



T Kost <tkost999@gmail.com>

Careful look at the "Himmel rule"

1 message

T Kost <tkost999@gmail.com>

Thu, Aug 24, 2023 at 9:40 AM

To: Paul Dulberg <Paul_Dulberg@comcast.net>, Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>

Remember the exchange that took place between Judge Meyer and Mr Talarico (ROP in Appeal Package, page 447)"

THE COURT: Okay. Frankly, Counsel, if you're suggesting that either one of them has engaged in unethical behavior, I'm sure you're aware of the Himmel decision, and --

MR. TALARICO: I am.

THE COURT: -- it's not something you can threaten; you have to do.

MR. TALARICO: And I will.

THE COURT: Don't make that threat and not follow through with it if, in fact, there's anything to it. You don't -- you don't have an option. And you put a burden on me, as well, when you start going down this road. So you've got to make a decision, and --"

The Illinois case law that applies to the "himmel rule" is:

In Re Himmel
125 Ill. 2d 531 (1988)
533 N.E.2d 790

at:

<https://law.justia.com/cases/illinois/supreme-court/1988/65946-7.html>

The contradiction is this: We could not openly accuse an attorney of corruption in court due to the "Himmel Rule".

But now we have filed an ARDC Complaint against Clinton and Williams, we are currently filing an ARDC Complaint against Popovich and Mast, and I have an ARDC Complaint ready to send out against Gooch.

So 2 outstanding questions are:

When can Paul and I inform the Judge Otto about the ARDC Complaints?

How do Paul and I inform Judge Otto of the ARDC Complaints?