

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT
DUPAGE COUNTY, ILLINOIS

THOMAS NEAL)
Petitioner/Counter-Respondent,)
)
and) 2022DC000915
)
MARIO NEAL)
Respondent/Counter-Petitioner.)

Candice Adams
e-filed in the 18th Judicial Circuit Court
DuPage County
ENVELOPE: 26311032
2022DC000915
FILEDATE: 2/7/2024 1:46 PM
Date Submitted: 2/7/2024 1:46 PM
Date Accepted: 2/7/2024 2:22 PM
MG

**MOTION FOR DEFAULT JUDGMENT OR IN THE ALTERNATIVE SETTING
HEARING DATE ON PETITION FOR FINAL FEES AND COSTS AND ENTRY OF
TEMPORARY RESTRAINING ORDER AND PERMANENT INJUNCTION AGAINST
MARIO NEAL**

William D. Cherny, of the Cherny Law Offices, P.C., moves this Court to enter a Default Judgment in his favor and against MARIO NEAL, set this matter for prove up on Final Fees and Costs or, in the alternative, set the Petition for Final Fees and Costs for hearing and enter a Temporary Restraining Order and Permanent Injunction against MARIO NEAL restraining him from filing disputes contesting prior payments to Movant while this matter is pending. In support of this Motion states as follows:

1. On October 17, 2023, Movant, William D. Cherny was granted leave to withdraw his Appearance on behalf of Mario Neal.

2. On October 27, 2023, Movant filed his Petition for Setting Final Fees and Costs.

3 On November 14, 2023 1

to file his responsive pleading to Cherny Law Office's Petition for Setting Final Fees and

3. On November 14, 2023, this Court entered an order granting MARIO NEAL 21
to file his responsive pleading to Cherny Law Office's Petition for Setting Final Fees and
and entering and continuing said Petition to the conclusion of this matter.

4. To date, MARIO NEAL has not filed any responsive pleading as required in the order of November 14, 2023. Instead, he has engaged in a campaign repeatedly filing disputes with his credit and debit card providers for payments previously made to William D. Cherny and

the Cherny Law Offices. P.C. To date, at least 5 disputes have been filed by MARIO NEAL resulting in 3 significant chargebacks to the Cherny Law Offices, P.C.'s general account. Two of the charge backs were returned when the disputed charges were resolved in Movant's favor. The is one chargeback of \$6,000.00 that has been taken from the Cherny Law Offices, P.C. operating account and is now pending resolution.

5. So far, each and every disputed payment has been resolved in Movant's favor, but MARIO NEAL continues to file disputes on the same invoices and payments. He appears not to take "no" for answer to his dispute allegations.

6. Most troubling is his continuing and unfounded allegations of collusion between Movant, Petitioner, Thomas Neal, his attorneys and the Guardian Ad Litem resulting in alleged adverse consequences to him and the children,. The most recent of these allegations are the narrative made to the credit card or debit card provider as his support to the disputed charges. (Ex. A)

7. Movant reasonably believes that unless this Court enters a Temporary Restraining Order and Preliminary Injunction restraining MARIO NEAL from making disputes to his credit card and debit card providers while this matter is pending and unresolved he will continue to do so with impunity.

8. There is a reasonable likelihood that William D. Cherny will succeed at hearing on his Petition for Final Fees and Costs

9. William D. Cherny and the Cherny Law Offices, P.C. has no adequate remedy at law.

10. If an injunction does not issue, William D. Cherny and the Cherny Law Offices, P.C. has and will continue to suffer irreparable harm as it is affecting his law practice and service

his clients on a timely basis. The time spent dealing with MARIO NEAL'S continuing filing unwarranted disputes is time taken from practicing law.

11. MARIO NEAL will suffer no detriment in the event that his Court enters an Order barring him from filing any disputes with is credit card and debit card providers as the services paid for have been previously rendered without timely objection.

WHEREFORE, Movant, William D. Cherny and the Cherny Law Offices, P.C. respectfully requests this Court enter and Order as follows:

- A. For Default Judgment against MARIO NEAL and for prove up of Final Fees and Costs; or in the alternative;
- B. Set a hearing date for the Petition for Final Fees and Costs;
- C. For a Temporary Restraining Order and Preliminary Injunction restraining and barring MARIO NEAL from filing an further disputes regarding prior payments to William D. Cherny and the Cherny Law Offices, P.C. with any debit or credit card provider; and
- D. For such further relief as this Court deems just and equitable.

Respectfully submitted,

By: /s/William D. Cherny

William D. Cherny
CHERNY LAW OFFICES, P.C.
111 E. Jefferson Ave.
Naperville, IL 60540
(630) 219-4381
bill@chernylaw.com
Attorney No. 27269

CERTIFICATION

Under penalties as provided by law pursuant to §1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

/s/William D. Cherny

William D. Cherny

William D. Cherny
CHERNY LAW OFFICES, P.C.
111 E. Jefferson Ave.
Naperville, IL 60540
(630) 219-4381
bill@chernylaw.com
Attorney No. 27269

Goods/Services Not As Described

C/M contacted Mr bill chenay via phone 2/1/24. CM states expected proper professional legal service but rec'd unprofessional service. there has been a strong calculated &sustained conspiracy involving Thomas Neal, Chuck Roberts, Rick Roberts, Wendy Musielak and his own attorney. Engaged in systematic collusion to manipulate legal proceedings, fin distort.