

employees, including Robert Scigalski (“Scigalski”), Daniel Jerger (“Jerger”), James Reilly (“Reilly”), and Patrick Hanretty (“Hanretty”), were retained by Tonigan and McQueen as special investigators and appointed by Judge Graham as agents and investigators for the special grand jury. See Orders, attached as Exhibit B. In this capacity, Scigalski, Jerger, Reilly and Hanretty (hereinafter collectively “Quest investigators”) assisted McQueen in his investigation of Bianchi.

4. Based on false and manufactured evidence created and presented to a special grand jury by McQueen and the Quest investigators, on September 10, 2010, a indictment was returned against Bianchi and Joyce Synek under McHenry County case number 10 CF 933.

5. After all of the judges in McHenry County recused themselves from presiding over 10 CF 933, the Illinois Supreme Court appointed Judge Joseph McGraw, a circuit court judge in the Seventeenth Judicial Circuit, to preside over the case.

6. McQueen represented the State of Illinois in the criminal prosecution of Bianchi in 10 CF 933. Throughout the course of the criminal prosecution, McQueen engaged in gross misconduct by knowingly making material misrepresentations to Judge McGraw in open court and filed pleadings, failing to comply with Court orders, and failing to disclose exculpatory evidence to Bianchi as required by Illinois Supreme Court Rule 412. The specific contemptuous conduct in 10 CF 933 will be detailed below.

7. On March 23, 2011, after a two day bench trial, Judge McGraw granted Bianchi’s Motion for Directed Finding and acquitted Bianchi of all charges in 10 CF 933.

8. McQueen and the Quest investigators conducted a second investigation of Bianchi and based on false and manufactured evidence that was created and presented to the special grand jury, a second indictment was returned against Bianchi under case 11 CF 169.

9. McQueen represented the State of Illinois in the criminal prosecution of Bianchi in 11 CF 169. During the course of the criminal prosecution, McQueen engaged in gross misconduct by knowingly making material misrepresentations to Judge McGraw in open court and filed pleadings, failing to comply with Court orders, and failing to disclose exculpatory evidence to Bianchi as required by Illinois Supreme Court Rule 412 ("Rule 412"). The specific contemptuous conduct in 11 CF 169 will be detailed below.

10. During an evidentiary hearing in 11 CF 169, Scigalski and Hanretty also knowingly gave perjured sworn testimony before the Court. Furthermore, McQueen, despite knowing that the testimony was false, failed to inform the Court and correct the record.

11. On August 2, 2011, after a bench trial, Judge McGraw granted Bianchi's Motion for Directed Finding and acquitted Bianchi of all charges under 11 CF 169.

12. On January 18, 2012, Bianchi filed a complaint in the United States District Court for the Northern District of Illinois against McQueen, Tonigan, and the Quest Investigators for the constitutional and state law violations that resulted from his unlawful arrests, indictments, and prosecutions (12-cv-364).

13. During the course of discovery in the federal civil rights case, the Quest Investigators tendered to Bianchi approximately 17,000 documents, the majority of which were email communications between the Quest Investigators and McQueen related to the investigations and prosecutions of Bianchi.

14. The Quest investigators attempted to designate all of the emails as "confidential" under a protective order in order to prevent Bianchi from disclosing the incriminating emails. Bianchi challenged the confidential designation. On November 28, 2012, Magistrate Judge Mary

Rowland denied Quest's motion to designate the documents as confidential. See Order, attached as Exhibit C.

15. Now that the issue of confidentiality has been resolved, Bianchi brings this Petition for the purpose of advising the Court of the contemptuous conduct of McQueen, Scigalski, and Hanretty during the criminal prosecutions of 10 CF 933 and 11 CF 169, which has been revealed by the recently disclosed email communications between McQueen and the Quest investigators. Bianchi is seeking an adjudication of criminal contempt against McQueen, Scigalski, and Hanretty based on this conduct.

Legal Authority

16. All courts have the inherent power to punish contempt; such power is essential to the maintenance of their authority and the administration of judicial powers. People v. Simac, 161 Ill. 2d 297, 305, 641 N.E.2d 416, 420 (1994). Criminal contempt of court is defined "as conduct which is calculated to embarrass, hinder or obstruct a court in its administration of justice or derogate from its authority or dignity, thereby bringing the administration of law into dispute." Id.

17. A finding of criminal contempt is punitive in nature and is intended to vindicate the dignity and authority of the court. Id. at 306.

18. Contempt is not a crime defined by statute and in the trial court may be prosecuted by counsel for a litigant, by the State's Attorney, or by an amicus curiae appointed by the court. Del Dotto v. Olsen, 257 Ill. App. 3d 463, 464, 628 N.E.2d 1156, 1158 (1st Dist. 1993). A private litigant who brings the facts of an indirect contempt, civil or criminal in nature, before the court, performs a valuable service to the court. Id.

19. A court does not lose jurisdiction to punish for contempt simply because the underlying case is no longer pending. See People v. Rosenthal, 370 Ill. 244 (1938). Merely because the contemptuous conduct was not discovered until after the underlying case was closed does not prevent the court from punishing the contempt when it was discovered. Id.

Contemptuous Conduct During First Prosecution

1. McQueen failed to disclose to Bianchi a statement by Tom Carroll, a witness in the first prosecution, 10 CF 933. The following facts support an adjudication of criminal contempt for this conduct:

- (a) On September 24, 2010, Bianchi file a written motion for discovery under Rule 412. See Motion, attached as Exhibit D.
- (b) On October 22, 2010, the Court entered a reciprocal discovery order. See Order, attached as Exhibit E.
- (c) The Court's reciprocal discovery order and Rule 412 both required the State to disclose any material or information that tended to negate the guilt of the accused.
- (d) On November 19, 2010, Bianchi filed a Motion to Compel discovery. On December 17, 2010, in a written response, McQueen falsely stated that he complied with the Court's October 22, 2010 discovery order and Rule 412. See Response, pgs 2-4, attached as Exhibit F.
- (e) On January 7, 2011, at a hearing on the Motion to Compel, McQueen falsely represented to the Court that the Quest investigators destroyed their notes after preparing a memorandum of each witness interview and that all interview memoranda have been produced. See transcript, pages 57-58, attached as Exhibit G.
- (f) Based on recently discovered emails, it is now known that an additional witness statement by Tom Carroll did in fact exist, that the statement included exculpatory information, and that McQueen was in possession of that statement as of April 21, 2010.
- (g) On April 21, 2010, Scigalski sent McQueen an email detailing a statement made by Tom Carroll that same day. In that email, Scigalski stated that Tom Carroll was a defender of Bianchi and made the following statements:

- (i) Carroll stated that he may have contributed to the problems in the office now being investigated. Carroll admitted that he was the one who encouraged participation at the parades for comp-time.
 - (ii) Carroll stated that he knew of no situation where County monies were spent by Bianchi for private or political reasons.
 - (iii) Carroll stated that he had no personal knowledge of Synek working out of Bianchi's home. See Email, attached as Exhibit H.
- (h) In response to Scigalski's report of Carroll's statement, McQueen stated "Disappointing; is he a defense plant?" Id.
 - (i) Despite being in possession of an exculpatory witness statement, McQueen failed to disclose the statement to Bianchi.
 - (j) To the contrary, the version of Carroll's April 21, 2010 statement, which was tendered to Bianchi by McQueen (see Exhibit I), is materially different than the exculpatory statement prepared by Scigalski and sent to McQueen within hours of taking the statement. Compare Exhibit H and I.
 - (k) At some point after McQueen read Scigalski's "disappointing" report of Carroll's April 21, 2010 statement, the statement was revised to exclude the exculpatory evidence and add inculpatory evidence. Tom Carroll subsequently became a main witness against Bianchi at trial.
 - (l) Based on the recently disclosed emails between Sciglaski and McQueen, there is no question that as of April 21, 2010 McQueen had possession of a statement by a trial witness, Tom Carroll, that was exculpatory and materially different than the final draft of the statement. McQueen knowingly failed to disclose the statement in violation of Rule 412, the Court's reciprocal discovery order, and in contradiction to McQueen's representations in his Response to the Motion to Compel and to the Court during Motion to Compel hearing.

2. McQueen knowingly withheld information that there was a virus on Joyce Synek's computer which negated the obstruction of justice charge against Joyce Synek and the conspiracy to commit obstruction of justice charge against Synek and Bianchi. The following facts support an adjudication of criminal contempt for this conduct:

- (a) Synek was charged with committing obstruction of justice by deleting files from her computer after receiving a grand jury subpoena. Bianchi and Synek were also charged with conspiracy to obstruct justice. See Indictment, Exhibit J.
- (b) On August 25, 2010, prior to the indictment, McQueen received an email informing him that there had been a virus on SAO computers and that IT had proceeded to try to fix the computers. See email, attached as Exhibit K.
- (c) The presence of a virus and the use of an anti-virus program on the SAO computers provides a logical explanation as to why certain files were “missing” from Joyce Synek’s hard drive when it was recovered during a July 23, 2010 search warrant.
- (d) Despite the fact that the presence of a virus is clearly exculpatory evidence to both the conspiracy and obstruction of justice charges, McQueen failed to disclose the information.¹
- (e) Bianchi and Synek were forced to hire their own computer forensic expert to discover what McQueen always knew; that despite Jerger’s grand jury testimony to the contrary, there was absolutely no forensic evidence that any documents were deleted from Synek’s computer after she received a grand jury subpoena on June 24, 2010 and that as of July 9, 2010, Synek’s computer was heavily infested with multiple viruses.²
- (f) McQueen’s failure to disclose the exculpatory evidence regarding the presence of a virus violated Rule 412 and the Court’s discovery order.

3. McQueen failed to disclose several interview memoranda, despite being ordered to

do so and representing to the Court that he had produced all interview memoranda. The following facts support an adjudication of criminal contempt for this conduct:

¹McQueen’s motivation for fabricating charges against Joyce Synek is evidenced by another email to Scigalski in which McQueen indicates that he thinks they “should bring some pressure by charging Synek in a complaint with perjury and arresting her.” See 8/6/10 email, attached as Exhibit L.

²The expert, Walt Sigmund, was never called to testify at trial because Defendants’ Motions for Directed Finding were granted. Furthermore, as soon as McQueen realized that Defendant’s expert discovered the virus on the computer, McQueen abandoned his allegations that Synek deleted documents from her computer and instead tried, in the middle of trial, to present an alternative theory of how Bianchi and Synek conspired to obstruct justice, which the Court refused to allow McQueen to do.

- (a) On January 7, 2011, after a hearing on Bianchi's Motion to Compel, the Court ordered McQueen to produce any memoranda that haven't been produced. See Transcript, page 62, attached as Exhibit G.
- (b) The recently disclosed emails reveal that McQueen failed to tender the memorandum prepared by the Quest investigators for the interviews of William LeFew, Suzanne Lockhart, and a August 19, 2010 interview of Demetri Tsilimigras. See emails, attached as Exhibit M.

4. Scigalski failed to produce documents pursuant to a subpoena duces tecum and

Court order. The following facts support an adjudication of criminal contempt against Scigalski for this conduct

- (a) On January 20, 2011, Bianchi issued a subpoena duces tecum to Scigalski on behalf of Quest. In part, the subpoena sought the production of "emails, memorandum, correspondence or activity logs relating to work performed at the direction of Special Prosecutor, Henry Tonigan, or his assistant, Thomas McQueen." See Subpoena, attached as Exhibit N.
- (b) Tonigan and McQueen moved to quash the subpoena by arguing, in part, that the requested material was already produced. The Court denied the motion to quash and ordered Quest to produce the emails, memoranda, and correspondence relating to work performed in 10 CF 933, other than work product. See Order, attached as Exhibit O.
- (c) Through the recently disclosed emails, it is now known that Scigalski violated the Court's order and failed to produce numerous emails, correspondence, and memoranda detailing work that Quest performed during the investigation of Bianchi and Synek. For example, Scigalski failed to produce the interview memoranda for William LeFew, Suzanne Lockhart, and Demetri Tsilimigras (see exhibit M), an email detailing exculpatory statements by Tom Carroll, and a report regarding the results of a search warrant. See memoranda and emails, attached as Exhibit P.

Contemptuous Conduct During Second Prosecution

5. McQueen improperly filed a Motion to Substitute Judge McGraw for Cause without legal or factual support and failed to disclose to the Court that the information contained in the Motion was information that members of his investigative team "leaked" to an internet website. The

following facts support an adjudication of criminal contempt against McQueen for this conduct:

- (a) On November 1, 2010, the Quest Investigators conducted a background check on Judge Joseph G. McGraw to reveal sensitive financial and personal information regarding Judge McGraw and his family members, including current and former residences, vehicle registration information, and real property ownership and loan information. See email, attached as Exhibit KK³
- (b) On March 24, 2011, Judge McGraw granted Bianchi's motion for a directed finding in 10 CF 933.
- (c) On April 18, 2011, Scigalski sent McQueen a link to an article published on the website "mchenrycountyLeaks.blogspot.com." The article was entitled "Bianchi's Judge Received Payments from ILSAAP." See email attached as Exhibit Q.
- (d) In response to the article, McQueen responded "Great leak Bob." See Exhibit Q.
- (e) On April 26, 2011, McQueen filed a Motion for Substitution of Judge McGraw for Cause based upon the information contained in the article "leaked" by Scigalski. See Motion, attached as Exhibit R.
- (f) McQueen's motion to remove Judge McGraw had absolutely no factual or legal basis and was only brought to make a baseless attack on the personal character and integrity of the Court.

6. McQueen failed to disclose an exculpatory statement made by Sue Serdar, a former President for the Pro Life Victory PAC, in contradiction to his representations to the Court and in violation of court orders and Rule 412. Patrick Hanretty also gave perjured sworn testimony to the Court regarding the substance of Sue Serdar's statement. The following facts support an adjudication of criminal contempt against McQueen and Hanretty for this conduct.

- (a) In case 11 CF 169, Bianchi was charged with official misconduct for dismissing a criminal case against Thomas Salvi in exchange for political contributions. The theory advanced to the special grand jury on January 14, 2011, by Scigalski and McQueen, was that Bianchi dismissed Thomas Salvi's case in exchange for a

³Due to the highly sensitive information contained in this report, the report was not attached and filed with this petition. The report can be provided to the Court for an in camera review or filed under seal upon the Court's request.

contribution from the Pro Life Victory PAC. See Grand Jury testimony, pgs 68-74, attached as Exhibit S.

- (b) On March 9, 2011, the Court entered a reciprocal discovery order in 11 CF 169. See Order, attached as Exhibit T.
- (c) The Court's reciprocal discovery order and Rule 412 both required the State to disclose any material or information that tended to negate the guilt of the accused.
- (d) On April 25, 2011, Bianchi filed a Motion to Compel, seeking all memorandum, notes, and reports of all witness interviews that McQueen failed to disclose in violation of the Court's discovery order.
- (e) On April 29, 2011, McQueen falsely represented to the Court that he had already tendered everything that existed regarding witness interviews. See Transcript, pgs 62-65, attached as Exhibit U.
- (f) On April 29, 2011, the Court ordered McQueen to specifically inquire of his investigators whether they learned any information which tended to show that Bianchi was not guilty. The Court also ordered McQueen to produce anything that was related to the interview of Sue Serdar. See Transcript, pgs 65-66, attached as Exhibit U.
- (g) On May 20, 2011, Bianchi filed a Motion for Sanctions based, in part, on McQueen's failure to disclose the substance of Sue Serdar's statements to the Quest investigators.
- (h) On May 27, 2011, McQueen produced a handwritten document that McQueen claimed contained the substance of Sue Serdar's interviews on December 28, 2010 and January 4, 2011. See handwritten note, attached as Exhibit V; See McQueen Response to Motion for Sanctions, attached as Exhibit W.
- (i) In his Response to the Motion for Sanctions, McQueen claimed that "all documents obtained by the prosecution related to Pro-Life Victory were produced to the defendant" and that "nothing in the interviews of Ms. Serdar or Mr. Weyna were materially exculpatory." See Response, pg.3, attached as Exhibit W.
- (j) The Court granted an evidentiary hearing on the Motion for Sanctions. At the hearing, on June 24, 2011, Quest investigator Hanretty testified. Hanretty first testified that Sue Serdar told him that the contribution from the Pro-Life Victory PAC to Bianchi was not a quid pro quo for the dismissal of Tom Salvi's case. Hanretty then reversed his testimony and denied that Serdar said that the contribution was not a quid pro quo for the dismissal of Tom Salvi's case. See Transcript, pgs 80-84, attached as Exhibit X.

- (l) McQueen was present during Hanretty's testimony and McQueen failed to inform the Court that Hanretty testified falsely regarding Sue Serdar's statements.
- (m) Based on the recently discovered emails, it is now known that on December 28, 2010, the same day that Serdar was interviewed, Scigalski told McQueen that Serdar told Hanretty that the PAC contributed to Bianchi "because of his support to right to life." See email, attached as Exhibit Y. The next day, Hanretty personally emailed McQueen and told McQueen that Serdar said that the donations to Bianchi were not unusual based on his pro-life position and that she had no knowledge of the possibility that the donation was made to Bianchi to curry favor on behalf of Salvi. See Exhibit Y.
- (n) The substance of Sue Serdar's statements to Hanretty on December 28, 2010 was exculpatory evidence that McQueen had knowledge of and failed to disclose in violation of Rule 412 and the court's discovery order. Furthermore, the emails prove that McQueen was in possession of Sue Serdar's exculpatory statement since December 28, 2010, which directly contradicts the representations that McQueen made to the Court in pleadings and open court during the Motion to Compel and the Motion for Sanctions. Furthermore, the emails prove that Hanretty gave perjured testimony during the evidentiary hearing on June 24, 2011, that McQueen knew Hanretty's testimony was false, and that McQueen failed to inform the Court that his investigator testified falsely.

7. McQueen failed to disclose statements made by Jeffery Bora, in violation of the Court's discovery orders and Rule 412 and in contradiction to his representations to the Court. The following facts support an adjudication of criminal contempt against McQueen for this conduct:

- (a) Jeffery Bora was named by McQueen as a witness on the State's discovery answer. See Answer, attached as Exhibit Z. Bianchi was charged with official misconduct for allegedly directing Bora to agree to give Bianchi's "nephew", Michael Morzos, a recognizance bond and to continue the case until Morzos could benefit from the First Offender Program. See Indictment, Count IV, attached as Exhibit AA. McQueen dismissed the charge on the day of trial.
- (b) On April 13, 2011, McQueen disclosed a report of an interview with Jeffery Bora. See Report, attached as Exhibit BB. According to the report, Bora gave a statement to Scigalski not only regarding the Morzos case, but also regarding the circumstances of Jeremy Reid's criminal case. *Id.* In Count I of the indictment, Bianchi was charged with improperly reducing Jeremy Reid's sentence from 5 years to 4 years. See Exhibit AA.

- (c) On April 29, 2011, at a hearing on Bianchi's Motion to Compel, McQueen represented to the Court that he already tendered everything that existed regarding witness interviews. See Transcript, pages 62-64, attached as Exhibit U.
- (d) In his Response to the Motion for Sanctions, McQueen represented that he had not withheld anything that was discoverable. See Response, pg 4, attached as Exhibit W.
- (e) Through the recently disclosed emails, it has now been revealed that on September 28, 2010, the day of Scigalski's interview with Bora, Scigalski emailed Bora's statement to McQueen. See email, attached as Exhibit CC. Scigalski also prepared a "draft report" of his interview with Bora on September 28, 2010. See email and draft report, attached as Exhibit DD. Scigalski's September 28, 2010 reports of Bora's statement are substantively different than the final version of Bora's statement that was tendered by McQueen to Bianchi. Specifically, Bora's recollection of the circumstances of Jeremy Reid receiving a four year sentence is materially different in the statement tendered to Bianchi from the statement that was suppressed by McQueen. Compare Exhibits BB, CC, and DD.
- (f) McQueen's failure to disclose Bora's statements, which McQueen was in possession of since September 28, 2010 and which are materially different from the draft of the statement that was tendered, violated Rule 412 and the Court's discovery orders and directly contradicted McQueen's representations to the Court.

8. McQueen failed to tender 43 pages of handwritten notes made by Investigator Reilly

despite being ordered to do so by the Court and representing to the Court that the notes did not exist.

The following facts support an adjudication of criminal contempt against McQueen for this conduct

- (a) On April 29, 2011, the Court ordered McQueen to produce Investigator Reilly's notes. See Transcript, pg 70, attached as Exhibit U.
- (b) On May 20, 2011, Bianchi filed a Motion for Sanctions based, in part, on McQueen's failure to produce Reilly's notes. See Motion, attached as Exhibit EE.
- (c) In his Response to the Motion for Sanctions, McQueen stated that the allegation that he failed to produce Reilly's notes was false. See Response, pg 2, attached as Exhibit W.
- (d) On June 3, 2011, McQueen told the Court that Reilly had no notes. See Transcript, pgs 31-32, attached as Exhibit FF.
- (e) Based on the recently disclosed emails, it is now known that Reilly had 43 pages of

notes that he gave to Scigalski on June 2, 2011 and that Scigalski either gave those notes to McQueen or attempted to give those notes to McQueen, on the day before McQueen falsely represented to the Court that Reilly did not have any notes. See email with attached Reilly notes, attached as Exhibit GG

9. Robert Scigalski gave false sworn testimony on June 24, 2012 when he testified that he did not know who Mark Gummerson was. McQueen, who knew that Scigalski's testimony was false, failed to inform the Court and correct the record. The following facts support an adjudication of criminal contempt against Scigalski and McQueen for this conduct

- (a) On June 24, 2012, at an evidentiary hearing on Bianchi's Motion for Sanctions, Scigalski testified under oath that he had never talked to Mark Gummerson and that he didn't know who Gummerson was. See Transcript, pg 44, attached as Exhibit X.
- (b) McQueen was present during Scigalski's testimony on June 24, 2012 and asked Scigalski questions at the hearing.
- (c) Through the recently disclosed emails, it is now known that on September 2, 2010, McQueen wrote a email to Scigalski, Tonigan and Jerger with a list of things to do in preparation of Bianchi's indictment on September 10th. McQueen included on that list the instruction, "NO MORE CONTACT WITH GUMMERSON." See email, attached as Exhibit HH.
- (d) On November 12, 2010, Scigalski wrote McQueen an email indicating that Gummerson was contacting witnesses in the investigation and that Gummerson had information about the pending investigation. Scigalski also told McQueen that he knew Gummerson was a friend of the Sheriff and that "[i]f Gummerson is a friend of our position in this investigation when we all meet with him and tell him how is ruining all our chances." See Email, attached as Exhibit II.
- (e) The September 2, 2010 and November 12, 2010 emails between McQueen and Scigalski demonstrate that Scigalski's sworn testimony, that he did not know who Gummerson was, was false and the McQueen knew that it was false. Despite that, McQueen failed to inform the Court that he had direct knowledge that Scigalski's testimony was false and instead allowed the testimony to stand.

10. McQueen failed to disclose witness statements made by Tom Carroll and Scigalski falsely testified under oath regarding Tom Carroll's statements. The following facts support an

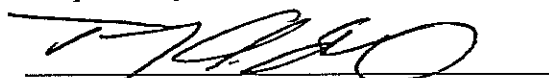
adjudication of criminal contempt against McQueen and Scigalski for this conduct:

- (a) On April 29, 2011, McQueen represented to the Court, during a hearing on Bianchi's Motion to Compel, that he had already tendered everything that existed regarding witness statements. See Transcript, pgs 62-64, attached as Exhibit U.
- (b) On June 24, 2011, at an evidentiary hearing on Bianchi's Motion for Sanctions, Scigalski was asked to identify every person that he interviewed during his investigation. See Transcript, pgs 31-58, attached as Exhibit X. Scigalski testified that he may have spoken to Tom Carroll on "directional things" and that he got phone numbers from Tom Carroll. See Transcript, pg 42, Exhibit X. Scigalski testified that he did not remember anything about the phone conversations and that he did not have any notes of any kind about the content of what Tom Carroll said. Id, pg 43.
- (c) Based on the recently disclosed emails, it is now known that McQueen's representation to the Court that he turned over every witness statement was false. Furthermore, Scigalski's sworn testimony regarding Tom Carroll's statements and what existed regarding the content of Tom Carroll's statements was false
- (d) On September 28, 2010, Scigalski reported the details of a statement made by Tom Carroll concerning the Salvi and Reid cases to McQueen in an email. See email, attached as Exhibit JJ. On October 10, 2010, Scigalski detailed the substance of another statement made by Tom Carroll on the Salvi and Reid cases in an email to McQueen. See email, attached as Exhibit JJ. On December 1, 2010, Scigalski wrote McQueen another email that included a third statement made by Tom Carroll about the Salvi case. See email, attached as Exhibit JJ.

Conclusion

WHEREFORE, Petitioner Louis A. Bianchi, respectfully requests that this Honorable Court find Thomas McQueen, Robert Scigalski, and Patrick Hanretty in criminal contempt of court and impose appropriate criminal sanctions against the respondents based on that conduct and for any other or further relief this Court deems proper.

Respectfully submitted by,



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