


From: Paul Dulberg Paul_Dulberg@comcast.net 
Subject: Re: Filing Submitted for Case: 25884372; ; Envelope Number: 25884372
Date: January 9, 2024 at 10:12 AM
To: Alphonse Talarico alphonsetalarico@yahoo.com
Cc: Tom Kost tkost999@gmail.com
Bcc: Paul Dulberg Paul_Dulberg@comcast.net

PD

I forgot to attach the petition downloaded from eFileIL so here it is.

01082024
petition.pdf

On Jan 9, 2024, at 9:58 AM, Paul Dulberg <Paul_Dulberg@comcast.net> wrote:

Dear Mr Talarico,

I used the email you provided to download a copy of the petition filed with eFileIL yesterday.

If I remember correctly, you said the Illinois Supreme Court Rules allow for embedding hyperlinks to documents in the petition.

The copy of the petition I downloaded from eFileIL today using your email to access has a different file name from the one we sent you and has all the embedded hyperlinks either disabled or stripped from the file.

Obviously without working hyperlinks the appendix/documents are not available to those reviewing the document.

I then reviewed the document we sent to you and all the embedded hyperlinks work.

My questions are:

Does eFileIL automatically strip or disable the embedded hyperlinks that are approved by Supreme Court Rules?

Did you resave the file and unwittingly not have the preserve hyperlinks box checked?

How do we go about making sure eFileIL has a copy of our petition with working hyperlinks that comply with the Supreme Court Rules?

Thanks,
Paul

On Jan 9, 2024, at 8:40 AM, Alphonse Talarico <alphonsetalarico@yahoo.com> wrote:

Gentlemen,

This is the new window I was telling you about starting Monday.

The submitted pages will not receive a file stamp marking until accepted by the clerk, and then my account will be charged.

When the clerk of the Supreme Court of Illinois reviews the PFLTA is up to the Supreme Court.

If accepted there will be additional fees as I would have to serve 13 paper copies pursuant to rule by hand delivered to Springfield Illinois.

Use my email to view what they have;

alphonsetalarico@yahoo.com

Thank you,

Alphonse A. Talarico Esq.
3128081410
3126081410

On Tuesday, January 9, 2024 at 08:22:08 AM CST, Paul Dulberg <paul_dulberg@comcast.net> wrote:

Dear Mr Talarico,

Attached is a screenshot of the response when I tried to download the document from eFileIL

Attached is a screenshot of the response when I try to download the document from eFileIL.

Can you send me a file stamped copy of the petition?

Also, Should I be cutting you a check for \$51.44 for the Case fees listed on the eFileIL report?

Thank you,

Paul

<Screenshot 2024-01-09 at 8.15.20 AM.png>

On Jan 9, 2024, at 8:13 AM, Alphonse Talarico <alphonsetalarico@yahoo.com> wrote:

----- Forwarded Message -----

From: "no-reply@efilingmail.tylertech.cloud" <no-reply@efilingmail.tylertech.cloud>

To: "alphonsetalarico@yahoo.com" <alphonsetalarico@yahoo.com>

Sent: Monday, January 8, 2024 at 10:38:46 PM CST

Subject: Filing Submitted for Case: 25884372; ; Envelope Number: 25884372



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Filing Submitted

Envelope Number: 25884372

Case Number: 25884372

Case Name:

The filing below has been submitted to the clerk's office for review and assigned **Envelope Number: 25884372**. You will be notified by email in 24-48 hours if your filing has been accepted or rejected.

Filing Details	
Court	Supreme Court of Illinois
Date/Time Submitted	1/8/2024 10:38 PM CST
Filing Type	EFileAndServe
Filing Description	Petition for Leave to Appeal
Filing Code	Petitions - PLA Filed
Filed By	Alphonse Talarico
Filing Attorney	Alphonse Talarico

Fee Details	
Your account is never charged until your filing is accepted. If you see any pending charges on your account prior to acceptance, this is an authorization hold to ensure the funds are available so your filing can be accepted without delay.	
If the filing is canceled or rejected these funds will be released and will return to your account according to your financial institution's policies (typically 3-10 business days).	
This envelope is pending review and fees may change.	
Case Fee Information	\$51.44
Case Fees	\$50.00
Document Service Fee	\$1.44

Payment Service Fees	\$1.44
Petitions - PLA Filed	\$0.00
Total: \$51.44 (The envelope still has pending filings and the fees are subject to change)	

Document Details	
Lead Document	01082024 petition.pdf
Lead Document Page Count	18
File Copy	Download Document
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<https://illinois.tylertech.cloud/ViewDocuments.aspx?FID=fcf55a8-9896-4ae6-92e9-10a8826de69f>

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For technical assistance, contact your service provider

Odyssey File & Serve

(800) 297-5377

Please do not reply to this email. It was automatically generated.

<Screenshot 2024-01-09 at 8.15.20 AM.png>

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Counsel for Defendants-Appellees

PREAMBLE:

Much of the matter that follows can be characterized as a snowballing effect caused by fraud committed by officers of the court. Currently there are nine (9) related ARDC investigations pending ([#2023INO2517](#), [#2023INO2518](#), [#2023INO3135](#), [#2023INO3136](#), [#2023INO3894-R](#), [2023INO3898-R](#), [#2023INO3897-R](#), [2023INO3895-R](#), [#2023INO3896-R](#)) (A1), one (1) submitted Judicial Inquiry Board “Complaints against a Judge,” (Associate Judge Joel D. Berg) and one (1) Judiciary Inquiry Board “Complaint against a Judge” that was unable to be processed because the individual named (former Associate Judge Thomas A. Meyer) is no longer an active Illinois state court judge.

The events of this matter occurred over a period of time in excess of 13 years and the [Record on Appeal](#), with at least two known dates of ROPs missing from the file, is currently equal to or greater than two thousand six hundred and sixty pages (2660).

This matter was hampered not only by the fraud committed by officers of the court but also by the traumatic life events that befell Plaintiff/Appellant Paul R. Dulberg but also his attorney as follows:

- a. The unexpected death of key witness, lifelong friend and live-in caretaker Michael McArtor;
- b. The disappearance of, false arrest and medieval interrogations, imprisonment and, by law, lack of the ability to consult with an attorney, nor contact anyone of Plaintiff/Appellant’s attorney Alphonse A. Talarico’s fiancé during a scheduled stopover in Tokyo, Japan on the way to O’Hare International Airport, Illinois.

The Appellate Court was made aware of each traumatic life event through motions for extension of time and other related and consequential motion practice but culminated in the order that ended this matter before the Appellate Court. (A2)

PRAYER FOR LEAVE TO APPEAL

Pursuant to Illinois Supreme Court Rule 315(c)(1)

Paul R. Dulberg petitions for leave to appeal the judgement of the Illinois Appellate Court for the Second District in *PAUL R. DULBERG v. HANS MAST and the LAW OFFICES OF THOMAS J. POPOVICH, P.C.* 2023 IL App (2nd) 2-23-0072.

STATEMENT OF THE DATE UPON WHICH THE JUDGEMENT WAS ENTERED

Pursuant to Supreme Court Rule 315(c)(2)

The Date the Judgment was entered is December 4, 2023. There was no petition for rehearing filed. (A3)

**STATEMENT OF THE POINTS RELIED UPON IN ASKING THE SUPREME COURT
TO REVIEW THE JUDGEMENT OF THE APPELLATE COURT**

Pursuant to Illinois Supreme Court Rule 315(c)(3)

1. There are 9 ARDC COMPLAINTS filed and a submitted Judicial Inquiry Board “Complaints against a Judge,” in relation to this case.
 - a. Due to the nature and severity of the ARDC complaints there is the need for the exercise of the Supreme Court’s supervisory authority in this case.
 - b. Dulberg was targeted by his own attorneys (in collaboration with opposing counsel) by a sophisticated system of document and information suppression to sabotage his case against the Defendant/Appellees.
 - c. Dulberg was subject to fraud perpetrated by officers of the court so that the judicial machinery could not perform in the usual manner its impartial task of adjudicating cases.
2. APPELLATE COURT ORDERS DENIED DULBERG THE ABILITY TO SUPPLEMENT THE RECORD WITH RELATED CASES.
 - a. Recusal ORDERS of Associate Judge Thomas A. Meyer in cases with Defendants-Appellees (A4)
 - b. Motion to fix 17LA377 clerks file (problems with clerks file described in next section)

- c. Motion to add [Barbara G. Smith thumbdrive](#). (A5) Also described in Clinton-Williams ARDC Section 2K and Section 2C ([#2023INO2517](#), [#2023INO2518](#))
- d. Motion to add related cases (A6). Significance of cases also described in ARDC complaint Popovich-Mast, Balke, Baudins, Gooch-Walczyk ([#2023INO3135](#), [#2023INO3136](#), [#2023INO3894-R](#), [2023INO3898-R](#), [#2023INO3897-R](#), [2023INO3895-R](#), [#2023INO3896-R](#))
- e. Supreme Court Rule 329 gives us the right to supplant or correct the record through the appellate court.
- f. Law never requires doing a useless thing. At this point it was impossible for us to return to the 22nd Judicial Circuit Court for the request. (A7)

3. APPELLATE COURT ORDER DENIED DULBERG’S REQUEST FOR AUDIT

(concerning missing and altered documents in Clerks file)

- a. The Record on Appeal was filed on April 24, 2023.
- b. Common Law Record Volume 1, Common Law Record Volume 2 and Reports of proceedings all have a submission date of April 24, 2023 from 10:00 AM to 10:03 AM. (A8)
- c. The Record on Appeal was made available for download on April 25, 2023 at 8:48 AM (A9)
- d. Common Law Volume 1 has a creation date of April 24, 2023 at 9:31 AM. Common Law Volume 2 has a creation date of April 24, 2023 at 9:28 AM. The Reports of proceedings has a creation date of April 25, 2023 at 8:06 AM and is missing ROPs from two different dates. Note creation date is AFTER submission date. (A10)
- e. The creation dates show that the CLR vol 1 and 2 were treated differently than the ROP. They followed a different pathway in the digital system.
- f. There are missing ROPs, mismatched sections and broken hyperlinks.
- g. Hyperlinks are broken in a way that only defendants motion-to-dismiss and after are

working. Hyperlinks are broken in a way which favors the defendants

4. APPELLATE COURT ISSUED ORDERS WITHOUT JUDGES NAMES

- a.** The following orders were issued by the 2nd Appellate Court, none of which were signed by any Judges and were signed only by the clerk:

5-26-2023 granted ([A12](#))

7-25-2023 granted ([A13](#))

10-10-2023 denied ([A14](#))

11-09-2023 denied ([A15](#))

- b.** All motions had Illinois Supreme Court approved proposed order forms submitted with them that were tossed aside and disregarded by the second district appellate court:

5-24-2023 proposed order ([A16](#))

7-24-2023 proposed order ([A17](#))

10-01-2023 proposed order ([A18](#))

11-03-2023 proposed order ([A19](#))

- c.** Dulberg contacted the Appellate Court clerk to ask for the actual order signed by a Judge and not just what appeared to be the clerk's notice. He was informed that the one signed by the clerk was the court order. ([A20](#))
- d.** The only appellate court order showing some of the Judges names is the final dismissal order on 12-04-2023 and was only signed by the clerk ([A21](#))
- e.** The final dismissal order on 12-04-2023 is when Dulberg first saw Huchinson's name typed on an order signed by the clerk. ([A22](#)) Dulberg lost his statutory right (735 ILCS 5/2-1001(a)(2)) to substitute the Judge because he was not informed which judges were assigned to his case. Dulberg and his attorney believed these rulings came from the clerk's office alone since that is all they were shown.
- f.** Dulberg can find no local rule in the appellate court allowing the clerk to create and

sign their own ORDER while tossing aside and disregard the Illinois Supreme Court approved proposed order form properly filed with each motion.

5. Judge Hutchinson previously presided over a 1990 case involving Dulberg in McHenry County Illinois that was a was a high profile case and heavily covered in the local press.
 - a. In a 1990 case Dulberg had filed a series of motions all to be heard at the same time based on witness testimony previously given before Judge Hutchinson.
 - b. Before the motions were to be heard, Dulberg remembers that Judge Hutchinson asked the parties to approach the bench and explained to Dulberg's attorney and the states attorney why she was splitting the motions up. Judge Hutchinson would hear the motions for reconsideration and was having the motion to quash assigned to another judge.
 - c. Judge Hutchinson explained that she had to hear the motions for reconsideration because she made the prior rulings but the motion to quash was new and since she felt the states witnesses were less than honest when testifying before her on the issues now raised in the motion to quash she was concerned with the political implications of her possible ruling and how it would be played in the local press due to her running for the position she currently holds in the Appellate court.
 - d. During the 1990 case Judge Hutchinson did cause a split of the series of motions filed at the same time, she did hear the motions to reconsider and had the motion to quash assigned to another Judge that was not present for the live testimony.
 - e. Judge Hutchinson had placed her political aspirations to become an appellate court judge above the case before her because she feared the local press coverage and possible political ramifications if she were to rule in favor of Dulberg.
 - f. Hutchinson was then reassigned to less publicized cases for the duration of her campaign for appellate Court Judge.
 - g. The 1990 case was a high profile case for Hutchinson and widely publicized by

the local newspaper covering McHenry County. During Dulberg's case Hutchinson decided to run in the election for Appellate Court.

If Dulberg knew Judge Hutchinson was assigned to this appeal more than 30 years after his prior 1990 case he would have asked for a substitution of Judge by right.

6. MOTION TO RULE WAS ACCEPTED DECEMBER 3, IGNORED BEFORE FINAL RULING ON DEC 4, AND SENT BACK ON DEC 5

(this is a retroactive use of dismissal order on motions timely and properly filed before the dismissal)

- a.** On December 3, 2023 Dulberg filed a Motion for Ruling on his November 21, 2023 Motion to Reconsider. ([A23](#))
- b.** On December 4, 2023 Dulberg received a final ORDER, dismissing the case for not filing a brief, The ORDER was signed only by the clerk with a few of the Judges names appearing for first time in print on the ORDER. ([A21](#))
- c.** On December 5, 2023 the Motion for Ruling filed on December 03, 2023 was sent back because the case was dismissed on December 04, 2023 after the proper and timely filing of the motion prior to dismissal. ([A24](#)) It is as if the later dismissal of the case can be applied retroactively to motions timely and properly filed before the case was actually dismissed.

7. ORDER DENIED OVER EXTENSION OF TIME TO FILE

Previous motions for extension of time were based on serious family emergencies. (**A2**)

8. Contrary to the precise ruling contained in Suburban Real Estate Services, Inc. v. Carlson, 2022 IL 126935, 193 N.E.3d 1187, 456 Ill.Dec.779 (Ill.2022) the trial court was not clear and erred. Associate Judge Joel D. Berg, being a personal friend of the sole (at this time and 50% with ex-wife previously) owner of the Defendant/Appellee's Law firm, was not clear in his ruling and failed to take into account or recognize the principal/agent relationship between the codefendants in the underlying case (12LA178). Associate Judge Joel D. Berg erroneously

set the date that Plaintiff/Appellant knew or should have known of the pecuniary injury back to the time of the alleged wrongdoing as sometime on or before the Defendant's/Appellee's withdrawal from the underlying case (12LA178) in March of 2015. Associate Judge Joel D. Berg did not take into account the fact that without the coerced settlement the principal would remain vicariously liable for anything the agent could not pay if found negligent (which did occur on December 12, 2016, the only time the pecuniary injury could be calculated since anything prior would be purely speculative).

9. Article XI Illinois Code of Judicial Conduct was violated:

Rule 1.2 Promoting Confidence in the Judiciary;

Rule 2.2 Impartiality and fairness;

Rule 2.3 Bias, Prejudice and Harassment;

Rule 2.11 Disqualification.

**A FAIR AND ACCURATE STATEMENT OF THE FACTS, WHICH CONTAINS THE
FACTS NECESSARY TO AN UNDERSTANDING OF THE CASE**

Pursuant to Illinois Supreme Court Rule 315(c)(4)

I. WHAT HAPPENED IN THE TWENTY SECOND JUDICIAL CIRCUIT COURT OF
MCHENRY COUNTY:

1. 12LA178 was filed On May 15, 2012 and is the underlying case to 17LA377.
 - a. The case records from 12LA178 were motioned to be added to the record on appeal but the motion denied by the Appellate Court so it cannot be referenced in the record on appeal.
 - b. It is not possible to give a fair and accurate statement of the facts necessary to understand the case without referencing 12LA178.
 - c. A statement of the facts of 12LA178 was already provided to the Supreme Court in the following 5 ARDC complaints: [#2023INO3135](#), [#2023INO3136](#), [#2023INO3894-R](#), [#2023INO3897-R](#), [2023INO3898-R](#).

- d. In 2011 Plaintiff/Appellant Paul R. Dulberg was permanently injured by a chainsaw owned by Caroline and William McGuire (principles) but operated by their chosen agent David Gagnon.
- e. The debilitating injuries caused Dulberg to seek out a law firm (Law Offices of Thomas J. Popovich, P.C.) and they filed a cause of action for negligence in the Twenty Second Judicial Circuit Court of McHenry County, case number 12LA178 against both the chainsaw owners for negligence under vicarious liability and their chosen operator for negligence.
- f. The Trial Court Judge for the original matter (12LA178) was then Associate Judge Thomas A. Meyer. Thomas A. Meyer is a close personal friend of Thomas J. Popovich, owner of the Law offices of Thomas J. Popovich, P.C.. Associate Judge Thomas A. Meyer did not disclose his personal friendship with Thomas J. Popovich nor did he recuse himself from the underlying case 12LA178.
- g. The Law Offices of Thomas J. Popovich, P.C. systematically coerced a \$5000 settlement out of the Plaintiff/Appellee Paul R. Dulberg. Popovich and Mast submitted an unauthorized settlement offer of \$7500.00 on October 22, 2013 to the attorney (Ronald Barch) representing the McGuires without informing Dulberg. Popovich and Mast repeatedly told Dulberg in emails, telephone conversations and at meetings that case law doesn't support Dulberg's claim against the McGuires. Popovich and Mast claimed the case against the McGuires is a common law 318 case not adopted by Illinois. Popovich and Mast provided Dulberg with a certified slip copy of Patricia TILSCHNER, Plaintiff–Appellant, v. Lowell SPANGLER and Ralph M. Ruppel, Defendants–Appellees. No. 2–10–0111. Decided: May 06, 2011 and other rulings copied from law books to prove it his legal opinion. The Law Offices of Thomas J. Popovich provided forged documents (depositions) to Dulberg to read from which Dulberg was to make the settlement decision. This took place years prior

- to final adjudication of the matter with the chainsaw operator or agent (Gagnon).
- h.** As a direct result of the coerced settlement the remainder of the underlying case 12LA178 became an asset of a Federal Bankruptcy Estate, Bk No. 14-83578 in the Northern District of Illinois, Western Division in November 2014 and was under an automatic stay.
 - i.** The Law Offices of Thomas J. Popovich P.C. proceeded to file motions attempting to settle with the remaining defendant (Gagnon) in the 22nd Judicial Circuit Court as if no stay was in place and without permission of the bankruptcy estate trustee or court. Unsuccessful in settling with the remaining defendant, The Law Offices of Thomas J. Popovich withdrew in March 2015.
 - j.** Associate Judge Thomas A. Meyer continued in circuit court in violation of the automatic stay. Associate Judge Thomas A. Meyer instructed Plaintiff/Appellate Paul R. Dulberg that he would need to find new counsel, file a pro se appearance or face dismissal of the cause of action. Dulberg, having no standing but following Associate Judge Meyer's instructions, hired Brad J. Balke.
 - k.** Brad J Balke operated in violation of the stay and pressed forward in the 22nd Judicial Circuit Court attempting to get Plaintiff/Appellee Paul R. Dulberg to accept the same settlement deal the Law Offices of Thomas J. Popovich, P.C. pursued. Plaintiff/Appellate Paul R. Dulberg fired Brad J. Balke, P.C. and was once again instructed by Associate Judge Thomas A. Meyer to find new counsel, file an appearance pre se or have his case dismissed. Dulberg, having no standing but following Associate Judge Meyers instructions, hired Baudin and Baudin an association of attorneys.
 - l.** Baudin and Baudin operated in violation of the stay in the 22nd Judicial Circuit Court for about 16 months. Baudin and Baudin struck a deal with the remaining Defendants' insurance carrier Allstate to enter into a capped ADR agreement, reporting the deal

- to Associate Judge Thomas A. Meyer on August 10, 2016 against Plaintiff/Appellant Paul R. Dulberg's desires and in violation of the stay.
- m.** Attorneys Kelly Baudin and Randall Baudin (acting under the name Baudin Law Group) then made contact with a newly appointed bankruptcy estate trustee sometime after September 1, 2016 and were approved to be hired by the bankruptcy court on October 31, 2016, providing falsified affidavits containing contracts for legal services with Baudin and Baudin an association of attorneys. The bankruptcy Trustee then made misrepresentations of Dulberg's desires to the bankruptcy court claiming Dulberg wanted the capped ADR agreement.
 - n.** After the ADR award on December 12, 2016, Dulberg could finally calculate and realize a pecuniary injury from the Law Offices of Thomas J. Popovich, P.C. for mishandling his case against the principle (the McGuires).
 - o.** Plaintiff/Appellant Paul R. Dulberg, now able to realize a pecuniary injury, hired Thomas Gooch of Gauthier and Gooch and filed a legal malpractice suit in the 22nd Judicial Circuit Court of McHenry County, case number 17LA377 in November 2017.
- 2.** 17LA377 was filed on November 28, 2017 and is the underlying case to 2-23-0072 filed in the Illinois Appellate Court Second District. **(A12)**
- a.** A statement of the facts of 17LA377 was already provided to the Supreme Court in the following 4 ARDC complaints: [#2023INO3895-R](#), [#2023INO3896-R](#), [#2023INO2517](#), [#2023INO2518](#)
 - b.** Associate Judge Meyer was assigned to 17LA377 in the 22nd Judicial Circuit Court of McHenry County and did not self recuse (even though he was personal friends with the defendants and possibly a witness in the instant case, since he presided over the underlying case 12LA178).
 - c.** Defendant/Appellee moved for Summary Judgement, Judge Meyer set the hearing

date and was replaced by Associate Judge Joel D. Berg.

- d.** Associate Judge Joel D. Berg did not self recuse and is also an admitted close personal friend of Thomas J. Popovich and also has self recused from cases where Thomas J. Popovich is a defendant. This was [discovered in documents filed in other cases](#) but not allowed to be part of the record on appeal.
- e.** Associate Judge Joel D. Berg entered Judgement in favor of the defendants.
- f.** Associate Judge Joel D. Berg set the date that Plaintiff/Appellant knew or should have known of the pecuniary injury back to when the Defendant/Appellee committed the wrong doing (before Defendant/Appellee withdrew in March of 2015 even though Dulberg pled the discovery of the pecuniary injury came after the final award was issued against the principles agent on December 12, 2016).

II. WHAT HAPPENED IN THE ILLINOIS APPELLATE COURT SECOND DISTRICT:

- 1.** Appeal 2-23-0072 was filed on March 3, 2023.
 - A.** There were 2 previous extensions of time granted for Motions filed on May 24, 2023 and July 24, 2023 based on:
 - a.** The unexpected death of key witness, lifelong friend and live-in caretaker Michael McArtor;
 - b.** The disappearance of, false arrest and medieval interrogations , imprisonment and, by law, lack of the ability to consult with an attorney, nor contact anyone of Plaintiff/Appellant's attorney Alphonse A. Talarico's fiancé during a scheduled stopover in Tokyo, Japan on the way to O'Hare International Airport, Illinois.
 - c.** Incomplete Appeal Package
 - B.** On October 2, 2023 Dulberg filed a Motion which asked for:
 - a.** Extension of time to file
 - b.** Amend docking statement to include related cases
 - c.** 22nd Judicial Circuit clerk amended record to include missing documents

- d. Allow appellant to request record on appeal for related cases
 - e. Allow appellant to file brief in excess of prescribed page limit
- C. All 5 were denied with no explanation, with no judges names on the ORDERS and only the clerk signing the Court Orders (filed motions contained Supreme Court approved court proposed order forms that must be used by all courts in the state when submitted).
- D. On November 3, 2023 Dulberg filed an Emergency Motion which asked (a) to Supplement record on Meyer Recusal ORDERS, (b) for the thumbdrive of Barbara G. Smith and (c) For an audit of the 17LA377 clerks documents, the emergency motion being based on:
 - a. Newly discovered Associate Judge Thomas A. Meyer recusal issues with Defendant/Appellee.
 - b. Associate Judge Thomas A. Meyer was the same judge in underlying case 12LA178 in violation of recusal issues with Defendant/Appellee and Associate Judge Thomas A. Meyer would be a potential witness in the current case 17LA377.
 - c. Meyer refused to enter a subpoenaed thumb drive from Barbara G. Smith into the record that put the entirety of the Mast deposition issues in full context.
 - d. Discovered missing or materially altered documents and requesting an independent audit of clerks files for the missing documents.
- E. All 4 were denied with no explanation, with no judges names on the ORDERS and only the clerk signing the Court Orders (filed motions contained Supreme Court approved court proposed order forms that must be used by all courts in the state when submitted).
- F. On November 21, 2023 Dulberg filed a Motion to Reconsider based on:
 - a. Previous motions for extension of time were based on serious family emergencies

- b. Supreme Court Rule 329 gives us the right to supplant or correct the record through the Appellate Court
 - c. Law never requires doing a useless thing. At this time it was impossible for Dulberg to return to the 22nd Judicial Circuit Court for the request
- G. Dulberg's Motion to Reconsider was denied on December 4, 2023 and the case was dismissed.

**A SHORT ARGUMENT STATING WHY REVIEW BY THE SUPREME COURT IS
WARRANTED AND WHY THE DECISION OF THE APPELLATE COURT SHOULD
BE REVERSED OR MODIFIED**

Pursuant to Illinois Supreme Court Rule 315(c)(5)

I. The Illinois Supreme Court should review this matter because the trial court summary judgment ruling disregarded the Supreme Court's clear statement in *Suburban Real Estate Services, Inc. v. Carlson*, 2022 IL 126935, 193 N.E.3d 1187, 456 Ill.Dec.779 (Ill.2022) that in a legal malpractice case the Statute of Limitations does not begin to run until a pecuniary loss is incurred.

1. In this matter the pecuniary loss was first experienced on December 12, 2016. Dulberg filed his Legal Malpractice action on November 28, 2017 within 2 years of the December 12, 2016 date.

2. Furthermore, the Constitution of the State of Illinois, Article VI (The Judiciary) Section 16 states:

SECTION 16. ADMINISTRATION

General administrative and supervisory authority over all courts is vested in the Supreme Court and shall be exercised by the Chief Justice in accordance with its rules. The Supreme Court shall appoint an administrative director and staff, who shall serve at its pleasure, to assist the Chief

Justice in his duties. The Supreme Court may assign a Judge temporarily to any court and an Associate Judge to serve temporarily as an Associate Judge on any Circuit Court. The Supreme Court shall provide by rule for expeditious and inexpensive appeals.

(Source: Illinois Constitution.)

II. A major issue that was discovered subsequent to the trial court granting summary judgment to the Defendants/Appellees is that one trial court judge was the judge for the underlying case and the current case, a matter of over (10) years, and the second judge who replaced the aforementioned judge for the hearing on Defendants/Appellees Motion for Summary Judgment had, for all times relevant herein each recused themselves for all cases assigned to them other than this case, based upon the fact that they were personal friends of the owner of Defendant/Appellees law firm.

III. The decision of the Appellate Court should be modified to allow the requested relief of supplementing the Record on Appeal to include the underlying case, the recusals of the two judges who regularly recused themselves as personal friends of the Owner of the Defendant/Appellee Law firm and the auditing by the suggested (in the motion) Expert attorney who had previously filed an audit report that was not allowed to be used to supplement the Record on Appeal indicated two missing Report of Proceedings.

IV. Due to the nature and severity of the ARDC complaints there is the need for the exercise of the Supreme Court's supervisory authority in this case.

APPENDIX

Pursuant to Illinois Supreme Court Rule 315(c)(6)

(A1) [All ARDC investigations pending filed by Dulberg](#) (#2023INO2517, #2023INO2518, #2023INO3135, #2023INO3136, #2023INO3894-R, 2023INO3898-R,

#2023INO3897-R, 2023INO3895-R, #2023INO3896-R)

- (A2) Family Emergency described in the pramble
- (A3) Illinois Supreme Court Rule 315(c)(2). [Judgment that was entered, December 4, 2023](#)
- (A4) Listed in [November 3, 2023 Emergency Motion](#) on page 4 and as exhibit A and [Combined Berg Meyer Recusal Orders](#)
- (A5) Mentioned in [November 3, 2023 Emergency Motion](#) on page 5, paragraph 3. The contents of the thumbdrive are [linked here](#).
- (A6) Listed in [October 2, 2023 Motion](#) on page 7 (cases listed as a through e)
- (A7) Reasons why listed in [November 21, 2023 Motion to Reconsider](#) on page 6
- (A8) Exhibit in [November 3, 2023 Emergency Motion](#) on page 77 and 78 and [page 1 of CLR Vol 1](#) and [page 1 of CLR Vol 2](#) and [page 1 of ROP in 17LA377 Appeal Package](#)
- (A9) Exhibit in [November 3, 2023 Emergency Motion](#) on page 75
- (A10) Exhibit in [November 3, 2023 Emergency Motion](#) on page 77 and 78
- (A12) [May 26, 2023 Order: Motion granted](#)
- (A13) [July 25, 2023 Order: Motion granted](#)
- (A14) [October 10, 2023 Order: Motion denied](#)
- (A15) [November 9, 2023 Order: Motion denied](#)
- (A16) [May 24, 2023 Proposed Order](#)
- (A17) [July 24, 2023 Proposed Order](#)
- (A18) [October 1, 2023 Proposed Order](#)
- (A19) [November 3, 2023 Proposed Order](#)
- (A20) [Email between Dulberg and Appellate Court clerk](#)
- (A21) [December 4, 2023 Order: Motion denied, case dismissed](#)
- (A22) [Dulberg email](#)
- (A23) [December 3, 2023 Motion for Ruling](#)
- (A24) [December 5, 2023 email from Appellate Court: December 3 filing rejected](#)

CONCLUSION

For the foregoing reasons, Paul R. Dulberg respectfully requests that this Court grant this Petition and reverse the Second District's December 4, 2023 ruling.

Dated: January 8, 2024

Respectfully submitted by:

/s/ Paul R. Dulberg
Plaintiff-Appellant pro se

/s/ Alphonse A Talarico
Attorney for Plaintiff-Appellant

Alphonse A. Talarico (ARDC # 6184530)
The Law Office of ALPHONSE A. TALARICO
707 Skokie Boulevard #600,
Northbrook, Illinois 60062, United States
(312) 808-1410
contact@lawofficeofalphonsetalarico.com

CERTIFICATE OF COMPLIANCE

I certify that this brief conforms to the requirements of Rules 341(a) and (b). The length of this brief, excluding the pages containing the Rule 341(d) cover, the Rule 341(c) certificate of compliance, the certificate of service, and the Appendix, is # words.

/s/ Alphonse A. Talarico

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

CERTIFICATE OF SERVICE

The undersigned certifies under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, that on **January 8**, 2024, a copy of the foregoing Paul R. DULBERG's Petition for Leave to Appeal and the attached Paul R. Dulberg's Appendix to Petition for Leave to Appeal were filed and served upon the Clerk of the Illinois Supreme Court via the efileIL system through an approved electronic filing service provider and was served on counsel of record below in the manner indicated:

Via Email and approved efilng system

GEORGE K. FLYNN (ARDC # 6239349)
MICHELLE M. BLUM (ARDC # Not Available)
KARBAL COHEN ECONOMOU SILK DUNNE, LLC
200 S. Wacker Drive, Suite 2550
Chicago, IL 60606
Tel: (312) 431-3700
Fax: (312) 431-3670
gflynn@karballaw.com
mblum@karballaw.com
Counsel for Defendant-Appellees

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.

/s/ Alphonse A. Talarico