

1 STATE OF ILLINOIS)

2)

3 COUNTY OF McHENRY)

4 IN THE TWENTY-SECOND JUDICIAL CIRCUIT

5 McHENRY COUNTY, ILLINOIS

6 PAUL DULBERG,)

7 Plaintiff,)

8 vs.) No. 17 LA 377

9 THE LAW OFFICES OF THOMAS J.)

10 POPOVICH, P.C., and HANS MAST,)

11 Defendant.)

12 ELECTRONICALLY RECORDED REPORT OF
13 PROCEEDINGS had in the above-entitled cause before
14 the Honorable THOMAS A. MEYER, Judge of said Court
15 of McHenry County, Illinois, on the 4th day of
16 November, 2019, at the McHenry County Government
17 Center, Woodstock, Illinois.

18 APPEARANCES:

19 THE CLINTON LAW FIRM, by

20 MS. JULIA C. WILLIAMS, (Via CourtCall)

21 On behalf of the Plaintiff,

22 KARBAL COHEN ECONOMOU SILK DUNNE, LLC, by

23 MR. GEORGE K. FLYNN,

24 On behalf of the Defendants.

1 THE COURT: All right. Let's go Dulberg versus
2 Mast. Good morning. This is Judge Meyer. I'm a
3 little early. I've got two cases on CourtCall. Is
4 anyone on the phone for Dulberg versus Mast?

5 MS. WILLIAMS: Yes, your Honor. Good morning.
6 This is Julia Williams on behalf of Paul Dulberg.

7 THE COURT: All right. Here we have in court
8 here Mr. Dulberg, am I correct?

9 MR. DULBERG: Correct.

10 THE COURT: And counsel?

11 MR. FLYNN: George Flynn on behalf of Popovich.

12 THE COURT: Okay. I'll ask counsel here in
13 court, what's going on?

14 MR. FLYNN: Judge, we are here for a status and
15 my motion. I've got a motion to file an amended
16 affirmative defense which I understand is -- has no
17 objection.

18 THE COURT: Is that correct, counsel, no
19 objection?

20 MS. WILLIAMS: No. Given the pleading standard,
21 there is no objection.

22 THE COURT: Okay. All right. What have we done
23 in (f)(1)?

24 MR. FLYNN: We haven't taken any depositions.

1 We have exchanged written discovery. There is some
2 outstanding supplemental answers owed by the
3 plaintiff. My understanding they are out for
4 signature.

5 You may recall last time we were here, your
6 Honor, there was an indication on the record that
7 the plaintiff is waiving a previously raised
8 attorney-client privilege.

9 THE COURT: Okay.

10 MR. FLYNN: So I think they are amending the
11 discovery answers and possibly producing more
12 documents. I'm not sure.

13 THE COURT: Is that correct, counsel, not
14 putting you on the spot, but is that an accurate
15 representation?

16 MS. WILLIAMS: Right. So I think we have
17 produced pretty much everything we have, but I can
18 talk to counsel about the documents. But we are
19 amending -- supplementing some of the discovery
20 responses, and I'm working with my client on that
21 now. And then I think there might be a couple other
22 outstanding discovery issues that's something that
23 counsel and I have been working on, and I think will
24 be resolved --

1 THE COURT: Okay.

2 MS. WILLIAMS: -- fairly quickly.

3 THE COURT: With that all being said, since
4 you're still doing written, how about I put it on 90
5 days? That takes us to early February. February 3
6 is a Monday. Does that day work, or did you have
7 something else in mind?

8 MR. FLYNN: Let's see.

9 MS. WILLIAMS: That's fine with me if that's
10 fine with counsel.

11 MR. FLYNN: That's fine with me. It's the day
12 after the Super Bowl, but I'm really too old these
13 days to have much fun for it. So --

14 THE COURT: All right. So it will be February 3
15 status (f)(1).

16 MS. WILLIAMS: Thank you, your Honor.

17 THE COURT: All right. I'll grant you to file
18 the amended.

19 MR. FLYNN: Thank you, your Honor.

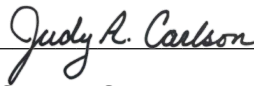
20 THE COURT: All right. Thank you.

21 (Which were all the proceedings
22 had in the above-entitled cause
23 this date.)
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STATE OF ILLINOIS)
) SS:
COUNTY OF McHENRY)

I, JUDY CARLSON, an official Court Reporter
for the Circuit Court of McHenry County,
Twenty-Second Judicial Circuit of Illinois,
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proceeding in the above-entitled cause to the best
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