

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

PAUL DULBERG,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 17 LA 377
	)	
THE LAW OFFICE OF THOMAS J.	)	
POPOVICH, P.C. and HANS MAST,	)	
	)	
Defendants.	)	

**THIS HAS NOT BEEN SENT AS OF 2020 JULY 7—DO NOT SEND**

**DULBERG’S SECOND SUPPLEMENTAL ANSWERS TO DEFENDANTS THE LAW  
OFFICES OF THOMAS J.  
POPOVICH, P.C.’S INTERROGATORIES TO PLAINTIFF PAUL DULBERG**

Paul Dulberg, by and through his attorneys, The Clinton Law Firm, LLC, pursuant to the provisions of Illinois Supreme Court Rule 213, responds, in supplement, to Defendant, The Law Offices of Thomas J. Popovich, P.C.’s Interrogatories To Plaintiff Paul Dulberg as follows:

**INTERROGATORIES**

**26. Identify and describe the false and misleading information Mast and Popovich provided to you, and explain how you realized for the first time in December of 2016 that the information was false and misleading and the dismissal of the McGuires was a serious and substantial mistake, as alleged in paragraph 56 of your second amended complaint.**

**ORIGINAL ANSWER:**

Mast told Dulberg that Illinois law does not permit a recovery against the McGuires in the circumstances of Dulberg’s case and that Dulberg would not receive any recovery from the McGuires. Mast told Dulberg that the judge would rule in favor of the McGuires on a motion for summary judgment.

Mast further told Dulberg that Dulberg would retain his claim against Gagnon and be able to seek and receive a full recovery from Gagnon.

**SUPPLEMENT TO ORIGINAL ANSWER:**

On December 8, 2016, the mediator issued a net award to Dulberg of \$561,000. Dulberg discovered he could not recover the entire mediation award from Gagnon. At that time Dulberg realized that Mast's advice to settle with the McGuires for \$5,000 was incorrect, because Mast had cited Dulberg being able to recover in full from Gagnon as his reasoning.

**SECOND SUPPLEMENTAL ANSWER:**

Paragraph 56 of Plaintiff's second amended complaint states:

56. Following the execution of the mediation agreement and the final mediation award, Dulberg realized for the first time in December of 2016 that the information Mast and Popovich had given Dulberg was false and misleading, and that in fact, the dismissal of the McGuires was a serious and substantial mistake.

Plaintiff's prior responses fully and completely respond to this interrogatory and, on its face, the request does not seek any privileged or irrelevant information and thus, no objection is necessary. However, to the extent that this interrogatory is seeking advice or communications between (a) Paul Dulberg and attorneys that represented Paul Dulberg in the matter of *Dulberg v. The Law Offices of Thomas J. Popovich, et. al*, 20117 LA 377, or (b) that Paul Dulberg consulted with in relation to the matter of *Dulberg v. The Law Offices of Thomas J. Popovich, et. al*, 20117 LA 377, Plaintiff objects to the disclosure of such information as it is protected from disclosure pursuant to attorney-client privilege.

**27. Identify and describe the expert opinions provided to you in December 2016 as alleged in paragraph 57 of your second amended complaint, including the identity of the expert, the opinions, and any other information provided by the expert which caused you to learn in the summer of 2016 and become reasonably aware that Mast and Popovich did not properly represent you.**

**ORIGINAL ANSWER:**

Dr. Landford is a chain saw expert who was retained by Dulberg. See documents produced.

**SUPPLEMENT TO ORIGINAL ANSWER:**

Dr. Landford is a chainsaw expert who was retained by Dulberg during the mediation which occurred in 2016. Landford's expert opinion demonstrates that contrary to Mast's advice, the McGuires were liable for Gagnon's actions with the chainsaw. The expert report came out in February of 2016 and the mediation award was issued in December of 2016.

**SECOND SUPPLEMENTAL ANSWER:**

Paragraph 57 states as follows:

57. It was not until the mediation in December 2016, based on the expert's opinions that Dulberg retained for the mediation, that Dulberg became reasonably

aware that Mast and Popovich did not properly represent him by pressuring and coercing him to accept a settlement for \$5,000.00 on an “all or nothing” basis.

Plaintiff’s prior responses fully and completely responds to this interrogatory and, on its face, the request does not seek any privileged or irrelevant information and thus, no objection is necessary. However, to the extent that this interrogatory is seeking advice or communications between (a) Paul Dulberg and attorneys that represented Paul Dulberg in the matter of *Dulberg v. The Law Offices of Thomas J. Popovich, et. al*, 20117 LA 377, or (b) that Paul Dulberg consulted with in relation to the matter of *Dulberg v. The Law Offices of Thomas J. Popovich, et. al*, 20117 LA 377, Plaintiff objects to the disclosure of such information as it is protected from disclosure pursuant to attorney-client privilege.

Respectfully submitted,

/s/ Julia C. Williams  
Julia C. Williams  
One of Plaintiff’s Attorneys

Edward X. Clinton, Jr.  
Julia C. Williams  
The Clinton Law Firm, LLC  
111 W Washington Street  
Suite 1437  
Chicago, IL 60602  
Attorneys for Plaintiff, Atty No. 35893  
312.357.1515  
[ed@clintonlaw.net](mailto:ed@clintonlaw.net)  
[juliawilliams@clintonlaw.net](mailto:juliawilliams@clintonlaw.net)