



T Kost <tkost999@gmail.com>

Exhibit D-1

4 messages

Alphonse Talarico <contact@lawofficeofalphonsetalarico.com> Thu, Jul 6, 2023 at 7:30 AM
To: Paul Dulberg <Paul_Dulberg@comcast.net>, Paul Dulberg <pdulberg@icloud.com>, T Kost <tkost999@gmail.com>

Please see the attached

 **Exhibit D-1 Motion For Summary Judgment.pdf**
1245K

Paul Dulberg <Paul_Dulberg@comcast.net> Thu, Jul 6, 2023 at 7:33 AM
To: Law Office Of Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>
Cc: Tom Kost <tkost999@gmail.com>

On Jul 6, 2023, at 7:30 AM, Alphonse Talarico <contact@lawofficeofalphonsetalarico.com> wrote:

Please see the attached
<Exhibit D-1 Motion For Summary Judgment.pdf>

 **Karen O Neil.pdf**
855K

Paul Dulberg <Paul_Dulberg@comcast.net> Sun, Jul 9, 2023 at 12:42 AM
To: Law Office Of Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>
Cc: Tom Kost <tkost999@gmail.com>

On the issue of how both Olsen's and Dulberg's initials ended up on the same edited release but have separate signature and notarization pages known as Allstates Exhibit D-1

I was looking for something else and stumbled upon this:

Dulberg Master File/Dulberg Emails 2020 August 19/Fwd dulberg.pdf Page 1

Shows on December 20, 2016 at 12:40 PM Baudins sent the Edited release in an email to Olsen stating:

Attached is the release on Mr. Dulberg's case. Please sign and initial the edited address portion of the release. Please return it via email or fax at your earliest opportunity as the adjuster is heading out of town Thursday.

The final release you sent me, Allstates exhibit D-1, shows that Olsen had it notarized on 12/21/2016 the same day myrna Boyce notarized Dulberg's signature and initials which suggests that the Baudins did not send a copy of the release to Olsen with Dulberg's signature/initials already on it.

I am still looking for exactly when Olsen sent the edited release with his initials and signature back to the Baudins because my memory is that document did not have Olsens Initials or signature on it when I initialed it in front of Myrna Boyce.

I remember seeing the address changes and the changes Gooch made to the release and that was it.

In fact I was never told Trustee Olsen had to sign the release. Only that I had to sign the release or Allstate would have Judge Meyer order me to sign it since the ADR award was binding and not negotiable.

If you remember seeing anything showing Olsen returning the Release Back to the Baudins let me know, it may help me locate the file showing exactly when it was returned to Baudin signed by Olsen.

Thanks,
Paul

On Jul 6, 2023, at 7:30 AM, Alphonse Talarico <contact@lawofficeofalphonsetalarico.com> wrote:

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<Exhibit D-1 Motion For Summary Judgment.pdf>

Paul Dulberg <Paul_Dulberg@comcast.net>
To: Law Office Of Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>
Cc: Tom Kost <tkost999@gmail.com>

Sun, Jul 9, 2023 at 2:23 AM

Okay, I just stumbled on this:

Dulberg Master File/Dulberg Emails 2020 August 19/Fwd Paul Dulberg 1483578 12LA178.pdf Page 3

December 21, 2016 at 8:57 AM "Attorney Kelly N. Baudin" <kelly@bgltd.com> wrote:

Joe-

I received the Release. Can you please initial on the first page? Allstate put the wrong address and rather than redoing the Release they wanted us to correct it and initial it, so please initial. We will then send it to Mr. Dulberg for his signature as well since Allstate is requiring his as well.

Let me know if you have any questions.

Kelly

From the date/time stamp this suggests that Olsen had already signed the release and returned it before 12/21/2016 at 8:57 am but forgot to initial the first page.

It also suggests that Baudin was going to then send it to Dulberg for signature after Olsen initialed it.

This is not believable since Dulberg was informed before 12/21/2016 that he had to go to the Baudins office to review the changes Gooch made and initial the release on 12/21/2016.

If my memory isn't mistaken, I was in Baudins office pretty darn early on the morning of 12/21/2016 since I was told I could be ordered to sign it and held in contempt if I continued to refuse to sign the release and Allstate had to go see Judge Meyer over it.

Still looking for any confirmation of when exactly Olsen sent it back to the Baudins with his initials that matches Allstates exhibit D-1

Paul

[Quoted text hidden]