

## Rob Hanlon

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**From:** Rob Hanlon  
**Sent:** Thursday, May 30, 2019 9:50 AM  
**To:** David W. McArdle  
**Cc:** Office Office; Philip A. Prossnitz; jpkelly@mkm-law.com; Kim Scalise; maselvey@mkm-law.com; Cheryl Jandernoa; Thomas W. Gooch III; steve@sjbrodylaw.com; service@sjbrodylaw.com  
**Subject:** RE: Lutzow Deposition

You mean for a case I have not billed a penny?

Your mental prowess evidenced by your message below is remarkably impressive. Because I do not think you are that quick on the uptake, that last sentence was sarcasm. If you are not familiar with the term "sarcasm", it means "remarks that mean the opposite of what they seem to say and are intended to mock or deride." Encarta Dictionary.

Perhaps you can grade this e-mail and send me a correction. If only I could be as childlike as you. Oh, the joy.

**Robert T. Hanlon**  
**131 East Calhoun**  
**Woodstock, Illinois 60098**  
**815-206-2200**

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**From:** David W. McArdle [mailto:dmcardle@zrfmlaw.com]  
**Sent:** Wednesday, May 29, 2019 6:45 PM  
**To:** Rob Hanlon  
**Cc:** Office Office; Philip A. Prossnitz; jpkelly@mkm-law.com; Kim Scalise; maselvey@mkm-law.com; Cheryl Jandernoa; Thomas W. Gooch III; steve@sjbrodylaw.com; service@sjbrodylaw.com  
**Subject:** Re: Lutzow Deposition

Burning through some last minute billing Bob?

David McArdle  
Zukowski, Rogers, Flood & McArdle  
50 Virginia St.  
Crystal Lake, IL 60014  
815-459-2050 (office)  
815-236-4373 (cell)

On May 29, 2019, at 5:24 PM, Rob Hanlon <[Robert@ROBHANLONLAW.COM](mailto:Robert@ROBHANLONLAW.COM)> wrote:

**Absent a settlement in our continued settlement discussion, I would like to get dates that work for each of you for the depositions of:**

- A) Karen Lukasik
- B) Chuck Lutzow
- C) Dan Shea
- D) Keith Seda
- E) Robert Miller
- F) Anna May Miller
- G) Ron Lukasik
- H) Jacob Lukasik
- I) Tim Shepard
- J) Judy Kreklow
- K) Derek Lee
- L) Rebecca Lee

In the absence of settlement on Friday, I ask you all to give me at least 12 dates that are open for each of you. Absent getting dates from you within a week, I will send out subpoenas and notice of Depositions with dates that are convenient for me.

Hopefully we will settle the case.

Robert T. Hanlon  
131 East Calhoun  
Woodstock, Illinois 60098  
815-206-2200

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**From:** Office Office [<mailto:office@goochfirm.com>]  
**Sent:** Thursday, May 23, 2019 2:44 PM  
**To:** Philip A. Prossnitz; [dmcardle@zrfmlaw.com](mailto:dmcardle@zrfmlaw.com); [jpkelly@mkm-law.com](mailto:jpkelly@mkm-law.com)  
**Cc:** Rob Hanlon; [kscalise@zrfmlaw.com](mailto:kscalise@zrfmlaw.com); [maselvey@mkm-law.com](mailto:maselvey@mkm-law.com); Cheryl Jandernoa; Thomas W. Gooch III; [steve@sjbrodylaw.com](mailto:steve@sjbrodylaw.com); [service@sjbrodylaw.com](mailto:service@sjbrodylaw.com)  
**Subject:** RE: Lutzow Deposition

Good afternoon,

Mr. Gooch is available on the June 20<sup>th</sup> as well.

I will hold the space on our calendar.

Thank you,

Melanie Rodgers  
*Paralegal*  
The Gooch Firm  
209 S. Main Street  
Wauconda, Illinois 60084

P: [\(847\) 526-0110](tel:(847)526-0110)  
F: [\(847\) 526-0603](tel:(847)526-0603)  
E: [office@goochfirm.com](mailto:office@goochfirm.com)

Disclaimer: Pursuant to Illinois Supreme Court Rule 11(b)(6), neither myself nor my office consent to service via email.

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**From:** Philip A. Prossnitz <[paprossnitz@aol.com](mailto:paprossnitz@aol.com)>  
**Sent:** Thursday, May 23, 2019 7:38 AM  
**To:** [dmcandle@zrfmlaw.com](mailto:dmcandle@zrfmlaw.com); [jpkelly@mkm-law.com](mailto:jpkelly@mkm-law.com)  
**Cc:** [Robert@ROBHANLONLAW.COM](mailto:Robert@ROBHANLONLAW.COM); [kscalise@zrfmlaw.com](mailto:kscalise@zrfmlaw.com); [maselvey@mkm-law.com](mailto:maselvey@mkm-law.com); [Cherylj@ROBHANLONLAW.COM](mailto:Cherylj@ROBHANLONLAW.COM); Office Office <[office@goochfirm.com](mailto:office@goochfirm.com)>; Thomas W. Gooch III <[gooch@goochfirm.com](mailto:gooch@goochfirm.com)>; [steve@sjbrodylaw.com](mailto:steve@sjbrodylaw.com); [service@sjbrodylaw.com](mailto:service@sjbrodylaw.com)  
**Subject:** Re: Lutzow Deposition

Good morning.

Chuck Lutzow, Jim Kelly and Phil Prossnitz are available June 20, 2019 in the afternoon.

Best regards,

Phil

Philip A. Prossnitz  
Attorney-at-Law  
454 West Jackson Street  
Woodstock, IL 60098-3125  
(815) 206-2969 (office)  
(815) 337-3813 (fax)  
[paprossnitz@aol.com](mailto:paprossnitz@aol.com)

-----Original Message-----

From: David W. McArdle <[dmcardle@zrfmlaw.com](mailto:dmcardle@zrfmlaw.com)>  
To: James P. Kelly <[jpkelly@mkm-law.com](mailto:jpkelly@mkm-law.com)>; 'Philip A. Prossnitz' <[paprossnitz@aol.com](mailto:paprossnitz@aol.com)>  
Cc: [Robert@ROBHANLONLAW.COM](mailto:Robert@ROBHANLONLAW.COM) <[Robert@ROBHANLONLAW.COM](mailto:Robert@ROBHANLONLAW.COM)>; Kim Scalise <[kscalise@zrfmlaw.com](mailto:kscalise@zrfmlaw.com)>; [maselvey@mkm-law.com](mailto:maselvey@mkm-law.com) <[maselvey@mkm-law.com](mailto:maselvey@mkm-law.com)>; [Cherylj@ROBHANLONLAW.COM](mailto:Cherylj@ROBHANLONLAW.COM) <[Cherylj@ROBHANLONLAW.COM](mailto:Cherylj@ROBHANLONLAW.COM)>; [office@goochfirm.com](mailto:office@goochfirm.com) <[office@goochfirm.com](mailto:office@goochfirm.com)>; [gooch@goochfirm.com](mailto:gooch@goochfirm.com) <[gooch@goochfirm.com](mailto:gooch@goochfirm.com)>; [steve@sjbrodylaw.com](mailto:steve@sjbrodylaw.com) <[steve@sjbrodylaw.com](mailto:steve@sjbrodylaw.com)>; [service@sjbrodylaw.com](mailto:service@sjbrodylaw.com) <[service@sjbrodylaw.com](mailto:service@sjbrodylaw.com)>  
Sent: Wed, May 22, 2019 12:53 pm  
Subject: Lutzow Deposition

June 10, 14, or 20<sup>th</sup>, anytime. Please advise. If there is haggling over dates, I will notice up and we can set via court order when everyone is present in court. Thank you Jim.

<image001.png>

David W. McArdle  
[dmcardle@zrfmlaw.com](mailto:dmcardle@zrfmlaw.com)  
Zukowski, Rogers, Flood & McArdle  
50 Virginia Street  
Crystal Lake, Illinois 60014  
(815) 459-2050 Ext. 112  
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**From:** James P. Kelly <[jpkelly@mkm-law.com](mailto:jpkelly@mkm-law.com)>  
**Sent:** Wednesday, May 22, 2019 12:47 PM  
**To:** David W. McArdle <[dmcardle@zrfmlaw.com](mailto:dmcardle@zrfmlaw.com)>; 'Philip A. Prossnitz' <[paprossnitz@aol.com](mailto:paprossnitz@aol.com)>  
**Cc:** [Robert@ROBHANLONLAW.COM](mailto:Robert@ROBHANLONLAW.COM); Kim Scalise <[kscalise@zrfmlaw.com](mailto:kscalise@zrfmlaw.com)>; [maselvey@mkm-law.com](mailto:maselvey@mkm-law.com); [Cherylj@ROBHANLONLAW.COM](mailto:Cherylj@ROBHANLONLAW.COM); [office@goochfirm.com](mailto:office@goochfirm.com); [gooch@goochfirm.com](mailto:gooch@goochfirm.com); [steve@sjbrodylaw.com](mailto:steve@sjbrodylaw.com); [service@sjbrodylaw.com](mailto:service@sjbrodylaw.com)  
**Subject:** RE: Re :Lutzow Deposition

David,

Based upon the below correspondence Mr. Lutzow will not be produced for deposition on Friday.

Please send me some dates you propose for Mr. Lutzow's deposition.

**James P. Kelly**  
**Matuszewich & Kelly LLP**  
*Crystal Lake, Illinois*  
*Chicago, Illinois*

Telephone (815) 459-3120  
Facsimile (815) 459-3123

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**From:** David W. McArdle [<mailto:dmcardle@zrfmlaw.com>]  
**Sent:** Wednesday, May 22, 2019 12:21 PM  
**To:** Philip A. Prossnitz  
**Cc:** [Robert@ROBHANLONLAW.COM](mailto:Robert@ROBHANLONLAW.COM); Kim Scalise; [jpkelly@mkm-law.com](mailto:jpkelly@mkm-law.com); [maselvey@mkm-law.com](mailto:maselvey@mkm-law.com); [Cherylj@ROBHANLONLAW.COM](mailto:Cherylj@ROBHANLONLAW.COM); [office@goochfirm.com](mailto:office@goochfirm.com); [gooch@goochfirm.com](mailto:gooch@goochfirm.com); [steve@sibrodyllaw.com](mailto:steve@sibrodyllaw.com); [service@sibrodyllaw.com](mailto:service@sibrodyllaw.com)  
**Subject:** Re: Re :Lutzow Deposition

No problem Phil. I will work with jim on a new date.

David McArdle  
Zukowski, Rogers, Flood & McArdle  
50 Virginia St.  
Crystal Lake, IL 60014  
815-459-2050 (office)  
815-236-4373 (cell)

On May 22, 2019, at 11:31 AM, Philip A. Prossnitz <[paprossnitz@aol.com](mailto:paprossnitz@aol.com)> wrote:

Good Morning,

Unfortunately, I am unavailable Friday May 24, 2019 for a deposition of Chuck Lutzow.

I spoke with Jim Kelly last night who indicated he was unavailable as well and would speak by telephone with Dave McArdle this morning to get a new date. Have you gentlemen spoken?

Best regards,

Phil

PHILIP A. PROSSNITZ  
Attorney-at-Law  
454 West Jackson Street  
Woodstock, IL 60098-3125  
(815) 206-2969 (office)  
(815) 337-3813 (fax)  
[paprossnitz@aol.com](mailto:paprossnitz@aol.com)

-----Original Message-----

From: David W. McArdle <[dmcardle@zrfmlaw.com](mailto:dmcardle@zrfmlaw.com)>  
To: Rob Hanlon <[Robert@ROBHANLONLAW.COM](mailto:Robert@ROBHANLONLAW.COM)>; Kim Scalise <[kscalise@zrfmlaw.com](mailto:kscalise@zrfmlaw.com)>; [jpkelly@mkm-law.com](mailto:jpkelly@mkm-law.com) <[jpkelly@mkm-law.com](mailto:jpkelly@mkm-law.com)>; 'Mary Ann Selvey' <[maselvey@mkm-law.com](mailto:maselvey@mkm-law.com)>; Cheryl Jandernoa <[Cherylj@ROBHANLONLAW.COM](mailto:Cherylj@ROBHANLONLAW.COM)>; [office@goochfirm.com](mailto:office@goochfirm.com) <[office@goochfirm.com](mailto:office@goochfirm.com)>; Thomas W. Gooch III <[gooch@goochfirm.com](mailto:gooch@goochfirm.com)>; [steve@sibrodyllaw.com](mailto:steve@sibrodyllaw.com) <[steve@sibrodyllaw.com](mailto:steve@sibrodyllaw.com)>; [service@sibrodyllaw.com](mailto:service@sibrodyllaw.com) <[service@sibrodyllaw.com](mailto:service@sibrodyllaw.com)>  
Cc: Philip A. Prossnitz <[paprossnitz@aol.com](mailto:paprossnitz@aol.com)>  
Sent: Wed, May 22, 2019 10:27 am  
Subject: Gasser v. Lukasik, et al.

I indicated to you in my last email that if you were still too ill as of today, I would continue the deposition. Your note gives no reason to continue the deposition. Are you still too ill to attend??

<image001.png>

David W. McArdle

[dmcardle@zrfmlaw.com](mailto:dmcardle@zrfmlaw.com)  
Zukowski, Rogers, Flood & McArdle  
50 Virginia Street  
Crystal Lake, Illinois 60014  
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**From:** Rob Hanlon <[Robert@ROBHANLONLAW.COM](mailto:Robert@ROBHANLONLAW.COM)>  
**Sent:** Wednesday, May 22, 2019 10:24 AM  
**To:** David W. McArdle <[dmcardle@zrfmlaw.com](mailto:dmcardle@zrfmlaw.com)>; Kim Scalise <[kscalise@zrfmlaw.com](mailto:kscalise@zrfmlaw.com)>; 'Mary Ann Selvey' <[maselvey@mkm-law.com](mailto:maselvey@mkm-law.com)>; Cheryl Jandernoa <[Cherylj@ROBHANLONLAW.COM](mailto:Cherylj@ROBHANLONLAW.COM)>; [office@goochfirm.com](mailto:office@goochfirm.com); Thomas W. Gooch III <[gooch@goochfirm.com](mailto:gooch@goochfirm.com)>; [steve@sjbrodylaw.com](mailto:steve@sjbrodylaw.com); [service@sjbrodylaw.com](mailto:service@sjbrodylaw.com)  
**Cc:** Philip A. Prossnitz <[paprossnitz@aol.com](mailto:paprossnitz@aol.com)>  
**Subject:** RE: Gasser v. Lukasik, et al.

Mr. McArdle:

Would you please reschedule the deposition of Mr. Lutzow to either June 10, or 14, or 20th in the afternoon. Perhaps before you schedule things like depositions we could meet and confer to see if we can schedule something as professionals. I typically will alert you to the desire to take a deposition and absent hearing from you I will pick a date to move things along. That approach typically works much better.

I also see that you failed to include Mr. Prossnitz on the communication below. So I have copied him to keep him in the loop. I hope that he has contacted you.

Do I need to bring a motion to address your unilateral demand to proceed on the 24th? If I do not hear back from you by noon today I will take your silence and a request that I address this issue with the court.

**Robert T. Hanlon**  
**131 East Calhoun**  
**Woodstock, Illinois 60098**  
**815-206-2200**

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**From:** David W. McArdle [<mailto:dmcardle@zrfmlaw.com>]  
**Sent:** Tuesday, May 21, 2019 9:57 AM  
**To:** Rob Hanlon; Kim Scalise; [jpkelly@mkm-law.com](mailto:jpkelly@mkm-law.com); 'Mary Ann Selvey'; Cheryl Jandernoa; [office@goochfirm.com](mailto:office@goochfirm.com); Thomas W. Gooch III; [steve@sjbrodylaw.com](mailto:steve@sjbrodylaw.com); [service@sjbrodylaw.com](mailto:service@sjbrodylaw.com); Karen Lukasik  
**Cc:** Helen A. Harkins  
**Subject:** RE: Gasser v. Lukasik, et al.

The deposition of Mr. Lutzow is not being rescheduled; we expect him to show up as noticed. Thank you.

<image001.png>

David W. McArdle  
[dmcardle@zrfmlaw.com](mailto:dmcardle@zrfmlaw.com)  
Zukowski, Rogers, Flood & McArdle  
50 Virginia Street  
Crystal Lake, Illinois 60014  
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**From:** Rob Hanlon <[Robert@ROBHANLONLAW.COM](mailto:Robert@ROBHANLONLAW.COM)>

**Sent:** Friday, May 17, 2019 9:42 AM

**To:** Kim Scalise <[kscalise@zrfmlaw.com](mailto:kscalise@zrfmlaw.com)>; [jpkelly@mkm-law.com](mailto:jpkelly@mkm-law.com); 'Mary Ann Selvey' <[maselvey@mkm-law.com](mailto:maselvey@mkm-law.com)>; Cheryl Jandernoa <[Cherylj@ROBHANLONLAW.COM](mailto:Cherylj@ROBHANLONLAW.COM)>; [office@goochfirm.com](mailto:office@goochfirm.com); Thomas W. Gooch III <[gooch@goochfirm.com](mailto:gooch@goochfirm.com)>; [steve@sibrodyllaw.com](mailto:steve@sibrodyllaw.com); [service@sibrodyllaw.com](mailto:service@sibrodyllaw.com)

**Cc:** David W. McArdle <[dmcardle@zrfmlaw.com](mailto:dmcardle@zrfmlaw.com)>; Helen A. Harkins <[hharkins@zrfmlaw.com](mailto:hharkins@zrfmlaw.com)>

**Subject:** RE: Gasser v. Lukasik, et al.

Gentlemen, I tried to work yesterday and it was too difficult. I ask that you continue the deposition to another date at least a week later. I also see that Mr. Prossnitz was not provided notice of the deposition even though he appeared for Mr. Lutzow in this case. I have forwarded your notice of deposition to Mr. Prossnitz.

**Robert T. Hanlon**  
**131 East Calhoun**  
**Woodstock, Illinois 60098**  
**815-206-2200**

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---

**From:** Kim Scalise [<mailto:kscalise@zrfmlaw.com>]

**Sent:** Thursday, May 16, 2019 12:25 PM

**To:** [jpkelly@mkm-law.com](mailto:jpkelly@mkm-law.com); 'Mary Ann Selvey'; Rob Hanlon; Cheryl Jandernoa; [office@goochfirm.com](mailto:office@goochfirm.com); Thomas W. Gooch III; [steve@sibrodyllaw.com](mailto:steve@sibrodyllaw.com); [service@sibrodyllaw.com](mailto:service@sibrodyllaw.com)

**Cc:** David W. McArdle; Helen A. Harkins

**Subject:** Gasser v. Lukasik, et al.

All,

Please find attached Notice of Deposition for Charles Lutzow.

Regards,

Kim

Kim Scalise, Paralegal  
Zukowski, Rogers, Flood & McArdle  
50 Virginia Street  
Crystal Lake, IL 60014  
(815) 459-2050; (815) 459-9057 fax  
[kscalise@zrfmlaw.com](mailto:kscalise@zrfmlaw.com)

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