

STATE OF ILLINOIS)
) SS.
COUNTY OF WILL)

IN THE CIRCUIT COURT OF THE 12TH JUDICIAL CIRCUIT
WILL COUNTY, ILLINOIS

IN RE THE MATTER OF:)
))
JOHN NORTON,))
))
 Petitioner,))
))
-vs-) NO. 2018 OP 2306
))
CYNTHIA BRZANA,))
))
 Respondent.)

REPORT OF PROCEEDINGS had at the hearing of the
above-entitled cause before the Honorable FREDERICK V.
HARVEY, on the 16th day of November, A.D., 2018.

APPEARANCES:

MR. JOHN NORTON, Petitioner
Appeared pro se;

MR. ROBERT HANLON, Attorney At Law
Appeared on behalf of the Respondent.

STEVE VITHOULKAS, CSR, RPR, RMR
Will County Courthouse
Joliet, IL 60432

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1 THE COURT: Counsel, what do you got?

2 MR. HANLON: It's page one, line eight. John Norton
3 versus Cynthia Brzana. Judge, Robert Hanlon on behalf of
4 the Respondent.

5 THE COURT: All right. Hold on one second, Counsel.
6 This is 18 OP 2306, John Norton versus Cynthia Brzana. Show
7 Mr. Norton, the Petitioner, is present in court. Mr. Hanlon
8 is present in court on behalf of the Respondent.

9 MR. HANLON: Yes, your Honor. Judge, as a preliminary
10 matter, I have certain evidence that's on an electronic
11 medium that we can't get through court security and I would
12 like to ask leave of Court to obtain an order.

13 THE COURT: I just did it.

14 MR. HANLON: Thank you. Judge, in addition to that, I
15 have reason to believe, and I represent as an officer of the
16 Court that -- just one second -- you know, I have reason to
17 believe that the Petitioner has committed an indirect
18 contempt of the filing of the petition, and upon the
19 conclusion of the evidence in this case, there will be
20 adequate evidence which would expose the Petitioner to
21 potential --

22 THE COURT: Counsel, hold on one second. Hold on one
23 second. Let me do my job. Counsel.

24 MR. HANLON: I am asking for a criminal admonishment

1 before we begin, Judge.

2 THE COURT: We will get to that, okay?

3 MR. HANLON: Sure.

4 THE COURT: Because I think the first thing is I think
5 you need to go get something, right?

6 MR. HANLON: Yeah, I got to get a few things.

7 THE COURT: Hold on, sir. Are you ready to proceed to
8 hearing?

9 MR. NORTON: Yes, your Honor.

10 THE COURT: All right. Are you ready?

11 MR. HANLON: No, your Honor. I would like to have some
12 discovery from the Petitioner.

13 THE COURT: What types of discovery?

14 MR. HANLON: I would take to take his deposition within
15 a week.

16 THE COURT: I'm not. Counsel, these are expedited
17 matters.

18 MR. HANLON: Fair enough, your Honor.

19 THE COURT: Especially if you are looking at him
20 possibly incriminating himself, we are going to have the
21 hearing either today or sometime shortly after today. I am
22 certainly not delaying it for deposition.

23 MR. NORTON: Your Honor, may I make a request?

24 THE COURT: What?

1 MR. NORTON: Can we switch sides? I'm deaf in my right
2 ear.

3 THE COURT: I'll allow that request. Sure.

4 MR. NORTON: I cannot hear out of my right ear.

5 THE COURT: Guys, everybody stop talking. We are
6 getting way ahead of ourselves. You are the Petitioner.
7 You have announced ready. Are you ready?

8 MR. HANLON: Judge, I'll proceed. Yes, I'm ready.

9 THE COURT: All right. The matter is passed. You will
10 get your order to get whatever things you need.

11 MR. HANLON: Thank you.

12 THE COURT: I will call it in a little bit.

13 (Matter passed and recalled.)

14 THE COURT: 18 OP 2306. John Norton versus Cynthia
15 Brzana.

16 MS: BRZANA: My lawyer is out there.

17 THE COURT: Ma'am, please don't -- my bailiff is
18 getting everybody. This is not -- just to warn everybody, I
19 don't know what it is about this courtroom. I hear
20 something from the gallery, you will be removed from my
21 courtroom, all right? I don't need -- if I have a question
22 for the gallery, I'll ask it. I know you're trying to help,
23 but it's not helpful. It's disruptive and it leads to other
24 people start talking. Tensions usually run high in here. I

1 do not need the gallery to comment at all under any
2 circumstance.

3 (Matter passed and recalled.)

4 THE COURT: Counsel, are you ready? Thanks for your
5 patience.

6 MR. HANLON: I am, your Honor.

7 THE COURT: This is recalling 18 OP --

8 MR. HANLON: John Norton versus --

9 THE COURT: 18 OP 2306, John Norton versus Cynthia
10 Brzana. Show the Petitioner is present in court. Is your
11 client present?

12 MR. HANLON: My client is present and approaching, your
13 Honor.

14 THE COURT: Show Miss Brzana is present in court. I
15 don't believe -- was she served with a summons to appear in
16 court?

17 MR. HANLON: She was served, your Honor.

18 THE COURT: Okay.

19 MR. HANLON: And I filed my appearance on her behalf
20 today. We are prepared to proceed.

21 THE COURT: All right. This matter is before the Court
22 for hearing to determine whether or not this Court --

23 MR. NORTON: Your Honor, before proceeding on with
24 this, I have some information I would like to make available

1 to the Court. It just was brought to my attention earlier,
2 hours before here, a couple hours before this, and I have
3 indicated to your bailiff who was present that while we were
4 waiting for the hearing to come up, that the defendant's
5 witnesses had attempted to harass and intimidate my two
6 witnesses sitting out there. I indicated it to your bailiff
7 and notified her of the situation. That's why her witnesses
8 are now in here and my two are sitting outside the
9 courtroom.

10 THE COURT: That's an issue we can get to when we get
11 to the hearing, sir. What I am not going to have you do is
12 testify without being placed under oath. My question is,
13 are you ready for hearing?

14 MR. NORTON: Yes, sir.

15 THE COURT: We will get to whatever issues we need to
16 get to as they pop up. I just need yes or no answers.
17 Counsel, are you ready?

18 MR. HANLON: Yes, your Honor.

19 THE COURT: Petitioner, raise your right hand.

20 (Witness sworn.)

21 THE COURT: Can you please state your name for the
22 record?

23 MR. NORTON: John Norton, your Honor.

24 THE COURT: All right. You are the Petitioner, right?

1 MR. NORTON: Yes, sir.

2 THE COURT: And you filed this petition. This is a
3 stalking, no contact order, correct?

4 MR. NORTON: Yes, your Honor.

5 THE COURT: And is everything in your verified petition
6 true and correct?

7 MR. NORTON: Yes, your Honor.

8 THE COURT: Okay, sir, you need to start from the
9 beginning. You need to tell me how you know the Respondent
10 and what specifically happened that led you to seek the
11 Court's protection.

12 MR. NORTON: Bear with me, your Honor. I have to take
13 my glasses off to read.

14 MR. HANLON: I would object to him reading --

15 THE COURT: You are not just going to read the
16 petition.

17 MR. NORTON: No, your Honor. These are points just to
18 refresh my memory. That's all this is.

19 MR. HANLON: I have to object.

20 THE COURT: I got your objection. I got it.
21 Counsel -- or, Mr. Norton, this is what you can't do. What
22 you can't do is just read stuff to me. I am going to ask
23 you questions as to what happened. You have to tell me from
24 memory. If your memory is exhausted and you need a moment

1 to look at something, then this Court will grant you leave
2 to do so, so I need all your papers to be turned upside down
3 so you cannot see them.

4 MR. NORTON: Yes, sir.

5 THE COURT: And my first question to you was, who is
6 this Cynthia Brzana, the person standing to your left? Who
7 is she? How do you know her?

8 MR. NORTON: Your Honor, she is a resident of Wesley
9 Township which I became familiar with approximately four
10 years -- roughly four years ago when in my capacity as
11 highway commissioner of Wesley Township in which I was
12 contacted by her on several occasions due to a neighborly
13 dispute which I indicated in my petition that she has been
14 informed on numerous occasions I have no jurisdiction -- at
15 that time, your Honor, I had no jurisdiction of the matter
16 outside --

17 MR. HANLON: Objection to relevance.

18 THE COURT: It's relevant. Objection is overruled.
19 When are we talking? When did this happen? Give me a year.

20 MR. NORTON: End of 2014 on.

21 THE COURT: Okay.

22 MR. NORTON: And at which time numerous times she had
23 called me, including late at night, which I have indicated
24 in my statement, even on a previous statement, that she's

1 wanting me to get involved in her complaint or her problem
2 with her neighbor, including a dispute with land use which I
3 had to go into because her neighbors requested a variance.
4 She objected to it and was trying to get me to object to it,
5 which I indicated to that hearing at that time that township
6 had no objections to the offset on the variance.

7 THE COURT: Let me ask you a question, sir. I don't
8 care about -- I'm not trying to be rude. I'm not here to
9 get into some kind of political argument about the local
10 government that's going on at the Wesley Township hall, all
11 right?

12 MR. NORTON: Yes, sir.

13 THE COURT: Not my concern, sir. Somebody else can
14 decide that stuff.

15 MR. NORTON: Yes, your Honor.

16 THE COURT: Your petition -- we are going to start with
17 the most recent instance, okay? October 12, 2018, your
18 petition says that the Respondent sent you a text message
19 that was threatening. Do you have that message?

20 MR. NORTON: Yes, your Honor. My witness has it
21 presently who is sitting outside in the hallway. She
22 presently has that in her possession, and there is a reason
23 why I have her holding on to it at the moment, which will
24 become apparent.

1 THE COURT: Just tell me why.

2 MR. NORTON: Backing up, your Honor.

3 THE COURT: Was the message sent to you?

4 MR. NORTON: Yes, your Honor, it was sent to me. It
5 was sent to me.

6 THE COURT: So is someone holding your phone or do you
7 have a printout of the message?

8 MR. NORTON: I have a picture -- it's a printout of a
9 picture I took of the message, your Honor.

10 THE COURT: I understand. Who is the witness that has
11 it? I am going to send my bailiff out because what I don't
12 want to have happen is I don't want you interacting with
13 witnesses who may be called while you are testifying.

14 MR. NORTON: My witness is my daughter, Sarah Norton,
15 who is also the township clerk.

16 THE COURT: I don't need people to name drop titles to
17 me, all right?

18 MR. NORTON: No, it wasn't meant as a name drop, it was
19 to ensure -- to let you know --

20 THE COURT: Stop.

21 MR. NORTON: This is going to come up later.

22 THE COURT: Thank you. I am going to show it to
23 Counsel first. There you go.

24 MR. HANLON: Judge, I am going to object to this text

1 message on the basis of a lack of foundation. There is no
2 authentication.

3 THE COURT: All right. Sir, how do you know that she
4 sent it? How do you know that this message -- is this a
5 screen shot of your phone?

6 MR. NORTON: It's not actually my phone, your Honor.
7 That's the point I was going to be bringing up in the very
8 near future.

9 THE COURT: Bring it up. Not in the near future. Tell
10 me now. Here is what you have to understand, sir. I need
11 you to cut to the chase and you are throwing in all this
12 other stuff. Did this message get sent to you?

13 MR. NORTON: Yes, your Honor.

14 THE COURT: But not on your phone?

15 MR. NORTON: Yes, your Honor. It was sent to another
16 phone. I do not possess a telephone in my name or an
17 account anywhere in North America.

18 THE COURT: Who was it sent to?

19 MR. NORTON: This is actually -- these phones are
20 registered to my father.

21 THE COURT: How do you know this came from her, from
22 the Respondent?

23 MR. NORTON: Typing pattern, your Honor, and sentence
24 structure, typing pattern. I am going based on that because

1 I have seen in her previous complaints how she's written
2 things out. I'm looking at sentence structure, typing
3 pattern, and that was the basis of it. It actually proves
4 that it was done through that IP -- when I ran this phone
5 number, it actually comes out with a server in California.

6 THE COURT: Okay.

7 MR. NORTON: And I also noticed that this was a number
8 that she has used on a couple of occasions to contact the
9 township clerk.

10 MR. HANLON: With respect to the assertion of the
11 foundation, I still don't believe there is any proper
12 foundation.

13 THE COURT: It goes to weight, not admissibility,
14 Counsel, so your objection is noted. October 9, 2018.

15 MR. NORTON: I was going to back up, your Honor. The
16 reason I brought that up about the cell phone was due to the
17 numerous FOIA requests sent to the township --

18 MR. HANLON: Objection, your Honor, relevance.

19 MR. NORTON: -- which was used -- it's compared to -- I
20 have copies from the township, and one of which has that
21 number on it.

22 MR. HANLON: Also objection on the basis of hearsay,
23 your Honor.

24 MR. NORTON: These FOIA requests -- I requested to put

1 in a FOIA request for all of her FOIA requests which I have
2 in my possession at this time which is at your review, your
3 Honor.

4 MR. HANLON: I object to the submission of that into
5 evidence, your Honor.

6 MR. NORTON: And, your Honor, just also, I was not
7 informed that him being her attorney until two minutes
8 before you called the case when he walked up, threw a piece
9 of paper at me and I'm like what's this. I didn't have a
10 chance to read it and he started firing questions. I went
11 whoa, I don't even know who he is and I am not going to say
12 something until I had a chance to read the document, sir,
13 which I do believe you would even agree to that, don't say
14 anything or don't do anything until you actually read the
15 document that's been presented.

16 MR. HANLON: Judge, this is all irrelevant.

17 MR. NORTON: I had no idea who he was until all of a
18 sudden I'm standing here in front of you with him. I had no
19 idea who he was.

20 THE COURT: Okay. That objection is sustained. Sir,
21 here is what you need to understand, all right?

22 MR. NORTON: Yes, your Honor.

23 THE COURT: Let me ask you a simple question about
24 these proceedings.

1 MR. NORTON: Yes, sir.

2 THE COURT: Who decides whether or not to grant you the
3 relief you are seeking?

4 MR. NORTON: You, your Honor.

5 THE COURT: So do you think it would be a good idea or
6 a bad idea to instead of asking the questions that the
7 person who needs to make the decision wants to know and then
8 just go off and say a bunch of other things?

9 MR. NORTON: That's a bad idea. I listened to your
10 previous cases, especially the one just prior to this, and I
11 was trying to learn, don't do what she did, so I was
12 listening the whole time.

13 THE COURT: And yet here we are.

14 MR. NORTON: I am trying to avoid that, your Honor.

15 THE COURT: October 9th, sir, what happened at the
16 Wesley Township hall in Wilmington, Illinois? I am reading
17 your petition, sir. When you were at the township hall, you
18 had some kind of contact with the Respondent.

19 MR. NORTON: Yes, your Honor.

20 THE COURT: What happened?

21 MR. NORTON: I believe that was the night of the
22 township meeting.

23 THE COURT: There we go.

24 MR. NORTON: I had attended the meeting, just to sit

1 there and see what was going on and listen and learn and to
2 keep up to date on what was happening in the township.

3 THE COURT: Do you live in that township?

4 MR. NORTON: Pardon me, your Honor?

5 THE COURT: Do you live in that township?

6 MR. NORTON: Yes, your Honor. While I was in the
7 meeting, numerous times during that meeting, and my witness
8 can also -- and she saw this, was the defendant attempted to
9 harass, intimidate me with her --

10 MR. HANLON: Objection to the characterization,
11 badgering, Judge. If he is going to say that he is
12 harassing, he has to give a fact, not a characterization of
13 a fact.

14 THE COURT: Yeah. What happened? What did she do?

15 MR. NORTON: She was sitting to my side while I was
16 sitting behind who was eventually later on that night become
17 an elected official because he needed a ride to the library
18 to get this notary signed off.

19 MR. HANLON: Objection; nonresponsive, Judge.

20 THE COURT: Hold on a second. Wait. I'm sorry,
21 Counsel. Your objection is nonresponsive? He is the one
22 who is testifying.

23 MR. HANLON: To your request --

24 THE COURT: My question is what happened on October

1 9th. I think he is telling me what happened on October 9th.

2 MR. NORTON: Yes, your Honor.

3 THE COURT: Go on.

4 MR. NORTON: While I was sitting there the whole time
5 while her and another one of her witnesses who is present in
6 this courtroom were attempting to evoke a response out of
7 me. And I do know from previous --

8 THE COURT: Hold on a second. If there is witnesses,
9 this Court on its own motion is going to make a motion to
10 exclude witnesses. If there is witnesses that are going to
11 testify in this courtroom --

12 MR. NORTON: I can --

13 THE COURT: Hold on. Stop. Stop.

14 MR. NORTON: Sorry, your Honor.

15 THE COURT: Don't talk unless I direct you to speak.

16 MR. NORTON: Yes, sir.

17 THE COURT: I am not trying to be rude, but you are
18 creating chaos in my courtroom, and if there is one thing
19 this Court will not tolerate, it's chaos.

20 MR. NORTON: Yes, your Honor.

21 THE COURT: So either comport yourself appropriately or
22 I am going to dismiss your petition for want of prosecution
23 and order you to leave my courtroom.

24 MR. NORTON: Yes, your Honor.

1 THE COURT: I have had it.

2 MR. NORTON: Yes, sir.

3 THE COURT: Now, what I was going to say before you
4 interrupted me, on this Court's motion, I am making a motion
5 to exclude witnesses. Listen very carefully. Both parties
6 are in charge of policing their own witnesses, not the other
7 party's witnesses. So do you have any witnesses, sir? And
8 I am talking to the Petitioner. Do you have any witnesses
9 in the courtroom right now that you plan on calling?

10 MR. NORTON: They are not physically in the courtroom.

11 THE COURT: Just answer a yes or no question. Are they
12 in the room?

13 MR. NORTON: No, your Honor.

14 THE COURT: They aren't. Counsel, do you have any
15 potential witnesses in the courtroom?

16 MR. HANLON: Yes, your Honor.

17 THE COURT: If you do, I am instructing you to have
18 them leave. All right. Mr. Norton, you were telling me
19 about October 9th at the meeting. Go ahead.

20 MR. NORTON: Yes, your Honor. The whole time during
21 the meeting I sat there. Other than talking to one
22 individual, I ignored everybody else that was present in the
23 audience of the township hall. I was paying attention to
24 the board trying to hear what was going on, and I indicated

1 to you I have a hearing loss, so sometimes I have to --

2 THE COURT: I got it.

3 MR. NORTON: -- Kind of listen. And during that time I
4 ignored the conversations between the defendant and other
5 persons in there because I realized they were attempting to
6 intimidate me and get me to respond negatively. And I tried
7 to keep my cool. Unfortunately, I am having difficulty
8 right at the moment, sir, due to the charged situation here.
9 I tried to maintain that. I had left the building several
10 times and actually stepped outside to avoid the situation.
11 And at the end of the meeting, I had proceeded to the front
12 of the hall where -- behind where the trustees and the
13 supervisors sit, retrieved my tripod camera that had my
14 video camera on it, momentarily hesitated, went out the
15 door, and as I was proceeding across the parking lot -- and,
16 your Honor, I indicated in my thing, this was all caught on
17 videotape.

18 MR. HANLON: Objection as to the caught on videotape.
19 Move to strike, unless he is -- best evidence rule, your
20 Honor, unless he is producing a videotape here in the
21 courtroom.

22 MR. NORTON: Not a videotape, but stills from that
23 videotape, your Honor.

24 THE COURT: You know what, I am going to break very

1 quickly. I apologize. We are going to stop these
2 proceedings. I didn't realize that my custody was here. I
3 need to take care of the custody. I have a bunch of
4 deputies here. I apologize. I appreciate your patience,
5 Counsel. Everybody have a seat. Everybody is directed --
6 both parties are directed not to talk to anybody who may
7 testify today, all right? Do you understand that?

8 MR. NORTON: Do I have a few moments to go get a
9 drink?

10 THE COURT: Thank you.

11 MR. HANLON: May I leave my material here on the desk,
12 Judge?

13 THE COURT: Sure. Thank you.

14 (Matter passed and recalled.)

15 THE COURT: All right. We are back on the record on 18
16 OP 2306, John Norton, Cynthia Brzana.

17 MR. HANLON: Judge, I need to bring something to the
18 attention of the Court.

19 THE COURT: Yes, sir.

20 MR. HANLON: You had specifically ordered the parties
21 to police their witnesses.

22 THE COURT: Yes.

23 MR. HANLON: As I turned to leave the courtroom, I saw
24 Kathleen Kennedy who is -- was sitting with the Petitioner

1 prior to -- she sat in the courtroom the entire time and
2 immediately went to the other witness that Mr. Norton has
3 disclosed and had a conversation. I don't know about the
4 content of the conversation, but I'm concerned that the
5 intent of your order has been frustrated.

6 THE COURT: My intent of the order is that people leave
7 the courtroom during direct examination of Mr. Norton here,
8 and I will note that this Court has not heard much as to
9 what is going on here. So, Counsel, I will allow you to
10 inquire of that witness when they hit the stand here.

11 MR. HANLON: Yes, your Honor.

12 THE COURT: All right. Mr. Norton, you are still under
13 oath.

14 MR. NORTON: Yes, your Honor.

15 THE COURT: Where we left off was we are at the town
16 hall meeting, you are leaving the meeting. This is October
17 9th I want to say.

18 MR. NORTON: Yes, your Honor.

19 THE COURT: All right. Go ahead.

20 MR. NORTON: And my last indication was I grabbed the
21 tripod and was leaving, exiting the building.

22 THE COURT: Okay.

23 MR. NORTON: And after I had done so, I was on the way
24 out conferring with the township supervisor on the way out,

1 turned -- both of us verified the door, it was shut, then I
2 turned to walk away. Got approximately three quarters of
3 the way across the parking lot, my vehicle was parked
4 directly across from the front door. I went to enter my
5 vehicle and I had to unlock it first with my right hand
6 because I was carrying my tripod with my left, went to enter
7 the vehicle, turned to get into it. Just as I was about to
8 reach forward to put the tripod on the dashboard, I heard
9 the defendant -- I noticed she had come up all of a sudden,
10 yelled something, which to this day I can't testify, your
11 Honor, to what she actually said.

12 It was so high-pitched and so out of my hearing
13 range, I didn't hear it, and then suddenly felt the car door
14 -- both hands being slammed into me knocking me back up
15 against the vehicle. And I indicated to the police officers
16 when they arrived, I showed them a cut that was on my
17 shoulder. And the police had a picture of the bruise that
18 was starting to develop here where the door -- the handle
19 had caught me, the inside handle.

20 THE COURT: She pushed you is what you are saying?

21 MR. NORTON: Yes, your Honor.

22 THE COURT: Okay.

23 MR. NORTON: At which time I stopped everything, sat
24 down, considered what had just happened and then immediately

1 phoned Wilmington police, at which time they arrived, took
2 my statement, took the defendant's statement.

3 MR. HANLON: Objection; personal knowledge, Judge.

4 THE COURT: Did you see the police talk to the
5 Respondent?

6 MR. NORTON: Yes, your Honor.

7 THE COURT: That objection is overruled.

8 MR. NORTON: At which time during when the police
9 officer was questioning me, he had indicated that --

10 MR. HANLON: Objection; hearsay.

11 THE COURT: That's sustained. Sir, here is the thing
12 you have to understand. You can't testify to what other
13 people say and what other people do.

14 MR. NORTON: Oh, I understand. I understand, your
15 Honor.

16 THE COURT: Listen, you are not the only one that does
17 it. Everybody wants to tell me what police officers say and
18 what they write in reports. I can't consider that. I can't
19 look at a police report or anything like that, okay?

20 MR. NORTON: Yes, your Honor.

21 THE COURT: Okay. Go ahead.

22 MR. NORTON: What I had done is I had my witness at the
23 time provide direct view of the videotape of the security
24 system.

1 MR. HANLON: Objection; best evidence rule.

2 THE COURT: What are you trying to elicit right now?

3 MR. NORTON: I was just indicating --

4 THE COURT: That there is a video? Do you have the
5 video or stills from the video or somebody to testify?

6 MR. NORTON: I have stills from the video.

7 THE COURT: From that clerk's office that can say
8 that's their video? Is that person here?

9 MR. NORTON: Yes, your Honor.

10 THE COURT: You can ask them that question. You are
11 not the keeper of those records.

12 MR. NORTON: Yes, your Honor.

13 THE COURT: All right.

14 MR. NORTON: And I observed later on that the defendant
15 was placed in a police car, taken to the police station. I
16 was asked by officers to come down, file a complaint.

17 MR. HANLON: Objection; relevance.

18 THE COURT: Okay. What's the relevance of this?

19 MR. NORTON: That there is a current criminal
20 litigation against her related to this case, your Honor.

21 THE COURT: All right.

22 MR. NORTON: I have the case number if you'd like it,
23 your Honor.

24 THE COURT: Is it a local?

1 MR. NORTON: Yes, your Honor. It's Village of
2 Wilmington.

3 THE COURT: Okay.

4 MR. NORTON: The first time I was in here it was not up
5 on your computer because you checked, your Honor, and the
6 second time when I came in October 31st, then you --

7 MR. HANLON: Objection; relevance of this discussion.

8 THE COURT: That objection is sustained. Certainly
9 this Court can take judicial notice of the entire clerk's --
10 any file in the clerk's office. Anyway, go ahead, sir.
11 Keep going. I'm listening.

12 MR. NORTON: A couple -- Friday evening, followed that,
13 the text message that was intended for me was sent, at which
14 time it was shown to me, I took still photos of it and used
15 that and then came in the following Tuesday to apply -- no,
16 the following morning and applied for the order of
17 protection, your Honor.

18 THE COURT: Okay. Your petition makes reference to a
19 year and a half of harassing --

20 MR. NORTON: Yes, your Honor.

21 THE COURT: -- by the Respondent aimed at your
22 direction, including a variety of social media posts and
23 what not.

24 MR. NORTON: Yes, your Honor.

1 THE COURT: Do you have those?

2 MR. NORTON: Yes, your Honor.

3 MR. HANLON: Your Honor, while he is looking for that,
4 may I look at these text messages again?

5 THE COURT: Sure.

6 MR. NORTON: Also, your Honor --

7 THE COURT: I need to see the post that you are
8 referring to. That's my question. There is no other
9 question I have right now.

10 MR. NORTON: Various times the defendant had pulled off
11 my daughter's Facebook page pictures of my daughter and her
12 son, my grandson. And my daughter had hers listed as
13 private. How she obtained and got that, I don't know.

14 MR. HANLON: Your Honor, objection to speculation.

15 MR. NORTON: This has gone on -- the date that these
16 were screen shot were up here in the corner.

17 THE COURT: All right. Show them to Counsel first. He
18 has a right to see them before you show them to this Court.

19 MR. NORTON: Yes, your Honor. I was waiting on you,
20 your Honor.

21 THE COURT: No, I'm waiting for you to show me. You
22 said she posts harassing things about you and your family.

23 MR. NORTON: Right here.

24 MR. HANLON: I would object to the social media posts

1 on the basis of foundation.

2 THE COURT: All right. Your objection is noted. Who
3 is Charlotte Tenn? Who is that?

4 MR. NORTON: That's what I will bring up to you right
5 now, your Honor. I can show evidence of it. I will show
6 Counsel here that Charlotte Tenn indicated that she was
7 ready for her speech and didn't get to provide it. That she
8 was shut down by the supervisor where she says so sorry no
9 one else got to speak, but once I got brave and thought I am
10 so sick of the lies.

11 MR. HANLON: Objection; not responsive to your
12 question. You asked him specifically who that was.

13 THE COURT: Yes. Who is Charlotte Tenn?

14 MR. NORTON: The defendant, your Honor.

15 THE COURT: All right, sir, what else do you have to
16 tell this Court?

17 MR. NORTON: I have in her own printing under her fake
18 Facebook name where she admits to it being her.

19 MR. HANLON: Objection; characterization, best evidence
20 and mischaracterization of the actual documents.

21 THE COURT: How do you know it's her? Or why do you
22 think it's her? Tell me that.

23 MR. NORTON: Because she stated clearly in her post
24 under her fake name, I am sorry that no one else got to

1 speak. For once I got brave and thought I am so sick of the
2 lies. It was a time --

3 THE COURT: Oh, when you were at the meeting.

4 MR. NORTON: Yes, your Honor. I was at the meeting.

5 THE COURT: I got it. When I say I got it, I got it.

6 MR. NORTON: Sorry, sir.

7 THE COURT: There we go.

8 MR. HANLON: Judge, I have to object on the basis that
9 it's a conclusion.

10 THE COURT: Okay. Again, your objection is noted. It
11 goes towards weight, not admissibility. Okay, sir, do you
12 have anything else?

13 MR. NORTON: Yes, your Honor.

14 THE COURT: All right.

15 MR. NORTON: Even though I do acknowledge the fact I
16 was in a public location and I am open to be videotaped
17 while in public, I am aware of that, your Honor, and I'm
18 aware of the third party law in this state where you cannot
19 do an audio recording.

20 MR. HANLON: Objection; relevance.

21 THE COURT: Yeah, can you -- sir, I get it.

22 MR. NORTON: All right.

23 THE COURT: Hold on a second. Let me talk. I am going
24 to tell both sides here. Counsel, while your objections are

1 well-founded, all they are doing is -- we are going to be
2 here until midnight tonight, just so we know, okay? I know.

3 MR. HANLON: I understand that.

4 THE COURT: But, sir, get to the point.

5 MR. NORTON: That this is just two examples in which
6 she has continuously --

7 THE COURT: You have to show him first.

8 MR. NORTON: She taped me or whether it's in front of
9 the township building or walking town the street or when I
10 was assisting a friend of mine mowing a lawn, and it's like
11 I know I was out in public and I acknowledge that, but why
12 am I -- somebody taking such an interest in me and is all
13 these pictures of me and it's like I'm being followed around
14 town, your Honor.

15 THE COURT: Let me see that.

16 MR. NORTON: Oh, yes, your Honor. This is just two
17 examples on the front page there.

18 THE COURT: All right. Thanks.

19 MR. NORTON: Also, your Honor, in a case that will be
20 coming up in this Courthouse -- I do not know which judge it
21 will be in front of. It's another civil case in which the
22 defendant has against a friend of mine who I was going to
23 have as a witness here. It's a tort money damages case.
24 And when the defendant found out I was going to be a

1 potential witness in her case --

2 MR. HANLON: Judge, speculation.

3 THE COURT: All right. That objection is sustained.
4 What happened? What do you want to tell me?

5 MR. NORTON: I already presented this where I made the
6 statement in the other case that that was refuting what the
7 defendant said against the person in the other case. It was
8 in a newspaper article that was presented.

9 THE COURT: Okay. Then it must be true. Sir, I don't
10 understand -- please tell me what point you are trying to
11 make right now. Did the Respondent do something to you
12 after there was some lawsuit involving a friend of yours?

13 MR. NORTON: Yes, your Honor.

14 THE COURT: What happened? Tell me that.

15 MR. NORTON: She stepped up following me around town,
16 taking pictures of me.

17 THE COURT: When you say she followed you around town,
18 when did she do that and what specifically did she do?

19 MR. NORTON: Took like several pictures which a couple
20 of them I had showed you, your Honor, after this newspaper
21 had come out.

22 THE COURT: I will note this, just so the record is
23 clear, what you did show me was a string of comments on
24 Facebook. And while this Court looked at those photos, it

1 seems to appear that there is a group of people who -- on
2 both sides who don't like the other side's involvement in
3 various local government meetings and pretend they are
4 lawyers and pretend they know laws and make comments. And
5 that particular one was they were trying to determine who
6 called the police on a given moment. There is pictures of
7 you on a cell phone to imply or at least suggest that you
8 are the one who called the police. Fair? Is that a fair
9 summary of that?

10 MR. NORTON: Yes, your Honor.

11 THE COURT: Counsel, is that a fair summary of that? I
12 threw in some editorial in there.

13 MR. HANLON: I believe you captured the essence of it,
14 your Honor.

15 THE COURT: Thank you. What else?

16 MR. NORTON: Other than that, I have the still shots of
17 the incident on October 9th.

18 THE COURT: Let me see those.

19 MR. HANLON: I haven't seen them yet, your Honor.

20 THE COURT: Show them to Counsel first.

21 MR. NORTON: It's only four, in which it's a step
22 sequence.

23 THE COURT: All right. Well, here is a good moment
24 that we are going to break in the action and I need to talk

1 to both parties. We are now -- this Court -- I am closing
2 the proofs briefly, okay, because I need to talk
3 scheduling. This Court absolutely has to be somewhere at
4 1:00 p.m. This Court has a felony matter that it is going
5 to address at 1:30, which is upstairs. No offense to either
6 party here, this Court has unrelated duties that involve
7 felony matters which take precedence to a civil matter. We
8 can reconvene. It's going to be probably around 2:00 p.m.
9 If that is bad for either party, I will -- we will pick
10 another date to continue this hearing.

11 MR. HANLON: Judge --

12 THE COURT: Counsel, I don't want to jam your schedule
13 up as well.

14 MR. HANLON: You know what, I scheduled the entire day
15 today because my offices --

16 THE COURT: Just tell me 2:00 o'clock is fine.

17 MR. HANLON: 2:00 o'clock is fine, Judge. But if the
18 Petitioner wants to come back on a different day, it's going
19 to be very costly to my client because my office is all the
20 way in Woodstock, Illinois.

21 THE COURT: Counsel, they choose their lawyer at their
22 own peril. Whatever financial reason that inures to your
23 client, that's on her. So, Mr. Norton --

24 MR. NORTON: Yes, your Honor.

1 THE COURT: -- your options are we can reconvene this
2 hearing at 2:00 o'clock -- and I will note this, by the way,
3 that the way we are going, there is not a doubt that this
4 Court has that there is no way we will finish this hearing
5 today. I can promise you that.

6 MR. NORTON: I can convene at 2:00 o'clock, your
7 Honor. I have no place to be.

8 THE COURT: Okay. 2:00 o'clock.

9 MR. NORTON: Thank you, your Honor.

10 MR. HANLON: Judge, I'm sorry, your order with respect
11 to communications outside the courtroom remains, correct?

12 THE COURT: Well, other than tell people to come back
13 at 2:00 o'clock, sure. Yes, that's correct.

14 (Matter passed and recalled.)

15 THE COURT: All right. 18 OP 2306, John Norton,
16 Cynthia Brzana.

17 MR. HANLON: Good afternoon, your Honor. Robert Hanlon
18 again on behalf of Cynthia Brzana.

19 THE COURT: All right. And show Mr. Norton is present
20 as well. We left off -- thank you, everybody, for your
21 patience. Kind of a hectic morning I have had, but we are
22 much lighter now. We are here today to continue the hearing
23 that we began, and we left off, I believe, still on
24 Mr. Norton's direct examination of himself for lack of a

1 better term.

2 MR. HANLON: That's correct, your Honor.

3 THE COURT: Mr. Norton, you are still under oath.

4 MR. NORTON: Yes, your Honor.

5 THE COURT: Go ahead.

6 MR. NORTON: Oh, something before the break that I had
7 showed Counsel and hadn't had an opportunity to show you yet
8 was the still photos of the incident on October 9th in which
9 photo number -- let me separate them out. It will be
10 easier. Photo number one, the defendant and her party,
11 which includes many of the witnesses that are present here
12 today that I've seen --

13 THE COURT: Let me ask you a question. Have you seen
14 all these photos?

15 MR. HANLON: He showed them to me earlier.

16 THE COURT: Mr. Norton, all these photos, do they
17 fairly and accurately depict what happened on October 9th?

18 MR. NORTON: To the best of my knowledge they do, your
19 Honor.

20 THE COURT: Do you have any objection?

21 MR. HANLON: Yes, because he qualified his statement to
22 the best of his knowledge. And if he can't answer that
23 affirmatively, he can't authenticate the document and they
24 can't be admitted into evidence.

1 THE COURT: Sir, do these fairly and accurately depict
2 what happened on October 9th?

3 MR. NORTON: Yes, your Honor.

4 THE COURT: All right. Any objection?

5 MR. HANLON: No.

6 THE COURT: Just give me the pictures. Sir, I don't
7 need a half hour explanation as to what's in the pictures.

8 MR. NORTON: Yes, your Honor.

9 THE COURT: I can see for myself. And if I have
10 questions, I'll ask you. All right. I have questions.
11 Where are you in this first picture?

12 MR. NORTON: I am just inside the door and the
13 defendant is right outside the door, your Honor.

14 THE COURT: Okay.

15 MR. NORTON: Your Honor, I am the one on the left-hand
16 side here.

17 THE COURT: Yes.

18 MR. NORTON: The township supervisor on the right and
19 the defendant coming up from behind, your Honor.

20 THE COURT: Got it.

21 MR. NORTON: This one I am already at my vehicle and
22 the defendant approaching the front end, obviously a black
23 and white photo and that small size, your Honor. She is
24 approaching my side of the vehicle, the driver's side,

1 because the vehicle is pointed towards the building at that
2 time.

3 THE COURT: Got you.

4 MR. NORTON: And on this one, I can barely see where
5 she is right up at the side of my vehicle. At the moment in
6 time she is pushing the door into me, your Honor.

7 THE COURT: Okay. And is this at the conclusion of
8 this meeting that everybody is at?

9 MR. NORTON: Yes, your Honor. For the information of
10 the Court, the time stamp on that, it's actually one hour
11 ahead. The security company has to reset it back an hour.

12 MR. HANLON: Objection; hearsay.

13 MR. NORTON: That occurred at 9:00 --

14 THE COURT: Counsel, it's not hearsay. What time did
15 this happen at? The video says -- according to this it's
16 10:16 p.m.

17 MR. NORTON: 9:16, your Honor.

18 THE COURT: 9:16 p.m.. All right. Okay. What else?

19 MR. NORTON: One other which was in my statement on the
20 most recent incident was -- no, this was the one prior to
21 that, August 31st, that the defendant utilized hospital
22 resources, which is in this case St. Mary's Hospital, her
23 employer, to attempt to call and harass me. I believe you
24 questioned me when I showed you this photo, your Honor, the

1 last time when you asked me why was it in this format. It
2 was the only way I can get a picture taken of it. I was
3 trying to save it in the event this number came up again.
4 This is the phone number for St. Mary's Hospital. And no
5 one in my family has anything to do with that hospital
6 whatsoever.

7 THE COURT: You received a call from that -- from a
8 number 815 -- it looks like you received a call from (815)
9 937-2400 at 4:51 p.m. on Friday, August 31st.

10 MR. NORTON: Yes, your Honor.

11 THE COURT: And you're saying it's from a number that
12 the Respondent has access to?

13 MR. NORTON: Yes, your Honor.

14 THE COURT: Okay. But you didn't answer that call?

15 MR. NORTON: I actually -- first I was a little bit
16 confused why St. Mary's was calling me.

17 THE COURT: Sir, here is what you got to do. I got to
18 stop you because I have given you a lot of leeway, probably
19 more leeway legally than you are entitled to, okay?

20 MR. NORTON: Yes.

21 THE COURT: My question -- again, I am the one who has
22 to decide. This phone call that you are showing me on
23 Friday, August 31st, I'm assuming it's this year, correct?

24 MR. NORTON: Yes, your Honor.

1 THE COURT: From the mobile number (815) 937-2400, did
2 you answer this call, yes or no?

3 MR. NORTON: Yes, your Honor.

4 THE COURT: And what happened when you answered the
5 call?

6 MR. NORTON: I heard her voice, and I don't remember
7 exactly what she said. It had something to do with the
8 previous couple of days, and I just hung up on her. I did
9 not engage her. I just hung up on her.

10 THE COURT: So she called you about something, right?
11 Obviously there is some kind of underlying issue here having
12 something to do with the Wesley Township meetings that you
13 two disagree on, is that fair to say?

14 MR. NORTON: Yes, your Honor.

15 THE COURT: And she called you about that. That's what
16 you just said.

17 MR. NORTON: Yes, your Honor.

18 THE COURT: Okay. But you hung up?

19 MR. NORTON: Yes, your Honor.

20 THE COURT: Got it. Okay. What else?

21 MR. NORTON: There was previous others which I
22 indicated in previous cases that back in the middle of this
23 year, defendant attempted to take out an order against me.

24 MR. HANLON: Objection, Judge; relevance.

1 THE COURT: Well, it goes to bias. It goes to all
2 kinds of things. I'll allow it. Objection is overruled.

3 MR. NORTON: She attempted to take one out against me,
4 your Honor, and it was set forth for hearing similar to
5 today and she failed to appear, your Honor. After that,
6 continuous harassment. I had made every attempt, every
7 human attempt to ignore all her harassment, her complaints,
8 Facebook posts, until I began to realize that I was -- the
9 pattern I was seeing was this is a person that the more I
10 ignored her, the worse it got. She was attempting to get my
11 attention and evoke a response, and I made every reasonable
12 attempt -- did not even acknowledge her existence, your
13 Honor.

14 And it just kept ramping up and ramping up. And
15 the more I ignored her, including the very last incident on
16 October 9th where I sat there and didn't even acknowledge
17 her existence in the township hall, wouldn't even look at
18 her, and it just kept getting worse and worse. And I know
19 over this last couple of years, I have noticed this pattern,
20 and I have sought out an order -- at the time I did not have
21 sufficient for you to grant the order.

22 THE COURT: It wasn't me. It was another judge.

23 MR. NORTON: Yeah, it was the other judge.

24 THE COURT: I was out.

1 MR. NORTON: And then I let it go, continued to ignore
2 her, continued on with my life. And then the October
3 19th -- I remember at the time when I was standing in front
4 of you, your Honor, you asked me why I delayed on doing
5 this, and I was awaiting the police report and for it to
6 come up that she was charged with battery by Wilmington, and
7 I was hoping that would come up on the computer and I could
8 get a copy of that printout so I can present this evidence
9 for you, your Honor.

10 THE COURT: All right. Do you have anything else you
11 want to say? I will give you an opportunity to talk again,
12 but for right now --

13 MR. NORTON: Not at the moment, your Honor.

14 THE COURT: Counsel, do you have any questions for this
15 witness.

16 MR. HANLON: Yes, I have quite a few, Judge.

17 THE COURT: Go ahead.

18 MR. HANLON: Judge, may I apologize to the Court? I
19 spent a lot of time in Federal Court where I -- probably a
20 little more formality than you are probably accustomed to
21 here. And so if I go too far with that, just let me know,
22 okay?

23 THE COURT: Okay.

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JOHN NORTON,

having been called as a witness; being duly sworn, was examined and testified as follows:

CROSS EXAMINATION

BY MR. HANLON:

Q Mr. Norton, you signed a verification on the stalking, no contact order -- petition that you filed with the Court, correct?

A Could you repeat that again?

Q Okay.

A I didn't quite understand what you stated.

Q You filed a petition, correct?

A Yes.

Q And that petition, you signed a verification, correct?

A Yes, I believe I did.

Q So on your petition, there is a document called verification. You are familiar with the document I'm talking about?

A Oh, yes.

Q Okay. And this document has a verification that reads, "under the penalties of perjury as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies the statements set forth in this

1 instrument are true and correct, except as to matters herein
2 stated to be on information and belief. And as to those
3 such matters, the undersigned certifies as aforesaid that
4 the undersigned fairly believes the same to be true." Did
5 you read that before you signed this?

6 A Yes, I did, especially the part --

7 Q Just answer my question, not some other question.

8 A Okay.

9 Q Now, with respect to your petition, your petition
10 doesn't contain anything upon information and belief, is
11 that correct?

12 A Say again, the last part of that.

13 THE COURT: Counsel, the part you are going to impeach
14 him on, he signed it, impeach him.

15 MR. HANLON: All right. Just a second, Judge.

16 THE COURT: Sorry, Counsel. I am not trying to be
17 short --

18 MR. HANLON: I understand.

19 BY MR. HANLON:

20 Q Now, when it comes to Miss Brzana, you've
21 indicated that you have some fear or concern over Miss
22 Brzana, is that correct?

23 A Now I do, yes.

24 Q Okay. I got to take a step back for a quick

1 second. You appeared first on October 31st at 9:00 a.m.
2 here, is that correct?

3 A What day was it again?

4 Q October 31st, Halloween, 9:00 a.m.

5 A Yes, I did.

6 Q And I want to show you a picture of an envelope.

7 Do you see that picture?

8 A Yes, I am actually very familiar with that.

9 Q I just asked you if you saw that. Did you send me
10 this envelope?

11 A Yes, I did.

12 MR. HANLON: Judge, I would like to tender this as
13 evidence to the Court.

14 BY MR. HANLON:

15 Q And that envelope didn't contain any
16 correspondence, did it?

17 A Yes, it did.

18 Q Okay. I am going to show you this document. Have
19 you seen this document before?

20 A Nope, never seen this before.

21 Q You never saw this before at all. Are you sure
22 about that?

23 A It wasn't in this format. Not in this format. I
24 have not seen this -- I have seen it in a different format.

1 Q I would like to draw your attention to Exhibit B
2 to that declaration. This is a letter I sent to you on
3 November the 2nd. Have you seen that letter before?

4 A No.

5 Q You never saw that before?

6 A I have not seen this at all.

7 Q Thank you. So on that same day that your letter
8 was postmarked to me, October 31st -- not your letter, your
9 envelope, you posted under Guardian Of Wesley Township a few
10 people are soon to hear the words you've been served. First
11 hearing date is October 31st at 9:00 a.m. Did you publish
12 that?

13 A No.

14 Q Are you sure about that?

15 A Yes.

16 Q Are you an administrator under Guardians of Wesley
17 Township Facebook page?

18 A One of many.

19 Q Who are the others?

20 A Those people are not present in this courtroom and
21 I am not going to disclose their name because, your Honor,
22 they have no -- they are not on trial here, your Honor, and
23 I do not want to divulge those out of fear for their safety,
24 your Honor.

1 MR. HANLON: Judge, I am an officer of the Court. I
2 have asked him a question that I believe is germane from a
3 foundational --

4 THE COURT: What's the relevance of the question to
5 determine who else can post things other than the fact that
6 other people can post things?

7 MR. HANLON: Okay. The -- there is a series of posts
8 on that particular site that deal with this particular
9 matter, and it's my belief that what's really at play here
10 is that my client is not the one harassing Mr. Norton, it's
11 Mr. Norton and his family and the persons that are
12 associated with this particular web site are harassing my
13 client. And it's part of a concerted effort, and I believe
14 that I should at least have the information as to who those
15 individuals are for that purpose.

16 THE COURT: Well, I think you can get that information
17 through whatever -- is this a Facebook group?

18 MR. HANLON: Well, it's not open to me looking at a
19 computer, Judge.

20 THE COURT: No, I understand that. But I am saying if
21 there is some other kind of allegation that's out there, you
22 can probably subpoena that that way, but we are not going to
23 take Mr. Norton's deposition on this Court's time.

24 MR. HANLON: Fair enough, Judge.

1 THE COURT: I will ask a question. Mr. Norton, how
2 many people other than you have access as administrators to
3 that web site? Give me a number.

4 MR. NORTON: Ten.

5 THE COURT: Move on, Counsel.

6 BY MR. HANLON:

7 Q Now, you appeared outside of the Wesley Township
8 building on election day with a summons and a complaint,
9 isn't that correct?

10 A On election day?

11 Q On election day, on November the 2nd. Let me
12 rephrase the question. Did you ever take the summons and
13 the complaint and attempted to serve it on Ms. Brzana?

14 A No.

15 Q You never tried to do that?

16 A No.

17 Q So if I happen to have an electronic medium that
18 has you on videotape with the summons and complaint in your
19 hand, then the video would be false?

20 THE COURT: That objection is sustained, Counsel.

21 MR. HANLON: Fair enough, Judge.

22 BY MR. HANLON:

23 Q All right. You said in your petition that this
24 text message came in and it reads Cynthia sent me a

1 harassing and threatening text message saying. Do you
2 remember that?

3 A Yes.

4 Q And contained within that passage -- it doesn't
5 say upon information and belief, right?

6 A It does not contain that.

7 Q No. But you testified earlier that you guessed
8 that it was Miss Brzana, isn't that correct?

9 A Yes.

10 Q Okay. So you were guessing that the telephone
11 number area code (650) 352-3936 was Miss Brzana's, is that
12 your testimony?

13 A Yes.

14 Q Okay. I have all of Miss Brzana's phone records.
15 Fortunately her phone company provider provides to me not
16 only her number, but you are aware of what her number was
17 before you came today, isn't that correct?

18 A Not all of her phone numbers.

19 Q Not all of them?

20 A Not all of them.

21 Q Your daughter published a statement on that same
22 guardian's page with respect to her telephone number asking
23 people to harass Miss Brzana, is that correct?

24 A Not that I'm aware of.

1 Q And it provided --

2 THE COURT: Sir, it was on the thing that you gave me.

3 MR. NORTON: My daughter's name?

4 THE COURT: You presented me -- I don't need your
5 client --

6 MS. BRZANA: I'm sorry.

7 THE COURT: Stand back here. Right back here.

8 Mr. Norton.

9 MR. NORTON: I was getting confused with the question,
10 your Honor.

11 THE COURT: All right. Just listen to me. You
12 tendered to this Court some Facebook posts that you
13 purported to be from the Respondent that showed you on a
14 phone.

15 MR. NORTON: Yes, your Honor.

16 THE COURT: All right. In that same group of Facebook
17 posts, there is something from I think is it Sarah or Laura
18 Norton or something? I forget the name.

19 MR. HANLON: Sarah, I believe, Judge.

20 THE COURT: Thank you, Counsel. That says call this
21 person and harass her because she's harassing something.
22 That's in the thing you gave me, just so the record is
23 clear.

24 MR. NORTON: It may be so, your Honor. She probably

1 did.

2 THE COURT: All right.

3 MR. NORTON: You would have to ask her when she comes
4 in, your Honor.

5 THE COURT: And there was a number that was blacked
6 out. That's what I recall, you blacked out the number on
7 your thing. I am going to assume it's not the same number
8 that you showed me from the message.

9 MR. HANLON: That's correct, Judge.

10 THE COURT: Thank you, Counsel.

11 MR. HANLON: Judge, do you want me to prove that up?

12 THE COURT: No, thank you

13 BY MR. HANLON:

14 Q So now that we've established that your statement
15 here wasn't on information and belief and you signed a
16 verification saying that you had personal knowledge of this,
17 now you've admitted that's a guess. So would this
18 accusation, the very first one that you allege took place on
19 October the 12th, 2018, would that be false?

20 THE COURT: Counsel, that -- you don't have to answer
21 that, sir. He's already testified he believes that came
22 from her.

23 MR. HANLON: Well, he said he believed it came from
24 her.

1 THE COURT: Yes.

2 MR. HANLON: But he put it in his petition that he
3 believed that it came from her.

4 THE COURT: Counsel, every single petition -- what's
5 contained in this Petitioner's is not out of the normal of
6 the thousands of petitions that this Court presides over.

7 MR. HANLON: And, yes, I know maybe I am being hyper
8 particular, and I appreciate that, Judge.

9 BY MR. HANLON:

10 Q But this telephone number, the 850, you said it
11 came back to a California location?

12 A A Google voice number.

13 Q A Google voice number. Well, Google voice numbers
14 can't send texts, can they?

15 A Yes, they can.

16 Q They can?

17 A Yes.

18 Q How do you know that?

19 A Myself, several family members, several friends of
20 mine, we have been using -- had access to Google voice since
21 day one when it came up.

22 Q So you could have actually sent that text message
23 to yourself, isn't that correct?

24 A It's in the realm of possibility, yes.

1 Q Okay. So it's possible that you yourself sent the
2 text to the phone that belongs to your father, and that's
3 correct, right?

4 A Yes, there is the possibilities I could have faked
5 it.

6 Q Did you?

7 A No, I did not.

8 Q All right. One second, Judge. What was the
9 telephone number associated with the phone that received
10 that message?

11 A What was the phone number?

12 Q The phone number associated with the phone that
13 received the message?

14 A (815) 482-4666.

15 Q The one that ends in 666?

16 A Yes.

17 Q Is that a phone you normally use?

18 A Sporadically, yes.

19 Q Sporadically. Okay. So --

20 A Not (inaudible).

21 Q So your father uses that phone?

22 A Yes, he does.

23 Q And isn't it true on the Facebook page, what you
24 have tendered to the Court previously that was blacked out,

1 contained Cindy Brzana's number of (815) 953-6593?

2 A I have to go back and look. I don't recall it.
3 It may be on there. I have to go back and review it. I do
4 not know if it does or not.

5 MR. HANLON: One second, your Honor.

6 THE COURT: Take your time, Counsel.

7 MR. HANLON: My exhibits are out of order.

8 BY MR. HANLON:

9 Q Now, if I handed to you all of Miss Brzana's phone
10 records -- oh, I'm sorry. Strike that. I am now tendering
11 to the witness a copy of a post.

12 Is that the same post that you have tendered to
13 the Court earlier without it being redacted?

14 A I'd have to look at mine to see if it is the
15 same. It could quite possibly be.

16 Q Well, do you know who Sarah Norton is?

17 A Yes, I do.

18 Q And do you recognize that to be from a page of her
19 Facebook page?

20 A I don't know. I'm not very familiar with
21 Facebook. I'm hardware, not software.

22 Q What does it say there?

23 A At the very bottom?

24 Q Yeah, the text.

1 A Give it to your Honor if he'd like to see it.

2 Q I'm asking the question.

3 A I know what it says.

4 Q Well, I am asking you, can you just read the first
5 sentence? It's not that difficult.

6 A Must I, your Honor?

7 THE COURT: Yes.

8 MR. NORTON: It says here is Cindy Brzana's number, and
9 I won't read the number out in court.

10 THE COURT: We have already read it a bunch of times.

11 MR. NORTON: All right. I couldn't remember if you did
12 or not. (815) 953-6593. If anyone would like to harass her
13 like she likes to harass and terrorize women and small
14 children with obscene gestures and stalking them. It's all
15 one line, your Honor.

16 BY MR. HANLON:

17 Q So do you have any reason to believe that your
18 daughter, Sarah Norton, did not publish that statement?

19 A Actually, yes.

20 Q Well, let's hear it.

21 A She is not the only one that has access to that
22 account.

23 Q Who else has access to the Sarah Norton Facebook
24 page?

1 A Her boyfriend.

2 Q What's her boyfriend's name?

3 A I never get the last name right. Vincent is his
4 first name. I can never pronounce the last name correctly.
5 It's Italian.

6 Q Let's be clear. The telephone number that was on
7 that exhibit -- Judge, may I tender this to the Court?

8 That same number is the number that you had
9 knowledge was Cindy Brzana's telephone number, correct?

10 A One of several numbers I'm aware of.

11 Q Well, you don't have any knowledge that the number
12 used to issue that text message, that (650) 352-3936 number,
13 is associated with Cindy Brzana, correct?

14 A Consistent with her pattern.

15 THE COURT: Mr. Norton, stop. You have to answer
16 Counsel's question, and his question is, you've already
17 testified on direct examination that it's consistent with
18 the pattern of other messages and whatever.

19 MR. NORTON: Yes, your Honor.

20 THE COURT: His question is a yes or no question. You
21 have no evidence to show that the number that that message
22 came from is associated with Miss Brzana?

23 MR. NORTON: Actually I believe I do, your Honor. I
24 believe I do. And I'd have to go through every single FOIA

1 request, all 50 of them, and I believe that number does come
2 up in one of these. Those are the FOIA requests that the
3 defendant has sent to the township. I FOIA'd the FOIA
4 requests, and I believe that number does come up somewhere
5 in this big stack that this is, your Honor, only a small
6 slice of the pie of all of them, your Honor. I can go
7 through every single one of them.

8 MR. HANLON: I asked him for personal knowledge, Judge.

9 THE COURT: What's that?

10 MR. HANLON: I asked him if he had any personal
11 knowledge.

12 THE COURT: Yeah, that's true.

13 MR. NORTON: And I do have personal knowledge of it now
14 that, yes, from these FOIA requests from the township, I
15 have found that number in those records in her FOIA
16 requests. And this is only a small slice of the pie, your
17 Honor.

18 THE COURT: Go ahead, Counsel.

19 BY MR. HANLON:

20 Q I asked you if you had personal knowledge. Do you
21 know what personal knowledge means?

22 A Direct, one on one, I, me, myself and I, yes.

23 Q So things you get from other sources are not
24 things that I am looking for. Do you have any personal

1 knowledge that the number (650) 352-3936 is associated in
2 any way with Cindy Brzana?

3 A Two FOIA requests only. Official documents from
4 the council is the only knowledge I have of it, to answer
5 your question.

6 Q You've indicated that you tried to stay away from
7 Miss Brzana, is that correct?

8 A Yes.

9 Q In fact, when you go to the township meetings, you
10 sit down next to Cindy Brzana, isn't that correct?

11 A No.

12 THE COURT: Can you ask that question again?

13 MR. HANLON: I asked him if he sat down next to where
14 Miss Brzana was seated when he enters these Wesley Township
15 meetings.

16 THE COURT: Can you be more specific? What meeting are
17 you talking about?

18 MR. HANLON: Well, each of the last six meetings.

19 THE COURT: Are these weekly, monthly?

20 MR. HANLON: Monthly.

21 THE COURT: Monthly meetings. All right. Answer.

22 MR. NORTON: Directly next to her, no.

23 BY MR. HANLON:

24 Q How close do you get to her?

1 A Maybe the closest, due to the confined space it
2 is, your Honor, five feet.

3 Q And you don't fear for your safety in those
4 meetings, right?

5 A I have numerous people around and there is safety
6 in numbers. When I have that many people around, no.

7 Q Isn't it true at these meetings that you have
8 called Miss Brzana both a whore and a pedophile?

9 A Pedophile, no. Whore, using a contraction of a
10 very old statement, yes, your Honor. Can I clarify?

11 Q I don't want a clarification. I just asked you
12 whether or not you used those terms, all right?

13 A Actually --

14 MR. HANLON: Judge, there is a question pending.

15 THE COURT: Hold on. There is no question pending.
16 And you will have an opportunity to clear up anything.

17 MR. NORTON: Yes, your Honor.

18 BY MR. HANLON:

19 Q You have actually been on a campaign to label Miss
20 Brzana as a pedophile, isn't that correct?

21 A No.

22 Q You passed out a flyer in the park warning people
23 about Cindy Brzana and taking pictures of children, isn't
24 that correct?

1 A I am aware of it, but I am not directly involved
2 in that.

3 Q Okay. Do you know what a pedophile means?

4 A I have had layman's terms definition of it.

5 Q Well, why don't you share what you understand it
6 to be.

7 A A person over the age of 18 conducting sexual
8 activity with or illicit activity with a person under the
9 age of 18 depending on the state. I believe nationwide it's
10 18. Some states it's 17, some are 13. So it would imply
11 illegal sexual activity.

12 Q That's a serious accusation, right?

13 A Yes, it is.

14 Q And it wouldn't be something you would just go
15 around randomly saying to people, correct?

16 A No, I don't do it.

17 Q But you have called Miss Brzana a pedophile and
18 you've called Mick Esposito a pedophile, isn't that correct?

19 A Never called her.

20 THE COURT: Who is Mick Esposito and why are we delving
21 into Mick Esposito?

22 MR. HANLON: He was present at the time he called her
23 -- or the respective accusations to Miss Brzana were made.
24 And as I am delving into it, Judge, to show that he is

1 engaged in a campaign to smear my client. That this entire
2 proceeding is done as an abuse of process.

3 BY MR. HANLON:

4 Q Isn't it true that the Herald News reported on a
5 lawsuit which Cindy is a plaintiff?

6 THE COURT: That objection is sustained.

7 MR. HANLON: He raised it up in his own direct
8 testimony, Judge. I didn't object at the time, and so he's
9 already presented it and so he stepped into it.

10 MR. NORTON: I started to bring it up --

11 THE COURT: Hold on a second. I haven't ruled on my
12 own objection. And, Counsel, I can assure you, even the
13 things that you have let slide, this Court has not let
14 slide. I am certainly not considering, nor do I care, what
15 the Herald News has to say about anything regarding these
16 proceedings.

17 MR. HANLON: And, Judge, I don't care what they have to
18 say about that, but I do care about the quote which was
19 attributed to Mr. Norton in that newspaper article.

20 THE COURT: Do you have somebody from the Herald News
21 to testify as to what he told them?

22 MR. HANLON: I have Mr. Norton to testify whether or
23 not the statement that he made that's printed in the press
24 is true or not.

1 THE COURT: All right. I'll allow that.

2 MR. NORTON: My statement that I made --

3 THE COURT: Counsel -- not Counsel. Excuse me. I
4 apologize. Mr. Norton, there is nothing pending right now.

5 MR. NORTON: Okay.

6 THE COURT: The ball is firmly, firmly in Mr. Hanlon's
7 court so to speak, so I am pretty sure he is going to ask
8 you a question right now. I just want you to listen to his
9 question and then answer him. Go ahead, Mr. Hanlon.

10 BY MR. HANLON:

11 Q You were quoted in the Herald News as stating
12 Kennedy never called Brzana a pedophile, and that idea was
13 brought up in an irrelevant conversation. That's what you
14 said to the press, correct?

15 A Yes, that was what I was trying to present to this
16 Court as evidence.

17 Q So you made that statement even to the press,
18 correct?

19 A That they were two separate situations, yes.

20 Q But you had a separate meeting with Miss Kennedy
21 where you brought up the idea of maligning my client as a
22 pedophile?

23 A No.

24 Q That newspaper article was published on August the

1 9th, 2018, correct?

2 A If I may have a chance to look at my notes, your
3 Honor? It's right on top here.

4 THE COURT: Are you saying your notes -- you are going
5 to look at the article?

6 MR. NORTON: I have the actual article, your Honor. I
7 have the actual article. I just have to look at the date in
8 which it was done. I don't want to answer yes or no to
9 something that I don't remember.

10 MR. HANLON: Judge, can I withdraw the question?

11 THE COURT: The question is withdrawn.

12 BY MR. HANLON:

13 Q Do you know who provides Internet access to your
14 home?

15 THE COURT: What's the relevance of that, Counsel?

16 MR. HANLON: I believe that the Internet IP address
17 that I have available to me comes from the Internet
18 provider -- the same Internet provider as to his house, and
19 there was a post which was made which reads Cynthia Brzana,
20 a/k/a Charlotte Tenn --

21 MR. NORTON: Objection, your Honor.

22 MR. HANLON: -- is a --

23 MR. NORTON: This Court has no jurisdiction in that
24 matter. The post in that, the server in that is located in

1 Sunnyvale, California, beyond the jurisdiction of this
2 Court, your Honor, under federal trade commission rules and
3 regulations. And under part 47 -- no, Title 47, Part 62 and
4 68, your Honor, of the Code of Federal Regulations for
5 Federal Communications Commission.

6 THE COURT: Well, hold on a second, sir. That was a
7 impressive rattling off of numbers and statutes that this
8 Court does not have in front of me, but I will tell you
9 where your logic fails, okay? You made reference to I
10 believe it was Google phone or Google voice or whatever it
11 is in your case in chief, right?

12 MR. NORTON: Yes, your Honor.

13 THE COURT: I am not aware of any locations in the
14 County of Will where Google has its headquarters or
15 whatever. And I don't think this is going much farther,
16 Counsel, because I am going to guess you can't tie up what
17 you want to tie up.

18 MR. HANLON: Well, I just want to ask him about the
19 statement that he published.

20 THE COURT: How do you know he published it?

21 MR. HANLON: I want to ask him because this goes to the
22 same pattern and practice that brings us here today, Judge.

23 THE COURT: All right. Go ahead. Your objection is
24 overruled, by the way, sir.

1 MR. NORTON: Thank you, your Honor.

2 THE COURT: You're welcome.

3 BY MR. HANLON:

4 Q You wrote a statement that reads Cynthia Brzana
5 a/k/a Charlotte Tenn, is a pedophile and posts pictures of
6 other people's kids on Facebook. Do you condone this type
7 of actions? You wrote that, didn't you?

8 A What was the log-in name?

9 Q Here. Read it for yourself.

10 A The whole end of this is cut off. I can't see
11 where this comes from.

12 THE COURT: Mr. Norton, stop. Did you make that
13 statement?

14 MR. NORTON: No, your Honor, it's not me.

15 THE COURT: You are saying you do not --

16 MR. NORTON: No. No.

17 BY MR. HANLON:

18 Q You stood here in court and you associated the
19 Respondent as Charlotte Tenn, correct?

20 A I am aware that that is --

21 Q That was your claim?

22 A Yes, I claimed that that was one of her screen
23 names.

24 Q And this statement says Cynthia Brzana a/k/a

1 Charlotte Tenn, correct? You can read it.

2 A Let me read that again. This thing here. I was
3 looking at all this here. So what's the source of this?

4 Q I am not asking you what the source is.

5 A I can't --

6 Q I am asking you whether or not that statement
7 associates Cynthia Brzana as Charlotte Tenn, yes or no?

8 THE COURT: Whoa, whoa, whoa. Everybody stop.
9 Everybody stop. Counsel, objection is going to be
10 sustained. You can ask him if he made that statement. But
11 as far as him just interpreting a statement that you can't
12 attribute to him, I am not going into that.

13 MR. HANLON: Fair enough, Judge. I think we know
14 what's going on here.

15 BY MR. HANLON:

16 Q I would like to direct your attention to this
17 evening that you are claiming in your petition, on October
18 the 9th, 2018, that took place at the Wesley Township hall
19 in Wilmington. It reads in your statement I was exiting
20 towards my vehicle to leave and Cynthia ran up behind me.
21 Did she run up behind you or did she walk up behind you?

22 A Fast walk I would say.

23 Q Well, if you were walking towards your car and she
24 was behind you, how did you see her walking behind you?

1 A The view of the security videos.

2 Q Okay. So your knowledge in this statement doesn't
3 come from your own personal recollection, it comes from your
4 looking at some other security videotape, right, which you
5 don't have here today, right?

6 A Actually, yes, your Honor, it is here. It's out
7 in the vehicle on my daughter's laptop that she uses. I can
8 probably produce it.

9 Q Well, you've already testified you haven't
10 produced it already, correct?

11 A I do not have --

12 Q Just answer my question. There is not some other
13 question.

14 A What was your question again?

15 Q You didn't present the video. Your statement here
16 comes from your knowledge of looking at a video, correct?

17 A Yes.

18 Q Okay. And you said that she walked behind you,
19 right?

20 A What was --

21 Q Mr. Norton, did she walk behind you? That's what
22 you just testified to. I just want to be clear.

23 A Came up from behind.

24 Q But you said that she walked, right? A quick

1 walk?

2 A It was a very fast walk from what I seen on the
3 video.

4 Q In your petition you say that she ran up behind
5 you. You want to embellish it a little bit, right?

6 A Fast walk I would consider pretty much running.
7 She was expediting her attempt --

8 Q Okay. That's not the question that's pending.
9 Judge, he tendered to the Court four photographs. Can I
10 retrieve those photographs for the purpose of --

11 THE COURT: I gave them back to him.

12 MR. NORTON: Right here.

13 BY MR. HANLON:

14 Q When you say -- I want you to take a look at the
15 second picture. And is this person in the center of the
16 picture Cynthia Brzana?

17 A Yes, it is.

18 Q Okay. Judge -- I am holding my finger next to
19 that individual, right?

20 A Yes.

21 Q And that individual has a package underneath her
22 right arm, is that correct?

23 A I don't know what it is.

24 Q She's got an object underneath her right arm, is

1 that correct?

2 A An object, yes.

3 Q An object. Now, you said that she pushed your
4 door with both hands?

5 A Yes.

6 Q She pushed the door with such sufficient force
7 that it knocked you into your car. That's what you put in
8 your petition, right?

9 A Yes.

10 Q So she used both her hands on the door, right?

11 A Yes.

12 Q Was it on the paint or the window?

13 A It was on the paint.

14 Q It was on the paint. Okay. So where was her left
15 hand relative to the handle or the door or the mirror on the
16 door?

17 A Her left hand?

18 Q Uh-huh.

19 A Top center of the door on the upper part of the
20 door.

21 Q Upper part of the door.

22 A I do not exactly recall if it was the upper part.

23 Q How far was her left hand from the left driver's
24 side mirror?

1 A I will correct it. It was on the lower part. It
2 was just below the window.

3 Q Wait a minute --

4 A I'm trying to recall that night --

5 THE COURT: All right. Stop. Ask your next question.

6 BY MR. HANLON:

7 Q Okay. Left hand was near the mirror. Where was
8 the right hand?

9 A Outer edge of the door.

10 Q So both hands were on the door is what you
11 testified to?

12 A Yes.

13 Q And she pushed the door with such sufficient force
14 it knocked you into the car, right?

15 A Yes.

16 Q And you were standing up at the time?

17 A Yes.

18 Q How much do you think Cindy Brzana weighs?

19 A 165.

20 Q How tall do you think she is?

21 A Five-four.

22 Q How tall are you?

23 A Six-three.

24 Q How much do you weigh?

1 A Precisely, probably down around 155 to 160 at this
2 moment.

3 Q So you think that she weighs more than you?

4 A Right now, yes.

5 Q Okay. And you said your car was backed into the
6 space with the front of the car towards the Wesley Township
7 building, right?

8 A Yes.

9 Q So the door between you is at an angle, you were
10 standing behind the door and the door was here, correct?

11 A If the vehicle is here, the door is opened out
12 like this, I was standing right here --

13 Q Any dents in the door?

14 A -- just prior to getting in.

15 Q Okay. Were both of her hands -- were they
16 clenched or were they open palmed?

17 A I do not recall.

18 Q But you saw them on the car, right?

19 A Yes.

20 Q And as you stand here today, you don't know
21 whether they were opened or closed?

22 A I was looking up, not down.

23 Q So you didn't actually see if both her hands were
24 on the car?

1 A Yes, I did.

2 Q Tell me, were they open like this or closed like
3 this?

4 A It was right at the lower limit of my peripheral
5 vision, the lower edge.

6 Q Well, what did you see? You said both of her
7 hands pushed on the door?

8 A Would you like a demonstration?

9 THE COURT: No, this Court would not like a
10 demonstration.

11 MR. NORTON: Thank you, your Honor.

12 BY MR. HANLON:

13 Q Were her fingers spread out, were they together?

14 A Couldn't see.

15 MR. HANLON: Well, Judge, I was actually going to ask
16 him to show me the movement of her arms. It might be
17 helpful in understanding the truth of his allegation.

18 BY MR. HANLON:

19 Q Now, she put her arms out in front of her pushing
20 on the door?

21 A I saw arms out. I was not at that moment in time
22 paying attention to exactly the position of her fingertips
23 or her hands. I just seen the relative position of where
24 the end of her arms were.

1 Q Did she pick up anything after she purportedly
2 closed the door on you?

3 A Pick up --

4 Q Did she pick up anything off the ground after she
5 pushed the door into you?

6 A I don't know. I cannot attest to that. I do not
7 know.

8 THE COURT: All right. You answered it. Sir, you
9 answered the question.

10 BY MR. HANLON:

11 Q And you were driving a Ford Escape, is that
12 correct?

13 A Yes.

14 Q Do you know how high the paint on the door would
15 be relative to the ground?

16 A On a 2002, you know what, roughly I think the
17 bottom of the window is about here.

18 Q Well, what if I were to represent to you that I
19 measured a 2002 red Ford Escape at three feet six inches?
20 Would you say that would be a reasonable estimate?

21 A I don't know, your Honor.

22 THE COURT: All right.

23 MR. NORTON: The vehicle is not in front of me so I
24 cannot get perception.

1 THE COURT: Sir, you answered the question. I don't
2 need the extra.

3 MR. NORTON: Yes, sir.

4 BY MR. HANLON:

5 Q So at each of these last six township meetings,
6 these monthly meetings, you have been calling Cindy Brzana a
7 whore, is that correct?

8 A Stating it. Not calling. Stating. It was part
9 of a statement to which you were not completing.

10 Q Okay. So what was the context of you calling her
11 a whore?

12 A The context was I was trying to say when she
13 continued to harass me, I got tired of it and said shut up,
14 attention whore, was my exact words on several occasions.

15 Q And then on that Guardians of Wesley Township, you
16 called her an attention whore in those posts as well, right?

17 A Two of the other (inaudible) did. I do recall
18 them doing it, but not precisely me.

19 Q So on this particular evening when she went up to
20 your car, she asked you to stop calling her a whore, isn't
21 that correct?

22 A I don't recall her saying -- no, I don't recall
23 that.

24 Q The only reason that she was near your car was to

1 tell you to stop it, isn't that correct?

2 A No.

3 Q No?

4 A No.

5 Q Are you in fear of Miss Brzana? Are you afraid of
6 her?

7 A Define fear. Fear comes in many forms.

8 THE COURT: All right. This is simple. Sir, answer
9 the question. It's a yes or no question.

10 MR. NORTON: Yeah, actually, yes, your Honor.

11 THE COURT: Thank you.

12 MR. NORTON: Yes.

13 THE COURT: You don't need to answer it five times.
14 Just once.

15 MR. NORTON: Sorry. My former navy training, your
16 Honor, as an instructor.

17 BY MR. HANLON:

18 Q I asked you earlier about this term pedophile. So
19 there was no agreement between you and Kathleen Kennedy to
20 develop the idea of a reputation for Miss Brzana that she
21 was a pedophile in this meeting that you were quoted in the
22 newspaper as having?

23 A As a pedophile, no.

24 Q But just a whore?

1 A Whore only, no. I stated earlier, your Honor,
2 that question asked --

3 MR. HANLON: No question pending.

4 MR. NORTON: Objection. The question was asked and
5 answered previously.

6 MR. HANLON: I don't have a question pending, your
7 Honor.

8 MR. NORTON: No, this was an earlier question, your
9 Honor.

10 THE COURT: Hold on. You answered the question,
11 though. You already answered it.

12 MR. NORTON: Yes, your Honor.

13 THE COURT: So there is nothing to object to right
14 now. You have to object before you answer the question, not
15 after.

16 BY MR. HANLON:

17 Q I would like to draw your attention to the word
18 whore. What do you believe that the term whore means? Let
19 me rephrase it. Is it an unchased woman?

20 A It has many different definitions. Not only by
21 Webster's dictionary, but by popular vernacular that's in
22 play on several --

23 Q When you call a woman a whore, it's not a term of
24 endearment, correct?

1 A In some cases, yes, it is.

2 Q So you would engage in this person of calling her
3 a whore on numerous occasions and she went up to your car to
4 tell you to stop it and you claim that she shoved the door
5 into your car with so much force that your adult male body
6 flew into your car, right?

7 A Yes.

8 MR. NORTON: Excuse me, your Honor. It's getting a
9 little warm for this, even for me.

10 BY MR. HANLON:

11 Q You indicated earlier you were going to call your
12 daughter as a witness in this case, is that correct, Sarah
13 Norton?

14 A Yes.

15 Q The same Sarah Norton that's associated with that
16 web site?

17 A Yes.

18 Q And we have previously entered into evidence with
19 respect to my client's telephone number that doesn't match
20 the text message, is that correct?

21 A The reason --

22 THE COURT: Hold on a second. Don't answer that. Stop
23 talking.

24 MR. HANLON: It's compound. I will withdraw it.

1 THE COURT: What's the question?

2 BY MR. HANLON:

3 Q The same daughter who is associated --

4 THE COURT: Counsel, ask a question. You are not going
5 to ask him about who he is calling next or anything like
6 that.

7 MR. HANLON: No.

8 THE COURT: Ask a question.

9 MR. HANLON: No who's on first, what's on second. I
10 understand, Judge.

11 THE COURT: We got it.

12 BY MR. HANLON:

13 Q The Sarah Norton that you intend to call is the
14 same Sarah Norton that's associated with this Facebook page,
15 correct?

16 A Yes.

17 Q All right. Now, for the purpose of the rest of my
18 examination of you, I don't want you to guess about
19 anything. If you don't know, just tell me you don't know.
20 When you filed this petition on -- when was the date that
21 you filed this petition? October 16, 2018. Since the time
22 that that petition was filed, have you had any contact
23 whatsoever with Cindy Brzana?

24 A Yes.

1 Q When did you have contact with Cindy Brzana in the
2 last month?

3 A In the last month? None.

4 Q None? Well, today is November the 16th. The
5 petition you filed was October -- one month had passed.

6 A Sorry, your Honor, I lost track of my dates here.

7 THE COURT: Fair enough. Just answer the attorney's
8 question, please.

9 MR. NORTON: Are you asking me contacting her or her
10 contacting me?

11 BY MR. HANLON:

12 Q When was the last time you had any contact with
13 her or have you had any contact with her since you filed
14 this petition?

15 A I do not recall at this moment without reviewing
16 my notes.

17 Q You have no recollection of any contact with her
18 in over a month, correct?

19 THE COURT: Well, that's not what he said. He said he
20 doesn't recall now without reviewing his notes.

21 BY MR. HANLON:

22 Q So do you take notes when you talk to Miss Brzana
23 or you have any contact with her?

24 A No, I'm going based on what his Honor told me to

1 do, that if I'm asked a question, then ask if I may refer to
2 my notes to refresh my memory. And I believe his Honor
3 admonished me over that earlier today.

4 MR. HANLON: Okay. If he wants to look at his notes,
5 Judge, I'm all for it.

6 THE COURT: All right. Feel free to look at your
7 notes.

8 MR. NORTON: I'm ready, your Honor, if Counsel is
9 ready.

10 THE COURT: All right. Mr. Hanlon, it appears that
11 Mr. Norton -- his memory is refreshed and he is ready to
12 answer your question.

13 BY MR. HANLON:

14 Q Okay. With respect to -- since the date that you
15 filed this petition to the present, have you had any contact
16 with the Respondent?

17 A Not that I remember at all. I show nothing in my
18 notes that I had any contact --

19 THE COURT: You answered the question.

20 BY MR. HANLON:

21 Q So yet you still fear her even though -- she was
22 just served two days ago, is that correct?

23 A I am unaware of that.

24 Q Don't you have a return of service as to when she

1 was served?

2 A My apologies, your Honor. Yes, sir, I do have
3 this, your Honor.

4 Q Well, that's not service of a complaint. What is
5 that?

6 A Obviously that is because you are standing here.

7 THE COURT: No. Mr. Norton.

8 MR. NORTON: Sorry.

9 THE COURT: Mr. Norton, hold on a second. My patience
10 is wearing thin --

11 MR. NORTON: Yes, sir.

12 THE COURT: -- of your behavior in my courtroom.

13 MR. NORTON: All right. Sorry. My apologies.

14 THE COURT: Answer the attorney's questions.

15 MR. NORTON: My apologies, your Honor.

16 THE COURT: This is cross examination. He has the
17 right to ask the questions that he wants.

18 MR. NORTON: Yes, your Honor.

19 THE COURT: All right? Answer his questions.

20 MR. NORTON: Yes, your Honor.

21 BY MR. HANLON:

22 Q So that document that you have there, it's
23 associated with that same certified mail envelope that I
24 tendered to the Court earlier?

1 A Yes.

2 Q It doesn't contain a summons or a complaint in it,
3 does it?

4 A I believe this is what you are referring to.

5 Q No, that's not what I'm referring to. That
6 doesn't have this in it, does it? It doesn't have your
7 file-stamped copy of the complaint, does it? You were set
8 to come in here today to tell the Judge that you were served
9 with it by accepting service on her behalf. Is that it
10 based upon that certified piece of mail?

11 A Actually, no.

12 Q Okay. You said you were one of the publishers in
13 the guardian township web site. It says summons number two
14 has been served 11:04 a.m. Someone is having a very bad
15 day. Did you publish that statement?

16 A No.

17 Q You did?

18 A No.

19 Q No?

20 A No.

21 Q One of the other --

22 A Yes.

23 Q -- people did that. All right. Do you have any
24 personal knowledge that Cindy Brzana has ever engaged in any

1 act -- any sexual act with a child?

2 A No, no, I do not.

3 Q And you don't have any personal knowledge that
4 she's engaged in lewd and lascivious behavior, right?

5 A No, I do not.

6 MR. HANLON: You've answered the question. One minute
7 with my client, your Honor.

8 THE COURT: Absolutely.

9 (Brief pause.)

10 MR. HANLON: No further questions of this witness at
11 this time, Judge.

12 THE COURT: All right. Sir, what I am going to do, I
13 am going to take a brief recess, about ten minutes. Can we
14 give Mr. Norton the opportunity to basically redirect, sir,
15 okay?

16 MR. NORTON: I'm ready to go right now, your Honor.

17 THE COURT: I know, but I want to take -- is it okay if
18 I take ten minutes?

19 MR. NORTON: Yes, your Honor, because I have to go to
20 the bathroom.

21 THE COURT: Thank you so much. I will be back in ten.
22 Thank you.

23 MR. NORTON: Thank you, your Honor.

24 (Short recess had.)

1 THE COURT: Okay. Back on the record, 18 OP 2306, John
2 Norton, Cynthia Brzana. Show Petitioner is present in
3 court, Respondent is present in court with her attorney,
4 Mr. Hanlon. Where we left off before the break was on the
5 redirect of the Petitioner. So, Mr. Norton, now is your
6 opportunity to testify again to clear up any things you
7 think you need to clear up after the cross examination. You
8 will be able to call other witnesses when you are done.
9 This is just your testimony.

10 MR. NORTON: About the fact that -- start with this.
11 This is the easiest one. Are you the --

12 THE COURT: No, no, no, hold on.

13 MR. NORTON: Oh, okay.

14 THE COURT: The attorney, he is not testifying. That's
15 not happening.

16 MR. NORTON: All right, your Honor. Sorry. I know
17 what I wanted to do.

18 THE COURT: You wanted to make a comment about what you
19 said to the lawyer. Go ahead. Make the comment.

20 MR. NORTON: Yes, your Honor. It was based on the last
21 time I appeared in here, I was listening to your previous
22 court cases from the 31st.

23 THE COURT: You sent the lawyer the order, is that what
24 you are telling me you did?

1 MR. NORTON: What I did was this is the copy you handed
2 me, and I knew that there was a chance that she was not
3 going to be served again because an attempt was made and you
4 issued an alias order. And what I did was (inaudible) the
5 order on another case. I listened to that and I went to try
6 this. I sent a copy of this order that your clerk handed me
7 and something -- you said how to serve the previous parties
8 that was in here, send it registered mail. And because of,
9 your Honor, he is the attorney on file for the defendant in
10 another case in this Court --

11 THE COURT: Hold on, sir. I asked you a question. Did
12 you send the lawyer something in the mail? Is that what you
13 did?

14 MR. NORTON: Yes, your Honor.

15 THE COURT: There you go. Thank you. Move on to your
16 next point.

17 MR. NORTON: When it was brought up about -- actually,
18 I want to withhold that until questioning of the defendant.
19 Also the part about the name that was brought up, Mick
20 Esposito, when my witness comes up, I will bring that up at
21 that time, your Honor. I think a lot of those questions can
22 be answered during the questioning and cross examination of
23 my witness.

24 THE COURT: Okay.

1 MR. NORTON: And then all of her witnesses, if time
2 permits, your Honor. I don't know how -- how late you want
3 to go with this or you want a continuance for a different
4 day.

5 THE COURT: Hold on a second. Where we are right
6 now --

7 MR. NORTON: Yes, your Honor.

8 THE COURT: -- this is your redirect of yourself
9 essentially. You were subject to cross examination by a
10 skilled lawyer for some time, okay?

11 MR. NORTON: Yes, your Honor.

12 THE COURT: Now is your opportunity to clear up any of
13 those issues that you feel that you need to clear up. If
14 not, then you are done testifying.

15 MR. NORTON: Okay. I will go down to the various
16 points you brought up. To make it clear, your Honor, the
17 Facebook page, Guardians of Wesley Township, the name of
18 that is my intellectual property. It's based on two
19 articles I wrote approximately three to four months ago for
20 the local newspaper, and after that time, after those
21 articles came out, there were several individuals, which was
22 referred to many times, it's called adments (phonetic), that
23 approached me wanting to know if they could use my
24 intellectual property in order to create this Facebook page,

1 which is only approximately -- only two months old, your
2 Honor.

3 THE COURT: Hold on a second. Can I stop you? And I
4 am not trying to be rude, Mr. Norton, but you've already
5 testified that there is a Facebook -- is this a Facebook
6 group we are talking about, this Guardians of Wesley
7 Township?

8 MR. NORTON: It's a single page, your Honor.

9 THE COURT: It's a Facebook page.

10 MR. NORTON: Yes, your Honor.

11 THE COURT: Got it. You have already testified on
12 cross examination that you are an administrator and there is
13 about ten people -- nine other people approximately, give or
14 take, they all have access to it.

15 MR. NORTON: Yes, your Honor.

16 THE COURT: Other than that point which you have
17 already said, are you going to add to that somehow --

18 MR. NORTON: Yes, your Honor.

19 THE COURT: -- or are you just going to repeat what you
20 have testified to?

21 MR. NORTON: I will add to that, your Honor.

22 THE COURT: Go ahead.

23 MR. NORTON: That due to my background is in IT field
24 is predominantly soft -- is hardware, not software.

1 MR. HANLON: Objection; relevance. Goes to the cross
2 examination. Not raised on cross.

3 THE COURT: That objection is sustained. Again, if you
4 have a point to make, make it.

5 MR. NORTON: Yes, your Honor.

6 THE COURT: You have already said the hardware/software
7 distinction. You have already said there is ten people, for
8 lack of a better term, that can access that page on Facebook
9 as an administrator.

10 MR. NORTON: Yes, your Honor.

11 THE COURT: Go ahead.

12 MR. NORTON: That very, very few of those posts on that
13 page are mine.

14 THE COURT: Got it.

15 MR. NORTON: Very, very few of them due to my lack of
16 knowledge of how to operate Facebook, software based, your
17 Honor. When I was being questioned about the term whore, I
18 use it in the context based on -- if you remember, your
19 Honor --

20 THE COURT: You said attention whore. You testified to
21 that on cross examination.

22 MR. NORTON: To elaborate on that, that's back from the
23 old IRC case back when the Internet was the Arpanet, which I
24 had access to back then.

1 MR. HANLON: Objection, beyond the scope of the cross,
2 Judge.

3 MR. NORTON: I am coming to that, your Honor. Back in
4 those days, because of the slow bog rates and that,
5 individuals who came in demanding attention were called one
6 of two titles, banquet hogs or attention whores, people who
7 would scroll the screen and log out the rest of us. It's an
8 old term that I associate whore with and, also, I was asked
9 about whether it was a term of endearment. My late wife was
10 Irish and she used to call me that all the time as a joke
11 because in the Irish Gaelic language, it's a similar word
12 but has a slightly different context.

13 MR. HANLON: I object, and I find that offensive as an
14 Irishman.

15 THE COURT: Your objection is noted for the record.
16 Sir, I will play devil's advocate with you. Counsel, do you
17 have any objection to me asking Mr. Norton questions?

18 MR. HANLON: Absolutely not, your Honor.

19 THE COURT: You understand, sir, regardless of whatever
20 arcane hardware things that you have in your past and
21 whatever your interpretation of Irish culture, you
22 understand if you call somebody attention whore, okay, that
23 that may upset them.

24 MR. NORTON: Yes, your Honor.

1 THE COURT: They don't have your knowledge of the
2 hardware, a very small circle of people. You understand
3 that, right?

4 MR. NORTON: Yes, your Honor.

5 THE COURT: You understand that may not go over too
6 well.

7 MR. NORTON: Yes, your Honor.

8 THE COURT: Especially in a public setting such as a
9 town hall meeting or a village meeting, whatever this is.

10 MR. NORTON: I see your point, your Honor, yes.

11 THE COURT: Especially if do you it for six months in a
12 row. By month three or four, it might rub some people the
13 wrong way. You understand that, right?

14 MR. NORTON: Yes.

15 THE COURT: You will give me that much?

16 MR. NORTON: Yes, your Honor.

17 THE COURT: Go ahead. Move on to your next point.

18 MR. NORTON: Since Counsel brought it up, my late
19 wife -- her first language was Gaelic, not Irish.

20 THE COURT: Please stop with the nonsense about the
21 Irish and the Gaelic. Counsel is right. It's offensive,
22 okay?

23 MR. NORTON: I am not in any way making offenses.

24 THE COURT: Get off the record. We are off the

1 attention whore stuff. Make your next point.

2 MR. NORTON: Since you brought it up, your Honor, the
3 part about the pedophile. It was clearly stated on numerous
4 occasions, and I have printed the evidence to you, your
5 Honor, of the photo -- using the photos of my grandchild and
6 that as a means of trying to intimidate me because I
7 indicated to this Court --

8 THE COURT: Hold on. You didn't show me any photos of
9 any grandchildren. You showed me --

10 MR. NORTON: My daughter's son.

11 THE COURT: Hold on. The only picture I saw was you on
12 the phone.

13 MR. NORTON: Your Honor, I showed it to you.

14 MR. HANLON: Objection, Judge. He is now attempting to
15 introduce something --

16 THE COURT: Well, he showed it before. Your objection
17 is noted for the record. Let me see what you are talking
18 about.

19 MR. NORTON: Yes, your Honor. I have that. As a
20 matter of fact, you commented on it, your Honor, when I
21 showed -- that was one of them, your Honor. The other one
22 is -- here, your Honor. Actually, this is the very first
23 one I handed you and you looked at it, your Honor, because
24 you used one of the comments made on here and it was brought

1 up about a telephone number that was on there, your Honor.
2 You have seen these right here, your Honor.

3 THE COURT: Well, this post is from Wesley Township
4 Watchers, congratulations to Wesley Township's new clerk and
5 there is a photo of a woman holding a child --

6 MR. NORTON: Yes, your Honor.

7 THE COURT: -- from a go fund me page.

8 MR. NORTON: Yes, your Honor. That was brought up
9 already and introduced that that is -- that is my daughter
10 and my grandson, your Honor.

11 THE COURT: Okay.

12 MR. NORTON: That's already been brought up and put
13 into the record earlier in morning, your Honor. I showed
14 you this one here, too. It's a very similar picture. It's
15 already been -- because you had me show it to him first
16 before giving it to you, your Honor.

17 THE COURT: Right.

18 MR. NORTON: And this will lead into the question that
19 what I was trying to say, your Honor.

20 THE COURT: Go on.

21 MR. NORTON: What it was, that she was never referred
22 to as a pedophile, but her acts were what we deemed in
23 layman terms and from very -- we put it on the same level as
24 a pedophile. In other words, as low as that. We treat

1 pedophiles extremely low, but somebody who would exploit an
2 underage child for their own personal benefit is on the same
3 level socially as that, your Honor.

4 THE COURT: Please stop.

5 MR. NORTON: Sorry, your Honor.

6 THE COURT: And this Court will take issue with that
7 summation of what you are saying because I think the record
8 needs to be clear. What I am looking at is a printout from
9 it looks like a Facebook public group, Wesley Township
10 Citizens. This is the first page here.

11 MR. NORTON: Yes, your Honor.

12 THE COURT: And there is a picture of a woman fully
13 clothed holding a child fully clothed, much like a mother
14 would hold a small child. This is a toddler I'm guessing.

15 MR. NORTON: Two years old. A year and a half old,
16 your Honor.

17 THE COURT: Which someone must have posted this on the
18 Internet, not this particular photo, but they got it from
19 somewhere, okay?

20 MR. NORTON: Yes.

21 THE COURT: So by your own logic, the person who posted
22 the photo would be guilty of the same thing. And I want to
23 make the record absolutely clear, that there is nothing,
24 nothing, even in the universe of offensive about any of

1 these photos regarding this mother who I am going to guess
2 is your daughter and this toddler. You'll concede that,
3 right?

4 MR. NORTON: Yes, your Honor.

5 THE COURT: Okay. So how do you make the jump to
6 pedophile?

7 MR. NORTON: Well, upon my daughter noticing that these
8 images of her and her son were being used on this Wesley
9 Citizens page with derogatory comments and such as was on
10 here, your Honor, my daughter deleted all that, and that the
11 defendant, even after all these photos were deleted, she
12 continued to throw these up as a form of intimidation
13 towards me. Even though she couldn't get to me, she thought
14 she would use this hoping this would intimidate me by going
15 after my daughter and my grandson. And I just point clicked
16 to screen save it and saved it for the Court.

17 THE COURT: Answer my question. Is your daughter some
18 kind of public official?

19 MR. NORTON: Yes, she is, your Honor. Now she is, your
20 Honor.

21 THE COURT: What is she?

22 MR. NORTON: She is the township clerk.

23 THE COURT: Okay. Of?

24 MR. NORTON: Wesley Township. May I add a note to

1 that, your Honor? She has only been a couple of months.
2 This started before she came a public official. She was a
3 private citizen.

4 THE COURT: I think one of those posts were
5 congratulations on the new clerk, which is why I asked that.

6 MR. NORTON: Yes, your Honor.

7 THE COURT: So I am guessing there is some kind of
8 sarcasm in that post.

9 MR. NORTON: Yes, your Honor.

10 THE COURT: What else do you need to clear up?

11 MR. NORTON: The individual, Mick Esposito, that
12 brought up by Counsel that he tried to introduce into
13 that --

14 THE COURT: In a question, in some kind of question,
15 right? You are going to talk about this Mr. Esposito.

16 MR. NORTON: He brought it up, your Honor.

17 THE COURT: What do you want to say about him?

18 MR. NORTON: Actually, I am going to hold off on that
19 until my witness is here and let her explain that firsthand,
20 your Honor.

21 THE COURT: Okay. Are there any other things that your
22 testimony -- you are under oath. This is the redirect of
23 you, if you will. Do you have anything else you wish to add
24 that you feel needs to be cleared up from cross examination?

1 MR. NORTON: Can I say not at this time but leave the
2 option to revisit this at a later time, your Honor?

3 THE COURT: We will cross that bridge if we need to,
4 sir.

5 MR. NORTON: Thank you.

6 THE COURT: And, Counsel, so you are aware, most of the
7 hearings I do involve no representation whatsoever. I do
8 allow, as a routine course of practice, not only for this
9 Court, but many of the judges in this building, to give the
10 self-represented litigant a final opportunity to address the
11 Court to say anything before they close their case, before
12 this Court rules.

13 MR. HANLON: I fully understand and appreciate that,
14 Judge, and I'm trying to withhold much of what I might do
15 otherwise.

16 THE COURT: I appreciate that, Counsel. Okay.
17 Mr. Norton, call your next. Call your next witness.

18 MR. HANLON: My daughter, Sarah Norton, your Honor. I
19 have to go out and get her.

20 THE COURT: Yes, go get her.

21 MR. HANLON: I'm sorry, Judge, I didn't mean to --

22 THE COURT: I don't mind you stepping on my toes.
23 That's fine. I will take a break for a minute.

24 MR. HANLON: And you can tell from my size, I might do

1 that occasionally.

2 THE COURT: Come on up, ma'am. Can you raise your
3 right hand for me, please?

4 (Witness sworn.)

5 THE COURT: All right. Will you please state your name
6 for the record?

7 THE WITNESS: Sarah Norton.

8 THE COURT: Okay, ma'am. You got to do me a couple
9 favors, all right? First of all, I am going to ask you to
10 speak up a little bit so everybody can hear you. Secondly,
11 answer every question audibly, so refrain from the uh-huh's
12 and the uh-uh's --

13 THE WITNESS: Okay.

14 THE COURT: -- because it's very hard for the court
15 reporters to transcribe those. And, finally, if you hear an
16 objection by either side, please wait for my ruling as to
17 whether or not you can answer that question. Do you
18 understand me?

19 THE WITNESS: Can I get put books down?

20 THE COURT: Yes.

21 THE WITNESS: I just want to make sure I could.

22 THE COURT: Okay, Mr. Norton, I will tender the witness
23 to you. Go ahead.

24 MR. NORTON: Thank you, your Honor.

1 SARAH NORTON,
2 having been called as a witness; being duly sworn, was
3 examined and testified as follows:

4 DIRECT EXAMINATION

5 BY MR. NORTON:

6 Q First part I want to bring up, it's been hashed
7 over, is this you in the photo?

8 MR. HANLON: Objection; leading.

9 THE COURT: That objection is overruled.

10 MR. HANLON: I understand, Judge.

11 THE WITNESS: Yes, that's me.

12 BY MR. NORTON:

13 Q Who is the person in the photo?

14 A My son.

15 Q Have you over the last several months -- whatever
16 time period, leave it open to that.

17 MR. HANLON: Objection; vague, Judge.

18 THE COURT: Can you rephrase the question? Objection
19 is sustained.

20 MR. NORTON: I was trying to figure out how not to --

21 BY MR. NORTON:

22 Q In the time you have been here in the State of
23 Illinois, has your image of you and your minor child been
24 used without your consent and knowledge?

1 A Yes, it has been.

2 Q Do you know by who it has been used by?

3 MR. HANLON: Objection; no foundation.

4 THE COURT: The question is do you know by whom, so you
5 can answer that question. It's a yes or no question.

6 THE WITNESS: Yes.

7 THE COURT: Ask your next question.

8 BY MR. NORTON:

9 Q Could you identify the person that has used that
10 -- is that person in this courtroom at this time?

11 A Yes.

12 MR. HANLON: Objection; foundation.

13 THE COURT: That objection is sustained.

14 BY MR. NORTON:

15 Q Okay. Could you name a person who -- which one
16 was it? Referring to the Charlotte Tenn name. Do you
17 recognize that name?

18 A Yes.

19 Q Is that photo attached to that name?

20 A Yes, it is.

21 Q Do you know who predominantly uses that name?

22 MR. HANLON: Objection; no foundation.

23 THE COURT: She can answer that. That objection is
24 overruled.

1 THE WITNESS: Yes.

2 BY MR. NORTON:

3 Q Based on all the evidence you've seen, who is this
4 person that's utilized this name?

5 MR. HANLON: Objection; calls for a conclusion, legal
6 conclusion and speculation.

7 MR. NORTON: Your Honor, this was asked and answered
8 earlier.

9 THE COURT: If she knows.

10 MR. NORTON: And it --

11 THE COURT: You got to let me do my job.

12 MR. NORTON: Sorry, your Honor.

13 THE COURT: All right. Ma'am, do you have some
14 familiarity with that user name for lack of a better term?

15 THE WITNESS: Uh-huh. Yes.

16 THE COURT: And is that through various Wesley Township
17 groups that are flying all over the place apparently?

18 THE WITNESS: Yes.

19 THE COURT: Who is that name associated -- who do you
20 associate that with, that Tenn user name? Who is that?

21 MR. NORTON: The name of the person.

22 THE WITNESS: Oh, sorry. Miss Brzana.

23 THE COURT: All right. Go ahead. Ask your next
24 question.

1 BY MR. NORTON:

2 Q Currently, what is your position of authority in
3 the township?

4 MR. HANLON: Objection; relevance.

5 THE COURT: Hold on a second. That objection is
6 overruled. She can answer.

7 THE WITNESS: Wesley Township clerk.

8 BY MR. NORTON:

9 Q In your position of authority, has defendant
10 Brzana sent you multiple FOIA requests?

11 A Yes.

12 Q Based on you doing -- what percentage of these
13 FOIA requests were requests for information of when I was
14 highway commissioner?

15 MR. HANLON: Objection, Judge; relevance. I haven't
16 heard anything in this allegation and complaint that deals
17 with Mr. Norton's position as highway commissioner from
18 years ago.

19 THE COURT: No, it was referenced in the petition. She
20 can answer that. Objection is overruled.

21 THE WITNESS: Quite a few of them. I can't give you an
22 exact number because I lost track a while ago.

23 THE COURT: A few of them is fine.

24 BY MR. NORTON:

1 Q Give me a rough percentage.

2 THE COURT: No.

3 MR. NORTON: I'm sorry, your Honor.

4 THE WITNESS: I answered the question.

5 MR. NORTON: Your Honor, the defendant already has
6 copies of this right here because she is the one who
7 generated them. I am not sure if her attorney has copies of
8 these.

9 MR. HANLON: Judge, I don't know what he is talking
10 about.

11 THE COURT: I don't know what they are either.

12 MR. NORTON: These are all the FOIA requests from
13 defendant Brzana, your Honor, that I would like the clerk to
14 verify that these are --

15 THE COURT: You can show your witness those documents?
16 You have to show the lawyer first, though.

17 MR. NORTON: Sure.

18 THE WITNESS: Wrong folder.

19 MR. NORTON: Wrong folder.

20 THE WITNESS: My name is on them.

21 THE COURT: Ma'am, there is no question pending, so you
22 can't talk, okay? You have to wait for a question.

23 THE WITNESS: Sorry.

24 THE COURT: This is not an opportunity for you and the

1 Petitioner to exchange pleasantries or anything like that.

2 MR. NORTON: I couldn't hear her, your Honor.

3 MR. HANLON: Judge, I happen to notice that the witness
4 is like dancing back and forth. If she has to use the
5 restroom, I don't mind if we take a break.

6 THE WITNESS: No.

7 THE COURT: We are not taking a break.

8 MR. NORTON: Your Honor, I can testify this is her
9 normal behavior because of --

10 THE COURT: Please. You are the attorney now --

11 MR. NORTON: Yes, sir.

12 THE COURT: -- questioning a witness, so you can't give
13 commentary or anything like that, all right, Mr. Norton?

14 THE WITNESS: May I sit down?

15 THE COURT: Sure.

16 MR. HANLON: Judge, I'm aware that under the Illinois
17 Rules of Evidence that the Supreme Court has adopted them,
18 that objections to documents be made on a document by
19 document basis. However, for the purpose of expediting this
20 hearing, I picked all of these FOIA requests as they have
21 absolutely no relevance to this proceeding. On their face
22 they don't contain any numbers or anything that's relative
23 to what we have heard so far or what's contained in the
24 petition. I have a separate objection to this last document

1 that comes from Wesley Township as a hearsay document. It
2 needs some authentication.

3 MR. NORTON: Can I respond to that, your Honor?

4 THE COURT: Yes.

5 MR. NORTON: That I'm trying to show a pattern of
6 behavior in the defendant that I alluded to earlier, your
7 Honor, that her attempt to -- not only couldn't get to me
8 directly because I ignored her, that she made the attempt to
9 go through my daughter and utilized her position of
10 authority as clerk to bury her, and this is only the
11 snowflake that fell on the tip of the iceberg as far as FOIA
12 requests. And I am trying to show a pattern of behavior.
13 And, also, your Honor -- go ahead, your Honor. Sorry.

14 THE COURT: Here is the deal. I have let you go on for
15 some time and given you -- again, extended you much more
16 courtesy under the law that you are entitled to, to be quite
17 honest, okay?

18 MR. NORTON: Yes, your Honor.

19 THE COURT: I want to make sure that you are fully
20 heard, especially as a self-represented litigant. However,
21 I will say this. We are not going to go into a bunch of
22 FOIA requests. If there is some kind of number -- I thought
23 maybe what you were trying to do is to tie in that number
24 where that text message was sent on one of those. And if

1 you can do that, I will allow it for that purpose, but other
2 than that -- let me talk, Mr. Norton. Don't interrupt me at
3 all.

4 MR. NORTON: Sorry, your Honor. It just reminded me of
5 something.

6 THE COURT: Don't say another word until I am done
7 speaking.

8 MR. NORTON: Yes, your Honor.

9 THE COURT: Not even that. Because I will tell you
10 what, let's say I cut off this hearing right now and let's
11 say I said you know what, Mr. Hanlon, I am not even going to
12 let you -- I don't care about your case at all, forget it, I
13 am granting the stalking, no contact order, it's in place
14 for two years.

15 MR. NORTON: Yes, your Honor.

16 THE COURT: This Respondent here could FOIA your
17 daughter until forever and wouldn't be violating anything.
18 Do you understand that?

19 MR. NORTON: Yes, your Honor.

20 THE COURT: So that pattern you are establishing is
21 completely irrelevant to these proceedings. That's what I'm
22 saying. Because someone FOIA'ing requests that maybe
23 involve you or maybe don't have no bearing on your
24 individual ability to go about your business free and clear,

1 do you understand?

2 MR. NORTON: Yes, your Honor.

3 THE COURT: Okay. So that objection is going to be
4 sustained. Ask your next question.

5 BY MR. NORTON:

6 Q How many phone numbers has defendant Brzana
7 utilized in different correspondence with you?

8 A At least two. At least two. Yeah, at least two.

9 Q How many emails -- email addresses, let me be
10 specific, different email addresses?

11 MR. HANLON: Judge, different email addresses isn't an
12 issue at this point in time. He hasn't even alleged that
13 there was an email having come to him.

14 THE COURT: That's true. That objection is sustained.

15 MR. NORTON: Yes, you're right.

16 BY MR. NORTON:

17 Q Getting back to the questions. Have you received
18 notice requests requesting information specifically about
19 me?

20 MR. HANLON: Objection; leading.

21 MR. NORTON: Your Honor, I was asking about me.

22 THE COURT: That doesn't change the objection. Explain
23 to me how any of this is relevant to -- I get it may be
24 relevant to whatever else is going on down there in

1 Wilmington and whatever personal battles everyone is having,
2 but this Court has to make a decision as to whether or not
3 someone is affecting your liberty and freedom of movement.
4 And I gather you used to work at the highway department,
5 correct?

6 MR. NORTON: I was the highway commissioner, your
7 Honor.

8 THE COURT: And so if a citizen subpoenas or FOIA's
9 every single thing, every piece of paper that's got your
10 fingerprint on it, how does that help this Court in making a
11 ruling in granting the order? Sir, I have already given
12 you -- I fully expect you are going to show that this person
13 here has FOIA'd a million documents of yours. How is that
14 relevant to my ruling?

15 MR. NORTON: I will bring that up right now in my next
16 question, your Honor.

17 THE COURT: Ask your next question.

18 BY MR. NORTON:

19 Q Has any of my former employees contacted you
20 because they gained -- the defendant gained information from
21 the FOIA requests --

22 MR. HANLON: Objection to the leading.

23 THE COURT: That objection is going to be sustained for
24 a whole series of legal reasons, sir. It's leading, calls

1 for hearsay. It's statements -- you want her to testify to
2 what other people called and told her?

3 MR. NORTON: Oh, no, not about the content of it. It
4 was if people have done it.

5 MR. HANLON: Relevance, Judge.

6 THE COURT: Yeah, how is that relevant?

7 MR. NORTON: Your Honor, I am trying to show that the
8 defendant obtained these documents to find out who my former
9 employees were so she can look them up on Facebook, contact
10 them and try to get information on me as another part of the
11 stalking part, your Honor. She was trying to use official
12 documents to go to other people who were associated with me,
13 either by employment or whatever, and use that, contact them
14 in order to harass me, your Honor. She is trying to obtain
15 information through other means, your Honor. This was the
16 pattern of behavior I'm trying to bring up, your Honor.

17 THE COURT: Your objection is sustained. Ask your next
18 question.

19 BY MR. NORTON:

20 Q Are you in fear of the defendant?

21 MR. HANLON: Objection; relevance.

22 THE COURT: That objection will be sustained.

23 MR. NORTON: You sustained it, your Honor?

24 THE COURT: It's not relevant.

1 BY MR. NORTON:

2 Q Bringing up a point -- a name that was brought up
3 earlier, your Honor. Are you aware of the name Mick
4 Esposito?

5 A Yes.

6 Q Can you describe in your own words that two months
7 ago -- explain to the Judge the sequence -- to this Court
8 the sequence of events that evening at 5:30 on that Friday
9 afternoon.

10 MR. HANLON: Objection; speculation, hearsay, vague and
11 ambiguous, leading. I'm sure I missed one.

12 MR. NORTON: It's leading into something that was said
13 about this individual that this will clarify why it was
14 done. Her description of that sequence of events is why
15 certain actions and certain things were said.

16 MR. HANLON: He hasn't framed the question properly,
17 Judge.

18 THE COURT: That's going to be sustained. You got to
19 rephrase your question, Mr. Norton.

20 MR. NORTON: I think I asked her to describe the
21 situation that night in her own words.

22 MR. HANLON: Objection, Judge; vague and ambiguous.
23 Describe what night, when? There is 365 days in a year.

24 THE COURT: Yeah, what are you talking about?

1 MR. HANLON: What year?

2 MR. NORTON: Two months ago -- approximately two months
3 ago, Friday afternoon, 5:30. I cannot remember the precise
4 date and time.

5 THE COURT: Okay. Does that have something to do with
6 this?

7 MR. NORTON: Yes, your Honor.

8 THE COURT: Where?

9 MR. NORTON: When it was brought up -- when Counsel
10 brought up --

11 THE COURT: My question to you is the incident from two
12 months ago, where was everyone when this happened? Where
13 was this witness when this happened?

14 MR. NORTON: In the township hall.

15 THE COURT: Okay. Was this during some kind of
16 meeting?

17 MR. NORTON: No, your Honor.

18 THE COURT: Okay. Go ahead. Ask your next question.
19 You want her to tell what happened on a random Friday two
20 months ago with Mike Esposito or Mick Esposito.

21 MR. NORTON: The next question --

22 MR. HANLON: Judge, he can't frame -- satisfy an
23 objection by what he might ask next.

24 THE COURT: Right. Right. The objection is sustained,

1 sir. Rephrase your question. Ask her a question.

2 BY MR. NORTON:

3 Q When I was with you in the township hall, did Mick
4 Esposito enter the building at 5:30 on a Friday evening?

5 MR. HANLON: Judge, I am going to have to object on the
6 basis of leading again.

7 THE COURT: It's preliminary. I will allow some
8 leading questions on preliminary matters. That objection is
9 overruled.

10 THE WITNESS: Please ask the question again.

11 THE COURT: No. Listen. Apparently on some Friday
12 around 5:30 while you and your father -- he is your father,
13 right? You are at the township hall. Somebody named Mick
14 Esposito came into the township hall, right?

15 THE WITNESS: Uh-huh.

16 THE COURT: And why is that noteworthy?

17 MR. NORTON: I will bring that up right now with this
18 question.

19 THE COURT: No, I just asked it. What happened? Just
20 tell me what happened.

21 THE WITNESS: We were in the file room because dad
22 was -- well, Mr. Norton, sorry, was helping me bring in a
23 huge box because I can't lift heavy things and all of a
24 sudden he decided he was going to come in the township hall

1 with a camera in our face and take video, and he is a big
2 guy, so, of course, I was scared as ever. So my father
3 decided to try and divert his attention from me to him, and
4 he called him a pedophile and he continued to keep going and
5 I asked him to leave numerous times and he refused.

6 MR. HANLON: I have no idea now, Judge.

7 THE COURT: Hold on a second. You are saying that Mick
8 Esposito came into the township hall with a camera or some
9 kind of video equipment, phone, whatever, and recorded the
10 both of you or you specifically, your father diverted his
11 attention, at which point in time when he began to record
12 your father, your father called Mick Esposito a pedophile.

13 THE WITNESS: Yes.

14 THE COURT: Okay. Ask your next question.

15 BY MR. NORTON:

16 Q When you seen him come in, were you in fear of
17 him?

18 A Yes.

19 THE COURT: She's already testified she was. He is a
20 big guy. I got it.

21 BY MR. NORTON:

22 Q Was I aware of that at the time? Did I indicate
23 to you I knew you were scared?

24 MR. HANLON: Objection; leading. He can't testify for

1 her, Judge.

2 THE COURT: You can't.

3 MR. NORTON: I'm sorry.

4 THE COURT: Sustained.

5 MR. NORTON: I will withdraw the question.

6 THE COURT: Sir, the incident speaks for itself. You
7 know your daughter. You can tell if she is scared of
8 somebody or not. I don't know how relevant that is, if at
9 all, but ask your next question.

10 BY MR. NORTON:

11 Q Did I divert his attention away from you?

12 THE COURT: You have already established that incident.

13 BY MR. NORTON:

14 Q Did I call him a pedophile in that attempt to
15 divert his attention?

16 THE COURT: We've already got that. Asked and
17 answered.

18 MR. HANLON: Judge, if he wants to make a judicial
19 admission that he called Mr. Esposito --

20 THE COURT: We are already past that. Ask your next
21 question.

22 BY MR. NORTON:

23 Q Did harm come to you during that encounter?

24 THE COURT: Did what?

1 MR. NORTON: Harm come to her during that encounter.

2 MR. HANLON: Objection to relevance, Judge. I don't
3 even know that the Respondent was present.

4 MR. NORTON: I'm trying to figure out how to ask that
5 without getting an objection.

6 THE COURT: Just ask your next question, okay?

7 BY MR. NORTON:

8 Q Did you ever at any time indicate to defendant
9 Brzana to stop using pictures of you and your child?

10 A Yes, many times.

11 Q Can you name a specific type, a way you told her?

12 A I had a cop tell her because I had a cop come to
13 the hall.

14 MR. HANLON: Objection; hearsay, move to strike.

15 THE COURT: I have a question. It's beyond that, sir.
16 This witness is not a potentially protected person, correct?

17 MR. NORTON: At this time, no, your Honor.

18 THE COURT: Well, at any time no. This is your
19 petition. You understand you can't file a petition on
20 someone else's behalf.

21 MR. NORTON: I understand, your Honor. I see the point
22 you are making. Yes, your Honor.

23 THE COURT: Right. So how is this relevant?

24 MR. NORTON: I am trying to establish the fact that --

1 and I have said numerous times in this Court that numerous
2 attempts to evoke a response from me failed. The defendant
3 has used other means of whether through FOIA's, through
4 intimidation of family and friends in order to evoke a
5 response to me. And to shorten it down, because I failed to
6 respond to her and failed to do anything, that her
7 frustration overrode herself and she committed an act of
8 battery on October 9th at 21:30 p.m. which resulted in her
9 arrest. And, your Honor, I have brought this up earlier.

10 MR. HANLON: Your Honor --

11 THE COURT: I know. We are in closing argument mode
12 right now. You are arguing now.

13 MR. NORTON: I was just explaining. I'm sorry, your
14 Honor.

15 THE COURT: All right. I got it. She told her not to
16 do it, she did it, move on.

17 BY MR. NORTON:

18 Q One more thing. Do I own a cell phone?

19 A No, you do not.

20 Q Do I borrow one on occasion?

21 A Yes, he does.

22 Q Whose name is on the account?

23 A My grandfather's.

24 Q Who is your grandfather?

1 A Donald Norton.

2 Q What is his relation to me?

3 A Your dad.

4 Q Do I -- have I ever told -- I am not going to ask
5 that.

6 MR. HANLON: Judge, this line of questioning has gone
7 well beyond anything that is just latitude to a party.

8 MR. NORTON: Your Honor, he brought this up earlier.

9 MR. HANLON: I am speaking, your Honor. I am
10 addressing the Court. I am not addressing Mr. Norton. And
11 if he has a question that's relevant to these proceedings, I
12 hope that he can ask it as opposed to getting into family
13 lineage.

14 THE COURT: It's an inartful way of what he is trying
15 to do. He is trying to establish that that's his dad's cell
16 phone and that he used it from time to time which we have
17 already established, by the way, several times. Go on, sir.

18 BY MR. NORTON:

19 Q Who has the Internet connection in the house that
20 you and I share?

21 A Grandpa.

22 Q It's the same one who owns the telephones?

23 A Yes, grandpa does. Sorry. Donald Norton. My
24 bad.

1 Q Are there multiple people have access to that
2 computer systems -- computer network -- network of computer
3 systems?

4 A Yes.

5 Q Is the wireless router unsecured?

6 A Yes.

7 Q So somebody -- through what technical knowledge
8 you have, can somebody from outside that house actually use
9 that router and that IP address?

10 A Yes.

11 MR. HANLON: Objection, Judge. Calls for --

12 THE COURT: Objection sustained. Got it.

13 MR. NORTON: Your Honor --

14 THE COURT: Just save it for your argument, Mr. Norton,
15 okay?

16 MR. NORTON: Okay.

17 THE COURT: Thank you.

18 MR. NORTON: I can't bring that one up, your Honor,
19 because you told me that was freedom of speech. No further
20 questions at this time, your Honor.

21 THE COURT: Cross?

22 CROSS EXAMINATION

23 BY MR. HANLON:

24 Q Miss Norton, you were asked about photographs of

1 your children. Do you have a close relationship with your
2 children?

3 A Yes.

4 Q Okay. Is that why the State of Connecticut
5 removed two of your children from your care?

6 MR. NORTON: Objection; relevance, your Honor.

7 THE COURT: Yeah, that objection is going to be
8 sustained.

9 BY MR. HANLON:

10 Q You were involved in a -- strike that. You know,
11 Judge, I am going to speed this up and I am not going to ask
12 any more questions.

13 THE COURT: All right. Thank you, ma'am.

14 (Witness excused.)

15 THE COURT: Do you have any more witnesses?

16 MR. NORTON: No, your Honor.

17 THE COURT: You have no witnesses to present?

18 MR. NORTON: No other witnesses at this time. No, none
19 at all. None at all. I chose not to bring in the second
20 one due to there might be a conflict of interest.

21 THE COURT: Okay. So you're resting.

22 MR. NORTON: Yes, your Honor.

23 THE COURT: All right. Show the Petitioner rests.

24 MR. HANLON: Judge, at this time I would like to move

1 for a directed verdict on the basis that he failed to
2 establish the elements that are necessary to obtain the
3 order. He has not been able to establish that the purported
4 text message came from my client. It requires that we have
5 more than one incident and/or occurrence. Frankly, I think
6 that the Court can be clear about the credibility of
7 Mr. Norton by this point in time in his testimony based upon
8 the cross examination and that the Respondent is entitled to
9 entry of an order denying the petition.

10 THE COURT: Mr. Norton, argument. He is basically
11 making an argument saying you didn't prove your case.

12 MR. NORTON: My argument is, and he has admitted --
13 Counsel has admitted that he is a seasoned attorney.

14 MR. HANLON: Objection, Judge. I didn't admit to
15 anything.

16 MR. NORTON: Yes, he did, your Honor.

17 THE COURT: Go on. You have to choose your words
18 carefully, okay?

19 MR. NORTON: I understand, your Honor.

20 THE COURT: I have to treat you as an attorney. The
21 word admission has legal significance. He is not -- I think
22 I called him a skilled attorney, okay? But he has not been
23 placed under oath. He is not a witness, nor will this Court
24 allow him to be a witness and, therefore, he has not

1 admitted anything. So whatever statements he made during
2 the course of the hearing he did so as an advocate for his
3 client. It's not evidence that this Court can consider. Do
4 you understand that distinction?

5 MR. NORTON: Yes, your Honor.

6 THE COURT: Okay. So make your argument. He is saying
7 you didn't prove your case. Tell me how you proved your
8 case.

9 MR. NORTON: Due to I am not a qualified attorney --

10 MR. HANLON: Objection, Judge.

11 THE COURT: No, that objection is overruled. Let him
12 talk. Go ahead.

13 MR. NORTON: -- and that I do lack the skill set to
14 come in here and effectively present a case to the norms
15 that you are accustomed to, your Honor, that's why I might
16 seem erratic. I am not trained as an attorney and not
17 something I do on a daily basis. And what I had tried to do
18 throughout this whole case was establish a pattern of
19 behavior starting from back in the end of 2014 all the way
20 up to present on the behalf of the defendant that was geared
21 towards me either directly, indirectly or by proxy, that
22 this started way back then because of an objection -- her
23 objection over something I did at first as an elected
24 official and then afterwards when I was no longer an elected

1 official, by attending meetings, her objection of me even
2 being present in the township hall or any affiliation with
3 this, that she's used herself and other proxies in order to
4 intimidate and harass to keep me away from that by having
5 somebody else send a text message, no established email,
6 Facebook.

7 And by the law, your Honor, it falls in the same
8 category as emails. It's electronic communications,
9 including Yahoo messenger, (inaudible) messenger, ICQ.
10 These are old school that are actually a form of email.
11 They are electronic communications. It falls under that
12 same umbrella. And I've tried to establish the pattern of
13 behavior that when she couldn't do it, she got others --
14 else to do this.

15 MR. HANLON: Objection; assumes facts not in evidence.

16 MR. NORTON: And he said that so I can't say I didn't
17 catch it, your Honor.

18 THE COURT: Counsel, I am going to let him talk.

19 MR. HANLON: Sure.

20 THE COURT: Your objection is noted.

21 MR. HANLON: I just want to make sure for the record.

22 THE COURT: I got it. Go ahead.

23 MR. NORTON: That even though I have stated numerous
24 times in this court, your Honor, I made beyond reasonable

1 attempt to ignore and not allow the defendant to take any --
2 to invoke a response from me by just ignoring her. And once
3 I noticed a pattern, and I have, your Honor, and I stated
4 this, I had experience with this type of people before over
5 the years of dealing with Internet technologies and that,
6 that I have determined some -- a small percentage of the
7 population, the more that you ignore them, the madder they
8 get.

9 And I have run into this not only in this country,
10 but in several other countries I used to live in. That's
11 why I was married to an Irish citizen, your Honor. The U.S.
12 State Department can verify my presence outside of the
13 country on numerous occasions.

14 MR. HANLON: Assumes facts not in evidence.

15 MR. NORTON: And the Department of Defense. It's
16 leading into -- I was explaining. I have seen this pattern
17 of behavior on numerous occasions, not specifically at me,
18 but in other situations that I had determined that in an
19 attempt, especially on the night of October 9th, I stated in
20 my statement I ignored her. And using that and all these
21 witnesses she brought in, and that's why I mentioned to you
22 earlier, your Honor, when I said that my witnesses came to
23 me and said -- because they kept trying to move away from
24 her witnesses and they told me they were worried about this.

1 In fact, I informed your bailiff, came in and
2 informed you, because this is a pattern of behavior that
3 this defendant utilizes for harassment and intimidation.
4 And, your Honor, that was the one question I did forget to
5 ask my witness was it was because of --

6 MR. HANLON: Objection, Judge. He can't argue about
7 something he didn't ask.

8 THE COURT: Yeah, you can't say --

9 MR. NORTON: I know.

10 THE COURT: We are past that point anyway. That
11 objection is sustained.

12 MR. NORTON: Withdraw that one, your Honor.

13 THE COURT: Thank you.

14 MR. NORTON: That due to this individual and her group
15 that the township had to incur the cost of a security
16 system.

17 MR. HANLON: Objection, facts not in evidence.

18 THE COURT: That's not in evidence. That's stricken.

19 MR. NORTON: The still photos from that wasn't
20 introduced into evidence?

21 THE COURT: No, the fact that there are security
22 cameras and the photos from October 9th, that's in evidence.

23 MR. NORTON: Okay.

24 THE COURT: The fact as to why those cameras were

1 installed, that's not in evidence and I am not going to
2 consider it.

3 MR. NORTON: Now I get it. My apologies. Sorry, your
4 Honor. That's why I said I alluded to it earlier. I am not
5 a skilled attorney. I am not used to doing this on a daily
6 basis. To apologize for my erratic behavior. I don't know
7 what I am doing here. I am kind of winging this and taking
8 clues from previous cases I have seen you handle, your
9 Honor, and some of the things I have learned from this
10 attorney.

11 MR. HANLON: Judge, I am going to have to ask, if he
12 has an argument that he has to make, can we hear that
13 argument?

14 THE COURT: Mr. Norton, do you have anything more you
15 wish to tell me that pertains to this Court's decision as to
16 whether or not I am going to grant Counsel's motion for
17 directed finding? Essentially saying that because you
18 haven't proven your case, then he doesn't have to present
19 any evidence. That's what he is asking for. So do you have
20 any more argument to present?

21 MR. NORTON: Actually, yes, your Honor. I have a
22 question for the Court.

23 MR. HANLON: Objection. He is looking for advisory --

24 MR. NORTON: Procedural, your Honor. Procedural.

1 MR. HANLON: He is asking for advisory opinion, Judge.

2 THE COURT: It's argument, sir.

3 MR. NORTON: Did you not say in a previous case that
4 involved an arrest of one individual with the other that the
5 police informed the arresting person --

6 MR. HANLON: Objection. There is no person in court.

7 MR. NORTON: -- that that person was to have no contact
8 with the person who was making the request for an order of
9 protection here earlier today, your Honor? Because it was
10 linked to a previous arrest.

11 THE COURT: Mr. Norton, and, Counsel, I appreciate you
12 looking out for this Court. I really do. I am not trying
13 to short you at all, but I got a pretty thick skin, and I
14 answer all these questions all day long. Here is the case,
15 Mr. Norton. Every case is different, every situation is
16 different, okay? What police tell people on the street and
17 what happens in this courtroom are two separate things,
18 okay? If there is some kind of criminal case and somebody
19 posts bond, nine times out of ten or 99 times out of a
20 hundred there are no contact portions as part of that order.

21 Those are completely separate from these
22 proceedings, which this is a civil proceeding, okay? Even
23 though there may be a criminal case on this track and a
24 civil case on this track and they go side by side, they are

1 two separate things, okay?

2 MR. NORTON: Yes, your Honor.

3 THE COURT: All right. Does that answer your question?

4 MR. NORTON: Yes, your Honor.

5 THE COURT: Okay. Good. That's what I thought. I see
6 where you are going.

7 MR. NORTON: I was trying to figure out even if I did
8 not get it here today, would the one based on what you had
9 said in the earlier case from the police --

10 THE COURT: You have nothing else to add, right?

11 MR. NORTON: No. That's it, your Honor.

12 THE COURT: Okay. Here we go. Here is my ruling. Now
13 I am going to talk, so when I talk, nobody else talks.

14 MR. NORTON: All right.

15 THE COURT: No offense to anybody in the room. All
16 right. I am going to make a couple observations before I
17 start. And I am human, so forgive me, but this is not my
18 first rodeo with the Wesley Township meetings, okay? I do
19 recall that I believe Miss Brzana here appeared in front of
20 this Court and I denied her request to have an order issued
21 against you.

22 MR. NORTON: Yes, your Honor.

23 THE COURT: As you recall, okay? And, Mr. Norton, here
24 is the situation. There seems to be a lot going on here,

1 and I do not want my ruling to deter anybody from going into
2 kind of an open meeting or to speak freely or to be heard,
3 because I think that's important in the political process,
4 that citizens have a right to be heard within reason, okay?
5 As a personal note, Mr. Norton, you can't call somebody a
6 whore, whether you preface it with attention in front of it
7 or not and not expect them to get angry, okay?

8 MR. NORTON: Yes, your Honor.

9 THE COURT: This is kind of common sense. A little not
10 legal advice to you, but practical advice. That's not
11 conducting yourself as a good citizen in a public meeting.
12 And, quite frankly, it's not appropriate, okay?

13 MR. NORTON: Yes, your Honor.

14 THE COURT: It's not. That's thing number one. As far
15 as your appropriateness here, while you have been somewhat
16 long-winded and I will use that phrase kindly, while you
17 have been somewhat long-winded, you've comported yourself
18 appropriately in this courtroom, and I understand that you
19 don't have too much formal training in the legal profession,
20 but you've got a pretty good handle as to working knowledge
21 as to how this courtroom works. And I am not going to hold
22 your lack of a license to practice law against you in any
23 way, shape or form, okay?

24 But here is the situation, Mr. Norton. We have an

1 incident here that happened on October 9th, all right, that
2 you have alleged in your petition. Some kind of battery may
3 or may not have occurred, okay? And I am going to give you
4 that one, all right, as far as my ruling goes, okay?

5 However, in order to establish that the Respondent has
6 engaged in stalking, harassing, threatening course of
7 conduct, if you will, course of conduct also has a legal
8 definition, and that definition is two or more acts, okay?

9 These FOIA requests, they don't involve you. You
10 are not the person answering them or anything like that, all
11 right? Quite frankly, and if you were a public official,
12 people can FOIA records away. The second act is a text
13 message. You haven't quite tied that one up, even in the
14 light most favorable to you, even though I have an
15 indication that it maybe came from the Respondent here,
16 maybe is not enough, okay? You got to establish that by a
17 preponderance of the evidence, and you haven't quite done
18 that, all right?

19 MR. NORTON: Yes.

20 THE COURT: So I have no choice but to deny your
21 petition and grant Counsel's request for a directed finding
22 at the close of your case, okay?

23 MR. NORTON: Yes, your Honor.

24 THE COURT: There may or may not be some other case

1 coming down the pike regarding the incident on October 9th,
2 but let the legal system work its magic, okay? I wish you
3 both the best of luck separately. This petition is
4 dismissed.

5 MR. NORTON: Thank you, your Honor.

6 MR. HANLON: Thank you, your Honor. It's unlikely that
7 I will see you again, so I would just like to express my
8 appreciation for the judiciousness of the Court.

9 THE COURT: Thank you so much, Counsel. Take care of
10 yourself, okay? And don't take this the wrong way. I hope
11 I see none of you back in front of me, okay? I mean that in
12 the best way possible because that means everyone is acting
13 accordingly.

14 MR. NORTON: I just wanted to thank you for your
15 patience, and I apologize for my behavior today, your Honor.

16 THE COURT: No apology necessary, sir.

17 MR. NORTON: Thank you, your Honor.

18 THE COURT: Take care.

19 (AND THOSE WERE ALL THE PROCEEDINGS HAD.)
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