

Date : 9/18/2023 7:59:50 AM

From : "Alphonse Talarico"

To : "Paul Dulberg"

Subject : Re: New Legal Strategies toward 17LA377 Appeal, Judge Otto, and Olsen

Yes, as previously discussed.

Alphonse A. Talarico, Esq.

From: Paul Dulberg <Paul_Dulberg@comcast.net>

Sent: Wednesday, September 6, 2023 7:32 AM

To: Tom Kost <tkost999@gmail.com>

Cc: Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>

Subject: Re: New Legal Strategies toward 17LA377 Appeal, Judge Otto, and Olsen

Mr Talarico,

Is this a transfer of the pending cases to federal court an entirely new case requiring a new retainer agreement, etc?

Paul

On Sep 6, 2023, at 7:28 AM, Paul Dulberg <Paul_Dulberg@comcast.net> wrote:

I want to add that all the acts in violation of the automatic stay, the production of the void documents to the bankruptcy court and the false narrative told to the BK Judge is also Fraud on the court in the bankruptcy proceeding.

Correct me if I am wrong here but we have fraud on the court being committed in 3 separate court cases all related and at times overlapping each other that significantly affect all current cases pending.

On Sep 5, 2023, at 10:25 PM, T Kost <tkost999@gmail.com> wrote:

AN APPROACH TO OLSEN:

Perhaps the following quote gives the best approach to Olsen:

"A motion under Rule 60(d)(3) to vacate a judgment may also be filed in United States Bankruptcy Court."

Federal Rules of Civil Procedure: Rule 60. Relief from a Judgment or Order

https://www.law.cornell.edu/rules/frcp/rule_60

If this is true, we could file a motion under Rule 60(d)(3) to vacate a judgment in United States Bankruptcy Court as early as next week. We can also inform the Bankruptcy Judge we intend to move the case to the Federal District Court on a Civil Rights Violation – Rule 1983 in a Removal Jurisdiction – Rule 1443.

In the Olsen Appeal in Illinois Court we should tell Judge Appellate Court Judges that we have clear and convincing evidence that Fraud on the Court took place in 17LA377 and the Fraud on the court in 17LA377 involved both of our previous attorneys in 17LA377, opposing counsel and the presiding judge. We should tell the Appellate court Judges that the Fraud on the Court in 17LA377 strongly affects the current case.

We can also inform the Appellate Court we have clear and convincing evidence Fraud on the Court took place in 12LA178 also. We can provide the Appellate Court a document called "CLEAR AND CONVINCING EVIDENCE THAT FRAUD ON THE COURT TOOK PLACE IN 12LA178" which contain the accusations in the Popovich and Mast ARDC Complaint with the word "ARDC" removed.

Because Fraud on the Court is so serious, we inform the Olsen Appellate Court Judges that we are raising the newly discovered Fraud on the Court in 17LA377 as a new cause of action which is so serious that it must be dealt with before proceeding with the underlying causes of action.

On Tue, Sep 5, 2023 at 9:59 PM T Kost <tkost999@gmail.com> wrote:
AN APPROACH TO THE APPELLATE COURT OVER 17LA377:

Once we have clear and convincing evidence of Fraud on the Court IN 17LA377 it is our duty to notify any Judge making decisions over 17LA377 at the Appellate Court that we have clear and convincing evidence of Fraud on the Court in 17LA377 and we intend to have 17LA377 moved to Federal Court because of civil rights violations in U.S Code 48 Rule 1983 and the transfer is based on U.S. Code 28 Rule 1443.

We can make a document called "CLEAR AND CONVINCING EVIDENCE THAT FRAUD ON THE COURT TOOK PLACE IN 17LA377" which contains the accusations in the Clinton Williams ARDC Complaint with all references to "ARDC" removed.

We can also inform the Appellate Court we have clear and convincing evidence Fraud on the Court took place in 12LA178 also. We can provide the Appellate Court a document called "CLEAR AND CONVINCING EVIDENCE THAT FRAUD ON THE COURT TOOK PLACE IN 12LA178" which contain the accusations in the Popovich and Mast ARDC Complaint with the word "ARDC" removed.

Because Fraud on the Court is so serious, we inform the Appellate Court Judges that we are raising the newly discovered Fraud on the Court in 17LA377 as a new cause of action which is so serious that it must be dealt with before proceeding with the underlying causes of action.

On Tue, Sep 5, 2023 at 9:45 PM T Kost <tkost999@gmail.com> wrote:

AN APPROACH TO JUDGE OTTO:

We should file a MOTION TO RECONSIDER based on the new information Judge Otto did not see in 2 documents called "CLEAR AND CONVINCING EVIDENCE THAT FRAUD ON THE COURT TOOK PLACE IN 17LA377" and "CLEAR AND CONVINCING EVIDENCE THAT FRAUD ON THE COURT TOOK PLACE IN 12LA178".

We should tell Judge Otto that we have clear and convincing evidence that Fraud on the Court took place in 17LA377 and the Fraud on the court in 17LA377 involved both of our previous attorneys in 17LA377, opposing counsel and the presiding judge. We should tell Judge Otto that the Fraud on the Court in 17LA377 strongly affects the current case. During the 2 years that Judge Otto claimed Dulberg "knew or should have known" about Baudin's breach of care we can show Judge Otto that clear and convincing evidence exists that Dulberg was the target of an elaborate system of Fraud on the Court.

When Judge Otto asks to see the clear and convincing evidence for Fraud on the Court in 17LA377, we provide him with our document called "CLEAR AND CONVINCING EVIDENCE THAT FRAUD ON THE COURT TOOK PLACE IN 17LA377.

We should be openly claiming we have clear and convincing evidence that Fraud on the Court took place in 17LA377. The Fraud on the Court strongly affects decisions being made by Judge Otto. Therefore we ask Judge Otto to recognize that we cannot proceed fairly in his court until the Fraud on the Court in 17LA377 is resolved.

It is not difficult for us to argue in the Otto court that everything that is happening is tainted by Fraud in the current case because of the severity of the Fraud on the Court that took place in 17LA377. For this reason issues of Fraud on the Court in 17LA377 must be resolved before proceeding in Otto's court. We tell Judge Otto that if we don't do this the case will not have standing and would be

subject to a Demurrer on the front and or a Motion for Summary Judgment on the back end.

We should tell Judge Otto it is our intention to move the case to Federal court along with 17LA377 because the Fraud on the Court must be dealt with before we can receive a fair trial in the current case.

We can also tell Judge Otto that there is also evidence of Fraud on the Court in 12LA178. The Baudins and Allstate were involved in 12LA178 and Fraud on the Court took place during 12LA178 also. We can provide Judge Otto with a document called "CLEAR AND CONVINCING EVIDENCE THAT FRAUD ON THE COURT TOOK PLACE IN 12LA178".

When we raise a Cause of Action for Extrinsic Fraud (Fraud on the Court), we are telling the Judge that the Underlying Cause of Action has to wait until we deal with the Fraud on the Court. We inform the Court that we need the evidence of Fraud on the Court as a Fact of Evidence to proceed forward. The logic is so simple. We tell the Judge if we don't deal with the Fraud on the Court evidence first the case won't have standing anyway.

These are powerful arguments because we are telling Judge Otto we are in possession of evidence that:

Fraud on the Court took place in 17LA377
Fraud on the Court took place in 12LA178

We can inform Judge Otto that we intend to bring civil rights charges IN BOTH CASES using the following federal laws:

42 U.S. Code § 1983 - Civil action for deprivation of rights

<https://www.law.cornell.edu/uscode/text/42/1983>

28 U.S. Code § 1443 - Civil rights cases

<https://www.law.cornell.edu/uscode/text/28/1443>

18 U.S. Code § 242 - Deprivation of rights under color of law

<https://www.law.cornell.edu/uscode/text/18/242>

18 U.S. Code § 241 - Conspiracy against rights

<https://www.law.cornell.edu/uscode/text/18/241>