

**Date : 10/1/2022 6:17:02 AM**  
**From : "Paul Dulberg"**  
**To : "Law Office Of Alphonse Talarico"**  
**BCc : "Paul Dulberg" , "Tom Kost"**  
**Subject : Re: Bauden Texts**

I think the old spreadsheet had errors, trying to figure it out.

On Sep 30, 2022, at 1:06 PM, Paul Dulberg <[Paul\\_Dulberg@comcast.net](mailto:Paul_Dulberg@comcast.net)> wrote:

I had made a spreadsheet of the texts as well.

Attached is a PDF just made from the spreadsheet.

Finding these things makes me wish I had that iPad fixed along time ago.

Paul

<Randy Baudin\_(815) 814-2193\_2020-01-26\_03-54-09.pdf>

On Sep 30, 2022, at 11:55 AM, Paul Dulberg  
<[Paul\\_Dulberg@comcast.net](mailto:Paul_Dulberg@comcast.net)> wrote:

Dear Mr Talarico,

I found this email that I sent to myself of the texts I had with Baudin from my old phone service (Comcast) on my old iPad when I was looking for stuff for the upcoming Baudin complaint.

I also am attaching a PDF of this email that I found.

I don't know if you already have this or not since it was not an email to or from the Baudins and I had forgotten the Baudins liked using phone texts at times over emails and that was all done through a Comcast app on my old iPad.

Is this something that should have been turned over in the Mast/Popovich case?

If so, can we supplement it?

Or can we subpoena Comcast or the Baudins and their phone service for the texts.

Paul

<2017-11-22\_Bauden Texts.pdf>

Begin forwarded message:

**From:** PAUL DULBERG <[paul\\_dulberg@comcast.net](mailto:paul_dulberg@comcast.net)>

**Subject:** Bauden Texts

**Date:** November 22, 2017 at 5:46:31 AM CST

**To:** Paul Dulberg <[pdulberg@comcast.net](mailto:pdulberg@comcast.net)>

**Reply-To:** PAUL DULBERG  
<[paul\\_dulberg@comcast.net](mailto:paul_dulberg@comcast.net)>

Hi it's randy. Coming to court tomorrow?

---

(815) 814-2193 7:57 PM July 10, 2016

PD

I just checked and last I knew it was scheduled for September 23rd for pretrial . If we have court tomorrow I will be there. What time?

---

(847) 497-4250 8:01 PM July 10, 2016

There is court at nine. Allstate filed some motions. Prolly not going to be heard but want to talk to judge and see if he will speak to us all

---

(815) 814-2193 8:05 PM July 10, 2016

PD

Ok I'll be there

---

(847) 497-4250 8:07 PM July 10, 2016

Great

---

(815) 814-2193 8:07 PM July 10, 2016

PD

Morning Randy, Mom and I have been talking about how to move forward. Please give me a call to discuss Thanks, Paul

---

(847) 497-4250 8:17 AM July 12, 2016

PD

847-497-4250

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(847) 497-4250 8:21 AM July 12, 2016

Kelly and I would like speak with you and your mom Monday night at 630

---

(815) 814-2193 2:22 PM July 15, 2016

PD

Okay, Monday the 18th at 6:30 pm. Do we need to bring anything?

---

(847) 497-4250 2:27 PM July 15, 2016

Maybe the social security report if you have it? We will Jameson's Charhouse crystal lake at 630 in meeting room there.

---

(815) 814-2193 2:29 PM July 15, 2016

And yes 18th

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(815) 814-2193 2:29 PM July 15, 2016

PD

I don't have a report from social security but I did send Myrna the contact information for the lawyer handling it. I don't know that a final report would be generated yet since I'm still waiting for the next hearing to be scheduled but I'm sure Meredith the lawyer would know more than I do.

---

(847) 497-4250 2:37 PM July 15, 2016

Ok

---

(815) 814-2193 2:37 PM July 15, 2016

PD

Still on for tonight?

---

(847) 497-4250 4:26 PM July 18, 2016

Yes sir.

---

(815) 814-2193 4:26 PM July 18, 2016

PD

Are we doing dinner?

---

(847) 497-4250 4:27 PM July 18, 2016

You can eat we were going to get appetizers. We are to meet there as there is more space.

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(815) 814-2193 4:39 PM July 18, 2016

PD

Should I bring my notes on the deps?

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(847) 497-4250 4:40 PM July 18, 2016

If you want, want to talk more about strategy and thoughts on the case

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(815) 814-2193 4:44 PM July 18, 2016

PD

I'll leave the deps at home, too much for me to lug around.  
See you at 6:30

---

(847) 497-4250 4:47 PM July 18, 2016

Thanks. See you then.

---

(815) 814-2193 4:48 PM July 18, 2016

PD

Would we be in a better position if the SSDI decision was already in and would that make a difference in the amount the arbitration judge would award?

---

(847) 497-4250 8:54 PM July 18, 2016

No we have the dr reports. You can tell the judge about it in mediation as well. More informal and you can get more info in without being restricted by r

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(815) 814-2193 8:56 PM July 18, 2016

ules of evidence. And I can't promise in a trial they won't bring the felony drug charges up. Believe me the binding mediation is the best route.

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(815) 814-2193 8:56 PM July 18, 2016

We are in the best spot now with the momentum on our side and being able to present your case in mediation without any new testimony from defendant

---

(815) 814-2193 9:00 PM July 18, 2016

PD

If we went to trial I'm not worried about those drug charges. I've had to explain myself about that for decades. It's pretty simple, I screwed up at a young age, was honest about it, admitted my wrong and took my punishment. Then I moved on with life, worked hard for 17 years for many employers in this county who all have nothing but good things to say about my time with them while at the same time I created a legitimate business that lasted 12 years till this incident. I believe my past felony will be a non issue because it actually shows a lot about my character, being honest when I'm in the wrong is something most people won't do even if being honest cost me a few years. If Allstate does bring it up, their own client did the same thing only worse, he and his whole family was caught dealing drugs only to underage kids and he was the ringleader. They were just lucky that when they got caught it was before mandatory sentences for those offenses were in place. but it doesn't change what they did, exploiting underage children with drugs for money is far worse than my simple possession charge. I have the actual police reports if we need them. If this does go to trial, Allstate lawyers had better read the depositions of their client and his family. if they do I don't believe their going to put their client or anyone from his family on the stand just to purger themselves over and over again in front of a jury unless the want to lose. All they have is possibly some dr who isn't impartial questioning the results of the dr's I was sent to see. In the end after the Dr's have it out on the stand all that remains is me who nearly died, had 40% of my arm severed and the edges turned to hamburger by a chainsaw then just stitched back together with a few threads with hope that I might get some use yet. Well I do have limited use but it's not enough to do the daily functions we all need to do in

order to take care of ourselves and it doesn't take a Ph.D. to see or understand that a chainsaw does that. Ok, I realize I just ranted a lot but its all good. I'll let you know in the morning

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(847) 497-4250 10:09 PM July 18, 2016

So sorry came in garbled. Are you taking our recommendation as to the binding mediation?

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(815) 814-2193 10:12 PM July 18, 2016

PD

You will have an answer tomorrow

---

(847) 497-4250 10:13 PM July 18, 2016

Ok. Sleep well.

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(815) 814-2193 10:13 PM July 18, 2016

PD

Sorry but I want to get this to you while its fresh Please answer this in the morning How are costs and attorney fees handled in binding arbitration? Do they come out of the award or are they in addition to the award like a trial?

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(847) 497-4250 12:23 AM July 19, 2016

Both Handled the same as trail.

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(815) 814-2193 3:57 AM July 19, 2016

PD

Does that mean your fees and costs are awarded separate from the award or do they still come out of the 300k cap?

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(847) 497-4250 7:02 AM July 19, 2016

If at trial and win 300 max Costs not above that. Same as mediation. We can ask for judge to award costs in both. Up to judge to award. Also costs mean

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(815) 814-2193 7:06 AM July 19, 2016

filing fee service fee. Not the costs like experts bills Etc

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(815) 814-2193 7:06 AM July 19, 2016

PD

We are thinking that if we can get Allstate to agree in advance and in writing to cover your % (fee) and all the costs including deposition fees, expert witness fees and medical above and beyond any award the arbiter sees fit then we would be willing to go forward. Let's just see if they are open to it

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(847) 497-4250 7:54 AM July 19, 2016

They won't. The judge will decide what the award is and that is the award. We again urge you to do the binding mediation.

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(815) 814-2193 7:56 AM July 19, 2016

PD

I just read the statute on arbitration and it seems to me that your fees and all the costs can be agreed to in advance with the exception of fees for the arbitration itself. I need to feel that there is something covered. Particularly the monies we already laid out otherwise just the momentum in our favor



isn't enough because the momentum has always been in our favor. It doesn't hurt to ask Allstate if they would agree to pay these separate from the award

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(847) 497-4250 8:10 AM July 19, 2016

PD

In essence Allstate is already setting terms on us not to go after their clients personal assets. Irregardless if their are any assets. So I think it's only fair that they cover fees and costs in advance

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(847) 497-4250 8:18 AM July 19, 2016

PD

They are the ones pushing for arbitration correct? Why?

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(847) 497-4250 8:40 AM July 19, 2016

PD

I have to run to the dr's appointment. I'd tell Kelly to ask that Allstate wait till possibly Thursday for their answer. It's not like it cost them anything

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(847) 497-4250 8:47 AM July 19, 2016

I told you they don't care if we arbitrate. We as your lawyers say that it is the best that you do the binding mediation. We are deciding this based on f

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(815) 814-2193 10:07 AM July 19, 2016

acts and odds as to give you the best outcome. It appears to me that you are still looking for some justification or rationalization to carry on as if i

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(815) 814-2193 10:07 AM July 19, 2016

t will make it better. It won't. This will give you the best possible outcome.

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(815) 814-2193 10:07 AM July 19, 2016

PD

Randy, Yes arbitration is appealing because it saves a few thousand dollars and maybe a few years but I don't like the idea of being blindly boxed in on their terms alone without any assurances as to your fees, medical expenses or even what we spent out of pocket in costs to get here. I want some assurances/concessions on their part prior to walking in or it's no deal. Going in blind with no assurances, I can't help but to feel like a cow being herded thinking its dinner time but it's really slaughter time. They need to give somewhere prior to arbitration or it's a good indication as to how they will negotiate once we start. In other words, if they won't concede anything prior to arbitration then they won't negotiate or concede anything once the arbitration starts and if that's the case, what's the point. We need something to show they are sincere in trying to resolve this. Up the lower limits from 50k to 150k, concede on the medical portion, out of pocket expenses, attorneys fees or how about just resolving their portion and leave their chainsaw wielding idiot open to defend himself in this lawsuit. Perhaps they can give on something I haven't thought of yet, Anything will do but giving on nothing prior to walking in there spells out what I'm going to get and if that's the case then I'll spend money and roll the dice. Convince me I'm not going being lead to slaughter and I'll agree

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(847) 497-4250 1:46 PM July 19, 2016

PD

To do it

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(847) 497-4250 1:58 PM July 19, 2016

So sorry your texts come in out of order. Binding mediation or no.

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(815) 814-2193 4:28 PM July 19, 2016

PD

When you have some time call me. We have questions

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(847) 497-4250 4:44 PM July 19, 2016

PD

You mentioned something about structured settlement  
Please give me a quick education on it When your done of  
coarse

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(847) 497-4250 6:56 PM July 19, 2016

PD

Ok, I have to ask about rules of evidence in a trial vs.  
arbitration I know that you said it gives me the personal  
ability to talk with the arbiter about things that would not  
be allowed at a trial. My question is, is that a two way  
street, can the defense pull crap that would never be  
allowed at trial?

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(847) 497-4250 8:43 AM July 20, 2016

They have no ammo. We have dr opinion unscathed and  
tree expert unscathed bad guy won't be there you will. So  
we have advantage

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(815) 814-2193 10:00 AM July 20, 2016

PD

Will there be some sort of gag order on me? In other words does this stop me from talking about it in the future?

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(847) 497-4250 10:21 AM July 20, 2016

PD

Yes, no?

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(847) 497-4250 10:56 AM July 20, 2016

I doubt there will be any type of confidentiality clause as a part of the settlement

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(815) 814-2193 11:03 AM July 20, 2016

PD

Can depositions be used?

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(847) 497-4250 11:05 AM July 20, 2016

Yes

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(815) 814-2193 11:06 AM July 20, 2016

PD

Can phone, text, emails, videos or audio recordings be used?

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(847) 497-4250 11:07 AM July 20, 2016

There aren't any restrictions on what we say or do with the judge when we are with him in private. He will give it as much weight or credibility as he se

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(815) 814-2193 11:09 AM July 20, 2016

es fit, but we can do or say whatever we want to him when we meet. Unlike a trial

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(815) 814-2193 11:09 AM July 20, 2016

PD

Can video or phone calls be used by us or the defense to reach outside the proceeding to clarify or substantiate any claims made by us or them

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(847) 497-4250 11:11 AM July 20, 2016

PD

Correction; can video or phone calls be made during the proceedings that can Clarify, substantiate or rebuke any claims made? You know what I mean

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(847) 497-4250 11:20 AM July 20, 2016

Like you want to call somebody during the preceding

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(815) 814-2193 11:21 AM July 20, 2016

will be of greatest importance is the nature extent and permanence of your injury

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(815) 814-2193 11:22 AM July 20, 2016

And just so you understand, as far as the judges concerned I feel that he is going to attribute very little if any negligence to you the matter that he

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(815) 814-2193 11:23 AM July 20, 2016

PD

From my understanding, they can have an army of professional witnesses ready at the touch of a button ready to tell the judge anything they wish? Is this a possibility?

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(847) 497-4250 11:25 AM July 20, 2016

If we go to trial they sure will. They have no IME they have no rebut to tree expert. Again we are in the best position now to get the maximum recovery

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(815) 814-2193 11:31 AM July 20, 2016

PD

Yes but they can call anyone or produce in writing anything they wish with no restrictions at the arbitration correct

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(847) 497-4250 11:34 AM July 20, 2016

They could. But we will be there to refute anything. Again, the actual person, you. Not a document.

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(815) 814-2193 11:41 AM July 20, 2016

All right, Kelly called and we have Cole show Sean in the next hour or so. Kelly had promised her we were calling yesterday, they have to know what's goi

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(815) 814-2193 11:44 AM July 20, 2016

ng on and make arrangements regarding additional counsel. Again, as your attorneys we are strongly urging you to participate in the binding mediation. It

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(815) 814-2193 11:44 AM July 20, 2016

is your best opportunity for the greatest possible recovery and the guarantee that you would at least walk away with something if you got 0. Again, this

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(815) 814-2193 11:44 AM July 20, 2016

gives us the most control of the situation.

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(815) 814-2193 11:44 AM July 20, 2016

PD

So they can bring the defendants in via phone, video, text etc... Even if they are not in the physical location nor listed as anyone attending?

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(847) 497-4250 11:45 AM July 20, 2016

Show Sean will be there in an adjuster will be there either by telephone or in person. She will present a submission to the judge laying out there view o

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(815) 814-2193 11:47 AM July 20, 2016

f the case. Then she will speak their behalf and argue from the depositions that have already been presented. There's not going to be any testimony given

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(815) 814-2193 11:47 AM July 20, 2016

PD

Also, if they're in a separate room and we are not privy to anyon their conversation how can we refute what's going on?

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(847) 497-4250 11:47 AM July 20, 2016

during this proceeding. We can talk to him in private but there's no questioning no answers no cross-exam. You're really overthinking this. Just stop an

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(815) 814-2193 11:47 AM July 20, 2016

d listen to your lawyers' advice that's why you hire us.

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(815) 814-2193 11:47 AM July 20, 2016

The judge will tell us what their arguments are and he will tell them what our arguments are. Did we tell the judge why we think that's not true, and con

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(815) 814-2193 11:48 AM July 20, 2016

versely they do the same

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(815) 814-2193 11:48 AM July 20, 2016

I'm going into a meeting. I will have about five minutes coming up in an hour, during that time I have to have an answer. I ask that you believe in us a

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(815) 814-2193 11:51 AM July 20, 2016

nd what we've done for you so far, we haven't misled or put you down the wrong path, just have faith.

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(815) 814-2193 11:51 AM July 20, 2016

PD

Ok, in an hour then



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(847) 497-4250 11:52 AM July 20, 2016

Yes binding mediation?

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(815) 814-2193 1:04 PM July 20, 2016

PD

Randy, I truly appreciate yours and Kelly's honest advice and I hope I continue to receive it in the future. Please don't take this personal because it's not. I value everything you have to offer more than you know. I will be moving forward with litigation at this time. However, should Allstate consider a full settlement with no strings attached in the future so they can save the cost of litigation or a humiliating defeat I'm not opposed to entertaining it and most likely will accept it. This is too important to me and my family. I just cannot give up the protections of a public trial with the possibility of review should something be handled wrongly in the hopes of saving a few thousand dollars and time. Thank you both for your honest advice now let's move forward together and enjoy winning this case together.

---

(847) 497-4250 1:24 PM July 20, 2016

PD

Was that response garbled broken up text or did it go through ok?

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(847) 497-4250 1:49 PM July 20, 2016

You available to talk with your mother as well on the phone in a half hour or so

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(815) 814-2193 3:59 PM July 20, 2016

PD

Tomorrow morning, 9am, judge Meyers?

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(847) 497-4250 3:59 PM July 20, 2016

Yes but on the phone in a half hour

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(815) 814-2193 4:00 PM July 20, 2016

PD

Yes on the phone in a half hour is ok but mom is off with grandkids

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(847) 497-4250 4:02 PM July 20, 2016

Ok

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(815) 814-2193 4:18 PM July 20, 2016

PD

Think you two can get me that copy of the policy soon?

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(847) 497-4250 12:41 PM July 21, 2016

PD

Randy, please read page 1 coverage cushion of the gagnon policy. It extends coverage to 120% That's 60k more

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(847) 497-4250 6:28 PM July 21, 2016

PD

Page 2 guest medical may be an extra 1k

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(847) 497-4250 6:37 PM July 21, 2016

PD

Please let Kelly know that I want the high end of the Adr policy limit increased by 20% along with adding 20% to and judgement below the high end limit

---

(847) 497-4250 7:00 PM July 21, 2016

PD

Oh yeah, your thoughts of him being dropped is a joke. His Gold coverage says he cannot be dropped no matter how many claims are made. Just thought you'd like to know that. You really should read the policy

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(847) 497-4250 7:09 PM July 21, 2016

Hi it's Randy.

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(815) 814-2193 3:29 PM July 26, 2016

PD

Morning, sorry I missed your texts

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(847) 497-4250 9:25 AM July 27, 2016

PD

What do you need

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(847) 497-4250 9:25 AM July 27, 2016

I'll give you a call around four-ish I just wanted to address some of your concerns about the policy etc.

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(815) 814-2193 11:06 AM July 27, 2016

PD

Okay

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(847) 497-4250 11:07 AM July 27, 2016

PD

Just so you know, just received a letter from the Social Security Administration and its a Notice of Affirmation and order of Appeals Council Remanding Case back to the Administrative Law Judge

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(847) 497-4250 11:14 AM July 27, 2016

Great

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(815) 814-2193 11:14 AM July 27, 2016

PD

Thank goodness that I kept the right to review by an appeal

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(847) 497-4250 11:21 AM July 27, 2016

PD

Morning Randy, If there was some sort of business contract between Gagnon and his Parents why couldn't any of them even come close as to what the terms were? Secondly, where are the cashed checks or contract? I was there the day this happened. I didn't hear anything that sounded like it was more than a son doing work for his parents as a favor. Nothing more. This seems to me to be yet another ploy to negate their financial responsibility and was conceived of after the fact.

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(847) 497-4250 6:17 AM July 28, 2016

PD

If I remember correctly, David said in his dep that he was elected to do the work. Why say elected if he was contracted?

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(847) 497-4250 6:24 AM July 28, 2016

Sorry, I'm driving and it looks garbled again. But it says if there's an agreement or contract so I'm guessing, if he knows what is not going to give you

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(815) 814-2193 6:47 AM July 28, 2016

coverage, he will testify that way. But he has already testified that he was receiving \$15 an hour, and that you were going to get the same. What you ge

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(815) 814-2193 6:47 AM July 28, 2016

t is a relevant or what you got, and I know you didn't get paid. It's also irrelevant whether or not he actually got paid, especially in light of how it

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(815) 814-2193 6:47 AM July 28, 2016

turned out, I guess it's just whether or not there was an agreement and it didn't have to be in writing. If at trial, they all say that there was some a

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(815) 814-2193 6:47 AM July 28, 2016

greement or in an action to exclude coverage before trial, i'm guessing they're all going to be on the same page. The issue as to whether or not there is

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(815) 814-2193 6:47 AM July 28, 2016

coverage, is different from the trial. That's a trial before the trial and that is something that we would have to win.

---

(815) 814-2193 6:47 AM July 28, 2016

PD

Since they didn't think enough ahead of the dep to get their storylines straight as to the payment/terms for this supposed agreement I believe that is enough to show there was no agreement and this is just another fabrication. Not unlike the other fabrications created throughout their deps. It is an obvious pattern. Expose it and their done even in front of a conservative jury or a trained judge acting as an bait or or mediator

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(847) 497-4250 6:53 AM July 28, 2016

PD

Bait means arbiter

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(847) 497-4250 6:54 AM July 28, 2016

This issue will not come to fruition and biding mediation. The Allstate in-house lawyers have not put two and two together

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(815) 814-2193 6:56 AM July 28, 2016

PD

They have to prove this claim and they can't.

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(847) 497-4250 6:57 AM July 28, 2016

PD

Am I allowed to make erroneous claims without proof? If not, why would their erroneous claims without proof be allowed?

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(847) 497-4250 7:00 AM July 28, 2016

It would be something called dec action which would be brought by ALLSTATE. Yes evidence would be presented but there aren't any guarantees regarding wha

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(815) 814-2193 7:02 AM July 28, 2016

t the judge would decide

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(815) 814-2193 7:02 AM July 28, 2016

PD

I'm sure any experienced judge would see this for what it is. A fraudulent attempt to negate any and all financial responsibility for the wreck less actions committed that day. They have no proof other than the words of those who already lied under oath

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(847) 497-4250 7:06 AM July 28, 2016

PD

Dozens of times

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(847) 497-4250 7:06 AM July 28, 2016

I'm sure a rational experience judge would think so, but those are few and far between. That's why the law books are full of appeals. The legal system i

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(815) 814-2193 7:11 AM July 28, 2016

s not fair, and not rational. Otherwise things could just be input into a computer and the answer would spit out.

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(815) 814-2193 7:11 AM July 28, 2016

PD

If someone hits you with their car does it matter if they were being paid to drive that car? If not how is this any different?

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(847) 497-4250 7:13 AM July 28, 2016

Actually that does, a lot of car policies exclude paid for hire. Also, every type of policy affords different types of coverage and has different exclusi

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(815) 814-2193 7:14 AM July 28, 2016

ons so homeowners policies are different than car policies

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(815) 814-2193 7:14 AM July 28, 2016

PD

I have a question that's related but different. Why were the defendants privy to my deposition prior to giving their own? Carol slipped in her dep and said things she couldn't have known unless someone coached her and gave her inside information about my deposition. If this happened, and clearly it is, what's to say they weren't coached to claim this was a contract just so he insurance company had an out?

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(847) 497-4250 7:18 AM July 28, 2016

I'm not sure who would've coached them because if this was an issue that ALLSTATE realized it would've been dealt with a long time ago



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(815) 814-2193 7:20 AM July 28, 2016

PD

When it smells foul, it's foul.

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(847) 497-4250 7:21 AM July 28, 2016

Defendants certainly are foul.

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(815) 814-2193 7:23 AM July 28, 2016

PD

Look, they claim it's a contract but when asked the details non of the parties supposedly involved with the contract can get any of the details even remotely the same. Like I said this is a ploy and nothing more

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(847) 497-4250 7:23 AM July 28, 2016

Yeah I'm not sure I don't know. Could be dabbing if they have a canceled check or something from previous work to say hey look we've paid him for doing s

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(815) 814-2193 7:25 AM July 28, 2016

tuff around the house before. But even if not you would have testimony that they had an agreement. Whether or not it's true is another story

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(815) 814-2193 7:25 AM July 28, 2016

PD

Ploy means rouse

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(847) 497-4250 7:26 AM July 28, 2016

PD

If they had a check it should have been entered into evidence by now. Since they don't too bad for them.

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(847) 497-4250 7:28 AM July 28, 2016

That would be a separate action. Nobody has even raised the issue of payment whether he's liable or not is

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(815) 814-2193 7:29 AM July 28, 2016

One issue. Whether or not there is coverage is a separate completely separate action that would be between ALLSTATE and him

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(815) 814-2193 7:29 AM July 28, 2016

PD

Since when is it ok to entertain unsubstantiated claims this far along with no evidence any of it it remotely true

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(847) 497-4250 7:30 AM July 28, 2016

PD

I just had to go back to carols dep. she claimed she gave money to David so he had something to claim on his taxes, not for the work being performed. David claims an hourly wage and the father, Bill claimed Carol gave him a pair of pants. Probably a gift as a thank you. None of these things are even close to being the same but all are suggestive and not proof of anything because their so vastly different

---

(847) 497-4250 7:42 AM July 28, 2016

PD

I am more curious who Carol hired to remove the tree and would be more interested questioning that company they were hired prior to the day of the incident. This would go a long way to putting David's claim of a contract to rest

---

(847) 497-4250 7:53 AM July 28, 2016

It's not even a contract it was just an agreement that doesn't have to be something formal written it's like hey I'll pay you some money to take the tree

---

(815) 814-2193 7:57 AM July 28, 2016

down. Headed into a meeting. I'll keep you up-to-date on any new information

---

(815) 814-2193 7:57 AM July 28, 2016

PD

If Carol, as she claimed, had previously entered into a contract with a real professional tree removal company why would she also agree to pay her son to remove the same tree? Unless, this is some sort of afterthought in an attempt to find ways of not paying for the damage they caused. They cannot play both sides of the street at the same time. They lied about this just as they lied about other things that happened that day all attempts to lessen the amount of damage done to me and lessen their responsibilities and misdirect blame and responsibility

---

(847) 497-4250 8:25 AM July 28, 2016

PD

The patterns are obvious and easily proven to be lies

---

(847) 497-4250 8:26 AM July 28, 2016

PD

From Carol knowing what I said in my Deposition, claiming the hospital and doctors gave her my personal medical information to the claims that she entered into some sort of verbal agreement with her son for business purposes sounds more like insurance company lawyers entering into an verbal agreement with their clients to skew the truth so they have some sort of out in exchange for representation in court.

---

(847) 497-4250 9:37 AM July 28, 2016

PD

If that's the case almost any claim made against an insurance policy can be thrown out based on verbal agreements with no proof to back up the story or lies being told

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(847) 497-4250 9:40 AM July 28, 2016

PD

I see this a a malicious attempt to get away with little or no consequences and just makes me want to expose all of this to a jury even more

---

(847) 497-4250 9:42 AM July 28, 2016

PD

Any chance Myrna can send me that asset report today? Also, there may be another asset that won't show up on his report. Rumor has it that David Gagnon had an auto accident and had to undergo some sort of surgery on his back and is in the process of suing for his injury.

---

(847) 497-4250 9:17 AM July 29, 2016

PD

What is a bad faith letter?

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(847) 497-4250 3:47 PM August 2, 2016

PD

Has one been sent to the Allstate adjusters?

---

(847) 497-4250 5:30 PM August 2, 2016

PD

What is happening this Wednesday in court now that Allstate is getting their independent medical exam in September or October?

---

(847) 497-4250 8:29 AM August 8, 2016

PD

Do you want me at the courthouse tomorrow?

---

(847) 497-4250 11:20 AM August 9, 2016

PD

Morning Randy, Ok, it's driving me bananas over here, I'd like to know exactly what it is about the medical that's the issue in my case? Please call me with the details soon and let's discuss what's best. Thanks, Paul

---

(847) 497-4250 9:22 AM August 12, 2016

PD

Randy, I have to ask again, why is it wise to agree to mediate before permanent disability is determined by social security since the permanent disability rating would be a large factor in determining what the insurance adjuster is willing to give? Both mom and myself need a real answer to this question

---

(847) 497-4250 7:42 AM August 16, 2016

PD

Hi Randy, since we haven't received the IME report in 10 days as the Dr stated we would, I'd like to move back the date of the mediation thingy I'm being forced into so we have more than only a few weeks to deal with whatever the report may show. At least 2-3 months should do it considering the defense has already had the treating Dr's reports and depositions for months and years already. Let me know

---

(847) 497-4250 10:50 AM October 18, 2016

PD

Call me Thx, Paul

---

(847) 497-4250 10:52 AM October 18, 2016

PD

Hi Randy, looks like that board certified dr is quite the fabricator. He Should have a degree in creative writing rather than Dr.ing. Wish we had videotaped that because I'd post the video on the web right along side his report and let his patients see what he really is

---

(847) 497-4250 1:47 PM October 21, 2016

PD

Myrna said your forwarding the report to dr Kujawa. That's good but I don't think we need it to prove Phillips an outright liar who can't pay attention to details. Hmmm... Makes me wonder who the hell passed him in med school

---

(847) 497-4250 1:54 PM October 21, 2016

PD

Where did he come up with that line that the branch was still attached to the tree?

---

(847) 497-4250 1:58 PM October 21, 2016

PD

That's not from anyone's deposition and you were there so you know I gave absolutely no details other than to say that basically a man walked over and used a chainsaw on me.

---

(847) 497-4250 2:02 PM October 21, 2016

PD

He has quite the imagination claiming I said any of the crap in his report

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(847) 497-4250 2:03 PM October 21, 2016

PD

I have to look up what board certified Phillips because they deserve to know what a liar this guy is.

---

(847) 497-4250 2:05 PM October 21, 2016

PD

Ok enough ranting for now. Let's get together and go over this report

---

(847) 497-4250 2:06 PM October 21, 2016

PD

While the memories are still fresh

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(847) 497-4250 2:08 PM October 21, 2016

PD

Why write a history at all if it's all fabricated? Why say I told him stuff when I did not? Why Lie? This is about as unprofessional as it gets. Phillips should be made an example of. Sure you don't want the chance to cross examine this guy? I sure do

---

(847) 497-4250 2:15 PM October 21, 2016

PD

Myrna says I'm to meet you in McHenry, when and where?

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(847) 497-4250 11:14 AM December 21, 2016

I'm just heading to Panera to meet with a client on the route 31. You're welcome to come in anytime and I can tell the gentleman I have to run out to the

---

(815) 814-2193 11:16 AM December 21, 2016

car and have you sign something I can meet you too at your car so come at your leisure I should be here for at least A half hour

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(815) 814-2193 11:16 AM December 21, 2016

PD

Ok

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(847) 497-4250 11:18 AM December 21, 2016

PD

Will be there in approx 15 min

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(847) 497-4250 11:20 AM December 21, 2016

PD

You he Really?

---

(847) 497-4250 11:39 AM December 21, 2016

PD

You here?

---

(847) 497-4250 11:39 AM December 21, 2016

Here

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(815) 814-2193 11:41 AM December 21, 2016

PD

Why would Allstate need a signed release when they agreed to let the arbitrator decide what is final and not this afterthought of an agreement?

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(847) 497-4250 1:02 PM December 21, 2016

PD

Or I mean release?

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(847) 497-4250 1:02 PM December 21, 2016

PD

The arbitrator did not set these terms. Why are they modifying our original agreement

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(847) 497-4250 1:04 PM December 21, 2016

That's just typically what they do is have the release even though there's an award. I have a call into Gooch he's in depositions

---

(815) 814-2193 1:04 PM December 21, 2016

PD

Ok, but don't send in that document till we get this worked out. As of now I'm withdrawing my signature till we have something that works.

---

(847) 497-4250 1:06 PM December 21, 2016

If I get the go ahead from Tom, we should be fine, is the one handling that case. I think it has no effect, but he's the one prosecuting the other case w

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(815) 814-2193 1:08 PM December 21, 2016

hile wait to hear what he says

---

(815) 814-2193 1:08 PM December 21, 2016

PD

Allstate has no business extending letting their client off to letting everyone off. What if I find out one of the surgeons left something inside me? This should just release the policy they represented at the ADR. Nothing more

---

(847) 497-4250 1:10 PM December 21, 2016

It's boiler plate, fill in the blank language. They didn't write this specifically for you it's just what they use in all cases

---

(815) 814-2193 1:12 PM December 21, 2016

PD

Anyone agreeing to their fill in the blank form after the ADR agreement is nuts. I expect them to fulfill their ADR agreement with or without this release

---

(847) 497-4250 1:14 PM December 21, 2016

PD

If they wanted this as part of the agreement it should have been done prior to the binding ADR mediation

---

(847) 497-4250 1:15 PM December 21, 2016

PD

Morning Randy, I'll be at your office to sign the release sometime between 9-10 am. Wish you could just add the changes Thomas gooch suggested and save the trip but I'll show up just to put my initials on it.

---

(847) 497-4250 7:17 AM December 22, 2016

I will be stuck in court MyrnA has a release

---

(815) 814-2193 8:57 AM December 22, 2016

PD

hi Randy, its Paul Dulberg, just recieved a call from Randy Sr. Please call me. Thanks, Paul

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(847) 497-4250 5:25 PM November 7, 2017

My phone is dying I can I try you tomorrow?

---

(815) 814-2193 5:48 PM November 7, 2017

What did he want?

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(815) 814-2193 5:48 PM November 7, 2017

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0/160 of 1