

A) Even though we were in the trial Court for the hearing of the Motion to Dismiss the Amended Complaint, the trial Court declined to hear arguments or rule on this Motion to Dismiss, questioning me about my damages and telling me to collect the documentation of those damages for this arbitration. My understanding of the Judges instruction is this case was referred to be argued on the merits.

If Young's Motion is to be heard, I request 60 days to respond as there are technical points that will need considerable research and I will also need time after Discovery as if documents are, or are not, fully provided by Young there will likely be additional issues to be considered. However, the Motion to Compel is up for argument today.

B) Your honor, may I bring to this court's attention that in this very case Defendant Young, in defending himself

- 1) Originally Young did not bother to even file his appearance in trial court.
- 2) Then Young did not show up at the first scheduled hearing.
- 3) He then had to move and hold a hearing to get the previously granted Default Judgement vacated.
- 4) Later in filing his first motion to dismiss, his joinder of Section 2-625 and 2-619 arguments was improper procedure which was duly noted by the court even though the Court heard argument.
- 5) After this case was transferred here to 1501 for arbitration, Young did not timely appear for the very first hearing, if at all. I was here until the session was complete and never saw him.
- 6) Young filed his new Motion to Dismiss with the wrong court and so it was not heard, as it was not on Courtroom 1501's docket as stated in his Notice of Motion and my trip and time as well as the courts was wasted.
- 7) Then he sent his Re-notice of Hearing on the dismissal stating **Tuesday** from 8:45 to 8:45. I suppose he intended a very short 1 second hearing, but it was actually docketed for **Wednesday** January 29th, not Tuesday.

8) Then on Wednesday the 29th of January, we find Young had improperly set his Motion to Dismiss for the early morning session set aside for Routine Motions, which it was not. Your Honor rightfully struck this Motion from the Docket.

9) I consistently both email and regular mail Notices to Mr. Young within 24 hours after any filing, Mr. Young consistently only uses **only** snail mail and depositing it with the postal service many days after each Motion is filed, in now the last three instances being received only 3 to 4 business days of the hearing date.

10) I bring this serial disregard of proper court procedure to your attention and further note that I, a pro se litigant, have thus far been capable of adhering to court rules and further given Young the courtesy of prompt and considerable notice; while Young's reckless practice and ignoring the rules is evident even in his own defense at almost every turn.

11) While I have been told by competent people I respect that this is typical conduct of someone who wants to avoid a trial on the merits, I hope I am not out-of-line if I suggest that sanctions are now appropriate for these last two examples of negligent conduct. In each case it took six hours of my time, fuel and parking and so I ask the Court for the conservative figure of \$100 for each of the two hearings.

C) I respectfully ask the Court to grant my Motion to Compel Discovery today, as numerous calls, letters and emails have failed to secure the release of Young's records and especially work product in the underlying case. All that was ever returned was paperwork originally provided by Client Bulthaup and copies of any orders signed by the presiding Judge. No work product has ever been provided.

a) This includes three emails sent to both his electronic addresses associated with his website, **winwithyoung.com** and two with standard US Mail all in the fall of 2017 with reponse.

b) This process was repeated on March 28th, April 23rd and August 26th of 2018 both electronically and by US Mail. A phone call was made to Young in the late summer of 2018 by an attorney friend and contact was made with Young promising to look and see what was in his file with a promise to forward anything found, although nothing was ever received. He has

maintained he was not required to legally provide anything specifically referring to his own work product and communications, his notes were private.

- c) I reached out using a new phone and phone number on Friday May 11, 2018 and Young answered the phone saying he would have to think about it and would call me back later that day. He did not despite a text sent as a reminder. I called the next day and reached him on the second attempt but he protested that he did not have to legally provide anything. I knew that factually that was not true but told him even if it what he was saying was true, he still had a professional ethical responsibility and that he was not acting in good faith if he withheld anything. He then just switched stories saying he didn't have anything; he didn't take notes and would not honor the repeated requests.
- d) A year later in early April 2019 two phone attempts were made by my attorney friend with no response. On April 25th Young evidently spotted me at the DuPage County Courthouse and only then called my friend, assuming I was filing this action with that court. He threatened a defamation suit among other things; and protested he only had a single page of notes in my file without providing same.
- e) The complaint was filed on April 26th and a litigation hold was sent to him by US Mail and email two weeks later. Young variously states he is not required to provide his client with work product, other times that he has none, and then that he only ever had one page of work product. He was put on notice almost a year ago to not destroy any records and the motion details his lack of responsiveness and the need to compel under Rule 214. I ask the Court to order production of the requested materials as per my Motion.