

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

CHRISTOPHER S. CYNOWA,)
)
 Plaintiff,)
)
 v.) No. 08 L 403
)
 CSSS, INC., et al.,)
)
 Defendants.)

NOTICE OF EMERGENCY MOTION

TO: Kevin B. Duff Haytham Faraj
Rachlis, Durham, Duff & Adler, LLC 1800 Diagonal Road
542 South Dearborn Street Suite 210
Suite 900 Alexandria, VA 22314
Chicago, Illinois 60605 Fax (202) 280-1039
Fax (312) 733-3952

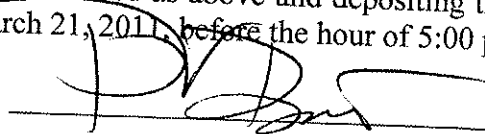
PLEASE TAKE NOTICE that on Wednesday, March 23, 2011, at 11:00 a.m., or as soon thereafter as counsel may be heard, plaintiff shall appear before the Honorable William Maddux, or any judge sitting in his stead, in Room 2005, Daley Civic Center, Chicago, Illinois, and present the attached **EMERGENCY MOTION TO LIMIT THE EVIDENCE DEPOSITION OF LARRY CARVER**, a copy of which is attached hereto and served upon you herewith.

CHRISTOPHER CYNOWA

By: 

CERTIFICATE OF SERVICE

The undersigned certifies that the above and foregoing Notice of Emergency Motion and attachment thereto was served, upon the persons to whom directed, by email and by placing a true and accurate copy of the same in an envelope, addressed as above and depositing the same in the U.S. Mail, first class postage pre-paid, on March 21, 2011, before the hour of 5:00 p.m.



Attorney No. 70292
Peter V. Bustamante
150 North Michigan, Suite 690
Chicago, Illinois 60601
(312) 346-2072

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION**

CHRISTOPHER S. CYNOWA,)	
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Plaintiff,)	
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v.)	No. 08 L 403
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CSSS, INC., et al.,)	
)	
Defendants.)	

**EMERGENCY MOTION TO LIMIT
THE EVIDENCE DEPOSITION OF LARRY CARVER**

Plaintiff, Christopher S. Cynowa, by his attorneys Theresa V. Johnson and Peter V. Bustamante, pursuant to Supreme Court Rule 211 and 213(f), moves this Honorable Court to limit the evidence deposition of Larry Carver and in support thereof states:

1. On March 18, 2011, the defendants served notice for the evidence deposition of Larry Carver, scheduled for March 29, 2011. A copy of the subpoena was served on counsel on March 21, 2011. A copy of the Notice and Subpoena are attached as Exhibit 1.
2. Mr. Carver's deposition will be taken in Alexandria, Virginia.
3. The defendants are calling Larry Carver as their witness in their case in chief.
4. Because of the time and expense that will be incurred in attending Mr. Carver's deposition, the plaintiff brings this motion to limit the issues to be addressed by the defendants with Mr. Carver, in conformance with the defendants' disclosures under Supreme Court Rule 213(f).
5. In their 213(f) disclosures regarding Mr. Carver, the defendants state:
Mr. Carver, a former employee who is subject to the attorney-client privilege, will testify regarding Plaintiff's termination. Further, Mr. Carver will testify regarding Plaintiff's defamatory and commercially disparaging statements as to Ms.

Wolford, Mr. Slater and CSSS. Mr. Carver's last known address is 6208 Waterlily Court, Alexandria, VA 22310.
A copy of the defendants' 213(f) disclosures is attached as Exhibit 2.

6. After the time of these disclosures the defendants dismissed their counterclaims against the plaintiff. Therefore, any testimony regarding plaintiff's alleged defamatory and commercially disparaging statements as to Ms. Wolford, Mr. Slater and CSSS is irrelevant and immaterial.

7. The plaintiff is also concerned because the defendants have indicated that they intend to question Mr. Carver about a number of irrelevant and immaterial matters, such as his romantic relationships, the financial viability of his past and present business enterprises, whether Mr. Carver or his business have ever been sued, whether Mr. Carver or his businesses have ever had any trouble with the IRS, and other such improper matters.

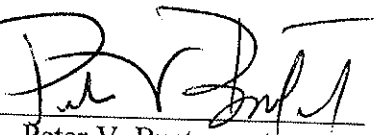
8. The plaintiff's concerns are not without a basis or foundation. Mr. Carver gave an evidence deposition on July 31, 2009. At the evidence deposition the defendants questioned Mr. Carver as follows:

- Q. You mentioned earlier that you were in a relationship with Ms. Wolford. Was it a monogamous relationship? (Page 146, Line 21).
- Q. Do you know who Denise Holland is? Did you have an affair with her? (Page 147, Line 19).
- Q. Do you know a Linda Hightower? (Page 148, Line 7).
- Q. Do you recall whether you've ever been sued for pirating Microsoft information or software? (Page 149, Line 8).
- Q. Do you have any sort of IRS liens or anything like that? (Page 150, Line 17).
- Q. Do you know a woman named Helen Pavlowkis? (Page 152, Line 3).
- Q. How many businesses have you had? (Page 153, Line 18).

9. All of the above questions are improper and were asked only for the purpose of harassing and intimidating the witness.

WHEREFORE, plaintiff prays that this Honorable Court to limit the deposition of Larry Carver to the only issue disclosed in defendants' 213(f) disclosures, namely, "Mr. Carver, a former employee who is subject to the attorney-client privilege, will testify regarding Plaintiff's termination."

CHRISTOPHER S. CYNOWA

By: 
Peter V. Bustamante

Theresa V. Johnson
200 East Chicago Avenue
Suite 200
Westmont, Illinois 60559
(630) 321-1330
Attorney No. 37363

Peter V. Bustamante
150 North Michigan Avenue
Suite 690
Chicago, Illinois 60601
(312) 346-2072
Attorney No. 70292

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

CHRISTOPHER S. CYNOWA,)	
)	
Plaintiff,)	
)	
v.)	No. 08 L 403
)	
CSSS, INC., et al)	
)	
Defendants.)	

NOTICE OF EVIDENCE DEPOSITION

PLEASE TAKE NOTICE that on Tuesday, March 29, 2011, at 1:00 p.m. EST, Defendants shall take the evidence deposition of Larry Carver at Puckett & Faraj, P.C., 1800 Diagonal Road, Suite 210, Alexandria, Virginia 22314, at which time you may appear and examine the witness if you so desire. This evidence deposition will continue day-to-day until complete.

By: /s/ John E. Murray
One of their attorneys

Kevin B. Duff
John E. Murray
RACHLIS DURHAM DUFF & ADLER, LLC
542 S. Dearborn Street, Suite 900
Chicago, IL 60605
(312) 733-3950 (office)
(312) 733-3952 (facsimile)

Ex 1

CERTIFICATE OF SERVICE

I, John E. Murray, hereby certify that on Saturday, March 19, 2011, I caused a true and correct copy of the foregoing **Notice of Evidence Deposition**, to be served upon counsel for Plaintiff listed below via electronic delivery:

Theresa V. Johnson
Law Offices of Theresa V. Johnson
200 E. Chicago Avenue, Suite 200
Westmont, IL 60559
Fax: (630) 321-1185
theresavjohnson@prodigy.net

Peter V. Bustamante
150 North Michigan Avenue, Suite 690
Chicago, IL 60601
(312) 346-2072
pvbust@bustamantelaw.com

By: /s/ John E. Murray

John E. Murray
RACHLIS DURHAM DUFF & ADLER, LLC
542 South Dearborn, Suite 900
Chicago, IL 60605
Office: (312) 733-3950
Facsimile: (312) 733-3952

CM 2011-71

The requesting party has submitted to this Clerk's Office the foreign subpoena, copy attached, the terms of which are incorporated herein, and the written statement required by Virginia Code § 8.01-412.10.

The names, addresses and telephone numbers of all counsel of record in the proceeding to which the subpoena relates and of parties not represented by counsel are provided below on attached list.

March 16, 2011

DATE ISSUED

JOHNT. FREY, CLERK

by Raura Link
CLERK
DEPUTY CLERK

Haytham Faraj
NAME OF ATTORNEY FOR REQUESTING PARTY
1800 Diagonal Road, Suite 210
OFFICE ADDRESS
Alexandria, VA 22314
OFFICE ADDRESS

6286135 IL
BAR NUMBER LICENSING STATE
(703) 706-9566
TELEPHONE NUMBER OF ATTORNEY
(202) 318-7652
FACSIMILE NUMBER OF ATTORNEY

John E. Murray
NAME
542 S. Dearborn Street, Suite 900
STREET ADDRESS
Chicago, IL 60605
STREET ADDRESS

40151 IL
BAR NUMBER LICENSING STATE
(312) 733-3950
TELEPHONE NUMBER
FACSIMILE NUMBER

Neal A. Puckett
NAME
1800 Diagonal Road, Suite 210
STREET ADDRESS
Alexandria, VA 22314
STREET ADDRESS

44699 VA
BAR NUMBER LICENSING STATE
(703) 706-9566
TELEPHONE NUMBER
(202) 318-7652
FACSIMILE NUMBER

NAME
STREET ADDRESS
STREET ADDRESS

BAR NUMBER LICENSING STATE
TELEPHONE NUMBER
FACSIMILE NUMBER

RETURN OF SERVICE (see page three of this form)

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Christopher S. Czuwara

Plaintiff/Petitioner

CSSS.NET, Inc., et al.

Defendant/Respondent

No. 08-L-403

CM 2011-71

SUBPOENA IN A CIVIL MATTER (For Testimony and/or Documents)

To: Larry Carver
6208 Waterlily Court
Alexandria, VA 22310

- 1. YOU ARE COMMANDED to appear to give your testimony before the Honorable...
2. YOU ARE COMMANDED to appear and give your deposition testimony before a Notary Public at: Puckett & Faraj, 1800 Diagonal Road...
3. YOU ARE COMMANDED to mail the following documents in your possession or control to...

Description continued on attached page(s).
YOUR FAILURE TO RESPOND TO THIS SUBPOENA WILL SUBJECT YOU TO PUNISHMENT FOR CONTEMPT OF THIS COURT.

Notice to Deponent:
1. The deponent is a public or private corporation, partnership, association, or governmental agency. The matter(s) on which examination is requested are as follows:

Description continued on attached page(s).
(A nonparty organization has a duty to designate one or more officers, directors, or managing agents, or other persons to testify on its behalf, and may set forth, for each person designated, the matters on which that person will testify. Ill. Sup. Ct. Rule 206.)

2. The deponent's testimony will be recorded by use of an audio-visual recording device, operated by...
3. No discovery deposition of any party or witnesses shall exceed three hours regardless of the number of parties involved in the case, except by stipulation of the parties or by order upon showing that good cause warrants a lengthier examination. Ill. Sup. Ct. Rule 206(d).

Atty. No. 40151
Name: John E. Murray
Atty. for: Defendants
Address: 542 South Dearborn Street, Suite 900
City/State/Zip: Chicago, IL 60605
Telephone: (312) 733-3950

Issued by: [Signature]
Signature
Date: 3/11/2011 (March 11), 2011

I served this subpoena by mailing a copy, as required by Ill. Sup. Ct. Rules 11, 12 and 204(a)(2), to...
I paid the witness \$... for witness and mileage fees.
I served this subpoena by handing a copy to...
I paid the witness \$... for witness and mileage fees.

(Signature of Server) DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS (Print Name)

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

CHRISTOPHER S. CYNOWA,

Plaintiff,

v.

CSSS, INC., et al.

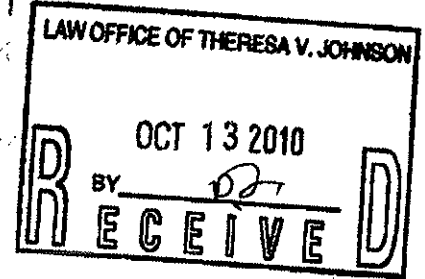
Defendants.

10 OCT -8 PM 3:51

No. 08 L 403

Calendar C

Hon. Ronald S. Davis



DEFENDANTS' RULE 213(f)(1) DISCLOSURES

NOW COME Defendants CSSS, Inc., Lisa Wolford, and William F. Slater, ("Defendants"), through their undersigned counsel, and for their Supreme Court Rule 213(f)(1) Disclosures state as follows:

Subject to and without waiving the objections that the Defendants previously set forth in response to Plaintiff's interrogatories, which are incorporated herein by reference as though fully set forth herein, Defendants disclose the following persons as 213(f)(1) witnesses or as otherwise noted:

Robert Adrowski, VA Hines Facility Police Officer

Officer Adrowski will testify regarding Plaintiff's termination and the VA police report prepared on the date of the termination. Mr. Adrowski's address is unknown but he is believed to reside in the Chicagoland area.

Larry Carver

Mr. Carver, a former employee who is subject to the attorney-client privilege, will testify regarding Plaintiff's termination. Further, Mr. Carver will testify regarding Plaintiff's defamatory and commercially disparaging statements as to Ms. Wolford, Mr. Slater and CSSS. Mr. Carver's last known address is 6208 Waterlily Court, Alexandria, VA 22310.

EX 2

Michael Cronin

Mr. Cronin will testify regarding Plaintiff's behavior, characteristics, conduct, and alleged damages. On information and belief, Mr. Cronin should be contacted through Robert Vega, Staff Attorney, Chicago Office of Regional Counsel, Department of Veterans Affairs, P.O. Box 1427, Hines, IL 60141.

Custodian of Records and Representatives for the VA and VA Hines Facility

These witnesses will testify regarding the maintenance records pertaining to the Plaintiff. These witnesses will also testify regarding Hines VA policies, practices and procedures. These witnesses should be contacted through Robert Vega, Staff Attorney, Chicago Office of Regional Counsel, Department of Veterans Affairs, P.O. Box 1427, Hines, IL 60141.

Carolyn Cynowa

Ms. Cynowa will testify regarding Plaintiff's alleged damages, conduct, behavior and characteristics and her personal dealings with Plaintiff. Ms. Cynowa's last known address is 990 Manchester Court, Apt. 5, South Elgin, IL 60177-1455.

Christopher Cynowa, Plaintiff

It is expected that Plaintiff will testify as to Plaintiff's Complaint and to Defendant's Counterclaim, along with his deposition testimony, interrogatory answers and any 213(f)(1) disclosures prepared on his behalf. Plaintiff's address is 1100 Pine Street, Fox River Grove, IL 60024.

Linda Dunlap

Ms. Dunlap will testify as an (f)(1) and/or (f)(2) witness regarding: VA security access practices, policies, and procedures; Plaintiff's damages, security access, public trust eligibility, and background investigation; the VA's personnel suitability and security program, investigative process, position risk levels and suitability determinations; and notices regarding plaintiff to the Hines VA human resources manager and VA security and investigations center. Defendants expect

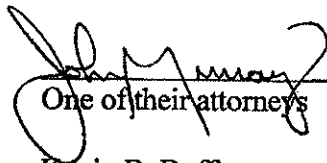
regarding Plaintiff's defamatory and commercially disparaging statements as to her and CSSS and the damages suffered. Ms. Wolford will also testify as to those matters raised in her deposition and the depositions of other people taken in this case. Ms. Wolford may be contacted through Defendants' counsel.

Defendants also adopt herein by reference and reserve the right to call any individual named in any of Plaintiff's Rule 213(f) disclosures at trial. In addition to the topics detailed herein *supra*, these witnesses may be called to testify to the alleged facts and circumstances in the Plaintiff's Verified Amended Complaint and the facts and circumstances in Defendants' Answer, affirmative defenses, counterclaims, the interrogatory answers prepared on behalf of the Defendants and Plaintiff in this lawsuit, any 213(f)(1) disclosures prepared on behalf of the Defendants and Plaintiff in this lawsuit, and any deposition testimony in this lawsuit. Investigation continues.

CSSS, INC., LISA WOLFORD,
and WILLIAM F. SLATER

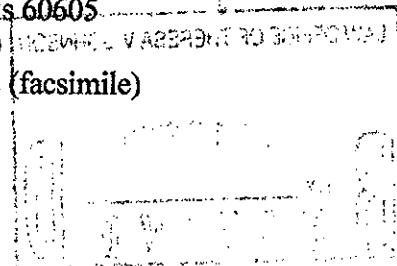
Dated: October 8, 2010

By:



One of their attorneys

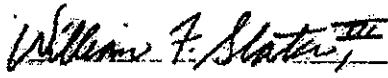
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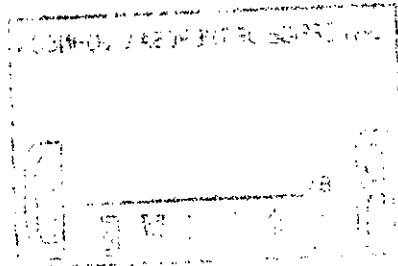


VERIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters stated to be on information and belief, as to such matters, the undersigned certifies as aforesaid that he verily believes the same to be true.

Dated: October 7, 2010

By: 
WILLIAM F. SLATER, III

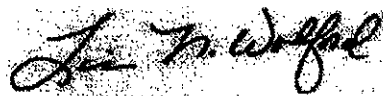


VERIFICATION

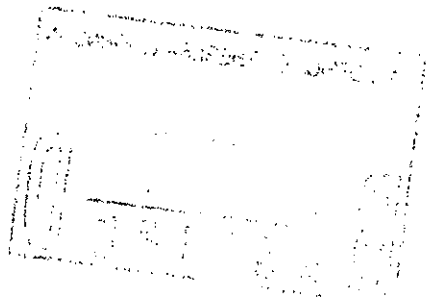
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Dated: 8 October 2010

By:



CLIENT/SERVER SOFTWARE
SOLUTIONS, INC. by its President,
LISA N. WOLFORD




VERIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters stated to be on information and belief, as to such matters, the undersigned certifies as aforesaid that she verily believes the same to be true.

Dated: 8 October 2010

By:



LISA N. WOLFORD

