

Date : 12/19/2022 11:04:48 AM
From : "Paul Dulberg"
To : "Law Office Of Alphonse Talarico"
BCc : "Paul Dulberg" , "Tom Kost"
Subject : Re: Final Draft

Other than the minor fixes we already made over the phone I only see adding a few possible points to what you have in response to Mr Flynn's number 12 that can possibly be added to our response or offered up in oral argument at court.

Not sure how to word these or what order they would be best in but here it goes;

- If defendants argue that Mast did not give Dulberg the Tilschner slip ruling Dulberg believes this becomes a genuine issue of material fact that Dulberg would want a Jury to rule.
- If Mast is willing to submit himself to a fingerprint and DNA test, Dulberg is willing to pay for the comparable analysis of Masts DNA and Fingerprints and see if they can be identified on the original Tilschner slip ruling that Dulberg still posses and has preserved.
- The Tilschner ruling plays a major part and appears at or near the top of any result in any case law search software (eg. west law, etc.) when doing a search for Restatement of Torts 318 in Illinois case law search software.
- The original copy of the Tilschner slip copy in Dulberg's possession, Page 3, has a large portion highlighted in Yellow (By Mr Mast) on the 318 Restatement (Second) of Torts.

Lets talk about adding parts or all of the above to what you already have

Paul

On Dec 19, 2022, at 8:38 AM, Alphonse Talarico
<contact@lawofficeofalphonsetalarico.com> wrote:

Dear Mr. Dulberg,

Please review and approve by return email the attached final draft so that I can file and serve it in a timely fashion.

Your anticipated cooperation is greatly appreciated,

Alphonse A. Talarico Esq.
(312) 808-1410

<Plaintiff's Reply to Defendants Response to Plaintiff's Motion To Exclude
Deposition of Hans Mast taken on June 25 2020.doc>