

3. If You cannot answer any of the following Requests for Admission in full after exercising due diligence to secure the information, so state and answer to the extent possible, specifying Your inability to answer the remainder and stating whatever information or knowledge You have concerning the unanswered portions.

4. “Person[s]” means any natural person, firm, corporation, partnership, joint venture, organization, association, group, or legal entity.

5. The term “document” shall be construed in its broadest sense and shall require production of all materials subject to discovery under the Illinois Supreme Court Rules and any applicable local rules. It shall include, but not be limited to, all information retrievable from computer storage, including, but not limited to, electronic mail and electronic files in their native storage format (i.e. “.ppt” for Microsoft PowerPoint), and any printed, typewritten, handwritten, graphic, or recorded matter of any type and description, however and by whomever prepared, recorded, produced, reproduced, disseminated, or made, including, but not limited to, the following: all letters, minutes, notes, telegrams, facsimiles, electronic mail messages, reports, charts, accountant’s statements, bank statements, books of account, ledgers, balance sheets, journals, account statements, lists, analyses, information sheets, financial publications, order forms, business records, personal records, financial statements, memoranda, summaries or records of conversations, tape recordings or transcripts, notebooks, data sheets, work sheets, recommendations, audio and videotape records, photographs and slides, statistics, studies, written agreements, checks, receipts, invoices, bills, and other writings, including computer printouts or information stored in computer memory banks or on any tapes, discs, or other electrical or mechanical forms or devices, and any draft of any of such material the content of which differs in any respect from the original, in the actual or constructive possession, custody or control of Plaintiff.

6. As used herein, the terms “communicate,” “communicated,” “communication,” “communicate with,” or any derivation thereof, shall include any type of communication whatsoever, whether oral or written, including, but not limited to, conversations, discussions, telephone calls, interviews, letters, memoranda, negotiations, agreements, understandings, correspondence, telexes, telegrams or any other exchange of information of any kind, whether oral, written, electronic, or otherwise.

7. “Concerning,” “relating to,” “relate to,” “evidence(s),” or “evidencing” mean pertaining to, referring to, reflecting upon, evidencing, discussing, describing, mentioning, summarizing, or connecting in any way logically or factually to, the matter described in the request.

8. The term “Personal Knowledge” means firsthand information acquired through the five senses, and not information other than firsthand information, deriving from any source.

9. “Statement” means any oral, written, court-reported, recorded or other expression of opinion, and any oral, written, court-reported, recorded, or other description of fact, which pertains to the occurrences alleged in the complaint, or counterclaim, or to the damages claimed to have resulted therefrom.

10. “Identify” and its various verb forms mean the following:

- (a) When used in reference to a natural person, “identify” means stating the individual's full name, and all other names by which he has ever been known, his last known home and business addresses, and his job positions and business affiliations, from the date of the occurrence alleged in the complaint or the counterclaim to the present date;
- (b) When used in reference to a corporation or other entity “identify” means stating the full name of the corporation and the principal place of business, state of incorporation, date of incorporation, and chief executive officer thereof;
- (c) When used in reference to a document or other written communication, “identify” means stating the date of preparation of the document, the date Defendant acquired the document, if applicable, and the author, title (if any), subject matter, nature (*e.g.*, letter, memorandum, telegram, chart, computer

input or printout, photograph, sound reproduction, etc.), place of preparation, present location, and present custodian of the document. “Identify” also means identifying each and every person, other than the author of the document, who participated in the preparation of the document, directed the preparation of the document, or received a copy of the document; stating whether any copy of the document is not identical to the original by reason of markings or modifications not on the original or for any other reason; and stating whether responsive documents no longer within Defendant’s access, possession, or control are missing, lost destroyed, transferred or disposed of otherwise. For each missing, lost, or transferred document and each document disposed of otherwise, Defendant must state the circumstances and reasons pertaining to said disposition. For each destroyed document, Defendant must identify each and every person who destroyed the document or participated in the destruction of the document and state the date or approximate date of destruction;

- (d) When used in reference to an instrumentality, “identify” means providing a photograph of the instrumentality and the date said photograph was taken, listing the date on which the instrumentality was acquired, identifying the person who acquired the instrumentality, identifying the person under whose direction the instrumentality was acquired, identifying each person who has possession of the instrumentality, and identifying each person having knowledge or claiming to have knowledge concerning the instrumentality; and
- (e) When used in reference to a location, “identify” means stating the street address, city, state, suite, and/or room number pertaining to the location, as applicable.

11. If You claim that the attorney-client privilege or any other privilege is applicable to any document, the identification of which is sought by the Request For Admission of Facts, the substance of that document need not be disclosed in Your answers to the Request For Admission of Facts, but You shall with respect to that document:

- (a) State the date of the document;
- (b) Identify each and every author of the document;
- (c) Identify each and every other person who prepared or participated in the preparation of the document;
- (d) Identify each and every person who received the document;
- (e) Identify each and every person from whom the document was received;
- (f) State the present location of the document and all copies thereof;

- (g) Identify each and every person having custody or control of the document and all copies thereof; and
- (h) Provide sufficient further information concerning the document and the circumstances thereof to explain the claim or privilege and to permit the adjudication of the propriety of the claim.

12. In answering these Request For Admission of Facts, Defendant must make a diligent search of their records and of other papers and materials in their possession or within their access and furnish all responsive information therefrom.

13. If a Request has subparts, Defendant must answer each part separately and completely, rather than limit the answer to the Request as a whole. If a Request cannot be answered or denied in full, Defendant must answer to the full extent of their knowledge and information.

14. “And” as well as “or” shall be construed disjunctively or conjunctively as necessary in order to bring within the scope of these request to admit such that all information and/or documents which might otherwise be construed to be outside their scope are within the scope.

18. Reference to the singular shall include the plural and references to the plural shall include the singular.

19. The Requests for Admission of Facts are to be construed as broadly as possible.

20. For the convenience of the Court and the parties, each Request For Admission of Fact should be quoted in full immediately preceding the response.

21. Unless otherwise indicated within the Request For Admission of Facts, the relevant time period shall be from August 1, 1982 to the present.

22. The term “You” shall mean Mary Elizabeth McClellan, (one of the plaintiffs in this case).

SPECIFIC REQUESTS FOR ADMISSION OF FACTS

Pursuant to Illinois Supreme Court Rule 216 Admit the Truth of the Following Facts:

1. The birth certificate attached hereto as Exhibit A is a true and accurate copy of the birth Certificate of Edward Joseph Ershbock.

Admit_____ Deny_____

2. Edward Joseph Ershbock is your biological son.

Admit_____ Deny_____

3. At the time you gave birth to Edward Joseph Ershbock, you were not married.

Admit_____ Deny_____

4. Your son, Edward Joseph Ershbock, was raised by his grandmother in the greater Atlanta Georgia Metropolitan area.

Admit_____ Deny_____

5. Your son, Edward Joseph Ershbock, began living with you and Edward Gil at a time when he was 12 years of age.

Admit_____ Deny_____

6. Your son, Edward Joseph Ershbock, lived with you for a period not exceeding three years.

Admit_____ Deny_____

7. During the period that Edward Joseph Ershbock lived with You and Edward Gil, You regularly witnessed Edward Gil physically abuse Edward Ershbock.

Admit_____ Deny_____

8. At no time did you undertake any action to prevent Edward Gil from physically attacking Edward Joseph Ershbock.

Admit_____ Deny_____

9. You are married to Edward Gil.

Admit_____ Deny_____

10. During the period that Edward Joseph Ershbock lived with you and Edward Gil, Edward Gil on more than two occasions spat in the face of Edward Joseph Ershbock.

Admit_____ Deny_____

11. During the period that Edward Joseph Ershbock lived with you and Edward Gil, Edward Gil broke a coffee cup on the head of Edward Joseph Ershbock.

Admit_____ Deny_____

12. During the period that Edward Joseph Ershbock lived with you and Edward Gil, Edward Joseph Ershbock ran to a neighbor's house to call police because blood was running down his face as a result of the coffee cup broken upon his head by Edward Gil.

Admit_____ Deny_____

13. While you were the McHenry County Clerk you hired Edward Gil to be employed in the office of the County Clerk, without disclosing your relationship as his wife to anyone on the county board at the time of hire.

Admit_____ Deny_____

14. You were sanctioned by the United States District Court in the matter of Martinez v City of Chicago et al, case number 1:09-cv-05938.

Admit_____ Deny_____

15. The sanction imposed against you and the Cook County State's Attorney's Office in the matter of Martinez v City of Chicago, was directly related to your reckless conduct in attempting to prevent the delivery of evidence the opposing party was entitled to obtain.

Admit _____ Deny _____

16. You are presently a candidate for Circuit Court Judge.

Admit _____ Deny _____

17. You publicly announced your candidacy for Circuit Court Judge on or about September 6, 2019.

Admit _____ Deny _____

18. Prior to August 1, 2019, you communicated with at least one other person that you were going to run to the position of Circuit Court Judge.

Admit _____ Deny _____

Dated: November 26, 2019

Respectfully submitted,
Cal Skinner Jr.

/s/ Robert T. Hanlon

By: Robert Hanlon, Esq.
One of his Attorneys

CERTIFICATE OF SERVICE

The undersigned, an attorney of record, hereby certifies that on November 26, 2019 he served a copy of **DEFENDANT'S FIRST REQUEST TO ADMIT DIRECTED AT PLAINTIFF** upon the Plaintiffs' attorneys in the above entitled cause of action by sending the attached by electronic transmission via e-mail to Plaintiff's counsel on November 26, 2019, before 5:00pm as well as by United States mail postage prepaid on November 26, 2019.

By: /s/Robert T. Hanlon
One of the Defendants' Attorney

Exhibit A
(Birth Certificate of Edward Joseph Ershbock)

CERTIFICATION OF VITAL RECORDS

CERTIFICATION OF BIRTH

BIRTH NUMBER: 112-82-6045616

NAME: EDWARD JOSEPH ERSHBOCK

DATE OF BIRTH: NOVEMBER 12, 1982 SEX: MALE

PLACE OF BIRTH: CHICAGO, COOK COUNTY, ILLINOIS

MAIDEN NAME OF MOTHER: MARY ELIZABETH MC CLELLAN

PLACE OF BIRTH OF MOTHER: ILLINOIS AGE: 18

NAME OF FATHER: EDWARD ERSHBOCK

PLACE OF BIRTH OF FATHER: ILLINOIS AGE: 19

DATE FILED: NOVEMBER 18, 1982 DATE ISSUED: NOVEMBER 3, 2010

This is to certify that this is a true and correct abstract from the official record
filed with the Illinois Department of Public Health.

1470730

 County of Cook
State of Illinois
COUNTY BUILDING
CHICAGO, ILLINOIS 60602-1304

Office of County Clerk
David Orr

David Orr
DAVID ORR COUNTY CLERK



This copy is not valid unless displaying embossed seals of Cook County and County Clerk signature.

VOID WITHOUT WATERMARK OR IF ALTERED OR ERASED