

**Date : 6/9/2023 4:24:51 PM**  
**From : "Paul Dulberg"**  
**To : "Law Office Of Alphonse Talarico"**  
**Cc : "Tom Kost"**  
**BCc : "Paul Dulberg"**  
**Subject : Re: Affidavit**  
Dear Mr Talarico,

I tried calling to see how the editing is going.

My understanding is that we can e-file with the clerk which means the deadline is extended from 5 pm till midnight.

If you need anything please let me know.

Thanks,  
Paul

On Jun 9, 2023, at 9:57 AM, Alphonse Talarico  
<contact@lawofficeofalphonsetalarico.com> wrote:

Dear Mr. Dulberg,

I am endeavoring to make all the changes you have instructed me to do but those changes will take the greater part of this day if you research and get to me all the additional exhibits you wanted , cited and attached to your response and the accompanying changes to your affidavit required by those exhibits.

The only Exhibits of record in this case are the ones attached to your Complaint and Defendants motion so when you provide them you will also have to state under oath that they are true and correct.

Additionally, as I have told you, the Baudins' attorney will probably try to strike them as not directly responsive to their motion.

I will continue to work on your instructed changes but it is unlikely that this will be in a proper condition by the end of the day today so I believe we will not get another extension from the Baudins' attorney .

I believe my communication problem will be sufficient for our first agreed extension of time from the ordered filing date but I believe some other reason ( the death of your live in friend and helper ?)would probably be accepted as its effects on you must be terrible.

Your anticipated cooperation is greatly appreciated,  
Alphonse A. Talarico Esq.

P.S. I am going for breakfast now because I been working on your matter long and hard and need a break.

**From:** Paul Dulberg <pdulberg@icloud.com>

**Sent:** Friday, June 9, 2023 7:38 AM

**To:** Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>

**Subject:** Re: Affidavit

Attachments available until Jul 9, 2023

Dear Mr Talarico,

Please find the attached PDF named Corrections-changes-additions To Dulberg Affidavit copy.pdf which is marked up and goes with the text below:  
Affidavit:

See "Corrections-changes-additions To Dulberg Affidavit copy.pdf" - I highlighted and marked the corrections, changes and additions listed below.

Corrections, changes, additions spelled out below:

- Page 1 - Typos are highlighted in Blue (See "Corrections-changes-additions To Dulberg Affidavit copy.pdf"), if possible, Copy and paste the following to correct several typos at once:

KELLY N. BAUDIN A/K/A BAUDIN &  
BAUDIN, BAUDIN & BAUDIN AN  
ASSOCIATION OF ATTORNEYS, LAW  
OFFICES OF BAUDIN & BAUDIN,  
BAUDIN & BAUDIN LAW OFFICES,  
WILLIAM RANDAL BAUDIN II A/K/A  
BAUDIN & BAUDIN, BAUDIN &  
BAUDIN AN ASSOCIATION OF  
ATTORNEYS, LAW OFFICES OF  
BAUDIN & BAUDIN, BAUDIN &  
BAUDIN LAW OFFICES, KELRAN, INC  
A/K/A THE BAUDIN LAW GROUP, Ltd.,  
JOSEPH DAVID OLSEN, A/K/A  
YALDEN, OLSEN & WILLETTE LAW  
OFFICES, CRAIG A WILLETTE, A/K/A  
YALDEN, OLSEN & WILLETTE LAW  
OFFICES, RAPHAEL E YALDEN II,  
A/K/A YALDEN, OLSEN & WILLETTE  
LAW OFFICES, ADR SYSTEMS OF  
AMERICA, LLC., ASSUMED NAME  
ADR COMMERCIAL SERVICES,  
ALLSTATE PROPERTY AND CASULTY  
INSURANCE COMPANY

- Page 2 points #1 & #2 have an alignment issue highlighted in blue - See

"Corrections-changes-additions To Dulberg Affidavit copy.pdf"

- Page 3 highlighted in green is a section that I would like emphasized if it is allowed. Below is the copy I believe to be very relevant:

"The Illinois Person with a Disability Identification Card may be used for identification purposes in any lawful situation by the person to whom it was issued. The Illinois Person with a Disability Identification Card may be used as adequate documentation of disability in lieu of a physician's determination of disability, a determination of disability from a physician assistant, a determination of disability from an advanced practice registered nurse, or any other documentation of disability whenever any State law requires that a person with a disability provide such documentation of disability"

- Pages 2, 3 & 4 or point #3 I believe can be shortened to contain the relevant parts of (15 ILCS 335/4) (from Ch. 124, par. 24) Sec. 4. Identification card.

Below are the non relevant parts that I believe can be removed from #3:

"No Illinois Person with a Disability Identification Card shall be issued to any person who holds a valid foreign state identification card, license, or permit unless the person first surrenders to the Secretary of State the valid foreign state identification card, license, or permit. The Secretary of State shall charge no fee to issue such card."

"However, the Secretary of State may provide by rule for the issuance of Illinois Person with a Disability Identification Cards without photographs if the applicant has a bona fide religious objection to being photographed or to the display of his or her photograph. If the applicant so requests, the card shall include a description of the applicant's disability and any information about the applicant's disability or medical history which the Secretary determines would be helpful to the applicant in securing emergency medical care. If a mark is used in lieu of a signature, such mark shall be affixed to the card in the presence of two witnesses who attest to the authenticity of the mark."

"An optometrist's determination of a visual disability under Section 4A of this Act is acceptable as documentation for the purpose of issuing an Illinois Person with a Disability Identification Card.

When medical information is contained on an Illinois Person with a Disability Identification Card, the Office of the Secretary of State shall not be liable for any actions taken based upon that medical information."

- Page 4 & 5 in point #3 I believe can be shortened to contain the relevant parts of (15 ILCS 335/4A) (from Ch. 124, par. 24A) Sec. 4A.

Below are the non relevant parts that I believe can be removed:

"Type Two: Developmental disability. Developmental disability means "developmental disability" as defined in Section 1-106 of the Mental Health and Developmental Disabilities Code. The Secretary of State shall establish standards not inconsistent with this provision necessary to determine the presence of a developmental disability.

Type Three: Visual disability. A visual disability is blindness, and the term "blindness" means central vision acuity of 20/200 or less in the better eye with the use of a correcting lens.

An eye that is accompanied by a limitation in the fields of vision so that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered as having a central vision acuity of 20/200 or less. The Secretary of State shall establish standards not inconsistent with this Section necessary to determine the presence of a visual disability.

Type Four: Hearing disability. A hearing disability is a disability resulting in complete absence of hearing, or hearing that with sound enhancing or magnifying equipment is so impaired as to require the use of sensory input other than hearing as the principal means of receiving spoken language. The Secretary of State shall establish standards not inconsistent with this Section necessary to determine the presence of a hearing disability."

- Page 5 in point #3 I highlighted parts of (15 ILCS 335/4A) (from Ch. 124, par. 24A) Sec. 4A in pink.

Below is the section I highlighted in pink that was relevant in the social security disability determination hearing, is it relevant to our purpose here and could we be accused of hiding it if we remove it from this affidavit?:

"Type Five: Mental Disability. A mental disability is a significant impairment of an individual's cognitive, affective, or relational abilities that may require intervention and may be a recognized, medically diagnosable illness or disorder. The Secretary of State shall establish standards not inconsistent with this provision necessary to determine the presence of a mental disability."

- Page 5 & 6 in point #3 I believe can be shortened to contain the relevant parts of (15 ILCS 335/4A) (from Ch. 124, par. 24A) Sec. 4A.

Below are the non relevant parts that I believe can be removed:

"Class 1 disability: A Class 1 disability is any type disability which does not render a person unable to engage in any substantial gainful activity or which does not impair his ability to live independently or to perform labor or services for which he is qualified. The Secretary of State shall establish standards not inconsistent with this Section necessary to determine the presence of a Class 1 disability. Class 1A disability: A Class 1A disability is a Class 1 disability which renders a person unable to walk 200 feet or more unassisted by another person or without the aid of a walker, crutches, braces, prosthetic device or a wheelchair or without great difficulty or discomfort due to the following impairments: neurologic, orthopedic, oncological, respiratory, cardiac, arthritic disorder, blindness, or the loss of function or absence of a limb or limbs. The Secretary of State shall establish standards not inconsistent with this Section necessary to determine the presence of a Class 1A disability."

- Page 7 points #4, #5 & #6 have an alignment issue highlighted in blue - See "Corrections-changes-additions To Dulberg Affidavit copy.pdf"

- Page 7 point #5 - should we alter the wording to include the retroactive date in the finding? Possible rewording below:

5. I was also found to be fully disabled by Social Security Administration Office of Disability Adjudication and Review pursuant to notification on April 20, 2017 and I was retroactively found to be permanently and fully Disabled since June 28, 2011. This declaration is attached to the Response to the Baudin Defendants' 735 ILCS 5/2-619.1 motion herein as EXHIBIT II.

- Page 7 point #8 - needs a change to be 100% accurate - highlighted in purple - See "Corrections-changes-additions To Dulberg Affidavit copy.pdf" - Possible rewording below:

and my brother, Scott Dulberg, has been partially filling this role (April 2023 - present). I am presently seeking a more permanent replacement.

- New point #9 to be added. Possible wording below:

9. That I am a Trustee of the PAUL R. DULBERG REVOCABLE TRUST and that this case (CASE NO. 2022L010905) is an asset of the PAUL R. DULBERG REVOCABLE TRUST. The PAUL R. DULBERG REVOCABLE TRUST is not

taxed as a separate entity from Paul Dulberg.

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17 MB

On Jun 8, 2023, at 2:38 PM, Alphonse Talarico  
<contact@lawofficeofalphonsetalarico.com> wrote:

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5.4 MB