



T Kost <tkost999@gmail.com>

Draft of Olsen Appeal

3 messages

T Kost <tkost999@gmail.com>

Fri, Jun 23, 2023 at 10:52 PM

To: Paul Dulberg <Paul_Dulberg@comcast.net>, Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>

Attached is a draft of an Appeal of the Joseph Olsen dismissal with prejudice.

It is based on the same logic as the Baudin Answer that was submitted earlier today. I use the same words and phrases.

I will also send a draft of an ADR Systems of America amended complaint and a draft of an Answer to Allstate. They will be sent out shortly.

**Draft Olsen Appeal.pdf**

118K

T Kost <tkost999@gmail.com>

Mon, Jun 26, 2023 at 9:31 AM

To: Paul Dulberg <Paul_Dulberg@comcast.net>, Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>

Some comments on Olsen's Notice of Appeal being prepared today.

If we read the Draft Olsen Appeal attached to the first email in this chain the first 24 paragraphs deal with how Judge Otto ruled concerning from when the statute of limitations was tolled. I think we should point this out in the Notice of Appeal: That we want the tolling to start on November 28, 2022. I think this is our first point of objection to the Judge Otto decision.

Paragraphs 25 to 33 deal with Judge Otto applying the Barton Doctrine incorrectly. The Olsen Appeal argues that the Barton Doctrine does not apply in cases of fraud. I think this should be our next point of objection to the Judge Otto decision.

Paragraph 34 to 36 deals with Judge Otto's comments on how we could have returned to bankruptcy court.

Paragraph 37 onward deals with Judge Otto's decision of Dulberg's disability.

These, I believe, are our main points of disagreement with the Judge Otto ruling. Maybe we should mention them in the Notice of Appeal?

[Quoted text hidden]

Paul Dulberg <Paul_Dulberg@comcast.net>

Mon, Jul 10, 2023 at 10:35 AM

To: Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>

Cc: Tom Kost <tkost999@gmail.com>

Per our phone conversation, This was the draft of Olsen appeal that was sent to you on 6-26-2023

In addition I am copying and pasting the text from a follow up email here:

Some comments on Olsen's Notice of Appeal being prepared today.

If we read the Draft Olsen Appeal attached to the first email in this chain the first 24 paragraphs deal with how Judge Otto ruled concerning from when the statute of limitations was tolled. I think we should point this out in the Notice of Appeal: That we want the tolling to start on November 28, 2022. I think this is our first point of objection to the Judge Otto decision.

Paragraphs 25 to 33 deal with Judge Otto applying the Barton Doctrine incorrectly. The Olsen Appeal argues that the

Barton Doctrine does not apply in cases of fraud. I think this should be our next point of objection to the Judge Otto decision.

Paragraph 34 to 36 deals with Judge Otto's comments on how we could have returned to bankruptcy court.

Paragraph 37 onward deals with Judge Otto's decision of Dulberg's disability.

These, I believe, are our main points of disagreement with the Judge Otto ruling. Maybe we should mention them in the Notice of Appeal?

Begin forwarded message:

[Quoted text hidden]



Draft Olsen Appeal.pdf

118K