

IN THE CIRCUIT COURT OF THE TWENTY-SECOND JUDICIAL CIRCUIT
McHENRY COUNTY, ILLINOIS

AIB

PAUL R. DULBERG	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	
THOMAS W. GOOCH, SABINA SERSHON,	)	
EDWARD X. CLINTON, JULIA WIL-	)	
LIAMS, ALPHONSE TALARICO, GEORGE	)	CASE NO. 25LA360
FLYNN, THOMAS J. POPOVICH, HANS	)	
MAST, THE GOOCH FIRM, CLINTON	)	
LAW FIRM, LLC., LAW OFFICE OF AL-	)	
PHONSE A. TALARICO	)	
Defendants,	)	

PLAINTIFF’S RESPONSE IN OPPOSITION TO DEFENDANT THOMAS W. GOOCH’S “MOTION TO VACATE DEFAULTS TECHNICAL OR OTHERWISE AND FOR ADDITIONAL TIME TO FILE RESPONSIVE PLEADINGS”

Plaintiff, PAUL R. DULBERG, pro se, responds to Defendant Thomas W. Gooch’s Motion to Vacate Defaults Technical or Otherwise and for Additional Time to File Responsive Pleadings (“Motion”), and states:

1. Defendant Gooch’s Motion asks the Court to “vacate defaults technical or otherwise” and to grant additional time to file responsive pleadings. The Motion provides only one factual assertion: that Defendant Gooch’s response “was due on January 23, 2026” and that “due to the demands of other business” Defendant Gooch was unable to file responsive pleadings.
2. Dulberg respectfully requests that the Motion be denied. At minimum, if the Court grants any relief, Dulberg requests the Court grant only a short, date-certain extension and require Defendant Gooch to file an Answer or other responsive pleading promptly, without further delay.
- A. The request to “vacate defaults” is premature/moot because no default order has been identified.**
3. Dulberg is not aware of any written Order of Default or default judgment having been entered against Defendant Gooch that could be “vacated.” Dulberg’s Motion for Entry of Default and Default Judgment as to Liability against Defendant Gooch and The Gooch Firm is pending.
4. Defendant Gooch’s Motion does not identify any default order by date, does not attach a copy of any

default order, and does not identify what specific “defaults” are supposedly being vacated. For that reason alone, the request to “vacate defaults technical or otherwise” should be denied as premature.

B. Defendant Gooch’s Motion does not show good cause for additional time.

5. Defendant Gooch was personally served with summons and complaint on December 23, 2025 at 10:28 a.m. at 209 S. Main Street, Wauconda, Illinois (per the Sheriff’s return/affidavit on file). Service on “The Gooch Firm” is likewise reflected as completed on December 23, 2025 at 10:28 a.m. at the same address.

6. Defendant Gooch’s Motion offers no facts showing diligence, no explanation why no motion for extension was sought before the deadline, no affidavit, no proposed Answer, and no stated amount of additional time requested. The conclusory statement “demands of other business” is insufficient to justify further delay, particularly where Defendant Gooch is an attorney and has been aware of this lawsuit since personal service in December.

7. Defendant Gooch filed an Appearance on February 3, 2026 but has still not filed any Answer or other responsive pleading to the Complaint. Defendant Gooch’s continued non-pleading is the exact issue presented by Dulberg’s pending default motion.

C. Local motion practice: the Motion is procedurally deficient and should not be rewarded with delay.

8. McHenry County Local Rule Part 2.00 requires motions to identify the Supreme Court Rule, Code of Civil Procedure section, or other statutory section on which the motion is based. Defendant Gooch’s Motion cites no authority.

9. Local Rule Part 2.00 further provides that a motion to continue should not be allowed absent good cause and the Court may require affidavits. Defendant Gooch’s Motion provides neither good cause nor supporting affidavit.

D. Requested relief.

- a. Dulberg respectfully requests that the Court DENY Defendant Gooch’s Motion and GRANT Dulberg’s pending Motion for Entry of Default and Default Judgment as to Liability (liability only) as to Defendant Gooch and The Gooch Firm.
- b. In the alternative, if the Court is inclined to allow Defendant Gooch to avoid default, Dulberg requests the Court grant only a short extension and enter an order requiring

Defendant Gooch to file an Answer or other responsive pleading by a date certain (e.g., within 7–14 days), with no further extensions absent extraordinary cause, and set a near-term status date.

WHEREFORE, Dulberg respectfully requests that Defendant Gooch’s Motion be DENIED, and that the Court proceed to hear and grant Dulberg’s Motion for Entry of Default and Default Judgment as to Liability against Defendant Gooch and The Gooch Firm, or in the alternative grant only a short, date-certain deadline to plead and set prompt status, and grant such other relief as is just.

Submitted by: /s/ Paul R. Dulberg
Paul R. Dulberg (pro se)
4606 Hayden Ct. McHenry, Illinois 60051
(847) 497-4250
Paul_Dulberg@comcast.net

VERIFICATION BY CERTIFICATION PURSUANT TO SECTION 1-109

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief, and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

/s/ Paul R. Dulberg
Paul R. Dulberg

CERTIFICATE OF SERVICE

I certify that on **3/5/2026**, I served this document on all counsel/parties of record via eFileIL/ EFSP electronic service to the extent available, and by email to any party not on eFile service.

/s/ Paul R. Dulberg

Date: **3/5/2026**