

T Kost <tkost999@gmail.com>

## Schedule for this week

10 messages

T Kost <tkost999@gmail.com>

Mon, Nov 13, 2023 at 11:01 AM

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

We obviously have an important document to produce this week.

Mr Talerico, please let us know a basic schedule or plan of how you would like to see us approach the work needed to be done this week.

**Thanks** 

Paul Dulberg < Paul Dulberg@comcast.net>

Mon, Nov 13, 2023 at 12:51 PM

To: Tom Kost <tkost999@gmail.com>

Cc: Law Office Of Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>

Mr Talarico called said the brief is due 11/22/2023

[Quoted text hidden]

Paul Dulberg <Paul Dulberg@comcast.net>

Tue, Nov 14, 2023 at 10:04 AM

To: Tom Kost <tkost999@gmail.com>

Cc: Law Office Of Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>

Tom,

Mr Talarico called about the appeal issue in the Baudin case but in that call advised us to isolate 4-5 of the 100's of issues in the Popovich case and be ready with them when he writes the popovich brief.

I spoke about 4 major issues I wanted to address and want to hear your take. I added 2 more issues to my list I spoke to Mr Talarico that I believe are key issues as well. My List is below:

- 1. Meyers recusal issue
- 2. Summary Judgment on the merits (without the Meyer recusal issue as I believe we can win on the merits alone Vicarious liability of McGuires not being able to be calculated until Gagnon case closed This aligns with the suburban case, the only nuance being the vicarious liability delaying when the pecuniary injury could possibly be calculated)
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As Mr Talarico asked, lets take time create, list and focus in on the top 4-5 major issues out of the 100's of issues in the Popovich case and be ready to write the brief.

Do you agree with my list or do you see any other major issues we should key in on?

Paul

[Quoted text hidden]

1 of 7

Tue, Nov 21, 2023 at 9:10 AM

Paul Dulberg <Paul\_Dulberg@comcast.net>

To: Tom Kost <tkost999@gmail.com>

Cc: Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>

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Below is the 6 major points I sent last week.

If we don't raise an issue now we lose the chance to raise it again later so we are not limited to this list.

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Tue, Nov 21, 2023 at 10:02 AM

To: Tom Kost <tkost999@gmail.com>

Cc: Law Office Of Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>

Tom,

Attached is a PDF and INDD file of the list we filed initially in the appeal. I provided both file types to make it easier for you to choose which format you prefer.

Call me.

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Cc: Law Office Of Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>

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### 2 attachments

LIST CREATED FROM ORIGINAL FILING FOR APPEAL 2ND DIST.indd

6/4/2024, 9:09 AM

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T Kost <tkost999@gmail.com> To: Paul Dulberg <paul_dulberg@comcast.net></paul_dulberg@comcast.net></tkost999@gmail.com>	Tue, Nov 21, 2023 at 2:33 PM
Appeal List indd attached	
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Appeal List.indd 1292K	_
T Kost <tkost999@gmail.com> To: Paul Dulberg <paul_dulberg@comcast.net></paul_dulberg@comcast.net></tkost999@gmail.com>	Tue, Nov 21, 2023 at 2:44 PM
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Appeal List.indd 1292K	_
T Kost <tkost999@gmail.com> To: Paul Dulberg <paul_dulberg@comcast.net></paul_dulberg@comcast.net></tkost999@gmail.com>	Tue, Nov 21, 2023 at 2:50 PM
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Appeal List.indd 1292K	_
Paul Dulberg <paul_dulberg@comcast.net> To: Tom Kost <tkost999@gmail.com></tkost999@gmail.com></paul_dulberg@comcast.net>	Tue, Nov 21, 2023 at 3:41 PM
Is this kind of what your looking for?	
On Nov 21, 2023, at 2:50 PM, T Kost <tkost999@g< td=""><td>mail.com&gt; wrote:</td></tkost999@g<>	mail.com> wrote:
On Tue, Nov 21, 2023 at 2:44 PM T Kost <tkost999< td=""><td>@gmail.com&gt; wrote:</td></tkost999<>	@gmail.com> wrote:
On Tue, Nov 21, 2023 at 2:33 PM T Kost <tkost9 appeal="" attached<="" indd="" list="" td=""><td>99@gmail.com&gt; wrote:</td></tkost9>	99@gmail.com> wrote:
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<Appeal List.indd>



### Appeal List.pdf 98K

**T Kost** <tkost999@gmail.com>
To: Paul Dulberg <Paul\_Dulberg@comcast.net>

Wed, Nov 22, 2023 at 7:21 AM

as 2 different documents:

- 1) Appeal list
- 2) short histories of each point on list

On Tue, Nov 21, 2023 at 3:41 PM Paul Dulberg < Paul\_Dulberg@comcast.net> wrote: | Is this kind of what your looking for?

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#### 2 attachments

6 of 7 6/4/2024, 9:09 AM

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short history of each point of appeal.indd 1360K

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