

1 THE COURT: Paul Dulberg versus Thomas Gooch,
2 et al.

3 MR. DULBERG: Yes, your Honor. Good morning. It's
4 Paul Dulberg, the plaintiff, appearing pro se.

5 THE COURT: Okay. Good morning.

6 MR. DULBERG: I have a -- I have a voice problem
7 and I have an ADA thing here for me to -- administrator
8 of the Court. I ask that my brother can be my voice or
9 I'm going to break out coughing.

10 THE COURT: Okay. Well, let's -- let's see if
11 anyone else is on Zoom and then we'll go from there,
12 okay?

13 MR. DULBERG: Yes, sir.

14 THE COURT: All right.

15 MR. GOOCH: Good morning, your Honor. Thomas
16 Gooch, appearing pro se.

17 THE COURT: Okay.

18 MS. SERSHON: Good morning, your Honor. Sabina
19 Sershon, appearing pro se.

20 THE COURT: Okay. Looks like, Mr. Gooch, you've
21 got a motion to vacate any defaults and file a
22 responsive pleading.

23 MR. DULBERG: Read this. Read this.

24 THE COURT: Okay. Hold on, sir. I'm talking to

1 Mr. Gooch, okay?

2 MR. GOOCH: Your Honor, I -- I -- I don't know what
3 I'm responding to because I don't know what that motion
4 is. I don't think it's a motion --

5 THE COURT: No, I'm talking about your motion,
6 Mr. Gooch. You filed --

7 MR. GOOCH: Oh.

8 THE COURT: You filed a motion to vacate defaults,
9 technical or otherwise, and for additional time to file
10 responsive pleadings. That was filed on February 4th.
11 That's what I'm referring --

12 MR. GOOCH: Yes, sir.

13 THE COURT: Okay. So you're asking -- how long are
14 you asking to --

15 MR. GOOCH: 28 days, your Honor.

16 THE COURT: Okay. All right. Okay.

17 So Mr. Dulberg, what did you want to say?

18 MR. DULBERG: Well, first off, I'd like to --
19 before we proceed, I'd like the record to reflect the
20 name of the court reporter assigned to today's
21 proceeding.

22 THE COURT: I don't know what the name of the court
23 reporter is. It's -- there's a pool of them. So ...

24 MR. DULBERG: I understand. Okay.

1 THE COURT: It'll be -- it's recorded. And then if
2 it gets typed up, there's someone who does it. I don't
3 know who's assigned to this courtroom this day. And
4 candidly, I'm not sure what the relevance is.

5 So what else did you want to say?

6 MR. DULBERG: Okay. I would like to briefly find
7 the procedural posture before addressing Mr. Gooch's --

8 THE COURT: All right. We're going to pass the
9 case because I suspect this will take a while and I need
10 to take care of some --

11 MR. GOOCH: Your Honor, just so you -- I don't know
12 what your schedule is. I have a contested hearing at
13 10 o'clock.

14 THE COURT: No, we'll be done well before that,
15 Mr. Gooch.

16 MR. GOOCH: Thank you.

17 THE COURT: I've got a trial at 10:00. Okay?

18 MR. GOOCH: Thank you, your Honor.

19 THE COURT: So just bear with me a few minutes.
20 I've only got a couple more cases on my call, okay?

21 MR. DULBERG: Yes, your Honor.

22 (The above-entitled cause was
23 passed and subsequently recalled.)

24 THE COURT: All right. Recalling Paul Dulberg

1 versus Thomas Gooch, et al.

2 MR. DULBERG: Yes, your Honor.

3 THE COURT: Okay. My question to Mr. Dulberg is do
4 you have any objection to Mr. Gooch's motion to vacate
5 defaults and file a responsive pleading?

6 MR. DULBERG: Yeah, I'd like to briefly frame it,
7 the procedural posture.

8 THE COURT: No, I just need an answer to the
9 question, whether you object to it. And if you object
10 to it, what's the basis for it.

11 MR. DULBERG: The objection, your Honor, is that I
12 believe the -- the two court orders that were signed by
13 the Chief Judge that put us here to handle this SOJ,
14 that Mr. Gooch's reply would be back when the temporary
15 court order is over and the regular judge is assigned to
16 the case again.

17 THE COURT: Oh, okay. I see what you're saying. I
18 apologize. My computer is very slow. I'm trying to get
19 to your case. I do recall this now. So this is -- this
20 involves a motion for substitution for cause against
21 Judge Berg?

22 MR. DULBERG: Yes, sir.

23 THE COURT: Okay. So we just need to set a hearing
24 for that. So when are the parties going to be available

1 for that?

2 MR. DULBERG: Whenever the Court is available on
3 our end.

4 THE COURT: Okay. Let's see what we might be able
5 to do. I believe I should be available next Tuesday the
6 17th. I've got a trial scheduled through that day, but
7 the attorneys that doing -- right now, the attorneys
8 believe they'll finish it this week. After that, the
9 next week I am at a judicial conference and then I've
10 got a series of jury trials that would make it
11 difficult.

12 MR. DULBERG: Next Tuesday's fine, your Honor, and
13 I will make it quick on Tuesday.

14 THE COURT: Well, let's see if that works for the
15 other parties involved, okay? Mr. Gooch?

16 MR. GOOCH: Judge, I can do next Tuesday. If we
17 can set it at 9:30, I'd appreciate it. I've got motions
18 at 9:00.

19 THE COURT: Well, yeah. It would definitely be
20 like 10 o'clock or later because I've got my regular
21 9 o'clock call.

22 MR. GOOCH: That's even better.

23 THE COURT: All right.

24 MS. SERSHON: That works for me, your Honor.

1 THE COURT: All right. Okay.

2 MR. DULBERG: That also works for me.

3 THE COURT: All right. Great. So we'll do it at
4 10:00 a.m. on the 17th. On the very off chance that my
5 trial is continuing -- well, we'll figure out a way to
6 get it heard one way or the other. So we will just plan
7 on the 17th at 10:00 a.m.

8 MR. GOOCH: My motion is entered and continued,
9 your Honor?

10 THE COURT: Correct. Yeah, that has to be sorted
11 out based on my ultimate ruling on the --

12 MR. GOOCH: I under- --

13 THE COURT: -- motion. So yeah, it will be entered
14 and continued.

15 MR. GOOCH: I understand.

16 THE COURT: So I apologize for the confusion there.

17 All right. So I'll just need an order setting
18 it for hearing on the 17th at 10:00 a.m. Okay?

19 MR. GOOCH: Unless somebody else wants to do it,
20 I'll send it in, Judge.

21 MR. DULBERG: I can send that in if you want.

22 MR. GOOCH: No, I object to that, your Honor.

23 THE COURT: Okay. Well, I think probably simplest
24 to have Mr. Gooch do it because he's had -- well, let

1 me -- you know what? I'll just do it myself so then we
2 have no issues, okay?

3 MR. GOOCH: Thank you, your Honor.

4 THE COURT: So it'll be in the portal if you want
5 to retrieve it. All right?

6 MR. DULBERG: Judge, will this be -- will this
7 hearing be in person or on Zoom?

8 THE COURT: Well, is there going to be any -- if
9 there's anyone going to be testifying, it needs to be in
10 person. If it's just going to be argument, then you can
11 appear by Zoom.

12 So I guess I'll ask Mr. Dulberg, is there
13 going to be any witnesses?

14 MR. DULBERG: I didn't ask for anybody -- any in
15 the motion, no.

16 THE COURT: Okay. You're just going to be arguing
17 it based on the record?

18 MR. DULBERG: Yes.

19 THE COURT: Okay. Then I think we can just go
20 ahead -- unless someone else is going to be testifying,
21 we can just do it by Zoom if you prefer to appear by
22 Zoom.

23 MR. DULBERG: Thank you, sir.

24 THE COURT: Okay? All right. I'll prepare the

1 order shortly and it will be in the system fairly soon.

2 Okay?

3 MR. GOOCH: Thank you, your Honor.

4 MS. SERSHON: Thank you, Judge.

5 THE COURT: Thank you.

6 (Which were all the proceedings
7 had in the above-entitled cause
8 this date.)

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IN THE TWENTY-SECOND JUDICIAL CIRCUIT
McHENRY COUNTY, ILLINOIS

I, CRISTIN M. KELLY, an Official Court Reporter for the Twenty-Second Judicial Circuit of Illinois, do hereby certify that the foregoing Report of Proceedings was electronically recorded and is a true, correct, and complete transcript so taken at the time and place hereinabove set forth to the best of my ability based on the quality of the electronic recording.


Cristin M. Kelly
Official Court Reporter

Dated this 11th day of February, 2026