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STATE OF ILLINOIS)
)
COUNTY OF McHENRY)

IN THE TWENTY-SECOND JUDICIAL CIRCUIT
McHENRY COUNTY, ILLINOIS

ANDREW GASSER,
Plaintiff,

vs.

KAREN LUKASIK, INDIVIDUALLY AND
IN HER CAPACITY AS ALGONQUIN
TOWNSHIP CLERK; ANNA MAY
MILLER; AND ROBERT MILLER,
Defendants.

KAREN LUKASIK, INDIVIDUALLY AND
IN HER CAPACITY AS ALGONQUIN
TOWNSHIP CLERK; ANNA MAY
MILLER; AND ROBERT MILLER,
Defendants/Counter-Plaintiffs,

vs.

ANDREW GASSER,
Plaintiff/Counter-Defendant,
KAREN LUKASIK, INDIVIDUALLY AND
IN HER CAPACITY AS ALGONQUIN
TOWNSHIP CLERK,
Defendant/Third Party
Plaintiff,

vs.

CHARLES LUTZOW,
Third-Party Defendant.

No. 17 CH 435

ELECTRONICALLY RECORDED REPORT OF
PROCEEDINGS had in the above-entitled cause before
the Honorable MICHAEL CALDWELL, Judge of said Court
of McHenry County, Illinois, on the 8th day of June,
2017, at the McHenry County Government Center,
Woodstock, Illinois.

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APPEARANCES:

MR. ROBERT HANLON,
On behalf of the Plaintiff,

ZUKOWSKI, ROGERS FLOOD & McARDLE, by
MR. DAVID McARDLE &
MR. R. MARK GUMMERSON,
On behalf of Karen Lukasik,

THE GOOCH FIRM, by
MR. THOMAS GOOCH,
On behalf of Robert Miller,

MATUSZEWICH & KELLY, by
MR. JAMES P. KELLY,
On behalf of Algonquin Township and
Charles Lutzow.

ALSO PRESENT:

MS. JAMIE WOMBACHER.

1 THE COURT: This is 17 CF 435, Gasser versus
2 Karen Lukasik.

3 MR. HANLON: That is correct, your Honor.

4 THE COURT: May I have the appearances of
5 counsel, for the record, name and party?

6 MR. HANLON: Judge, Robert Hanlon on behalf of
7 the plaintiff, Andrew Gasser.

8 MR. GUMMERSON: Mark Gummerson on behalf of
9 Karen Lukasik.

10 MR. KELLY: James Kelly on behalf of Algonquin
11 Township and Charles Lutzow in his official capacity
12 as supervisor.

13 MR. McARDLE: And Dave McArdle on behalf of
14 Karen Lukasik as well who is the --

15 THE COURT: Are there any preliminary motions?

16 MR. McARDLE: Yes, Judge. Karen Lukasik, the
17 defendant in the original case is now file -- has
18 filed this morning a counter-claim and a third-party
19 claim. The counter-claim, of course, is against the
20 plaintiff and the co-defendant in the original case,
21 and then the third-party complaint is against Jim
22 Kelly's client, Charles Lutzow in his official
23 capacity, the supervisor.

24 THE COURT: All right.

1 MR. McARDLE: And that's our motion. You want
2 me to go into it?

3 THE COURT: Pardon me?

4 MR. McARDLE: Do you want me to explain the
5 motion?

6 THE COURT: What I was asking for is there any
7 preliminary motions before we get into the substance
8 of the --

9 MR. HANLON: Well, Judge, I received an email
10 communication this morning. Opposing counsel
11 intended to file a motion today for a hearing today
12 at 1:15 p.m. seeking a temporary restraining order.
13 They had indicated to me that they would send it to
14 me in the -- later in the morning, a copy of the
15 motion.

16 I did not receive the motion. I asked
17 opposing counsel before stepping up here today for a
18 copy of the motion, and he showed me his proposed
19 order as opposed to the actual motion. My learned
20 colleague standing to my right, Mr. Kelly, was kind
21 enough to allow me to look at the copy that he had
22 received. And apparently, they did send an email to
23 my office, I just didn't receive it yet. Maybe I
24 had left by the time it came.

1 But in any event, they are seeking relief
2 on an emergency basis, and I know of no emergency
3 here that is articulated, and it's because of that,
4 I would object to the Court hearing the substance of
5 the motion at this point in time and to allow me
6 time to file a written response. And I'm also
7 willing to maintain a status quo until I can file a
8 written response, your Honor.

9 THE COURT: Any response?

10 MR. McARDLE: Yes, I have -- actually, I have
11 two copies of the motion. I thought the Court would
12 need one. So I have those. I can make those
13 available.

14 THE COURT: I have my own.

15 MR. McARDLE: Pardon?

16 THE COURT: I have a copy.

17 MR. McARDLE: Okay. So --

18 MR. HANLON: So for the record, I'm receiving
19 this now in court, Judge.

20 THE COURT: All right.

21 MR. McARDLE: I sent Mr. Hanlon two copies this
22 morning along with Mr. Gooch who just walked in.

23 MR. GOOCH: I walked in because I was told you'd
24 be in front of Judge Chmiel's courtroom --

1 THE COURT: I'm sorry?

2 MR. GOOCH: -- at 1:15 where it was. Nobody
3 told me that it was now here.

4 MR. McARDLE: So --

5 THE COURT: Judge Chmiel recused himself.

6 MR. GOOCH: I'm sorry, your Honor?

7 THE COURT: Judge Chmiel recused himself.

8 MR. GOOCH: I thought as much.

9 THE COURT: For obvious reasons.

10 MR. GOOCH: No one told me that. So I'm here.

11 THE COURT: Okay. Who do you represent?

12 MR. GOOCH: I haven't seen pleadings or anything
13 else.

14 MR. McARDLE: So here -- so the bottom line in
15 this motion --

16 MR. GUMMERSON: He represents Robert Miller, in
17 answer to the Court's question.

18 THE COURT: Thank you.

19 MR. McARDLE: So the only party unrepresented
20 here is Anna Miller who I believe Jamie Wombacher is
21 on her way. She should be approaching soon.

22 THE COURT: She is on her way here?

23 MR. McARDLE: Um-hum.

24 MR. GUMMERSON: I saw her out in the parking

1 lot.

2 MR. KELLY: I saw her in the parking lot also.

3 MR. GUMMERSON: So I assume that's what she was
4 here for.

5 MR. McARDLE: She should be here.

6 THE COURT: All right. We will take a 15-minute
7 break until she gets here.

8 MR. GUMMERSON: And we will see if we can find
9 her.

10 (A short recess was taken.)

11 THE COURT: Who is it that Ms. Wombacher
12 represents? She is here now. Do you represent
13 someone in this case, Ms. Wombacher?

14 MS. WOMBACHER: Potentially, but not yet, Judge.
15 We haven't filed an appearance.

16 THE COURT: All right.

17 MR. McARDLE: Judge, again, David McArdle for
18 Karen Lukasik, party to the case, along with Mark
19 Gummerson.

20 THE COURT: Mr. McArdle, it's your petition.

21 MR. McARDLE: Yes. Judge, so the point of my
22 motion, in essence, is that the original complaint
23 filed by the plaintiff in this case, the highway
24 commissioner, Gasser, Gasser whatever it is, he's

1 complaining that documents are missing from the
2 Township sometime in May 2017 after he took office.
3 Somehow the documents are gone.

4 My motion alleges in Paragraph 7 that on
5 May 5, Karen Lukasik, who is the elected Township
6 clerk, walks into the office, sees the particular --
7 a particular cabinet or cabinets in question that
8 were full of documents. Okay. She next walks into
9 the office on June 1, the relevant time frame,
10 June 1. So two weeks later she walks in, and those
11 cabinets are empty. That's in another paragraph.
12 So they were full on May 5, and they are empty on
13 June 1. And she knows also through a third party,
14 that on May 12 and May 13 --

15 MR. HANLON: Objection, hearsay.

16 THE COURT: Overruled.

17 MR. McARDLE: -- boxes of documents are being
18 removed from the Township, okay. So the question is
19 how do we -- how are we going to prove what happened
20 to those documents?

21 So what my motion seeks is three things,
22 there is a video camera that's outside of the
23 Township. I believe it's in control of the highway
24 commissioner. That has a hard drive on it that

1 keeps recordings. I would like to get possession of
2 that hard drive and freeze it by way of duplicating
3 it. That's the video camera.

4 The second aspect of this is the photocopy
5 machine. There is allegations by the plaintiff that
6 photocopies of certain documents were -- you know,
7 all of a sudden appeared on his desk on a certain
8 day in May, I believe, of 2017.

9 We want to see what was photocopied in May
10 of 2017, and so there is a hard drive in the
11 photocopier. I'd like a duplication of that as well
12 just so see what's there and see if it's relevant to
13 what's going on in May of this year, just May.
14 That's No. 2. The photocopier.

15 The third aspect of this is when Mr. Lutzow
16 the supervisor -- no, did I get that right?

17 MR. KELLY: Yeah.

18 MR. McARDLE: The supervisor came into office as
19 well, he bought a scanner, a freestanding scanner
20 that you scan documents into. That has evidence in
21 it as well on its hard drive, and I would like a
22 duplicate of that hard drive, the scanner.

23 So the video camera, the photocopier and
24 the scanning computer hardware I'd like copies of,

1 which is very simple to do, frozen in place just for
2 the month of May, and that's it.

3 Now, to accomplish that, I think the most
4 realistic thing for the Court to do is to appoint a
5 lawyer. I'm suggesting Gottemoller because I've
6 used him as a receiver before in other cases, and
7 have him go out and hire an independent person to --
8 who knows how to do these things to get it done.
9 And Karen Lukasik will pay that charge, you know,
10 hopefully to be reimbursed by the Township, and then
11 everybody -- everybody will be served by freezing
12 the evidence.

13 And that's all I'm looking for. I'm not
14 looking to do anything with it. I just want it
15 frozen, and I'm suggesting an independent expert do
16 it and do it quickly. That's all.

17 THE COURT: Any responses?

18 MR. HANLON: Yes, Judge.

19 THE COURT: Mr. Hanlon?

20 MR. HANLON: I'm sorry. Robert Hanlon on behalf
21 of Andrew Gasser, highway commissioner.

22 Judge, we believe that preservation of
23 records is of paramount importance with respect to
24 this case, especially in light of the package which

1 Mr. Gasser had received on the 30th of May. The
2 package certainly contains information that suggests
3 that there's been misconduct in the Township
4 offices.

5 So I believe that it's in the best
6 interests of everyone to preserve all Township
7 records and not just these particular records that
8 they seek to -- I have no problem with
9 Mr. Gottemoller. He's a competent attorney, is an
10 ethical man.

11 But I would disclose to opposing counsel
12 that for a period of time, I worked with Joe and his
13 office, and he may not be aware of that or may not
14 simply have remembered it. Nevertheless, it was a
15 long time ago, and if the Court's so inclined to
16 grant their motion with respect to the hiring of a
17 computer or technical person, we just simply object
18 to the Ace Security Service Works that had
19 previously conducted work because when Mr. Gasser
20 had taken office, he refused to provide passwords
21 and respond to their lawful requests of the Township
22 Highway Department.

23 And so as it relates to that issue, and
24 I'm -- I think that in fairness to the plaintiff,

1 here with the short notice here -- you know, we are
2 here talking about -- issuing a TR0, I had indicated
3 to my opposing counsel that I was waiting for their
4 respective appearances so that I can file our own
5 respective, you know, TR0 for the preservation of
6 records. It wasn't contained within the complaint
7 that I had filed, and I think that it's appropriate
8 that, you know, all parties to this cause of action
9 preserve records.

10 Obviously, since the issues that are set
11 forth within the body of the complaint and things
12 that (indiscernible) are subject to the same
13 spoliation issues that would affect the -- you know,
14 a party to this action. I don't think anyone, you
15 know, has any right to, you know, dispose of any
16 record that's associated with the Township, however
17 it's possessed and/or held.

18 The -- so my response to this is that if we
19 are going to have a TR0 issue, it should be issued
20 against everyone, that everybody should maintain
21 their respective records. I think it's important to
22 quote Chapter 60 ILCS 155-5. It says that it is the
23 duty of every person going out of office, whenever
24 required under Section 55-45 or 55-50 to deliver up,

1 on oath, the records, books and papers in his or her
2 possession or in his or her control belonging to
3 that office.

4 The local records act also provides that
5 all public records made or received by or under the
6 authority of or coming into the custody, control or
7 possession of any office or agency shall not be
8 mutilated, destroyed, transferred, removed, or
9 otherwise damaged or disposed of in whole or in part
10 except as provided by law. And then there -- the
11 Act continues to define what constitutes a public
12 record. And it includes any digitized electronic
13 material, regardless of its physical form
14 characteristics made, produced, executed or received
15 by the agency or the officer, you know, pursuant to
16 law.

17 So the issue of what we are all here
18 complaining about is we all want to preserve
19 records, Judge. And I think that it's appropriate
20 given the nature of the statute and the fact that
21 contained within this package there is, you know,
22 purchases of purses, trips to Disneyland, things of
23 that nature, that every record should be reserved.

24 THE COURT: How long ago did you work with

1 Gottemoller?

2 MR. HANLON: Probably ten years ago, maybe eight
3 years ago.

4 THE COURT: It's a matter of no importance.
5 Anybody else want to chime in?

6 MR. GOOCH: Yeah.

7 THE COURT: Mr. Gooch?

8 MR. GOOCH: Thank you, Judge. The keeper of the
9 records of the Township, both the Township and the
10 Road District is the Township clerk. She serves
11 also as the Township Road District clerk. The
12 highway commissioner is charged with not maintaining
13 any records. It's strictly the clerk and, of
14 course, when they are transferred to the board for
15 approval and audit at the monthly meeting, they
16 become the property of the Township, in general.
17 Still maintained by the Township clerk.

18 I don't know where this Disneyland period
19 came from -- business came from, but there is no
20 allegation about Disneyland in any pleading. There
21 are no allegations other than conclusions against my
22 client. My clients are private citizens. They left
23 the Township on May 12. They took no records with
24 them. Anything that they had is at the Township.

1 Do I as -- speaking for a private citizen,
2 do I think it's a good idea to preserve those video
3 records? Yeah, I think it's real interesting. As
4 far as this package that came in the mail, mailed
5 from the Township to the Township, I suspect there
6 is going to be a story on that before much longer.

7 So I don't have a problem with the language
8 of the order, but I do have a problem where it says
9 all persons. My client should be restrained from
10 doing nothing because my client has nothing until a
11 complaint is on file that specifically charges my
12 client with taking a record that he has no business
13 having and maintaining it. There is no such
14 allegation.

15 So the language where it says all persons
16 in the proposed order should be limited to Township
17 officers, employees or others having access to the
18 Township buildings. This is now almost 30 days from
19 the date of the last time Mr. Miller was the highway
20 commissioner. He left on May 12.

21 TROs are designed to preserve emergencies.
22 And certainly those videos are an emergency because
23 that will, by operation of the video machine, elapse
24 in 30 days. Everything else is a little stale for a

1 TRO.

2 This business about the documents, I don't
3 know why you would restrain a Township clerk from
4 maintaining the records that she is supposed to
5 maintain without some allegation that she is
6 destroying records. And the only thing that's in
7 the complaint that was filed are conclusionary
8 statements that she indicated in some social media
9 that she was going to destroy records.

10 In fact, there is a procedure that makes it
11 legal to destroy records. She never said she was
12 doing it without following that procedure or
13 anything else. I don't represent the clerk, and I'm
14 not going to speak for her. But I am speaking from
15 my own client who is a private citizen. He has no
16 records and there is no allegation in a complaint
17 that he look any records. Nor is there an
18 allegation that he was charged with maintaining
19 those records.

20 And in fact, the Court can take notice of
21 the law, as I'm sure the Court learned from the
22 Grafton Township disaster, that the Township clerk
23 is the custodian of all records, both of the Road
24 District and the Township.

1 THE COURT: Anybody else?

2 MR. HANLON: Yes, Judge, I'd like to respond to
3 Mr. Gooch's comments.

4 He's indicated that his client is not in
5 possession of any records. I believe that is a
6 misstatement of fact to the Court. Mr. Miller
7 utilized an email address called bobmiller@mc.net
8 during his tenure as a -- as the highway
9 commissioner.

10 Not a single email was left. I articulated
11 within the body of the original complaint that these
12 emails are not present. The reason that they are
13 not present is Mr. Miller chose to keep them in a
14 forum outside of the scope of the computer servers
15 at Algonquin Township.

16 Nevertheless, an important case on this
17 point was the Chicago Tribune versus Rahm Emanuel
18 and the City of Chicago. In that case, the City of
19 Chicago had held and posited that those were his
20 private emails. But because he conducted the
21 business of the -- of the City using his private
22 email account, his private email account then became
23 a public record.

24 And so despite the fact that Mr. Gooch has

1 articulated that there is not -- they are not in
2 possession of any records, they have not tendered
3 any of their private email records or the email
4 records from the bobmiller@mc.net. There was one
5 email that recently came into the possession of
6 Mr. Gasser, and that email shows that Mr. --

7 MR. GOOCH: If we are going to quote from a
8 document, maybe we can all see the document?

9 MR. HANLON: Sure.

10 THE COURT: Well, the point is, he's going well
11 beyond the scope of what's before me for a temporary
12 restraining order in the first place. More
13 appropriate in a hearing for a preliminary
14 injunction.

15 MR. HANLON: Yes, Judge. I guess my point is is
16 that if we are going to restrain one party in this
17 arena, we should restrain everyone in this arena
18 that's present before the Court.

19 MR. GOOCH: Except for, Judge, there have to be
20 some allegations to support that. And there is
21 nothing in here but -- I mean, the conclusion is
22 Miller used a private email account to conduct the
23 business. It's his private email. I mean --

24 MR. HANLON: But to conduct the business of

1 the --

2 MR. GOOCH: Excuse me. Excuse me. I won't
3 interrupt Mr. Hanford --

4 MR. HANLON: I'm sorry.

5 MR. GOOCH: -- if he won't -- Hanlon if he won't
6 interrupt me, Judge. That's fair.

7 The allegations are lacking. I mean, first
8 off, it's -- at this late date, almost a month
9 later, it's a little late to be issuing restraining
10 orders for anything except that video and the mirror
11 drives that they are speaking of because those do
12 contain old records.

13 Assuming arguendo that Mr. Miller did have
14 some records, if he was going to destroy them,
15 they'd be long gone. You'd come in immediately on
16 something like this, but you come in based on a
17 complaint with factual allegations, not conclusions
18 that support that type of relief. Entering
19 restraining orders against people is serious
20 business and not to be taken lightly, and it has to
21 be supported with a complaint.

22 MR. HANLON: Judge, may I respond?

23 THE COURT: Mr. Kelly, anything?

24 MR. KELLY: Your Honor, just a couple of very

1 technical issues. I heard Mr. McArdle state he
2 wanted the -- he was talking about scanners and one
3 copier, I think there are multiple copiers. And the
4 draft order that he's prepared says photocopiers,
5 and I think that should be all of the copiers within
6 the Township to include scanners which are a
7 different entity.

8 Secondly, Judge, I'd be asking the Court
9 that we enter a -- as part of this, some type of
10 protective order because at least at this point,
11 there are general assistance forms that are probably
12 copied and scanned on those drives which have a lot
13 of personal information as well as there was a lot
14 of personal information to include Social Security
15 numbers in with employee records which may be on
16 these drives.

17 So I'd just like to ensure that if we do
18 enter an order, that there is a protective order
19 that says these documents can't be circulated other
20 than between the parties.

21 THE COURT: Mr. Gummerson?

22 MR. GUMMERSON: I'm quiet today, Judge. But
23 what it is is the only thing before the Court is a
24 petition motion -- verified motion supported by an

1 affidavit for a TRO. That's all we are asking for.

2 Mr. Hanlon is asking all kinds of things
3 outside the scope. If he wants to file a motion for
4 a TRO, let him do it. But the only thing before the
5 Court today is specifically what Mr. McArdle has
6 articulated as to what we are trying to preserve.
7 And it doesn't do anybody any harm.

8 The other things, you can get into all the
9 side arguments, but the only thing before the Court
10 is what we are asking for on a verified petition for
11 the TRO. The complaint that started this isn't even
12 verified. It's an unverified complaint.

13 THE COURT: Final word, Mr. McArdle?

14 MR. McARDLE: I can't improve on what Mark just
15 did.

16 THE COURT: All right. The TRO will issue as
17 drafted. I believe the allegations in the complaint
18 are sufficient. The issue is important enough that
19 everybody involved in the lawsuit, both past and
20 present, Township road commissioner should be
21 restrained and enjoined from doing anything with
22 any -- any records that they may have in their
23 possession. It may, in fact, turn out that they
24 have none, in which case, there is no harm, there is

1 no fall.

2 MR. GOOCH: Judge, I would ask you to instruct
3 the parties, there are no surprises now in this
4 case. There are no emergencies. Any TROs that
5 should be filed should be filed with appropriate
6 notice pursuant to --

7 THE COURT: There is only one TRO, that's going
8 to be the one I'm signing now. Anything else will
9 be by way of a preliminary injunction.

10 MR. McARDLE: (Indiscernible) add Joe
11 Gottemoller in there.

12 THE COURT: You may. Well, let's do a separate
13 order appointing Gottemoller as the receiver, and
14 add some protective language with regard to the
15 records of the Township being to -- for attorney's
16 eyes only.

17 MR. McARDLE: We will do that.

18 THE COURT: Not to be disclosed to third parties
19 without leave of Court.

20 MR. McARDLE: Thank you.

21 MR. HANLON: Thank you, your Honor.

22 MR. GOOCH: Judge, we also -- Mr. Hanlon told me
23 yesterday he was going to file an amended complaint.
24 Could we provide for that in an order today so we

1 don't have to come back next week on a briefing
2 schedule?

3 THE COURT: You can put it in the order that
4 Mr. McArdle --

5 MR. GOOCH: Separate order?

6 MR. HANLON: Yeah. I'm happy to do that, Judge.
7 I drafted a complaint. I noticed that there was an
8 error in it, so I chose not to file it today. I
9 would have had it on file today.

10 MR. GOOCH: I'm (indiscernible) I just want to
11 do it today rather than --

12 MR. GUMMERSON: One other matter of housekeeping
13 is if the Court would give Mr. Kelly leave to file
14 an appearance on behalf of Mr. Lutzow, then, we
15 don't have to send him a copy of it. But we don't
16 then have to --

17 MR. KELLY: I just filed it a few minutes ago.

18 MR. GUMMERSON: Okay. It will just save
19 everybody from having to have him served.

20 THE COURT: Okay.

21 MR. HANLON: Thank you.

22 MR. GUMMERSON: Thank you, Judge.

23 MR. GOOCH: Thank you. I want to provide -- I'd
24 like time to respond to the amended complaint,

1 Judge. I -- my client was served on Monday or
2 Tuesday, I think. I filed my appearance the next
3 day voluntarily. I'm going on vacation towards the
4 end of this month. I'd like to have through the
5 middle of July to file a response.

6 THE COURT: Don't you have 28 days anyway?

7 MR. GOOCH: I don't know what he's -- if he
8 files it next week, that will be just about right.
9 If he files it tomorrow, it will be a little short,
10 and I'm not coming back until July 5.

11 MR. HANLON: I'm happy with him filing his
12 answer after July 5.

13 THE COURT: 35 days to answer or otherwise
14 plead.

15 MR. GOOCH: Thank you, Judge.

16 THE COURT: We also need to set a preliminary
17 injunction hearing. When do you want to do that?

18 MR. McARDLE: Well, you know what, this is a
19 temporary restraining order with notice. So I --

20 THE COURT: It doesn't expire in ten days.

21 MR. McARDLE: Huh?

22 THE COURT: It does not expire in the ten-day
23 period.

24 MR. McARDLE: It doesn't expire in the ten days,

1 right.

2 THE COURT: We do need to address the issue of a
3 preliminary injunction.

4 MR. McARDLE: Why don't we set it for status
5 then?

6 THE COURT: What's your first --

7 MR. McARDLE: Would that be okay?

8 THE COURT: We can leave it on -- we can leave
9 it here, August 31 is your CMC date.

10 MR. McARDLE: We will notice it up if we need to
11 before then. I'm sure we will. I'm going to have
12 the documents that Joe gets through the expert. We
13 are going to have them returned to the Court, and
14 then we will deal with it when they are -- he will
15 file it with the Court, and then we will decide what
16 to do with it because the --

17 THE COURT: The documents are going to be
18 brought here?

19 MR. McARDLE: Well, he'll physically bring it in
20 on a motion, and then we will just direct him what
21 to do with it as a group. So it remains
22 independent.

23 THE COURT: What kind of volume are we talking
24 about? Does anybody know?

1 MR. McARDLE: It will be three computer disks.
2 It's what to do with them once he has them. I'll
3 tell them to make copies for everybody, and we will
4 order them and distribute one to everybody or
5 something like that.

6 THE COURT: All right.

7 MR. GUMMERSON: Subject to your protective
8 order.

9 MR. McARDLE: Subject to the order, right.

10 THE COURT: Right.

11 (Which were all the proceedings
12 had in the above-entitled cause
13 this date.)

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STATE OF ILLINOIS)
) SS:
COUNTY OF McHENRY)

I, JUDY CARLSON, an official Court Reporter
for the Circuit Court of McHenry County,
Twenty-Second Judicial Circuit of Illinois,
transcribed the electronic recording of the
proceeding in the above-entitled cause to the best
of my ability and based on the quality of the
recording, and I hereby certify the foregoing to be
a true and accurate transcript of said electronic
recording.

Judy A. Carlson
Certified Shorthand Reporter
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