

1 STATE OF ILLINOIS )  
2 ) SS:  
3 COUNTY OF McHENRY )

4 IN THE TWENTY-SECOND JUDICIAL CIRCUIT  
5 McHENRY COUNTY, ILLINOIS

6 PAUL DULBERG, )  
7 )  
8 Plaintiff, )  
9 vs. ) No. 12 LA 178  
10 )  
11 DAVID GAGNON, )  
12 Individually, and as Agent )  
13 of CAROLINE MCGUIRE and )  
14 BILL MCGUIRE and CAROLINE )  
15 MCGUIRE and BILL MCGUIRE, )  
16 Individually, )  
17 Defendants. )

18 ELECTRONICALLY RECORDED Report of  
19 Proceedings in the above-entitled cause before the  
20 Honorable THOMAS A. MEYER, Judge of said Court of  
21 McHenry County, Illinois, on the 11th day of  
22 February, 2016, in the McHenry County Government  
23 Center, Woodstock, Illinois.

24 APPEARANCES:

MR. W. RANDAL BAUDIN II  
On behalf of the Plaintiff.

NO OTHER APPEARANCES GIVEN

1 THE COURT: Dulberg vs. Gagnon.

2 MR. BAUDIN: Morning, your Honor. Randy  
3 Baudin II on behalf of Mr. Dulberg, who is present.

4 THE COURT: Counsel, I think this might -- is  
5 this -- this one might be yours.

6 MR. BAUDIN: Dulberg.

7 THE COURT: Dulberg vs. Gagnon. Is this  
8 yours?

9 A VOICE: Is it Allstate Insurance Company?

10 MR. BAUDIN: Correct.

11 THE COURT: It says the --

12 A VOICE: It's not on my list. I apologize,  
13 Judge. I'm having a great day today. I appreciate  
14 it.

15 MR. BAUDIN: Your Honor?

16 THE COURT: Yeah.

17 MR. BAUDIN: If you wouldn't mind, do you  
18 want to speak a minute and then we can pass it?

19 A VOICE: Sure.

20 THE COURT: Okay. I'll let you guys speak.

21 MR. BAUDIN: Just because -- just to get her  
22 up to speed. Thank you, your Honor.

23 (WHEREUPON, the afore-captioned  
24 cause was recalled.)

1 THE COURT: Dulberg.

2 MR. BAUDIN: That's correct, your Honor.

3 Randy Baudin II on behalf of the plaintiff.

4 THE COURT: All right. What are we doing?

5 MR. BAUDIN: I think your Honor indicated  
6 that you had wanted this matter set -- set for  
7 trial.

8 As far as what's going on in the  
9 case, counsel has just taken the file over for  
10 Mr. Accardo. We have, as I think I represented to  
11 the Court last time, have an arborist, slash,  
12 pardon the pun, chainsaw expert who finished their  
13 report and should be tendering that to counsel this  
14 week.

15 Additionally, Mr. Dulberg is  
16 visiting a treater today, and we'll have an updated  
17 or an update on his medical condition. And then as  
18 to his permanency, we expect to have a narrative  
19 letter to give to defense regarding that as well.  
20 And then I think that's about --

21 THE COURT: So when do you think you are  
22 going to have all these disclosures done?

23 MR. BAUDIN: We should have -- well, the one  
24 is just a treater and so we are just going to

1 provide a report, so just -- and then the expert,  
2 we should have the report to you by next -- next  
3 week.

4 THE COURT: So if I put this out -- instead  
5 of setting it for trial, if I put it out 30 days  
6 and direct that all plaintiff's (f)(3) disclosures  
7 are to be completed by then, that would give you  
8 enough time to get them and review them, tell me  
9 what you think you need to do.

10 A VOICE: Correct.

11 THE COURT: And then we can set a trial date.  
12 Is that reasonable?

13 MR. BAUDIN: Sounds good to me, your Honor.  
14 It's okay with you?

15 A VOICE: Yes. And at that point if we have  
16 anything we need to do in rebuttal or update any  
17 experts, I'll be able to tell you that.

18 THE COURT: Yeah, we'll have a lot of time if  
19 you wanted to be a number one. I mean, we are  
20 looking at the fall at the earliest. So why don't  
21 we put it out 30 days, have that provided for in  
22 the order.

23 What day works for you guys to come  
24 back. 30 days is going to put us around

1 March 14th, a Monday.

2 MR. BAUDIN: Let me check. So sorry.

3 A VOICE: And I apologize. For some reason,  
4 this didn't make it on to my calendar, so I was  
5 happy that counsel --

6 MR. BAUDIN: Well, luckily you were still  
7 standing here and the judge noticed, so --

8 THE COURT: Is Perry Accardo gone?

9 A VOICE: He is handling Cook County now.

10 THE COURT: Oh, okay.

11 A VOICE: And that makes -- it works for him,  
12 so --

13 THE COURT: (Indiscernible.)

14 A VOICE: He what?

15 THE COURT: It's not better to go there.

16 A VOICE: Well, I think it's for other  
17 reasons because he wants to move downtown and  
18 various things like that.

19 I have something up in Rolling  
20 Meadows that day.

21 THE COURT: Okay. Whatever day works. You  
22 pick.

23 MR. BAUDIN: Are you here -- I'm --

24 A VOICE: St. Patrick's Day work?

1 THE COURT: Works for me.

2 A VOICE: Okay.

3 MR. BAUDIN: Yeah, we have Lake, but we can  
4 have somebody else cover that, so --

5 A VOICE: You know, I don't have a problem  
6 getting a trial date. I just want to make sure I  
7 have enough time to do everything I need to do.

8 THE COURT: We'll give you -- you'll have  
9 time when we come back.

10 (Which were all the proceedings  
11 had in the above-entitled cause  
12 this date.)  
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1 STATE OF ILLINOIS     )  
2 COUNTY OF McHENRY    )   ss:  
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4               I, KRISTINE L. FERRU, an official Court  
5 Reporter for the Circuit Court of McHenry County,  
6 Twenty-Second Judicial Circuit of Illinois,  
7 transcribed the electronic recording of the  
8 proceeding in the above-entitled cause to the best  
9 of my ability and based on the quality of the  
10 recording, and I hereby certify the foregoing to be  
11 a true and accurate transcript of said electronic  
12 recording.

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-----*Kristine Ferru*-----

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