



T Kost <tkost999@gmail.com>

sample Allstate Surreply and sample Baudin Motion to Reconsider.

8 messages

T Kost <tkost999@gmail.com>

Tue, Sep 19, 2023 at 2:09 PM

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

Each document is only 4 or 5 pages.

The theory in each document is that we can introduce newly discovered information. This information is so newly discovered that Mr Talarico hasn't even seen it yet.

Mr Talarico, please consider this approach and let me know what you think.

2 attachments



sample Dulberg Surreply1.pdf
228K



sample Motion to Reconsider1.pdf
195K

Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>

Tue, Sep 19, 2023 at 5:31 PM

To: T Kost <tkost999@gmail.com>, Paul Dulberg <Paul_Dulberg@comcast.net>

Gentlemen,

regarding the "sur-reply"

I am sad to inform you that what you have sent me is not a counter-affidavit in form or contents

Additionally, it is not a sur-reply because you have not shown where Allstate raises issues that were not raised in Allstate's Motion for Summary Judgment nor raised in Dulberg response to Allstate's Motion for summary judgment..

Whether it is 4 or 5 or 6 pages I strongly caution that what you have written, is a motion to amend the pleadings and should be carefully reviewed and properly supported by relevant case law.

At this point I have used up most of the time I set aside to prepare for the hearing on September 21, 2023.

If i am to use tomorrow to fix the problem and get a motion on file, I will not have time to review at all.

Rather than appear and let the judge question me about things I have not prepared for, I think another approach would be advisable.

I am sorry that the representation has come to this point but sanctions and contempt citations are a tool the Honorable Judge has available.

I am not the attorney for going forward as I am swimming against your current and i have not gone

forward with my attempt to hire a part-time attorney or retain co-counsel.

Respectfully,

Alphonse A. Talarico esq.

From: T Kost <tkost999@gmail.com>

Sent: Tuesday, September 19, 2023 2:09 PM

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

Subject: sample Allstate Surreply and sample Baudin Motion to Reconsider.

[Quoted text hidden]

T Kost <tkost999@gmail.com>

Tue, Sep 19, 2023 at 6:45 PM

To: Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>

Cc: Paul Dulberg <Paul_Dulberg@comcast.net>

The legal question is: You are stating that we cannot present clear and convincing evidence of Fraud on the court in 12LA178 involving Allstate or clear and convincing evidence of Fraud on the Court in 17LA377 concealing the fraud in 12LA178 to Judge Otto.

I have been trying to get evidence of fraud on the court in front of Judge Otto since July. I have it all prepared.

Paul and I want to show the evidence we have of Fraud on the Court involving Allstate to Judge Otto.

I want to raise the issue of newly discovered Fraud on the Court to Judge Otto. You seem to be claiming we risk being in contempt if we raise the issue and give the evidence.

This seems to be our only difference. I really want us to be clear about how and when we can get the clear and convincing evidence for fraud on the court in case 12LA178 and case 17LA377 (in the thumbdrive) entered as part of the common law record. Yo never told us how to do it and we have been trying to do it since July.

I believe we are in agreement about everything except that. Let's work it out tomorrow.

[Quoted text hidden]

T Kost <tkost999@gmail.com>

Tue, Sep 19, 2023 at 8:02 PM

To: Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>

Cc: Paul Dulberg <Paul_Dulberg@comcast.net>

Alphonse wrote, " I think another approach would be advisable." We are open to that. We don't want to swim against your current. Sorry but we didn't know how to write a proper sur-reply. If you can help guide us we can do it tomorrow so you can have time to prepare. Thanks.

[Quoted text hidden]

Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>

Tue, Sep 19, 2023 at 8:09 PM

To: T Kost <tkost999@gmail.com>

Obviously we cannot communicate, I have been showing you step by step how to accomplish, but sadly my advice has been ignored.

Sent from my iPhone

On Sep 19, 2023, at 8:02 PM, T Kost <tkost999@gmail.com> wrote:

[Quoted text hidden]

T Kost <tkost999@gmail.com>
To: Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>

Wed, Sep 20, 2023 at 4:36 AM

I admit my attempt to admit new facts and not focus on Count V alone is wrong. I can see that the hearing is only about Count V and I have mistakenly tried to admit new facts (of fraud).

My fault. I apologize.

[Quoted text hidden]

T Kost <tkost999@gmail.com>
To: Paul Dulberg <Paul_Dulberg@comcast.net>

Wed, Sep 20, 2023 at 8:41 AM

[Quoted text hidden]

Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>
To: T Kost <tkost999@gmail.com>

Wed, Sep 20, 2023 at 11:19 AM

No problem

thank you

your help has been greatly appreciated

From: T Kost <tkost999@gmail.com>
Sent: Wednesday, September 20, 2023 4:36 AM
To: Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>
Subject: Re: sample Allstate Surreply and sample Baudin Motion to Reconsider.

[Quoted text hidden]