

IN THE TWENTY-SECOND JUDICIAL CIRCUIT

McHENRY COUNTY, ILLINOIS

PAUL DULBERG,)
Plaintiff,)
vs.) No. 12 LA 178
DAVID GAGNON, Individually, and)
as Agent of CAROLINE McGUIRE)
and BILL McGUIRE, and CAROLINE)
McGUIRE and BILL McGUIRE,)
Individually,)
Defendants.)

ELECTRONIC REPORT OF PROCEEDINGS had in the
above-entitled cause before the Honorable THOMAS A.
MEYER, Judge of said Court of McHenry County,
Illinois, on the 22nd day of January, 2014, at the
McHenry County Government Center, Woodstock,
Illinois.

APPEARANCES:

LAW OFFICES OF THOMAS J. POPOVICH

BY: MR. THOMAS J. POPOVICH,

On behalf of the Plaintiff;

CICERO FRANCE BARCH & ALEXANDER

BY: MR. RONALD BARCH,

On behalf of Certain Defendants.

1 MR. POPOVICH: Dulberg vs. Gagnon, Page 1,
2 Line 1, Judge. Tom Popovich on behalf of the
3 plaintiff.

4 MR. BARCH: Ron Barch on behalf of Caroline and
5 Bill McGuire, Your Honor.

6 THE COURT: All right.

7 MR. BARCH: It comes before the Court today on
8 our motion for good-faith finding. We've reached a
9 settlement agreement with the plaintiff that would
10 leave one defendant, David Gagnon, behind.

11 THE COURT: Are -- are they agreeing to the
12 entry of the order, or do we not know?

13 MR. BARCH: I believe we may, but --

14 THE COURT: I'm sorry?

15 MR. BARCH: I haven't heard from Mr. Acardo. I
16 haven't seen --

17 THE COURT: Okay. Well, let's -- let's pass.

18 MR. BARCH: Okay.

19 (Whereupon, other matters were
20 heard and the afore-captioned
21 cause was recalled.)

22 THE COURT: Dulberg vs. Gagnon.

23 MR. POPOVICH: Tom Popovich on behalf of the
24 plaintiff.

1 MR. BARCH: Good morning, again, Your Honor.
2 Ron Barch on behalf of Caroline and Bill McGuire.

3 THE COURT: Okay. It's your motion for
4 good-faith finding?

5 MR. BARCH: It is, Your Honor.

6 THE COURT: No objections?

7 MR. BARCH: As far as --

8 MR. POPOVICH: Not from me.

9 THE COURT: Okay.

10 MR. BARCH: So I have an order for the
11 good-faith finding and dismissal of the -- my two
12 clients. Formerly, I did speak to Mr. Acardo awhile
13 ago. He understands the deal, so I wouldn't
14 anticipate any objection from him.

15 THE COURT: All right. I will --

16 MR. POPOVICH: And who are --

17 MR. BARCH: Perry Acardo.

18 MR. POPOVICH: Oh, yeah. Okay.

19 THE COURT: We already have a March 4th status
20 date, so I could just leave that.

21 MR. BARCH: Thank you.

22 THE COURT: Any others that you --

23 MR. POPOVICH: My only thought, Judge, as long
24 as we're here --

1 THE COURT: Yeah.

2 MR. POPOVICH: -- can we change that -- well,
3 maybe it was for the other lawyer, so...

4 THE COURT: It's March 4th.

5 MR. POPOVICH: I have that as a Tuesday.

6 THE COURT: You must be looking at the wrong
7 year.

8 MR. POPOVICH: March of 2014?

9 THE COURT: 2014, yeah. March 4th, my calendar
10 says Friday.

11 MR. POPOVICH: I swear to goodness, it --
12 Judge, March -- I'm just saying.

13 THE COURT: That might be the 20- -- does it
14 really?

15 MR. POPOVICH: I swear.

16 THE COURT: Okay.

17 MR. POPOVICH: March 4th.

18 THE COURT: We have --

19 MR. POPOVICH: On this calendar here, on that
20 one, too, Judge.

21 THE COURT: No. You're looking at the wrong
22 year. Yeah, we don't -- we don't even need 2013
23 anymore.

24 MR. POPOVICH: Judge --

1 THE COURT: On the right side.

2 MR. POPOVICH: -- two, three, four.

3 THE CLERK: That's -- yeah, that's a -- that's a
4 Tuesday.

5 MR. POPOVICH: April.

6 THE CLERK: That's April.

7 THE COURT: I'm sorry. That's the date I have.

8 MR. POPOVICH: You said March.

9 THE COURT: Oh, I said March? Okay. March 4th
10 is not a --

11 MR. POPOVICH: It's a Tuesday.

12 THE COURT: Okay. Is a -- is a Friday. It
13 is -- not March 4th, April 4th. God. April.

14 MR. POPOVICH: Not much (indiscernible) today.

15 THE COURT: Yeah. I would -- I would -- yeah,
16 April 4th. God, I'm looking at it, and I'm still
17 saying March 4th. April 4th is a Friday.

18 MR. POPOVICH: Okay.

19 THE COURT: That's interesting. That's scary.

20 MR. POPOVICH: All right. Yes. Okay. So we're
21 fine on that.

22 (Which were all the proceedings
23 had in the above-entitled cause
24 this date.)

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STATE OF ILLINOIS)
) SS:
COUNTY OF McHENRY)

I, MAUREEN S. URBANSKI, an Official Court Reporter for the Circuit Court of McHenry County, Twenty-Second Judicial Circuit of Illinois, transcribed the electronic recording of the proceeding in the above-entitled cause to the best of my ability and based on the quality of the recording, and I hereby certify the foregoing to be a true and accurate transcript of said electronic recording.

Maureen S. Urbanski
Certified Shorthand Reporter
License No. 084-003308