

11

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Tim Marchese
Walt Marchese

P.O. Box 27744
Ralston, NE 68127

402.306.6019

PLAINTIFF'S EXHIBIT G

FILED-11
2009 JUN -3 AM 9:13
DOROTHY BROWN
CLERK OF CIRCUIT COURT
LAW DIVISION

Serve: LISA WOLFORD / CSSS.NET

Date received: 2/25, 2008 at 10:00 AM

RETURN OF SERVICE

I hereby certify that I have received this/these document(s):



Summons / Complaint

PERSONAL SERVICE: By delivering a copy of said document(s) to each of the following defendant(s) or person named, on the date(s) indicated:

LISA WOLFORD / CSSS.NET 2/25, 20 08 at 12:45 pm

At 3906 RAYNOR PARKWAY, Suite 201, BELLEVUE, NE, 68123

X

By:

X dated:

Tim Marchese, Process Server
Walt Marchese, Process Server

MILES 15
COST \$ 35.00

NOTE: ON 2/25/08 AT 12:45 PM I ATTEMPTED
NO TO SERVE LISA WOLFORD AT 3906 RAYNOR PKWY
Signature, Suite 201, BELLEVUE, NE, 68123 AND SHE WAS NOT
Refused. PRESENT AND I WAS ASKED TO LEAVE, SO I DID
AFTER LEAVING SUMMONS ON FRONT DECK

2

I ATTEMPTED TO SERVE LISA WOLFORD /
CSSS.NET AT 3906 RAYNOR PARKWAY, Suite
201, BELLEVUE, NE, 68123, ON 2/25/08 AT
12:45 pm. I WAS BUZZED IN THE FRONT
DOOR AND I ASK TO SEE LISA WOLFORD,
THE LADY AT FRONT DESK ASKED FOR ME
TO WAIT AND WENT IN THE BACK OFFICE.
A MAN CAME OUT FROM THE BACK AND
ASKED ME TO LEAVE, I STATED I WAS
LOOKING FOR LISA, AND HE SAID "SHE IS
NOT IN" AND THAT I SHOULD LEAVE "NOW."

I STARTED TO WALK OUT DOOR AFTER
TELLING HIM, I GOING TO LEAVE SUMMONS
FOR LISA, HE SAID "NO TAKE IT WITH
YOU!" I LEFT IT AND WALKED OUT
HE RAN AFTER ME WITH THE SUMMONS
AND STOOD IN MY WAY AND SAID "TAKE IT"
I SAID "YOU + YOUR COMPANY IS SERVED" HE
CRABBED MY ARM AND SAID "TAKE IT" AND
THEN THREW IT AT MY FEET. I LEFT THROUGH
THE ELEVATOR. → CONTINUE

*NOTE: I DID NOT PICK UP SUMMONS AT MY FEET

AFTER I got into my truck, I (3)
LEFT AND CALLED THE SHERIFF'S OFFICE
AND TOLD THEM WHAT HAPPENED AND HOW
THE MAN STOOD IN MY WAY AND CALLED
ME. THE SHERIFF'S OFFICE HAD ME MEET
A OFFICER AT THE LOCATION, I DID AND
TOLD THE OFFICER WHAT HAD HAPPENED
SO, HE WENT IN AND TOLD ME TO WAIT
OUTSIDE. AFTER ABOUT 15 MINUTES HE
CAME AND TOLD ME, THAT THE MAN SAID
HE WAS SORRY FOR THE WAY HE ACTED
AND THAT HE KNEW THEY WERE GETTING
SERVED. AND I LEFT.

Thank you
Jim MARCHESE
Jim M
METRO PROCESS SERVERS, INC.



FAXED

RESENT

SEP 01 2010 #3



Theresa V. Johnson

Attorney at Law

Law Office of Theresa V. Johnson
200 East Chicago Ave. Suite 200
Westmont, Illinois 60559
Tel: (630) 321-1330 Fax: (630) 321-1185
theresavjohnson@prodigy.net

By: [Signature] Time: [Signature]
5:49 pm
6:25 pm
6:45 3rd
TNY

Fax

To: Kevin Duff
John Murray
Rachlis Durham Duff & Adler, LLC
542 South Dearborn Street
Suite 900
Chicago, IL 60605

From: Israel J. Moskovits

Fax: 1-312-733-3952

Pages: 38 including this page

Phone: 1-312-733-3950

Date: 9/1/2010 05:40 p.m.

Re: CYNOWA v. CSSS, INC., et al.
Case No. 08 L 403

CC:

213(f) Interrogatory Supplement and
2 Motions

Urgent For Review Please Comment Please Reply Please Recycle

Dear Mr. Duff,

Attached please find filed, stamped copies of

1. PLAINTIFF'S MOTION TO STRIKE DEFENDANT'S MOTION TO BAR DEPOSITIONS AND TO EXCLUDE TRIAL TESTIMONY
2. PLAINTIFF'S SUPPLEMENTAL RESPONSE TO DEFENDANTS' FIRST SET OF INTERROGATORIES,
3. PLAINTIFF'S MOTION TO CONDUCT CASE MANAGEMENT CONFERENCE and

Sincerely,

[Signature]

Israel J. Moskovits,
Law Clerk

PLAINTIFF'S
EXHIBIT PH

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

CHRISTOPHER S. CYNOWA,)
)
Plaintiff,)
)
v.)
)
CSSS, INC., et al.)
Defendants,)

No. 08 L 403

2010 SEP 2 11:13:10
CLERK OF COOK COUNTY
**T.V. JOHNSON'S
COPY**

NOTICE OF MOTION

TO Kevin Duff
John Murray
Rachlis Durham Duff & Adler, LLC
542 South Dearborn, Suite 900
Chicago, Illinois 60605
(312) 733-3950
(312) 733-3952 (fax)

PLEASE TAKE NOTICE that on September 2, 2010, at 10:30 a.m. or as soon thereafter as counsel may be heard, I shall appear before the Honorable Hogan or any judge sitting in that judge's stead, in courtroom 2005, usually occupied by him, located at Daley Center, 50 West Washington Street, Chicago, Illinois, and present **PLAINTIFF'S MOTION TO STRIKE DEFENDANTS' MOTION TO BAR DEPOSITIONS AND TO EXCLUDE TRIAL TESTIMONY OF UNDISCLOSED WITNESSES**, a copy of which is attached hereto.

Theresa V. Johnson
Theresa V. Johnson

PROOF OF SERVICE

I, Theresa V. Johnson, the attorney, certify under penalties as provided by law pursuant to 735 ILCS 5/1-109, that the statements set forth herein are true and correct; that I served this Notice by causing a copy to be fax and email to each of the parties listed above before 6:00 p.m. on September 1, 2010.

Respectfully Submitted:

Theresa V. Johnson
Theresa V. Johnson
Attorney for Plaintiff

Theresa V. Johnson
Law Office of Theresa V. Johnson
200 E. Chicago Ave., Suite 200
Westmont, Illinois 60559
Tel.: 630-321-1330
Fax: 630-321-1185
Cook County Atty No.: 37363

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

2010 SEP 22 11:44 AM
CLERK OF THE CIRCUIT COURT
COOK COUNTY, IL

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

**PLAINTIFF'S MOTION TO STRIKE AND DIMISS
DEFENDANTS' MOTION TO BAR DEPOSITIONS
AND TO EXCLUDE TRIAL TESTIMONY OF UNDISCLOSED WITNESSES**

NOW COMES Plaintiff, CHRISTOPHER S. CYNOWA, ("CYNOWA") by and through his attorney, Theresa V. Johnson, of the Law Office of Theresa V. Johnson, and as for

PLAINTIFF'S MOTION TO STRIKE AND DISMISS DEFENDANTS' MOTION TO BAR DEPOSITIONS AND TO EXCLUDE TRIAL TESTIMONY OF UNDISCLOSED WITNESSES, alleges pursuant to the Illinois Code of Civil Procedure, Section 2-619(a)(9) as follows:

1. That on Tuesday, August 31, 2010 at 4:40 p.m. Defendants filed **MOTION TO BAR DEPOSITIONS AND TO EXCLUDE TRIAL TESTIMONY OF UNDISCLOSED WITNESSES**.

2. That the relief requested in **DEFENDANTS' MOTION TO BAR DEPOSITIONS AND TO EXCLUDE TRIAL TESTIMONY OF UNDISCLOSED WITNESSES** is unreasonable, that the Motion is brought in bad faith, and is yet another billable delay tactic; further stating that Plaintiff was being asked throughout the day on August 31, 2010 to respond to Defense counsel's several e-mails, thus getting in the way of Plaintiff serving updated witness disclosures, which Plaintiff's attorney had notified Defendants Attorney by emails (see

EXHIBIT group A) that said Supplement to Defendants First of Interrogatories would be tendered to him on the same day, August 31, 2010 and were filed September 1, 2010. The dep notices and subpoena, which were on September 1, 2010, thus rendering moot the sections of Defendant's Motion complaining about same.

3. That Defendant's allege that Plaintiff's recent discovery requests and disclosure are not timely and evidence and witnesses should be barred.

4. That the Court has not yet conducted a Case Management Conference in this matter and Plaintiff is filing along with this motion, PLAINTIFF'S MOTION FOR CASE MANAGEMENT CONFERENCE seeking a proper schedule to properly conduct discovery.

5. That the Illinois Code of Civil Procedure provides in section 2-619 (a)(9) in pertinent part:

Sec. 2-619. Involuntary dismissal based upon certain defects or defenses. (a) Defendant may, within the time for pleading, file a motion for dismissal of the action or for other appropriate relief upon any of the following grounds. If the grounds do not appear on the face of the pleading attacked the motion shall be supported by affidavit: ...(9) That the claim asserted against defendant is barred by other affirmative matter avoiding the legal effect of or defeating the claim. Emphasis added.

6. That the claim (that Plaintiff's discovery demands and disclosures are improper) in DEFENDANTS' MOTION TO BAR DEPOSITIONS AND TO EXCLUDE TRIAL TESTIMONY OF UNDISCLOSED WITNESSES is barred by the affirmative matter, i.e., there has never been a Case Management Conference in this case, more specifically, there was never a date set for cutoff of 213(f) witnesses and Plaintiff has made a motion requesting same, therefore pending matters avoid the legal effect of and/or defeat the claim made in DEFENDANTS' MOTION TO BAR DEPOSITIONS AND TO EXCLUDE TRIAL TESTIMONY OF UNDISCLOSED WITNESSES.

7. That Plaintiff believes based on the litigation strategy and the mixed-bag of allegations (attempting to re-litigate issues from May 2009) contained in this current motion by Defendant's Counsel that, DEFENDANTS' MOTION TO BAR DEPOSITIONS AND TO EXCLUDE TRIAL TESTIMONY OF UNDISCLOSED WITNESSES is not well based in law, fact or good faith, violates Supreme Court Rule 137 and the filing of DEFENDANTS' MOTION TO BAR DEPOSITIONS AND TO EXCLUDE TRIAL TESTIMONY OF UNDISCLOSED WITNESSES is a sanctionable event for which , at the present time, Plaintiff reserves the right to seek sanctions and therefore makes all proper allegations to preserve the record and advise the Court of litigation conduct in this matter.

WHEREFORE Plaintiff, CHRISTOPHER S. CYNOWA, requests this Honorable Court Order the following requested relief:

- A. Strike DEFENDANTS' MOTION TO BAR DEPOSITIONS AND TO EXCLUDE TRIAL TESTIMONY OF UNDISCLOSED WITNESSES pursuant to Section 2-619(a)(9) of the Illinois Code of Civil Procedure; and
- B. If the court denies Plaintiff's Motion to Strike, then set a briefing schedule to give Plaintiff ample opportunity to respond to Defendants Motion to Bar so that Plaintiff counsel may properly document his response in the court record.
- C. For additional and other relief as this Court determines is appropriate given the facts and issues in this matter.

Respectfully Submitted:



THERESA V. JOHNSON
Attorney for Plaintiff

Dated: September 1, 2010

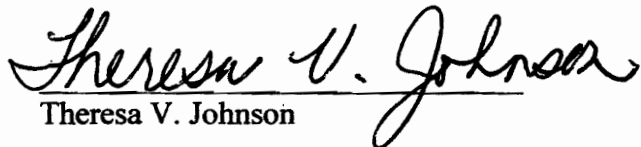
Theresa V. Johnson, Attorney for Plaintiff
Attorney at Law
Law Office of Theresa V. Johnson

200 East Chicago Ave. Suite 200
Westmont, IL 60559
Tel: (630) 321-1330
Fax: (630) 321-1185
Cook County Attorney No. 37363

CERTIFICATE OF SERVICE

I, Theresa V. Johnson, hereby certify that a copy of the foregoing **PLAINTIFF'S MOTION TO STRIKE DEFENDANTS' MOTION TO BAR DEPOSITIONS AND TO EXCLUDE TRIAL TESTIMONY OF UNDISCLOSED WITNESSES** was tendered to Defendant's counsel, as listed below, via facsimile, and U.S. Mail, postage prepaid, this 1st day of September, 2010.

Kevin Duff
John Murray
Rachlis Durham Duff & Adler, LLC
542 South Dearborn, Suite 900
Chicago, Illinois 60605
(312) 733-3950
(312) 733-3952 (fax)


Theresa V. Johnson

Theresa V. Johnson, Attorney for Plaintiff
Attorney at Law
Law Office of Theresa V. Johnson
200 East Chicago Ave. Suite 200
Westmont, IL 60559
Telephone: (630) 321-1330
Fax: (630) 321-1185
Cook County Attorney No. 37363

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Emergency #5

Cynova

v.

No. 08 L 403

CSSS, et al.



page 1 of 2

ORDER

This matter coming to be heard on Defendants' Emergency Motion to Strike Plaintiff's Amended Supplemental Rule 213(f)(1) & (f)(2) Disclosures and Bar Plaintiff from calling Late Disclosed Witnesses at Trial and for Other Relief, Counsel for the parties having appeared, and the Court being advised in the premises,

IT IS HEREBY ORDERED:

- (a) All Rule 213(f)(1) disclosures shall be made by October 8, 2010;
- (b) Plaintiff shall disclose all Rule 213(f)(2) & (f)(3) witnesses by October 22, 2010;
- (c) ~~Plaintiff~~ All written discovery shall be completed by November 11, 2010;
- (d) Plaintiff shall produce all Rule 213(f)(2) & (f)(3) witnesses to be deposed by November 18, 2010;
- (e) All Rule 213(f)(1) depositions shall be completed by December 10, 2010;
- (f) Defendants shall disclose all Rule 213(f)(2) & (f)(3) witnesses by December 16, 2010;
- (g) Defendants shall produce all Rule 213(f)(2) & (f)(3) witnesses to be deposed by January 13, 2011;
- (h) All expert discovery shall be completed by January 13, 2011;

Atty. No.: 40151

40151

Name: K. Duff

K. Duff

Atty. for: D

D

Address: 542 S. Dearborn, Suite 900

542 S. Dearborn, Suite 900

City/State/Zip: Chicago, IL 60605

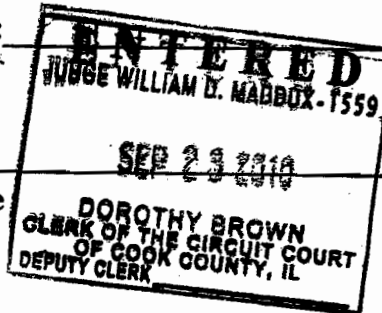
Chicago, IL 60605

Telephone: 312-733-3950

312-733-3950

ENTERED:

Dated:



Judge

Judge's No.

yesterday, but for your discovery gamesmanship.

I ask that you not contact me until the end of the business day so that I can devote my time to completing and serving you with our document production.

Sincerely,

Theresa V. Johnson
Attorney at Law
Law Office of Theresa V. Johnson
200 East Chicago Ave. Suite 200
Westmont, IL 60559
Tel.: (630) 321-1330
Fax: (630) 321-1185

From: Kevin Duff <kduff@rddlaw.net>
To: THERESA JOHNSON <theresavjohnson@prodigy.net>
Cc: John E. Murray <jmurray@rddlaw.net>; Kathleen M. Pritchard <kpritchard@rddlaw.net>
Sent: Wed, September 1, 2010 9:55:55 AM
Subject: RE: Plt's Supplemental Response to Defs' First Set of Interrogs

Theresa,

It is clear that you and/or your client are in possession of privileged documents and information. We consider this matter to be very serious. Please immediately:

- deliver all such documents to me;
- describe the precise location of all such documents;
- identify who provided the documents to you;
- specify when you received the privileged documents;
- identify all documents that refer to, describe, summarize, or otherwise relate to any communications or information in the privileged documents – this would include for example, any such communications with your client, any attorney notes, any memoranda etc. (if you believe a privilege log is appropriate in this regard, please produce one by the end of the day today);
- advise me of each person who has possessed or seen the documents; and
- do not share the privileged documents or information with anyone.

Please deliver to me all of the documents described above by no later than 10:00 a.m. tomorrow.

By 2:00 p.m. today, please provide all of the information requested above and your assurance that I will receive all of the documents by 10:00 a.m. tomorrow.

We will be preparing a motion to compel and for a protective order and sanctions, which we will file today if we do not receive your prompt and strict compliance with the foregoing.

Kevin

From: THERESA JOHNSON [mailto:theresavjohnson@prodigy.net]
Sent: Tuesday, August 31, 2010 9:03 PM
To: Kevin Duff
Cc: Theresa Johnson
Subject: Plt's Supplemental Response to Defs' First Set of Interrogs

Kevin,

Attached please find copy of PLAINTIFF'S SUPPLEMENTAL RESPONSE TO DEFENDANTS' FIRST SET OF INTERROGATORIES which were successfully transmitted to your office on August 31, 2010 by fax at 8:52 pm. Central time.

Sincerely,

Theresa V. Johnson
Attorney at Law
Law Office of Theresa V. Johnson
200 East Chicago Ave. Suite 200
Westmont , IL 60559
Tel.: (630) 321-1330
Fax: (630) 321-1185

From: THERESA JOHNSON (theresavjohnson@prodigy.net)
To: kduff@rddl原因.net;
Date: Tue, August 31, 2010 9:02:48 PM
Cc: theresavjohnson@prodigy.net;
Subject: Pltf's Supplemental Response to Defs' First Set of Interrogs

Kevin,

Attached please find copy of PLAINTIFF'S SUPPLEMENTAL RESPONSE TO DEFENDANTS' FIRST SET OF INTERROGATORIES which were successfully transmitted to your office on August 31, 2010 by fax at 8:52 pm. Central time.

Sincerely,

Theresa V. Johnson
Attorney at Law
Law Office of Theresa V. Johnson
200 East Chicago Ave. Suite 200
Westmont, IL 60559
Tel.: (630) 321-1330
Fax: (630) 321-1185

From: THERESA JOHNSON (theresavjohnson@prodigy.net)
To: kduff@rddlalaw.net;
Date: Tue, August 31, 2010 4:22:26 PM
Cc: theresavjohnson@prodigy.net;
Subject: ANSWERS #2 Re: Answers to Your Objections & Questions Re: Cynowa v. CSSS - Notice of Deposition and Subpoena for Danette C. Tucker

Kevin,

I have answered in bold your questions 6(i), 6(iii), 7, and 8 within the text of your email below.

Sincerely,

Theresa V. Johnson
Attorney at Law
Law Office of Theresa V. Johnson
200 East Chicago Ave. Suite 200
Westmont, IL 60559
Tel.: (630) 321-1330
Fax: (630) 321-1185

From: Kevin Duff <kduff@rddlalaw.net>
To: THERESA JOHNSON <theresavjohnson@prodigy.net>
Cc: jmurray@rddlalaw.net; Kathy Pritchard <kpritchard@rddlalaw.net>
Sent: Mon, August 30, 2010 8:14:36 AM
Subject: RE: Answers to Your Objections & Questions Re: Cynowa v. CSSS - Notice of Deposition and Subpoena for Danette C. Tucker

Theresa,

I have not yet received a complete response from you to my email below. For instance, without limitation, I have not yet received the documents described below or your privilege log. Please produce the documents I previously requested and your privilege log on by the end of business tomorrow.

Kevin

From: Kevin Duff [mailto:kduff@rddlalaw.net]
Sent: Thursday, August 26, 2010 11:42 AM
To: 'THERESA JOHNSON'
Cc: 'jmurray@rddlalaw.net'; 'Kathy Pritchard'
Subject: RE: Answers to Your Objections & Questions Re: Cynowa v. CSSS - Notice of Deposition and Subpoena for Danette C. Tucker

Theresa,

Page 5 of 18

Without waiving the points I previously made or any other responses to your email below, I have the

following initial responses:

(1) Your deposition notice, as amended, is still not reasonable. One week is too short of notice for a deposition in Washington, D.C. You did not even consult with me about possible dates. I am willing to discuss possible alternative dates so that you can still take this deposition within the next 15 days. If you are amenable to finding a mutually agreeable date, please let me know by 2:00 p.m. today.

ANSWER: This issue is now moot in light of Ms. Tucker's deposition date being changed from Sept. 2, 2010 to Sept. 7, 2010, pursuant to your Motion for Protection being granted 8/27/2010.

(6)(i) With respect to all direct or indirect communications with Ms. Tucker, provide me with a privilege log of all communications to which your client is not an author or recipient. Please also log all such communications to which you are not an author or recipient. Please provide your privilege log to me by tomorrow.

ANSWER: Plaintiff and his attorney have no documents from Ms. Tucker, thus no privilege log is warranted.

6(iii) I did not limit my request to documents you received from Ms. Tucker. I requested, "all documents you have that relate to or reference Ms. Tucker." Thus, please expeditiously produce all documents relating to or referencing Ms. Tucker, regardless of who you received such documents from.

ANSWER: Plaintiff and his attorney have 1 documents from Larry Carver concerning Ms. Tucker which is being tendered with our Response to Def's second set of interros, thus no privilege log is warranted.

(7) Your use of the phrase "other matters which may arise as being relevant" is too vague to be meaningful. So, too, is "any personal knowledge regarding allegations made in Ms. Cynowa's case."

ANSWER: Objection - your statement is too vague to understand what you do not understand about our statements. Also, Plaintiff has provided to you information sufficient for you to know the general thrust of the deposition. Additionally, Plaintiff's disclosures to Defendants exceed the thoroughness of Defendants disclosures to Plaintiff. Further answering, perhaps your inability to understand will be rendered moot when you receive our Supplement to Def's First Interrogatories.

(8) Please identify the court report for me as soon as you have made arrangements.

If I cannot obtain your cooperation with respect to this deposition, then I will seek relief from the Court.

ANSWER: Plaintiff agrees to provide Court Reporter's contact info when one is identified.

Kevin

Page 6 of 17

From: THERESA JOHNSON [mailto:theresavjohnson@prodigy.net]
Sent: Wednesday, August 25, 2010 4:07 PM
To: Kevin Duff
Cc: Theresa Johnson
Subject: Answers to Your Objections & Questions Re: Cynowa v. CSSS - Notice of Deposition and Subpoena for Danette C. Tucker

Kevin,

Answers to your questions appear within your email below. Each ANSWER is numbered to correspond with the number of your objection/question.

Sincerely,

Theresa V. Johnson
Attorney at Law
Law Office of Theresa V. Johnson
200 East Chicago Ave. Suite 200
Westmont, IL 60559
Tel.: (630) 321-1330
Fax: (630) 321-1185

From: Kevin Duff <kduff@rddlalaw.net>
To: THERESA JOHNSON <theresavjohnson@prodigy.net>
Cc: John Murray <jmurray@rddlalaw.net >; Kathy Pritchard <kpritchard@rddlalaw.net>
Sent: Wed, August 25, 2010 11:03:35 AM
Subject: RE: Cynowa v. CSSS - Notice of Deposition and Subpoena for Danette C. Tucker

Theresa,

I am also not available on September 2, 2010 because I have a mediation scheduled that day.

Kevin

From: Kevin Duff [mailto:kduff@rddlalaw.net]
Sent: Wednesday, August 25, 2010 10:53 AM
To: 'THERESA JOHNSON'
Cc: 'John Murray'; 'Kathy Pritchard'
Subject: RE: Cynowa v. CSSS - Notice of Deposition and Subpoena for Danette C. Tucker

Theresa,

I have several objections to and questions about your notice for Danette Tucker's deposition:

(1) You have not provided adequate notice of this witness and her deposition. Your disclosure of Ms. Tucker is untimely and insufficient. In addition, the amount of time in advance of the

deposition that you have provided notice is not reasonable for a deposition taking place next week in Washington , D.C.

ANSWER (1): The time is more than a week away and SCR 206(a) states that time must be reasonable - more than a week is reasonable in light of the current closing of discovery on September 10, 2010 and in light of the fact that you did not produce MS. Wolford for deposition until August 10, 2010. Consider Ms. Tucker now disclosed as a witness. She will be deposed and I will subpoena her to be a witness at trial.

(2) Your notice says the deposition will take place September 2, 2009, at 2:00 a.m. I presume the year and time are typos. Also, your notice does not specify the time zone. Please confirm the time of the deposition, including time zone.

ANSWER (2): Yes, the year and time are typos. I was using as a template of Larry Carver's dep notice from 2009. I saw the typos at midnight last night, after I hit the send button, so I knew I would need to send you a corrected Dep Notice. The correct date is September 2, 2010 and the deposition time will be 2:00 p.m. Eastern Time (not 2:00 a.m. - I will be sleeping at that time). I will send you a corrected Notice.

(3) Your notice also does not identify the city and state in which the deposition will take place. Please confirm the precise location of the deposition.

ANSWER (3) The deposition location city and state will be in Washington , D.C.

(4) You also have failed to communicate with me about the means by which you plan to take Ms. Tucker's deposition. We have not stipulated to any particular means. Are you taking the deposition in person or by telephone? If you plan to take this deposition by telephone, what arrangements have you made for the deposition, including but not limited to providing me or someone from my office access to the telephone call?

ANSWER (4): I am taking the deposition in person. It is traditional oral Evidence Deposition. In the event that we decide to conduct the deposition by video, I will promptly notify you of the videographer's name and contact information.

(5) Your notice also makes reference to a subpoena. I have not received or seen a subpoena and no subpoena has been attached to your notice, as required by Rule 206(a)(2). Please expeditiously provide me a copy of the served subpoena, if one exists.

ANSWER (5): The new notice will not make reference to a subpoena. Subpoena was not sent and the Notice of Dep has not yet been filed. and no subpoena will be sent.

(6) Your notice is accompanied by a rider and requests documents. I have not received any documents from you relating to Ms. Tucker. Please provide promptly provide me with:

(i) all documents you, your client, or anyone acting as an intermediary for you, has received from Ms. Tucker;

ANSWER (i): We have received no documents from Danette C. Tucker.

(ii) all communications you, your client, or anyone acting as an intermediary for you, has had with Ms. Tucker, including but not limited to emails;

ANSWER (ii) Objection based on work product doctrine and attorney client privilege. Your request for all communications I or any intermediary for me has relating to Ms. Tucker consists of attorney mental impressions which are protected by the attorney work product doctrine. Any communications with my client regarding Ms. Tucker are protected by attorney-client privilege. Subject to and not waiving the aforementioned objections, today I will fax to your office the email to Ms. Tucker which attached the Notice of Deposition for Ms. Tucker.

(iii) all documents you have that relate to or reference Ms. Tucker; and

ANSWER (iii): I have no documents from Ms. Tucker.

(iv) all statements you, your client, or anyone acting as an intermediary for you, has received from Ms. Tucker or relating to Ms. Tucker, including but not limited to all notes reflecting any such statements.

ANSWER (iv): Objection based on work product doctrine and attorney client privilege. Your request for all statements, including any notes, I or any intermediary for me has received from Ms. Tucker consists of attorney mental impressions which are protected by the attorney work product doctrine. Any communication with my client regarding any statemtns made by Ms. Tucker are protected by attorney-client privilege.

(7) Identify with specificity the subjects on which Ms. Tucker will testify.

ANSWER (7): Ms. Tucker, in deposition, will testify regarding the facts and circumstances surrounding her being terminated from CSSS, her job responsibilities and activities prior to being terminated, and other matters which may arise as being relevant, for examples (this is not an exhaastive list):

- (a) nature of employment
- (b) job responsibilities
- (c) any personal knowledge regarding allegations made in Ms. Cynowa's case
- (d) reasons and circumstances regarding why she was terminated from CSSS

- (e) her personal knowledge that might refute deposition testimony of Lisa Wolford concerning Larry Carver, Thu Pham, Dani Tucker, Scott Theobald, Teresa Lesiko (not sure how to spell), Lisa's methods of hiring and firing, and matters that relate to the credibility and accuracy of Lisa Wolford's deposition testimony.
- (f) other matters that I discover as a result of my ongoing investigation of this case.

(8) Also, please identify the name, address, and telephone number of the court reporter.

ANSWER (8): Objection based on no duty under the Illinois Supreme Court Rules and Illinois Rules of Civil Procedure to disclose the name and address of the court reporter, except if the deposition is taken by video-taping. Subject to and without waiving this objection, I have not yet engaged the services of a Washington D.C. Court Reporter and no video-taped deposition is planned at this time.

If you do not tender your privilege log to me by noon tomorrow, August 26, 2010, then I will file a Motion Compel your compliance with the rules. I am not waiving any objections. In addition, depending on your responses and production, I reserve the right to seek all appropriate relief for my client with respect to this deposition. I look forward to your prompt response.

Theresa

From: THERESA JOHNSON [mailto:theresavjohnson@prodigy.net]
Sent: Tuesday, August 24, 2010 11:44 PM
To: Kevin Duff
Cc: John Murray; Theresa Johnson
Subject: Cynowa v. CSSS - Notice of Deposition and Subpoena for Danette C. Tucker

Kevin,

Attached please find Notice of Deposition and Subpoena for Danette C. Tucker scheduled for September 2, 2010 at 2:00 p.m.

Sincerely,

Theresa V. Johnson
Attorney at Law
Law Office of Theresa V. Johnson
200 East Chicago Ave. Suite 200
Westmont , IL 60559
Tel.: (630) 321-1330
Fax: (630) 321-1185

From: THERESA JOHNSON (theresavjohnson@prodigy.net)
To: kduff@rddlalaw.net;
Date: Tue, August 31, 2010 2:38:47 PM
Cc: theresavjohnson@prodigy.net;
Subject: Disclosure Now Re: Klavohn, Piper, Taylor - Dep Dates & Time Re: Resending Email - Tucker by Telephone & additional Dep Notices Re: Tucker Dep Sept. 2, 2010 2:00 Easter Time Re: Cynowa v. CSSS -- D. Tucker deposition

Kevin,

Please be advised that I hereby advise you that Neil Piper and Jerry Taylor will be called as 213 witnesses in this case. They will be deposed. Additionally, we may depose Noel Flanagan. As you will see in our disclosure we reserve the right to depose and call as a witness any of Defendants' witnesses.

Sincerely,

Theresa V. Johnson
Attorney at Law
Law Office of Theresa V. Johnson
200 East Chicago Ave. Suite 200
Westmont, IL 60559
Tel.: (630) 321-1330
Fax: (630) 321-1185

From: Kevin Duff <kduff@rddlalaw.net>
To: THERESA JOHNSON <theresavjohnson@prodigy.net>
Cc: jmurray@rddlalaw.net; Kathy Pritchard <kpritchard@rddlalaw.net>
Sent: Tue, August 31, 2010 1:48:08 PM
Subject: RE: Klavohn, Piper, Taylor - Dep Dates & Time Re: Resending Email - Tucker by Telephone & additional Dep Notices Re: Tucker Dep Sept. 2, 2010 2:00 Easter Time Re: Cynowa v. CSSS -- D. Tucker deposition

Theresa,

What disclosure are you referring to regarding Jerry Taylor? Neither he nor Neil Piper has been disclosed as a witness in this case. As such, I will object to you deposing them.

Kevin

From: THERESA JOHNSON [mailto:theresavjohnson@prodigy.net]
Sent: Tuesday, August 31, 2010 12:57 PM
To: Kevin Duff
Cc: Theresa Johnson
Subject: Klavohn, Piper, Taylor - Dep Dates & Time Re: Resending Email - Tucker by Telephone & additional Dep Notices Re: Tucker Dep Sept. 2, 2010 2:00 Easter Time Re: Cynowa v. CSSS -- D. Tucker deposition

Kevin,

Page 11 of 18

My dep notice, for Klavohn, which I am ready to serve now, is for 9:00 a.m. Central, September 7, 2010. If the Hines VA has space to do the dep, I do not have an objection to doing it at the VA. Neil Piper is in New York . I can depose him on location in New York or do the Dep by phone - does not matter to me. I am agreeable to back to back for Ron Klavon at Hines (or my office) or Piper by phone. I have to check your disclosure for location of Jerry Taylor - I do not recall off hand if I have his address.

I anticipate the dep for Tucker, Klavon and Piper will be less than 2 hours each on my side. They could be 3 hours each depending on the length of your cross. I can schedule Piper for 11:00 Central. I can notice Taylor for the 8th.

Let's talk by phone if it will be more efficient. I will email you Klavohn's Dep Notice in a few minutes.

Sincerely,

Theresa V. Johnson
Attorney at Law
Law Office of Theresa V. Johnson
200 East Chicago Ave. Suite 200
Westmont , IL 60559
Tel.: (630) 321-1330
Fax: (630) 321-1185

From: Kevin Duff <kduff@rddlaw.net>
To: THERESA JOHNSON <theresavjohnson@prodigy.net>
Sent: Tue, August 31, 2010 10:01:46 AM
Subject: RE: Resending Email - Tucker by Telephone & additional Dep Notices Re: Tucker Dep Sept. 2, 2010 2:00 Easter Time Re: Cynowa v. CSSS -- D. Tucker deposition

Theresa,

Are you planning to take those depositions back-to-back at the VA?

Kevin

From: THERESA JOHNSON [mailto:theresavjohnson@prodigy.net]
Sent: Monday, August 30, 2010 1:57 PM
To: Kevin Duff
Cc: Theresa Johnson
Subject: Resending Email - Tucker by Telephone & additional Dep Notices Re: Tucker Dep Sept. 2, 2010 2:00 Easter Time Re: Cynowa v. CSSS -- D. Tucker deposition

Kevin,

I am resending prior email because I hit the send button accidentally before I was finished proofing it.

Page 12 of 18

Ms. Tucker's Deposition is by telephone Sept. 7, 2010 at 2:00 p.m. Eastern time.

Following are the times of you stated you are available for deposition. I am serving dep Notices and subpoenas upon Neil Piper and Ron Klavohn on one of the dates that you have stated. Please pick dates and times what you have listed below (excluding 2:00-4:00 p.m. Central Time for Ms. Tucker). If you are no longer available on those dates, I will be forced to pick a date and serve my Notice.

- Friday, Sept. 3, from 9:00 a.m. to noon.
- Tuesday, Sept. 7, from 8:30 a.m. to 5:30 p.m.
- Wednesday, Sept. 8, from 8:30 a.m. to 5:30 p.m.

Sincerely,

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Attorney at Law
Law Office of Theresa V. Johnson
200 East Chicago Ave. Suite 200
Westmont , IL 60559
Tel.: (630) 321-1330
Fax: (630) 321-1185

From: Kevin Duff <kduff@rddlaw.net>
To: THERESA JOHNSON <theresavjohnson@prodigy.net>
Sent: Mon, August 30, 2010 12:24:05 PM
Subject: RE: Tucker Dep Sept. 2, 2010 2:00 Easter Time Re: Cynowa v. CSSS -- D. Tucker deposition

Theresa,

Do you plan to be there in person or are you taking the deposition by telephone?

Kevin

From: THERESA JOHNSON [mailto:theresavjohnson@prodigy.net]
Sent: Monday, August 30, 2010 11:00 AM
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Subject: Tucker Dep Sept. 2, 2010 2:00 Easter Time Re: Cynowa v. CSSS -- D. Tucker deposition

Kevin,

The deposition for Ms. Tucker will be Tuesday, September 7, 2010 at 2:00 p.m. Eastern Time. I will tender an amended Notice of Deposition to you soon.

Sincerely,

Page 13 of 18

Theresa V. Johnson
Attorney at Law
Law Office of Theresa V. Johnson
200 East Chicago Ave. Suite 200
Westmont, IL 60559
Tel.: (630) 321-1330
Fax: (630) 321-1185

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To: THERESA JOHNSON <theresavjohnson@prodigy.net>
Cc: jmurray@rddlaw.net ; Kathy Pritchard <kpritchard@rddlaw.net>
Sent: Mon, August 30, 2010 8:14:36 AM
Subject: Cynowa v. CSSS -- D. Tucker deposition

Theresa,

In the three business days following September 2, 2010, I am available for Ms. Tucker's deposition as follows:

- Friday, Sept. 3, from 9:00 a.m. to noon.
- Tuesday, Sept. 7, from 8:30 a.m. to 5:30 p.m.
- Wednesday, Sept. 8, from 8:30 a.m. to 5:30 p.m.

All noted times are Central Time. Please let me know what means you plan to make available for me to participate in the deposition by telephone.

Please provide me copies of any documents you may mark as exhibits at Ms. Tucker's deposition by no later than 48 hours before the start of the deposition.

Please send me an amended notice of deposition.

Kevin

Kevin B. Duff
Rachlis Durham Duff & Adler, LLC
542 S. Dearborn Street, Suite 900
Chicago, IL 60605
(312) 733-3390 (phone)
(312) 733-3952 (fax)

From: THERESA JOHNSON (theresavjohnson@prodigy.net)
To: kduff@rddlalaw.net;
Date: Tue, August 31, 2010 2:29:28 PM
Cc: theresavjohnson@prodigy.net;
Subject: Disclosed in Supplement Re: Klavohn, Piper, Taylor - Dep Dates & Time Re: Resending Email - Tucker by Telephone & additional Dep Notices Re: Tucker Dep Sept. 2, 2010 2:00 Easter Time Re: Cynowa v. CSSS -- D. Tucker deposition

Kevin,

They are listed in our Supplemental disclosure which will be served upon you today.

Sincerely,

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Attorney at Law
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Tel.: (630) 321-1330
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Page 15 of 18

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Law Office of Theresa V. Johnson

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Please send me an amended notice of deposition.

Kevin

Kevin B. Duff
Rachlis Durham Duff & Adler, LLC
542 S. Dearborn Street, Suite 900
Chicago , IL 60605
(312) 733-3390 (phone)
(312) 733-3952 (fax)

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

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

NOTICE OF MOTION

TO

Rachlis Durham Duff & Adler, LLC
542 South Dearborn, Suite 900
Chicago, Illinois 60605
(312) 733-3950
(312) 733-3952 (fax)

Haytham Faraj
1800 Diagonal Road
Suite 210
Alexandria, VA 22314
Fax (202) 280-1039

PLEASE TAKE NOTICE that on March 1, 2010, at 11:00 a.m. or as soon thereafter as counsel may be heard, I shall appear before the Honorable Judge Maddux or any judge sitting in that judge's stead, in Courtroom 2005, usually occupied by him, located at Daley Center, 50 West Washington Street, Chicago, Illinois, and present **EMERGENCY MOTION FOR LEAVE TO FILE INSTANTER**, a copy of which is attached hereto.

Theresa V. Johnson
Theresa V. Johnson

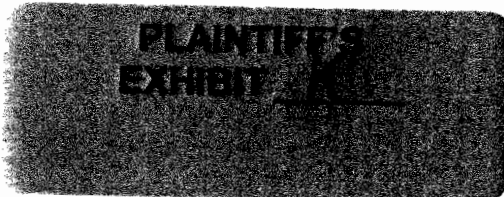
PROOF OF SERVICE

I, Theresa V. Johnson, the attorney, certify under penalties as provided by law pursuant to 735 ILCS 5/1-109, that the statements set forth herein are true and correct; that I served this Notice by causing a copy to be sent by fax to each of the parties listed above before 11:00 a.m. on February 28, 2011.

Respectfully Submitted:

Theresa V. Johnson
Theresa V. Johnson
One of Plaintiff's Attorney

Theresa V. Johnson, Esq.
Law Office of Theresa V. Johnson
200 E. Chicago Ave., Suite 200
Westmont, Illinois 60559
Tel.: 630-321-1330
Fax: 630-321-1185
Cook County Atty No.: 37363



**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.)	

EMERGENCY MOTION FOR LEAVE TO FILE INSTANTER

Plaintiff, Christopher S. Cynowa, by his attorney Theresa V. Johnson, moves this Honorable Court for leave to file his response to the defendants' motion for summary judgment, instanter, and to re-set the briefing schedule. In support thereof states:

1. On January 27, 2011, this Court entered a briefing schedule as follows: Response due February 24, 2011; Reply due March 10, 2011; Courtesy copies due March 11, 2011; hearing on March 24, 2011, before Judge Maras. A copy of the Order is attached as Exhibit 1.

2. The undersigned counsel is a sole practitioner and was unable to complete the response on behalf of Mr. Cynowa. During this time the undersigned counsel was involved in the following matters:

- (a) DuPage trust case and Real Estate Closing which was rescheduled due to complicated trust issues and heirs in foreign state and country jurisdictions. (**see below)
- (b) Cook County Case No. 10 M1 199211 – breach of contract (met with new client for court appearance February 28, 2011)
- (c) Cook County Case 11 M1 109386 – breach of contract (met with new client for Answer due March 1, 2011))
- (d) Cook County Case 11-M5 -166 – administrative review
- (e) Cook County Case 11-M5 -167 – administrative review
- (f) Cook County Case 11-M5 -168 – administrative review
- (g) Cook County Case 11-M5 -168 – administrative review

***Plaintiff's response to Defendants Motion for Summary Judgment was due February 24, 2011. On Friday, February 19, 2011 Plaintiff's attorney completed title issues with Tile Company for above named real estate closing. Plaintiff's attorney scheduled Sunday February 21 through Thursday February 24, 2011 to work almost exclusively on this case at bar. On February 23, 2011 a complicated trust issue arose in the real estate file. Attorney had no choice but to work to resolve the issues part of Wednesday (2/23/11), all day Thursday(2/24/11), and 15 ½ hours Friday (2/25/11), a small time Saturday (2/26/11), and 2 hours Sunday (2/27/11). Attorney must also work Monday, February 28, and Tuesday, March 1, 2011 on acquiring documentation from foreign jurisdictions to ensure March 1, 2011 closing.

3. Monday, February 21, 2011 was a federal holiday.

4. The issues requiring resolution in the real estate case were not apparent when Attorney planned her work schedule for this case.

5. On February 24, 2011, my co-counsel, Peter V. Bustamante, wrote to counsel for defendants, Kevin Duff requesting an extension of time until Monday, February 28, 2011.

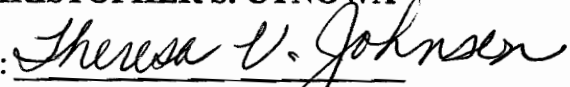
6. For the reasons set forth above. Plaintiff's attorney was unable to appear in court Friday to present an emergency Motion as proposed by Mr. Duff.

7. Mr. Duff would not agree to an extension to Monday, but was agreeable to a one day extension. The exchange of emails is attached as Exhibit 2.

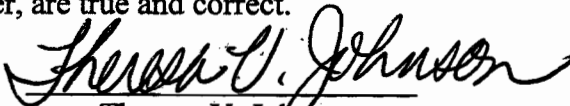
8. No prejudice will result to the defendants by allowing this motion. The briefing schedule can be changed to allow them until March 15, 2011 to file their reply and courtesy copies can be delivered on March 16, 2011.

WHEREFORE, plaintiff prays that this Honorable Court allow filing of Out of Time Plaintiff Response to defendants Motion for Summary Judgment and reset the hearing or trial date if appropriate.

CHRISTOPHER S. CYNOWA

By: 
Theresa V. Johnson

Under penalties as provided by law, the undersigned certifies that the statements contained in the above and foregoing motion for leave to file instanter, are true and correct.


Theresa V. Johnson

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

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Cynowa

v.

CSSS, Inc., et al.

No. 08 L 403

ORDER

This matter coming before the Court on presentation of Defendants' motion for summary judgment, counsel for the parties having appeared, and the Court being advised in the premises,

IT IS HEREBY ORDERED:

- (1) briefing schedule on Defendants' summary judgment motion is set by separate order this date;
- (2) Trial date of March 14, 2011 is stricken;
- (3) Trial is re-set to April 11, 2011. at 10:00 a.m.

Atty. No.: 40151

Name: K. Duff

Atty. for: DS

Address: 542 S. Dearborn St., Ste 900

City/State/Zip: Chicago, IL 60605

Telephone: 312-733-3950

ENTERED: Judge Thomas L. Hogan

JAN 27 2011

Dated: Circuit Court-1739

Judge

Judge's No.

Exhibit 1

2/28/2011

Untitled Document

From: Peter V. Bustamante (pvbustamante@ameritech.net)
To: kduff@rddl.com;
Date: Thu, February 24, 2011 12:21:52 PM
Cc: theresavjohnson@prodigy.net;
Subject: Cynowa v. CSSS - Response to Summary Judgment

Kevin, Theresa needs a couple more days to finish the response to your motion. May we have until Monday, by agreement and of course, extend your deadline by the same number of days? This will not change the hearing date. Please let me know. Thank you.

Peter

Peter V. Bustamante
150 North Michigan Avenue
Suite 690
Chicago, Illinois 60601
(312) 346-2072
(312) 346-2074 facsimile

The information contained in this electronic mail message is confidential information intended only for the use of the individual or entity named above, and may be protected by the attorney client and/or attorney work product privileges. If the reader of this message is not the intended recipient or the employee or agent responsible to deliver to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us and delete the original message.

Exhibit 2

2/28/2011

Untitled Document

From: Kevin Duff (kduff@rddlav.com)

To: pvbust@ameritech.net;

Date: Thu, February 24, 2011 12:37:49 PM

Cc: theresavjohnson@prodigy.net; jmurray@rddlav.net; haytham@puckettfaraj.com; kpritchard@rddlav.net;

Subject: RE: Cynowa v. CSSS - Response to Summary Judgment

Peter,

Because courtesy copies of all the papers are due to the Court on March 11, which is one day after our reply is due, any extension to your client cannot be matched with a corresponding extension to my clients. There is no room for slippage in the schedule because of that date and the approaching trial date. We also want to make sure that the Court has sufficient time to consider all the papers before the hearing on the motion. You will remember that the Court moved the trial date in order to give you as much time as you needed to respond to our summary judgment motion and you picked today as your due date. Unfortunately, Theresa has a long-standing pattern of missing deadlines in this case. Under the circumstances, the most I can do is to agree to an extension until tomorrow. Please make sure to serve us by email with your response and all accompanying papers.

Kevin

From: Peter V. Bustamante [mailto:pvbust@ameritech.net]

Sent: Thursday, February 24, 2011 12:22 PM

To: Kevin Duff

Cc: Theresa V. Johnson

Subject: Cynowa v. CSSS - Response to Summary Judgment

Kevin, Theresa needs a couple more days to finish the response to your motion. May we have until Monday, by agreement and of course, extend your deadline by the same number of days? This will not change the hearing date. Please let me know. Thank you.

Peter

Peter V. Bustamante

150 North Michigan Avenue

Suite 690

Chicago, Illinois 60601

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2/28/2011

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From: Peter V. Bustamante (pvb@ameritech.net)

To: kduff@rddl原因.net;

Date: Thu, February 24, 2011 12:47:24 PM

Cc: theresavjohnson@prodigy.net; jmurray@rddl原因.net; haytham@puckettfaraj.com; kpritchard@rddl原因.net;

Subject: Re: Cynowa v. CSSS - Response to Summary Judgment

Thank you Kevin, but I suggest that if we come in on an agreed order revising the due dates for your reply and for courtesy copies, that will be acceptable to the court. The due date of courtesy copies is 3/11 the hearing is on 3/24, thirteen days later. I am sure that a couple of days is not unreasonable and that the court will have plenty of time to fully review our submissions.

Let me know.

Peter

— Original Message —

From: Kevin Duff

To: 'Peter V. Bustamante'

Cc: 'Theresa V. Johnson'; jmurray@rddl原因.net ; 'Haytham Faraj'; kpritchard@rddl原因.net

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Peter,

You and I cannot agree to change the courtesy copy due date. The March 11 courtesy copy due date was set by the Court to accommodate its schedule. My clients do not want to be prejudiced by the Court not having sufficient time to study the papers and consider the issues. In addition, I and my colleagues working on the case have arranged our schedules to be able to file our reply by March 10 and get courtesy copies to the Court on March 11, and we have other matters to attend to in the days following those dates. If you had come to us earlier we could have had this discussion so that you would have recognized the limitations to the schedule that are clear to us.

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Kevin

From: Peter V. Bustamante [mailto:pvbust@ameritech.net]

Sent: Thursday, February 24, 2011 12:47 PM

To: Kevin Duff

Cc: 'Theresa V. Johnson'; jmurray@rddlawnet; 'Haytham Faraj'; kpritchard@rddlawnet

Subject: Re: Cynowa v. CSSS - Response to Summary Judgment

Thank you Kevin, but I suggest that if we come in on an agreed order revising the due dates for your reply and for courtesy copies, that will be acceptable to the court. The due date of courtesy copies is 3/11 the hearing is on 3/24, thirteen days later. I am sure that a couple of days is not unreasonable and that the court will have plenty of time to fully review our submissions.

Let me know.

Peter

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To: 'Peter V. Bustamante'

Cc: 'Theresa V. Johnson'; jmurray@rddlawnet; 'Haytham Faraj'; kpritchard@rddlawnet

Sent: Thursday, February 24, 2011 12:37 PM

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From: Peter V. Bustamante [mailto:pvbust@ameritech.net]
Sent: Thursday, February 24, 2011 12:22 PM
To: Kevin Duff
Cc: Theresa V. Johnson
Subject: Cynowa v. CSSS - Response to Summary Judgment

Kevin, Theresa needs a couple more days to finish the response to your motion. May we have until Monday, by agreement and of course, extend your deadline by the same number of days? This will not change the hearing date. Please let me know. Thank you.

Peter

Peter V. Bustamante
150 North Michigan Avenue
Suite 690
Chicago , Illinois 60601
(312) 346-2072
(312) 346-2074 facsimile

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From: Peter V. Bustamante (pvb@ameritech.net)

To: kduff@rddlalaw.net;

Date: Thu, February 24, 2011 1:48:06 PM

Cc: theresavjohnson@prodigy.net; jmurray@rddlalaw.net; haytham@puckettfaraj.com; kpritchard@rddlalaw.net;

Subject: Re: Cynowa v. CSSS - Response to Summary Judgment

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Cc: 'Theresa V. Johnson'; jmurray@rddlalaw.net; 'Haytham Faraj'; kpritchard@rddlalaw.net

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From: Kevin Duff (kduff@rddlaw.net)

To: pvbust@ameritech.net;

Date: Thu, February 24, 2011 2:04:01 PM

Cc: theresavjohnson@prodigy.net; jmurray@rddlaw.net; haytham@puckettfaraj.com; kpritchard@rddlaw.net;

Subject: RE: Cynowa v. CSSS - Response to Summary Judgment

Peter,

Then Theresa should present the motion tomorrow. Once again, your client is disregarding deadlines to my clients' detriment. If you wait till Monday, we will oppose your motion.

Kevin

From: Peter V. Bustamante [mailto:pvbust@ameritech.net]

Sent: Thursday, February 24, 2011 1:48 PM

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Cc: 'Theresa V. Johnson'; jmurray@rddlaw.net; 'Haytham Faraj'; kpritchard@rddlaw.net

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