

TABLE 10: THE NUMBER OF TIMES DULBERG INFORMED GOOCH, CLINTON AND WILLIAMS ABOUT THE IMPORTANCE OF KEY EVIDENCE TALSCHNER V SPANGLER (with links to evidence)

When Informed		How Informed
2016-12-16	first meeting with Gooch	<a href="#">document handed Gooch</a>
2018-10-01	letter to Gooch (that led to Gooch firing)	<a href="#">email linked</a> (on page 30) attached document: <a href="#">second_amended_complaint_comments.txt</a>
2018-10-10	preparing for first meeting with Clinton-Williams	<a href="#">email linked</a> attached folder: <a href="#">Duberg Complaint</a> document: <a href="#">second_amended_complaint_comments.txt</a>
2018-10-12	first meeting with Clinton-Williams	Text document and problems with Gooch were explained at meeting <sup>1</sup>
2018-12-04	preparing Second Amended Complaint	<a href="#">email linked</a> attached documents: <a href="#">Working.pdf</a> <a href="#">comment on complaint.txt</a>
2018-12-05	preparing Second Amended Complaint	<a href="#">email linked</a> attached document: <a href="#">comments on Dulberg Second Amended Complaint REDLINED 2018 Dec .txt</a>
2019-03-18	preparing discovery documents	<a href="#">email linked</a> document: <a href="#">IndependantContractor-CaseLaw1_Mast.pdf</a>
2019-07-08	inspecting defendants documents	<a href="#">email linked</a> attached folder: <a href="#">To Julia</a> documents: <a href="#">questions_for_mast.txt</a> <a href="#">timeline_of_mcguire_settlement.txt</a>
2019-07-22	inspecting defendants documents	<a href="#">email linked</a> attached folder: <a href="#">To Julia</a> documents: <a href="#">questions_for_mast.txt</a> <a href="#">timeline_of_mcguire_settlement.txt</a>
2019-11-19	updating information	<a href="#">email linked</a> attached document: <a href="#">2109-11-19_updated_timeline_of_mcguire_settlement.txt</a>
2020-02-06	preparing for Mast deposition	<a href="#">email linked</a> attached documents: <a href="#">questions_for_mast.txt</a> <a href="#">timeline_of_mcguire_settlement.txt</a>
2020-02-08	preparing for Mast deposition	<a href="#">email linked</a> attached documents: <a href="#">2109-11-19_updated_timeline_of_mcguire_settlement.txt</a> <a href="#">questions_for_mast.txt</a>
2020-06-18	preparing for Mast deposition	<a href="#">email linked</a> attached document: <a href="#">evidence_list.txt</a> <a href="#">questions_for_mast.txt</a>
2020-06-24	preparing for Mast deposition	<a href="#">email sent at 1:56AM linked</a> attached documents: <a href="#">2020-06-23_updated_timeline_of_mcguire_settlement.txt</a> <a href="#">email sent at 10:05AM linked</a> attached documents: <a href="#">2020-06-23_updated_timeline_of_mcguire_settlement.txt</a>
2020-06-24	meeting before Mast deposition	Clinton and Williams were told by Thomas Kost of the importance of Tilschner v Spangler in proving ‘intentional tort’ and ‘fraud’ during the meeting

In addition:

Section 2C of ‘ARDC Complaint Against Edward X. Clinton and Julia C. Williams’<sup>2</sup> shows how Clinton and Williams suppressed Dulberg’s key evidence Tilschner v Spangler.

Section 2K of ‘ARDC Complaint Against Edward X. Clinton and Julia C. Williams’<sup>3</sup> shows how the document Tilschner v Spangler inexplicably went missing during the deposition of Hans Mast.

On November 04, 2022 Williams was asked about “exhibit 12” in court. After 4 different subpoena responses related to exhibit 12 over the previous 3 months, and after being informed by Dulberg at least 6 different times in writing about the importance of Tilschner v Spangler, Williams claimed to not know the contents of exhibit 12. The following exchange took place in court:<sup>4</sup>

“MS. WILLIAMS: ... So sometime after the deposition, we -- we did provide the exhibit that was utilized in the deposition to the court reporter, and at that time they marked it and sent it back to everyone.

THE COURT: Okay. What was Exhibit 12 again?

MS. WILLIAMS: It was a series of cases. I don’t know that -- I just can’t recall what all was asked about it, but I know there were -- it was -- it was --

THE COURT: All right. These would have --

MS. WILLIAMS: -- copies of case law.

THE COURT: All right.

MR. FLYNN: They were photocopies of the old books, Judge, cases that were contained in Mast’s file.

THE COURT: Okay.

MR. FLYNN: And he was -- you know, they have -- they’re, obviously, not complete because they -- placed on a printer, appeared like we used to do in the old days.

MR. TALARICO: Yes. Was the Tilsner case included in -- in the blank Exhibit 12 you sent to U.S. Legal, Barbara Schmidt? And was -- when you discussed with Mr. Flynn the failure of his -- or Mr. Mast’s internet, didn’t he say, I can’t see these, I can only see their first one (indiscernible), which was the Lagano (phonetic) case? And wasn’t there continued discussion by Mr. Flynn that he didn’t -- he didn’t produce all of the documents you sent on -- in hardcopy because he wanted to save paper?

MS. WILLIAMS: So that’s -- I guess that’s a lot of questions. So what --

MR. TALARICO: It is.

MS. WILLIAMS: What -- what -- I cannot recall what cases were included and weren’t included at this point. There -- there was an e-mail to Mr. Flynn with the exhibit that is attached that I believe was produced in the subpoena. So whatever that exhibit was is -- is what I would have used. So I know there was, like, a Laravo case or -- I remember the first case was like Laravo or Lavajo, L-A-V-A-J-O, or something like that. But right now, off the top of my head, I don’t remember what other cases were included.

MR. TALARICO: I’m talking about -- Judge, if I might, please? Excuse me. I’m sorry, Ms. Williams. There was -- what the reporter had was blank. What Mr. Flynn’s client said was, I see the Lagano (phonetic) one. So the Exhibit 12 that was sent, like, a week or two after the deposition had Lagano, Troy, and the same exact Lagano case, and it did not have the Tilsner case involved, and the Tilsner case was very important. So it was an exact duplication of one case and a second case. But this is -- Judge, it’s not just the Exhibit 12. The entire deposition --

THE COURT: Well, are you asking a question about Exhibit 12? Because if we’re done asking questions, I’m gonna let her go.

MR. TALARICO: Okay. Yep. I’m done.”

WHEN TILSCHNER V SPANGLER WAS FIRST MENTIONED IN 17LA377 COURT RECORDS

After about 6 years of ‘burying key evidence’ Dulberg mentioned Tilschner v Spangler in a court document in November 23, 2022.<sup>5</sup>

On November 30, 2022 Flynn filed DEFENDANTS THE LAW OFFICES OF THOMAS J. POPOVICH, P.C. AND HANS MAST’S RESPONSE TO PLAINTIFF’S 2nd AMENDED MOTION TO EXCLUDE THE DEPOSITION OF HANS MAST which contains the following point ¶12:<sup>6</sup>

“12) Of concern is a statement on page 19 of Dulberg’s motion in which he argues that Mast had insisted that the decision in the Tilschner v. Spangler case was the reason Dulberg would not prevail in the underlying case against the McGuire’s. The statement is inexplicably made “on information and belief.” This is unacceptable. Dulberg has made no such disclosure in fact discovery (now closed) about this very specific discussion between Mast and himself regarding the Tilschner case. If Dulberg believes he has disclosed it, he should be required to identify where in his answers and amended answers to discovery or his deposition he has identified such discussion with this amount of specificity. Defendants submit that no such disclosure exists.”

Opposing counsel Flynn and Popovich knew Tilschner v Spangler were never mentioned in the record because they collaborated with Dulberg’s legal malpractice attorneys Gooch-Walczyk and Clinton-Williams to successfully ‘bury key evidence’ for around 6 years.

Table 10 demonstrates that Clinton and Williams actively blocked what Dulberg told them and suppressed documents and information related to Tilschner v Spangler. They did this to benefit Popovich and Mast.

Popovich and Mast also ‘buried key evidence’ in 12LA178 when Popovich and Mast cut up Dulberg’s original Walgreens RX receipt as described in ‘ARDC Complaint Against Thomas J. Popovich and Hans Mast’ beginning paragraph 1-95.<sup>7</sup>

1 On October 19, 2018 PDF files were created by Clinton or Williams in “Dulberg Master File” concerning the Tilschner case: Shown in [Visual Aid 4 - Tilschner hoax.png](#)

2 Also in Section 2C of [Evidence of Fraud on the Court in 17LA377 During Clinton-Williams Representation](#)

3 Also in Section 2K of [Evidence of Fraud on the Court in 17LA377 During Clinton-Williams Representation](#)

4 [Exhibit C20-2022-11-04 17LA377 Report of Proceedings.pdf](#) (page 17 line 4 through page 20 line 1)

5 [Group Exhibit 41\\_Appeal Package for 17LA377/CLR\\_Vol\\_2\\_of\\_2\\_230421\\_1627\\_22D90D40.pdf](#) page 1770

6 [Exhibit C21-2022-11-30\\_Flynn Answer to Motion to Strike Mast Deposition.pdf](#) (¶12 on page 4)

7 Also in [Evidence of Fraud on the Court in 12LA178 During Popovich-Mast Representation](#) beginning on paragraph 1-95