10 dismiss it once the mediation is done, if that's  
11 agreeable.

12 THE COURT: First off, with respect to the motion to  
13 strike the trial date, any objection?

14 MS. BAUDIN: No.

15 THE COURT: All right. I will -- I will strike the  
16 trial date for September 26, as well as the pretrial  
17 date of the 23rd.

18 MS. REDDINGTON: Okay.

19 THE COURT: I will enter and continue your other  
20 motions until we're certain what's going to happen.

21 MS. REDDINGTON: Okay.

22 THE COURT: The removal of the trial date pretty  
23 much means we can do anything.

24 MS. REDDINGTON: Takes care of that. Okay.

1           And hopefully we'll come back with everything  
2 in place and then we'll just even set a date and then  
3 get a status for after that date to be able to come back  
4 and say it's done; we're willing to dismiss with  
5 prejudice because mediation's binding and it's done.

6           THE COURT: All right. However you want to do it,  
7 it is fine.

8           MS. REDDINGTON: Thank you.

9           THE COURT: All right. Take care.

10          MS. BAUDIN: Thank you.

11                       (Which was and is all of the evidence  
12                       offered at the hearing of said cause  
13                       this date.)

14

15

16

17

18

19

20

21

22

23

24

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

5 I, Stacey A. Collins, an Official Court  
6 Reporter of the 22nd Judicial Circuit of Illinois, do  
7 hereby certify the foregoing to be a true and accurate  
8 transcription to the best of my ability and based on the  
9 quality of the recording of all the proceedings heard on  
10 the electronic recording system in the above-entitled  
11 cause.

12   
13

14 Stacey A. Collins, CSR  
15 Official Court Reporter  
16  
17  
18  
19  
20  
21  
22  
23  
24