

1 STATE OF ILLINOIS )  
2 )  
2 COUNTY OF DU PAGE )

3 IN THE CIRCUIT COURT OF THE 18TH JUDICIAL CIRCUIT  
4 DU PAGE COUNTY, ILLINOIS

4  
5 THOMAS NEAL, )  
6 Petitioner/Counter- )  
6 Respondent, )  
7 )  
7 -and- ) No. 22 DC 915  
8 ) Status  
8 MARIO NEAL, )  
9 )  
9 Respondent/Counter- )  
9 Petitioner. )  
10 )

11 REPORT OF PROCEEDINGS had at  
12 the hearing of the above-entitled cause, before the  
13 Honorable LOUIS ARANDA, Judge of said court, recorded  
14 on the DuPage County Computer Based Digital Recording  
15 System, DuPage County, Illinois, and transcribed by  
16 FRAN MARIE SAVIANO, Certified Shorthand Official Court  
17 Reporter, commencing on the 7th day of December, 2023.

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19  
20  
21  
22  
23 Fran Marie Saviano, CSR  
23 Official Court Reporter  
24 CSR 084-002184

1 PRESENT:

2 ROBERTS, P.C., by  
3 MR. CHUCK ROBERTS,  
3 MR. RICK ROBERTS,

4 appeared on behalf of Thomas Neal;

5 MR. MARIO NEAL,

6 appeared Pro Se;

7 ESP KREUZER CORES, LLP, by  
8 MS. WENDY M. MUSIELAK,

9 Guardian Ad Litem.

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1                   THE COURT: All right. Good morning. Let the  
2 record reflect that this is case No. 2022 DC 915, In Re  
3 the Marriage of Thomas Neal and Mario Neal.

4                   And, counsels, will each of you be so kind as  
5 to introduce yourselves and who you represent?

6                   MR. CHUCK ROBERTS: Judge, Chuck Roberts for Tom  
7 Neal, who is also present this morning.

8                   MR. RICK ROBERTS: Good morning. Judge, Rick  
9 Roberts also for Tom Neal.

10                  THE COURT: Thank you. And, Mr. Mario Neal, if  
11 you could come and approach at the other table.

12                  Sir, would be so kind as to introduce  
13 yourself.

14                  MR. MARIO NEAL: Mario Neal representing himself.

15                  THE COURT: Thank you.

16                  MS. MUSIELAK: And good morning, your Honor.  
17 Wendy Musielak, guardian ad litem.

18                  THE COURT: Thank you.

19                  And the matter comes before the Court for  
20 hearing on the petitioner's motion to strike the  
21 respondent's motion for maintenance, the respondent's  
22 motion for temporary child support and maintenance, the  
23 petitioner's motion to allocate marital expenses, and  
24 the petitioner's motion, the Rule 215 exam portion of

1 the combined 604.10(c) and 215 exam motion.

2 And are the parties prepared to proceed to  
3 hearing this morning?

4 MR. CHUCK ROBERTS: Yes, Judge.

5 THE COURT: All right. I thought it would be  
6 appropriate to take it in that sequence, meaning the  
7 motion, the petitioner's motion to strike, the  
8 respondent's motion for maintenance as that would,  
9 potentially, affect the respondent's motion for  
10 temporary child support and maintenance. And that the  
11 testimony had in that regard will be beneficial to the  
12 petitioner's motion to allocate the marital expenses.

13 And then we would end with the petitioner's  
14 motion, again, the combined motion, the Rule 215 exam  
15 portion of that.

16 MR. CHUCK ROBERTS: Thank you.

17 THE COURT: All right.

18 MR. CHUCK ROBERTS: Judge, this morning I was also  
19 handed by Mario Neal something that is styled Emergency  
20 Motion.

21 It looks like it was emailed to the Court.  
22 It's not signed and, apparently, has not been filed.  
23 And there is no notice of motion that was tendered,  
24 but --

1                   MR. MARIO NEAL: So, your Honor, this morning I  
2 think it was signed by -- I filed the motion, and if  
3 you don't mind, I can read the first part of what I  
4 wrote.

5                   THE COURT: Well, first of all, before you read  
6 it, has it been filed?

7                   MR. MARIO NEAL: Yes, it has.

8                   THE COURT: Do you have a file-stamped copy?

9                   MR. MARIO NEAL: I did it electronically, but I do  
10 have a copy of it if you would like it here.

11                  THE COURT: Has it been accepted by the Clerk's  
12 Office? Meaning --

13                  MR. MARIO NEAL: Right.

14                  THE COURT: -- did you get confirmation?

15                  MR. MARIO NEAL: I don't have my phone, so I  
16 wouldn't know.

17                  THE COURT: I can check.

18                  I don't see anything filed today.

19                  Did you provide a notice of motion for  
20 presentment?

21                  MR. MARIO NEAL: Well, I emailed all the parties  
22 involved a copy of the motion, your Honor. Is that  
23 what you mean?

24                  THE COURT: Did you provide a notice of motion

1           indicating that you would be presenting it today?

2           MR. MARIO NEAL: I don't understand what that  
3 means. Is that -- I don't know what that -- so, no, I  
4 guess.

5           THE COURT: Okay. All right. Well, in order to  
6 present a motion you must file and serve a notice of  
7 motion upon the other side for them to know that you  
8 would be seeking to present that. Okay.

9                   And so just filing a motion doesn't bring it  
10 before the Court. All it does is file it.

11                  Give me one second.

12                  All right. Sir, so you would need to present  
13 that emergency motion if it's an emergency motion that  
14 you filed. Since it's not being -- since it's not  
15 uploaded on the electronic case filing, I don't know  
16 what it is. But I am taking by the fact that you  
17 didn't do a notice of motion that it is not properly  
18 presented before this Court.

19                  You answered ready to proceed to hearing, so  
20 we will proceed to hearing. Okay.

21                  MR. MARIO NEAL: For the regular things that were  
22 already assigned?

23                  THE COURT: Correct.

24                  MR. MARIO NEAL: Okay. So the emergency motion

1 will not be addressed?

2 THE COURT: No, I am not hearing, sir, that you  
3 set it for presentment. And so because it wasn't,  
4 essentially, motioned up to be heard and presented  
5 today, I can't simply just take a motion that has been  
6 filed and on my own have you present it. It needs to  
7 be properly brought before the Court.

8 MR. MARIO NEAL: Because it kind of is relevant to  
9 the current cases you are about to hear.

10 THE COURT: Well, have you had a chance to discuss  
11 the matters that are set for hearing this morning with  
12 Messrs. Roberts?

13 MR. MARIO NEAL: We -- they proposed a settlement  
14 or an agreement, and I responded back with some notes  
15 to them.

16 THE COURT: All right.

17 MR. CHUCK ROBERTS: The notes, essentially,  
18 rejected everything that we proposed. So there is no  
19 agreement at this point, Judge. We tried.

20 THE COURT: Got it. So there was an effort to  
21 settlement, but it didn't come to fruition, that is  
22 what I am hearing.

23 MR. MARIO NEAL: Well, I wouldn't say I rejected  
24 everything, but there are certain things that I don't

1 agree with that, you know, I mean, I have the right to  
2 challenge some of those things.

3 THE COURT: Absolutely. That is why we go to  
4 hearing.

5 MR. MARIO NEAL: Okay.

6 THE COURT: And that is what we are going to do  
7 today is go to hearing. All right.

8 It was the Court's delay in getting this  
9 started, but you need to know that it is just about  
10 10:30. I do have an emergency, which I will take  
11 quickly now before we get started as opposed to having  
12 a couple of minutes of argument and then need to break.

13 MR. CHUCK ROBERTS: Judge, if I might indicate for  
14 the record, I have to testify at 11 o'clock across the  
15 hall, but at that point Rick Roberts will assume  
16 responsibility for what is happening, and I will get  
17 back as quickly as I can.

18 THE COURT: Sure. And it might time out just  
19 about right, Mr. Roberts. Oh, you are both  
20 Mr. Roberts. Mr. Chuck Roberts.

21 MR. CHUCK ROBERTS: Thank you.

22 THE COURT: That if I have this emergency motion  
23 presented and then we hear the motion to strike, the  
24 respondent's motion for maintenance, we might be in

between hearings at that point.

MR. CHUCK ROBERTS: It's all good, Judge.

THE COURT: All right.

MR. CHUCK ROBERTS: Thank you. Appreciate the accommodation.

THE COURT: The pleasure is mine.

(Whereupon, the Court attended to other matters on the call, after which the following proceedings were had herein:)

THE COURT: All right. We are back on case No. 2022 DC 915, In Re the Marriage of Thomas Neal and Mario Neal.

Mr. Roberts and Mr. Mario Neal, would you be so kind as to introduce yourselves and your role in this matter.

MR. RICK ROBERTS: Yes. Rick Roberts for Tom Neal.

THE COURT: Thank you.

MR. MARIO NEAL: Mario Neal representing myself.

THE COURT: Thank you.

MS. MUSIELAK: And good morning, your Honor.

THE COURT: Good morning to you all.

And, Mr. Thomas Neal, would you introduce

1       yourself.

2            MR. THOMAS NEAL: Good morning, your Honor. Tom  
3        Neal.

4            THE COURT: Thank you.

5            You all may be seated.

6            We will begin, as the Court mentioned, with  
7        the hearing on the petitioner's motion to strike the  
8        respondent's motion for maintenance.

9            And the Court is in receipt of the motion to  
10       strike and dismiss.

11           And, Mr. Roberts, anything further that you  
12       wish to argue here?

13           MR. RICK ROBERTS: There is, Judge.

14           Specifically, with respect to the 2-619  
15       request to dismiss Mr. Neal's request for maintenance,  
16       I would turn the Court's attention to Page 7 of the  
17       parties' post-nuptial agreement which specifically  
18       provides that both parties shall and do hereby waive,  
19       release, and relinquish any and all rights to  
20       maintenance, alimony, or support for themselves, both  
21       temporary and permanent, whether past, present, or  
22       future, whether installments or in gross, and any such  
23       divorce shall provide that each party is barred from  
24       any and all in claims for maintenance, alimony, or

1 support.

2                   In October, Judge, your Honor held that the  
3 post-nuptial agreement is valid and enforceable. This  
4 language contained in the post-nuptial agreement  
5 specifically provides that temporary maintenance is not  
6 appropriate, that both parties have waived their right  
7 to temporary maintenance. And so Mr. Mario Neal's  
8 request for temporary maintenance should be stricken  
9 and dismissed.

10                  THE COURT: Thank you.

11                  Mr. Mario Neal, any argument you wish to  
12 make?

13                  MR. MARIO NEAL: Yes, your Honor.

14                  So I do understand that there was a ruling  
15 made on this, on the post-nuptial agreement, and,  
16 therefore, it was deemed to be valid and enforceable.

17                  I do have an issue with that specific trial,  
18 and I don't know what basis or whether that is invalid.

19                  But I come to find out that there was some  
20 potential criminality, criminal things that occurred  
21 during that trial with my attorney, and there was some  
22 potential collusion that I sort of have been looking  
23 into. And so I -- which is part of what I asked the  
24 Court to look into investigating some of those claims

1 prior to making any future rulings because I do find  
2 that there is lots of, you know --

3 MR. RICK ROBERTS: Judge, at this point I would  
4 object to the relevance of this argument. The Court  
5 has already ruled upon the validity of the post-nuptial  
6 agreement.

7 THE COURT: Mr. Mario Neal, there is no pending  
8 matter relative to anything tangentially on that issue.  
9 The Court's ruling occurred some time ago. There was  
10 no motion to reconsider or an appeal of the matter, so  
11 that order stands.

12 And, again, as you may be referencing another  
13 complaint, petition, motion that may be filed, that is  
14 not what's being heard before the Court today.

15 MR. MARIO NEAL: Okay.

16 THE COURT: So any argument relative to the motion  
17 to strike and dismiss the maintenance portion of your  
18 petition for support?

19 MR. MARIO NEAL: Well, well, I mean, all I had to  
20 say, obviously, is that I -- you know, I know that the  
21 ruling has been made, but I never agreed to that. And  
22 so I was put in a situation that forced me to do  
23 something I didn't want to do.

24 And I didn't have proper visitation with my

1 attorney because he completely disregarded all the  
2 points that I made to him about that --

3 THE COURT: So, Mr. Mario Neal?

4 MR. MARIO NEAL: Yeah.

5 THE COURT: And, again, not to interrupt you, sir,  
6 and with all due respect, you are still making an  
7 argument as to a ruling that already occurred.

8 MR. MARIO NEAL: Correct.

9 THE COURT: That was not reconsidered, was not  
10 vacated, was not appealed.

11 And so beyond that, do you have any argument  
12 as to the motion to strike and dismiss the maintenance  
13 portion of your petition for temporary support?

14 MR. MARIO NEAL: Well, the other thing I would say  
15 is it's completely unfair, and I don't know that is  
16 even an argument or not. But, you know, my take-home  
17 pay is what, forty, you know, forty-eight. His is over  
18 a hundred-thousand dollars.

19 MR. RICK ROBERTS: Judge, I would again object to  
20 the relevance of this argument.

21 THE COURT: So, Mr. Mario Neal, we are not yet at  
22 the point to hear your petition for support --

23 MR. MARIO NEAL: Okay.

24 THE COURT: -- as it relates to child support

1 and/or maintenance, depending on the ruling of the  
2 Court as to this motion to strike and dismiss.

3 So then what is your argument, if any, as to  
4 the motion to strike and dismiss the maintenance aspect  
5 of your petition for support?

6 MR. MARIO NEAL: So, your Honor, my initial  
7 argument was going to be which, you know, what was  
8 going -- with the emergency motion that I filed,  
9 because, you know, it was improperly, as you noted,  
10 filed, it can't be applied. So that was my argument.

11 So as a result, then I will let your Honor  
12 decide as to what we go forward on what you currently  
13 have.

14 THE COURT: Thank you, sir. Thank you both.

15 The petitioner brings his motion to strike  
16 and dismiss pursuant to Section 2-619(a)(9) of the Code  
17 of Civil Procedure.

18 On August 24th, 2023 the Court granted the  
19 petitioner's motion for declaratory judgment finding  
20 that the parties' post-nuptial agreement executed on  
21 September 19th, 2019 is neither procedurally or  
22 substantively unconscionable.

23 And, therefore, pursuant to Section 502 of  
24 the Illinois Marriage and Dissolution of Marriage Act

1       the terms of said agreement are binding upon the Court  
2       and a declaratory judgment entered to this effect.

3               The petitioner first raises the argument that  
4       the respondent's petition for temporary support and  
5       maintenance fails to divide the separate request for  
6       child support and maintenance in two distinct counts.

7               Indeed, local court rule 6.03(a) provides  
8       that if a pleading contains multiple counts, each count  
9       shall bear a short title concisely stating the theory  
10      of liability.

11               Moreover, local court Rule 15.08(b) provides  
12      that all petitions and motions shall include a  
13      recitation of the statutory or case law basis for said  
14      relief. Filings that fail to comply with this  
15      requirement may be stricken on the Court's motion.

16               Second, the petitioner argues in his motion  
17      to strike and dismiss under section 2-619(a)(9) of the  
18      Code of Civil Procedure that the respondent's petition  
19      for temporary maintenance against petitioner is barred  
20      by the affirmative matter contained in the parties'  
21      post-nuptial agreement avoiding the legal effect and  
22      defeating the respondent's petition.

23               Specifically, the petitioner argues that the  
24      parties agreed in said post-nuptial agreement that they

1       are both self-supporting and intend to continue to be  
2       self-supporting during the term of the marriage. And  
3       both parties waive any and all right they may have had  
4       to maintenance for the other either past, present, or  
5       future. And both are, therefore, barred from seeking  
6       same from the other upon the filing by either party for  
7       divorce.

8                   As noted on August 24th, 2023, the Court  
9       ruled that the parties' post-nuptial agreement executed  
10      September 19th, 2019 is neither procedurally or  
11      substantively unconscionable and entered a declaratory  
12      judgment that the agreement is binding and enforceable.

13                  Article 9 of the parties' post-nuptial  
14       agreement provides that the parties agree that upon  
15       filing a petition for divorce between them both parties  
16       shall and do waive relief and relinquish any and all  
17       rights to maintenance for themselves, both temporary  
18       and permanent, whether past, present, or future. And  
19       any such divorce shall provide that each party is  
20       barred from any and all claims of maintenance.

21                  This language is similarly reiterated as  
22       argued by the petitioner in Article 10 of their  
23       agreement.

24                  When considering a motion to strike and

1       dismiss the question before the Court is whether the  
2       allegations of the complaint construed in the light  
3       most favorable to the plaintiff are sufficient to state  
4       a cause of action upon which relief can be granted.

5               Moreover, the Court properly dismisses a  
6       cause of action only when it is apparent that no set of  
7       facts could be proven that would entitle the plaintiff  
8       to relief.

9               As the Court has already found that the  
10       parties' post-nuptial agreement is not unconscionable,  
11       and, therefore, the terms of the agreement are binding  
12       upon the Court, the Court is bound by the parties'  
13       mutual agreement, therein that both parties are  
14       self-supporting. And upon the petitioner's filing his  
15       petition for dissolution of marriage both parties  
16       waive, release, and relinquish any and all rights to  
17       maintenance, both temporary and permanent, whether  
18       past, present, or future, and each party is barred from  
19       any and all claims of maintenance.

20               As such, the Court finds that said  
21       affirmative matter defeats the respondent's claim for  
22       temporary maintenance. And even accepting as true all  
23       well-pled facts in respondent's petition and any  
24       reasonable inferences that arise from those facts it is

1 apparent that no set of facts could be proven that  
2 would entitle the respondent to maintenance. And,  
3 therefore, the petitioner's motion to strike and  
4 dismiss respondent's petition for maintenance is  
5 granted with prejudice.

6 The next matter up is the respondent's motion  
7 for temporary child support and maintenance.

8 Mr. Mario Neal, this is your motion, sir.

9 Pursuant to local court rule the Court is to  
10 receive courtesy copies seven days in advance including  
11 any supplemental documents or written instruments that  
12 the Court should take into consideration. And,  
13 further, sir, it is to be an expedited hearing, summary  
14 in nature.

15 I didn't receive anything for you, sir.

16 MR. MARIO NEAL: So my understanding when I spoke  
17 to my attorney Bill, he has submitted -- he has claimed  
18 that he submitted all the documents necessary to file  
19 that.

20 He did submit an amendment to me that I did  
21 not agree upon that reversed my -- the contribution  
22 from me to pay him instead of me, and I denied that, so  
23 I asked him to retain whatever was already submitted.  
24 And at that point my understanding was that Mr. Bill

1       estimated child support payments of 1,380. And that  
2       was based on the calculations that he had made with  
3       limited information he was provided because he,  
4       Mr. Thomas, has not yet disclosed all his --

5           THE COURT: So, Mr. Mario Neal?

6           MR. MARIO NEAL: Yeah?

7           THE COURT: I guess, the question of the Court  
8       more pointedly is are you prepared to proceed on your  
9       motion for temporary child support?

10          MR. MARIO NEAL: Well --

11          THE COURT: Because, again, the Court is not in  
12       receipt of any courtesy copies seven days in advance,  
13       nor any supplemental documents, written instruments  
14       like financial affidavits to support your motion for  
15       temporary support. Although you mentioned your  
16       attorney, understanding that your attorney withdrew and  
17       you were given twenty-one days to file your substitute  
18       appearance back on October 17th, 2023.

19           The hearing on your motion for temporary  
20       maintenance or child support was not set for hearing  
21       until November 22nd, 2023 when you were  
22       self-represented. So you were aware, sir, that it was  
23       set for hearing today.

24          MR. MARIO NEAL: I was aware. So I was not aware

1       that there was that requirement. And that is an  
2       ignorance of mine, not an excuse.

3               But when I -- I had a conversation -- I know  
4       that he isn't here, but he had made me understand that  
5       that had been settled. And so I was under the  
6       understanding that that was it, and it was going to be  
7       whatever was posed at that time.

8               Now, like I said, beyond that I don't know.  
9       They had proposed a --

10              THE COURT: So let me do this, Mr. Mario Neal.  
11       Why don't we take a few minutes, and if you wish at  
12       this point to discuss the matter of child support with  
13       opposing counsel, and if there is no agreement, then I  
14       will ask you the question again whether you are  
15       prepared to proceed, understanding that the Court is  
16       not in receipt of any courtesy copies, any supporting  
17       documentation that the Court would have needed to  
18       receive in order to have a summary hearing today.

19              MR. MARIO NEAL: All right.

20              THE COURT: All right. So let's take a moment if  
21       you wish to speak with Mr. Mario Neal, and then we will  
22       reenter and I will ask Mr. Mario Neal whether he is  
23       prepared and wishes to proceed.

24              MR. CHUCK ROBERTS: Judge, may I address the Court

1       very briefly before the recess?

2           THE COURT: Yes, absolutely.

3           MR. CHUCK ROBERTS: Your Honor, previously  
4       tendered by the DuPage County State's Attorney's Office  
5       on behalf of Child Advocacy Center were certain records  
6       that were to be examined in camera for the Court to  
7       determine what, if any, portion of those documents are  
8       going to be made available to us.

9           We neglected to include that in the last  
10      order that set it over to today, but, hopefully, at  
11      some point we could get a ruling from the Court as to  
12      which of those documents, presumably all of them, would  
13      be made available.

14           THE COURT: All right. And understand one of the  
15      reasons why that was put to one side was that was right  
16      around, as well, when Mr. Cherny withdrew. And so we  
17      needed to find out whether Mr. Mario Neal would be  
18      self-represented, would hire new counsel, or whom. And  
19      I didn't want to just have a ruling and populate out  
20      without knowing who, ultimately, would end up with the  
21      documentation.

22           MR. CHUCK ROBERTS: Understood, Judge. I just  
23      wanted to bring it to the Court's attention.

24           THE COURT: Thank you.

1 MR. CHUCK ROBERTS: Thank you.

2 THE COURT: Thank you for that.

3 All right. So we will take a break to have  
4 those discussions.

5 MR. CHUCK ROBERTS: Very good.

6 MR. RICK ROBERTS: Thank you, Judge.

7 THE COURT: Ms. Musielak, you are okay with that?

8 MS. MUSIELAK: I am.

9 THE COURT: Okay. Thank you.

10 Hold on, Messrs. Roberts.

11 So, Ms. Musielak, it just occurred to me that  
12 it appears that the only matter that may require your  
13 testimony is on the Rule 215.

14 MS. MUSIELAK: Correct.

15 THE COURT: So --

16 MR. CHUCK ROBERTS: Judge, I am sorry. I just  
17 spoke over you.

18 THE COURT: No, that is okay because you are  
19 probably heading where I was heading.

20 MR. CHUCK ROBERTS: I had assumed that that would  
21 simply be a matter of argument.

22 THE COURT: It is.

23 MR. CHUCK ROBERTS: We had within the last few  
24 days sent a notice to Mr. Mario Neal and we also copied

1 Ms. Musielak, the GAL.

2 We had originally filed a combined motion,  
3 but in light of the events that have occurred over the  
4 last, well, certainly, the last time we were before  
5 your Honor, we are seeking to substitute Dr. Shapiro  
6 for Dr. Hatcher for purposes of the 215 exam. So we  
7 would be asking for the order to reflect Dr. Shapiro to  
8 conduct the exam.

9 I spoke with Dr. Shapiro. He said he can get  
10 the parties in early January and get the process going.

11 THE COURT: As to a 215?

12 MR. CHUCK ROBERTS: Yes, sir, that is correct.

13 THE COURT: Got it. All right.

14 MR. CHUCK ROBERTS: I thought that might --

15 THE COURT: Sure.

16 MR. CHUCK ROBERTS: -- make things a little  
17 easier.

18 THE COURT: That would be fine. I just want to  
19 see about timing-wise. I know you have to go to  
20 another courtroom at eleven.

21 MR. CHUCK ROBERTS: Yes, sir.

22 THE COURT: Maybe we can squeeze in that, the  
23 Rule 215 exam motion before you need to go if it's just  
24 quick legal argument, and then we can have the

1 discussions while you are off in another courtroom.

2 MR. CHUCK ROBERTS: Sure.

3 THE COURT: That way I could let Ms. Musielak go.

4 It didn't occur to me. And my apologies, Ms. Musielak,  
5 that that is really the sole purpose of having you  
6 here, and that way we can let you go. That was the  
7 Court's fault in not recognizing that.

8 So, Mr. Mario Neal, sir, would you come back  
9 and have a seat.

10 Before we take the break the Court is going  
11 to hear the petitioner's motion for Rule 215 exam.

12 Sir, the reason that is important is  
13 Ms. Musielak is here and is here to serve the Court,  
14 but for as long as she is here she is, obviously,  
15 billing. And if we can get Ms. Musielak expedited so  
16 she doesn't need to be here, it would be beneficial to  
17 both parties. Okay.

18 MR. MARIO NEAL: That is fine.

19 THE COURT: All right. So, again, this is a  
20 hearing on a petitioner's Rule 215 mental examination  
21 portion of the combined motion for 604.10(c) evaluation  
22 and Rule 215 mental examination that was filed  
23 April 10th, 2023.

24 And, Messrs. Roberts, the Court is in receipt

1 of your combined motion and, specifically, that portion  
2 of the Rule 215 exam request.

3 And in that regard Mr. Roberts, is there  
4 anything further that you wish to argue?

5 MR. CHUCK ROBERTS: Not in particular, Judge.

6 When we were last before the Court admitted  
7 into evidence during that hearing that day was  
8 Dr. Hatcher's e-mail dated October 27th of 2023, which  
9 Dr. Hatcher recited about Mario's behavior, and I think  
10 that would be Mario Neal, although the e-mail says  
11 Mario, Mario's behavior is seriously concerning with  
12 respect to his mental condition and the impact on his  
13 care of the children.

14 Dr. Hatcher then testified before your Honor  
15 on November 22 of '23 consistent with his e-mail,  
16 consistent with his recommendation previously, and  
17 suggesting to the Court that a 215 would be very  
18 appropriate in this situation.

19 Since that time Mr. Mario Neal has continued  
20 his letter writing suggesting conspiracies and other  
21 assorted alleged misdeeds regarding the conduct of our  
22 GAL, regarding my conduct, regarding Rick Roberts'  
23 conduct, regarding the conduct of the social worker at  
24 the school, harshly critical of other school personnel,

1       critical of my office, critical of DCFS, critical of  
2       the Naperville Police Department, and, I guess, also  
3       critical of the manner in which the Child Advocacy  
4       Center conducted its investigation on the premises.

5               These letters have now been circulated to  
6       people not even connected with this matter such as  
7       Whitney McDaniel, who at one time was considered to  
8       provide therapy for the children, but that never  
9       materialized as a result of a conflict of interest  
10      which she felt she had.

11               Mario Neal is copying these communications to  
12       state representatives, other members of state  
13       government.

14               It's just further evidence, Judge, that it is  
15       appropriate to have someone take a look at Mr. Mario  
16       Neal. And I am not even sure if the man objects at  
17       this point, Judge. I don't think a responsive pleading  
18       was filed to that. So there may not even be an  
19       objection to the 215.

20               But if there is, I think, Dr. Robert Shapiro  
21       would be the appropriate person to do that. The Court  
22       is very familiar with Dr. Shapiro. He has conducted  
23       literally hundreds of 215 exams during the course of  
24       his 40-plus year career. He will get to work promptly

1       on this case, and I think we would all benefit from a  
2       report.

3           THE COURT: Thank you.

4           Mr. Mario Neal?

5           MR. MARIO NEAL: So, thank you, your Honor.

6           So my -- so to answer some of those concerns  
7       and to follow up, when Mr. Roberts brought the motion  
8       to get the 605 and the 215, it didn't provide any  
9       evidence to any of the allegations that were brought  
10      that would require me to have an evaluation. So they  
11      were hearsay comments that didn't necessarily have any  
12      basis to it. And so, therefore, I don't think that the  
13      -- at that point the evaluation was needed.

14           In regards to what has transpired since then,  
15      so I did acknowledge that Dr. Hatcher on that first day  
16      made a statement about my mental well-being, and so he  
17      had made those claims without any medical explanation.  
18      There was no basis to what his argument was.

19           And based -- even when I spoke to him today  
20      -- I spoke to him already three times, he didn't even  
21      acknowledge to me that he -- he denied he even said  
22      that to me. And I said, well, I will request the  
23      records from the Court to see whether that is true or  
24      not because he -- in one of those statements because I

1 did bring up when I spoke to him, I said, I have some  
2 concerns regarding the well-being of the children.

3 I have evidence, I have documents of child  
4 abuse, the potential sexual assault on my daughter, and  
5 I said, Those are real concerns. And he turned that  
6 and he said that is a sign of a mental -- a mental  
7 instability, which, you know. So then I said to him,  
8 Well, if I bring up concerns to you, then I am -- you  
9 know, and if you are going to interpret them as mental  
10 instability, then why even have the conversation if you  
11 are already telling me what I cannot say?

12 So based on what I -- when I have spoken to  
13 him, I mean, so far he has been sort of pushing back on  
14 those initial statements he had made.

15 In regards to the cancellation, I did  
16 speak --

17 MR. CHUCK ROBERTS: Judge, I will object. It's  
18 not about Dr. Hatcher at this point.

19 THE COURT: And understand, Mr. Mario Neal, that  
20 although it was a combined motion for a 604.10(c)  
21 evaluation and a Rule 215 exam, there was already an  
22 order entered relative to the 604.10(c) examination or  
23 evaluation. So we are off to a different part.

24 MR. MARIO NEAL: The 215, right?

1                   THE COURT: The Rule 215 exam.

2                   MR. MARIO NEAL: Yes, and so are those arguments  
3                   that were used for the other motion the same for this,  
4                   this particular motion?

5                   THE COURT: Not exactly.

6                   MR. MARIO NEAL: Okay, because I thought it was a  
7                   combined motion and the arguments were the same.

8                   THE COURT: And it was submitted as a combined  
9                   motion, but they were taken in two different parts  
10                   because the first part of 604.10(c) was already  
11                   resolved by the parties.

12                   MR. MARIO NEAL: Right.

13                   THE COURT: So what we have left for hearing today  
14                   only what was left over, which was the Rule 215 exam.

15                   MR. MARIO NEAL: 215. So I still, I mean, they  
16                   have not cited a strong argument that would warrant  
17                   that evaluation.

18                   In regards to what he has mentioned that me,  
19                   you know, bringing up concerns to what has been going  
20                   on in this case should not be an indicator of mental  
21                   instability.

22                   I have seen, I have documented hundreds of  
23                   things, including police reports, of things that have  
24                   been happening to my house. I have accounts from

1       neighbors. I have written statements. I have reason  
2       to believe that there is something else going on that  
3       it is unethical and, potentially, illegal.

4               So his -- so his assertion that I am just  
5       coming up with something is completely untrue. I have  
6       a Master's Degree. I am an educator, right. I am in  
7       meetings on a daily -- weekly that assess students'  
8       mental instability.

9               I am -- you know, I have three years of  
10       training at school that assesses the, you know, what to  
11       look for when a child is, you know, being abused,  
12       neglected, and so forth. I have had training regarding  
13       being a mandated reporter. I know what to look for. I  
14       know what I see. I am not just some crazy nut that has  
15       been sort of coming up with theories.

16               Every single thing that I have stated that I  
17       have said has had evidence behind it. I don't submit  
18       anything that does not have evidence, unlike the  
19       opposing counsel they will make claims, hearsay without  
20       any evidence.

21               One of -- all the arguments they made  
22       regarding what has transpired to get this evaluation,  
23       none of those people have been here to testify to agree  
24       to whatever claims that I have done, that I have yelled

1 at the principal, that I have done this and that, none  
2 of them have basically, you know, confirmed.

3 I spoke to the pediatrician because in one of  
4 those assertions that they are asking for me to get  
5 evaluated was that I had gone and yelled at the  
6 pediatrician, yelled and screamed that he was doing  
7 this and that, which would be completely out of  
8 character if you know me.

9 And I spoke to Dr. Covert (phonetic), and I  
10 said, Dr. Covert, did any of these incidents happen?  
11 His response was --

12 MR. CHUCK ROBERTS: Objection.

13 MR. MARIO NEAL: -- No. And he says --

14 THE COURT: Hold on. There is an objection, sir.

15 MR. MARIO NEAL: Okay.

16 THE COURT: The objection?

17 MR. CHUCK ROBERTS: Hearsay.

18 THE COURT: To the extent that your argument was  
19 going to go into hearsay, the objection is sustained.

20 MR. MARIO NEAL: I understand.

21 Well, that is pretty much all they have done  
22 is hearsay and it's been accepted.

23 So I do find that every single time I raise a  
24 concern, I am, you know, advocating for the safety of

1           my child, I am seen to be deemed crazy.

2                   My son two weeks ago came back and said that  
3 he was --

4                   MR. CHUCK ROBERTS: Objection.

5                   THE COURT: The objection is hearsay, as well?

6                   MR. CHUCK ROBERTS: Yes, sir.

7                   THE COURT: The objection is sustained.

8                   MR. MARIO NEAL: Okay.

9                   THE COURT: And, again --

10                  MR. MARIO NEAL: So I have, you know, seen what  
11 has been happening to my children. I see their  
12 demeanor. I see what they do. They cry they don't  
13 want to go with Tom, okay.

14                  My son, okay, has told me he thinks I don't  
15 love him anymore because I am not there to protect him.

16                  MR. CHUCK ROBERTS: Judge, I will object to the  
17 ongoing hearsay. Move to strike.

18                  MR. MARIO NEAL: Okay.

19                  THE COURT: So, Mr. --

20                  MR. MARIO NEAL: Well, I guess, it's my what I  
21 have seen, and based on my training of what I have seen  
22 of neglect and child abuse I know there is something  
23 going on with my children based on --

24                  THE COURT: So, Mr. Mario Neal, not to interrupt

1       you, sir, but understand that the Court needs to make a  
2       determination as to whether your mental condition is in  
3       controversy.

4            MR. MARIO NEAL: Correct.

5            THE COURT: Meaning that one party says it is, and  
6       the other party says that it's not. That is the basis  
7       upon which the Court would view this motion and make a  
8       determination because of that controversy --

9            MR. MARIO NEAL: Right.

10           THE COURT: -- whether it would be helpful to have  
11       a Rule 215 exam done to kind of dispel or confirm what  
12       each party is saying.

13           MR. MARIO NEAL: I understand.

14           So, I mean, right now their main argument to  
15       get this evaluation was that I am raising concern  
16       regarding the safety of my children. And that for some  
17       reason bringing those concerns is an indication of some  
18       sort of mental instability is completely, I would say,  
19       just immorally wrong because there is no medical,  
20       right, explanation to that.

21           Solely bringing a concern is not a good  
22       enough reason to get me evaluated. Okay. They have  
23       not come up with anything else.

24           I have not, you know, physically done

1       something. There is no concrete evidence that would  
2       indicate that that evaluation is needed.

3               Now, like I said, all the arguments that I  
4       have seen on that motion that was filed was hearsay.

5               In addition to that, you know, you know,  
6       Wendy here has backed up some of these, you know,  
7       concerns that I, supposedly, disclosed to her, which I  
8       never have. And those statements, which for some  
9       reason were in this petition when, in reality, she  
10       should be impartial, right, she should be not getting  
11       involved in his defense because it already would  
12       indicate that she is partial to him.

13               So I do have concerns that Wendy has made  
14       many statements that would support Mr. Thomas Neal in  
15       this regard with no basis. Even in the event then,  
16       which I never have made those comments to her, that  
17       those were made, why is she then now collaborating with  
18       them to create a case?

19               Now, I can see what is going on, okay. And  
20       so there's -- I mean, if you look at the motion, right,  
21       he has compiled information from Don, the therapist,  
22       which, again, I don't understand why she would disclose  
23       information to him which, you know, she is supposed to  
24       be providing information to the Court about the

1       children, not about my condition because I am not here  
2       to be evaluated, right. She is not there to see me.  
3       She is there to see the children. Done at that point.  
4       Yet she provided claiming all these untrue things that  
5       they were citing, that were given to them. And same  
6       thing with Wendy.

7               And so I know that what was said in those  
8       motions were not true. And to then come up to a  
9       conclusion that what they all collaborated hearsay  
10      somehow, again, is an indicator of my mental well-being  
11      is absolutely insane.

12              Now, again, if they can come up with a real  
13      concrete reason, evidence that that evaluation is  
14      needed, I would like to hear it.

15              Bringing concerns about my children's safety  
16      when I have evidence to do so, to indicate is not  
17      wrong. And because nothing has been done regarding the  
18      safety of my children for over a year my desire to make  
19      them safe is going to be number one. So I will do  
20      whatever it takes to make sure my children are safe.

21              THE COURT: Thank you, sir.

22              MR. MARIO NEAL: And I am not unstable for that.

23              THE COURT: Thank you, sir.

24              Ms. Musielak, any contribution you wish to

1 have as to the Court's consideration?

2 MS. MUSIELAK: The only thing I would point out,  
3 Judge, is that it's a discovery tool that the Court has  
4 to give the Court more information to make  
5 recommendations for these three young children. We  
6 have an eight-year-old and twin five-year-olds.

7 There have been serious allegations raised by  
8 both parties throughout this litigation, and the kids  
9 have become in the middle of it. And if one of them  
10 has to deal with somebody's mental illness, if there is  
11 one, that is not to say that there is, the whole point  
12 of a 215 examination is to make that determination by a  
13 professional who has the skill set to make those  
14 things.

15 The Court can determine if the mental health  
16 is in controversy, which I think it is in this case,  
17 that it needs more information to either determine if  
18 there is or is not. Because by doing this it could  
19 also rule out any of the allegations. It's not making  
20 a conclusion by ordering a 215 that anything exists.  
21 It's merely getting a professional to give the  
22 information to the Court that can, actually, make the  
23 conclusions where none of us can.

24 THE COURT: Indeed.

1                   Illinois Supreme Court Rule 215(a) provides  
2                   in pertinent part that in any action in which the  
3                   mental condition of a party is in controversy, the  
4                   Court upon notice and on motion may order such party to  
5                   submit to a mental health examination by a licensed  
6                   professional in a discipline related to the mental  
7                   condition which is involved.

8                   On April 10th, 2023 the petitioner filed a  
9                   notice and combined motion for a 604.10(c) evaluation  
10                  and Rule 215 mental examination seeking that the  
11                  respondent be ordered to undergo a Rule 215 mental  
12                  examination, and details in his motion the reasons why  
13                  he believes the respondent's mental health is an issue.

14                  In his response to section -- I am sorry --  
15                  Paragraph 37 of the petitioner's combined motion for  
16                  604.10(c) evaluation and Rule 215 mental examination  
17                  the respondent states affirmatively that due to the  
18                  years of mental and physical abuse exacted by Thomas on  
19                  Mario and the minor children the opinion of a clinical  
20                  psychologist in assessing the impact of those years of  
21                  abuse by Thomas would assist the Court in reaching the  
22                  final decision related to the permanent allocation of  
23                  parental decision-making responsibilities and parenting  
24                  time and in determining the children's best interests.

1                   The Court finds that the respondent's mental  
2                   health is in controversy and will order the respondent  
3                   to undergo a Rule 215 mental health examination with  
4                   Dr. Robert Shapiro, whose address is 125 South  
5                   Bloomingdale Road, Suite 12, Bloomingdale, Illinois,  
6                   60108, whose telephone number is area code (630)  
7                   893-3350.

8                   MR. MARIO NEAL: May I interrupt, your Honor? I  
9                   am sorry. Sorry, if I can.

10                  THE COURT: Yes.

11                  MR. MARIO NEAL: Okay. So if this is going to be  
12                  deemed necessary, I think it is, you know, unfair that  
13                  they get to hand pick this individual that is going to  
14                  do the evaluation.

15                  Now, I should have been given some sort of,  
16                  you know, you know, choice as to who because every  
17                  single time that there has been a professional that has  
18                  been asked to make an opinion has been hand picked by  
19                  all of them, and I find that to be unfair.

20                  THE COURT: So, sir, first of all, there are only  
21                  a select number of court-appointed evaluators that the  
22                  Court can select from. This is the list. It is the  
23                  Court that selected this evaluator. It isn't  
24                  necessarily the recommendation of either party but the

1 Court himself.

2 MR. MARIO NEAL: Well, because I got an e-mail  
3 from Mr. Chuck Roberts letting me know that he had  
4 selected this individual, which is why I brought the  
5 concern. So --

6 THE COURT: And, Mr. Neal, Mr. Mario Neal, I  
7 wasn't privy to that e-mail.

8 MR. MARIO NEAL: Yeah.

9 THE COURT: That didn't enter into my ruling  
10 today.

11 MR. MARIO NEAL: All right.

12 THE COURT: My ruling was based upon the pleadings  
13 that were filed, and I referenced your response, as  
14 well.

15 The Court will continue.

16 The examination is to take place within the  
17 next twenty-one days subject to the first availability  
18 of Dr. Shapiro.

19 The examination and examiner's report shall  
20 be in accordance with the provisions of Illinois  
21 Supreme Court Rule 215, and shall be paid by the  
22 petitioner together with the compensation for any loss  
23 of earnings incurred by the respondent and his  
24 reasonable expenses pursuant to Rule 215(b).

1                   That is the order of the Court.

2                   MR. CHUCK ROBERTS: Judge, I will get back as  
3 quickly as I can. Thank you.

4                   THE COURT: Thank you, sir.

5                   MS. MUSIELAK: Judge, before I leave and you  
6 continue with the financial matter, should we set the  
7 status date?

8                   THE COURT: Sure.

9                   MR. CHUCK ROBERTS: And twenty-one days, Judge,  
10 would be after the commencement of the work by  
11 Dr. Shapiro? I mean, he indicated he would start in  
12 early January.

13                  THE COURT: Got it. So that's Dr. Shapiro's  
14 availability?

15                  MR. CHUCK ROBERTS: Yes, sir.

16                  THE COURT: Got it. All right. So let's take a  
17 look for a date then.

18                  Mr. Mario Neal, Mr. Roberts, Ms. Musielak,  
19 given the holidays and the time that Dr. Shapiro  
20 normally takes to be able to have the evaluation done,  
21 would it make sense to have a future date, let's say,  
22 mid February?

23                  MS. MUSIELAK: I think mid February would be good.

24                  MR. RICK ROBERTS: I agree.

1                   THE COURT: Mr. Mario Neal, sir?

2                   MR. MARIO NEAL: Well, what I would say is push it  
3 to March. I just feel like, you know, there is --

4                   THE COURT: Well, this is status only, sir. This  
5 is a status date only.

6                   MR. MARIO NEAL: Just to provide an update, is  
7 that what?

8                   THE COURT: Yes, sir.

9                   MR. MARIO NEAL: All right. That is fine.

10                  THE COURT: All right. So how is February 13th at  
11 9:25?

12                  MR. MARIO NEAL: Can you just let me know what day  
13 of the week that is?

14                  THE COURT: Yes, sir. That is a Tuesday, sir.

15                  MR. MARIO NEAL: What time again?

16                  THE COURT: 9:25, February 13th.

17                  MS. MUSIELAK: That works for me.

18                  MR. RICK ROBERTS: That works for me, as well.

19                  MR. MARIO NEAL: Okay. At nine?

20                  THE COURT: Twenty-five.

21                  MR. MARIO NEAL: Okay.

22                  THE COURT: Does that work for you as well, sir?

23                  MR. MARIO NEAL: That is fine.

24                  THE COURT: All right. So February 13th at 9:25

1 for status.

2 Ms. Musielak, we will make sure that you get  
3 a copy of the order.

4 MS. MUSIELAK: All right. Perfect, your Honor.

5 THE COURT: Thank you.

6 MR. MARIO NEAL: All right. Just to get  
7 clarification, your Honor, in regards to this  
8 evaluator, is this individual going to have any  
9 communication with my children?

10 THE COURT: So, sir, this evaluation is of you.

11 MR. MARIO NEAL: Okay. Just to clarify.

12 THE COURT: All right. So, Mr. Rick Roberts,  
13 would you be so kind to maybe begin that order?

14 And then maybe when Mr. Chuck Roberts comes  
15 back, we can have a quick discussion about temporary  
16 support, child support, and then we can resume.

17 MR. RICK ROBERTS: Okay. That makes sense, Judge.

18 THE COURT: All right. So we are going to have --  
19 Mr. Mario Neal, sir?

20 MR. MARIO NEAL: Yes, sir.

21 THE COURT: We are going to have a copy of the  
22 order provided to you.

23 MR. MARIO NEAL: Absolutely.

24 THE COURT: And that way you have Dr. Shapiro's

1 contact information.

2 MR. MARIO NEAL: Yeah, I already have it, I  
3 believe.

4 THE COURT: Okay.

5 MR. MARIO NEAL: Because Mr. Roberts had sent me  
6 that.

7 THE COURT: All right. Thank you.

8 (Brief pause.)

9 MR. MARIO NEAL: So, your Honor, I do have a  
10 question of you, if you don't mind.

11 I did submit a petition regarding the  
12 children's potential therapy. Do you -- how would that  
13 work? Do I expect a decision from you? Or is that  
14 going to be set for trial?

15 THE COURT: So if there is a pending pleading,  
16 sir, you can, certainly --

17 MR. MARIO NEAL: I have already submitted that  
18 like a month ago, I believe.

19 THE COURT: All right. Was it noticed up?

20 MR. MARIO NEAL: Yeah. I don't -- can you explain  
21 to me what, how that is so that I don't make the same  
22 mistake because I don't know what that means?

23 THE COURT: All right.

24 MR. MARIO NEAL: So I filed a motion.

1 THE COURT: Right.

2 MR. MARIO NEAL: Yeah.

3                   THE COURT: And I need to be careful, sir, because  
4 I am not supposed to give you legal advice.

5 MR. MARIO NEAL: Got it. Just the protocol of how  
6 you do it, not, I guess -- I am sorry.

7 THE COURT: All right. So you will maybe want to  
8 reach out to get some assistance. There is the DuPage  
9 County Bar Association Legal Help Desk that maybe you  
10 could inquire about.

11 MR. MARIO NEAL: Okay.

12 THE COURT: All right. I think I still have  
13 something on it.

14 THE DEPUTY: I think there is something in front.

15 | THE COURT: I think this is it, too.

16 MR. MARIO NEAL: Just because I am filing motions  
17 and, I guess, I need to know the exact protocol so I  
18 don't make the same mistake.

19 | Appreciate it. Thank you so much.

20 (Brief pause.)

21                   MR. MARIO NEAL: Your Honor, last question. I am  
22                   sorry to interrupt.

23 So as of now there is no pending motions on  
24 my behalf? They are to be addressed, right; is that

1 correct?

2 THE COURT: That is my understanding.

3 MR. MARIO NEAL: Because I just -- I was looking  
4 at some of the motions, and there is some that go back  
5 to when I was represented by Jackie DeSanto (phonetic),  
6 and so a lot of those motions were filed and I just  
7 don't know. We never had a hearing, so I don't know  
8 what the status is. Or do I need to follow up with  
9 some of those?

10 THE COURT: And depending on which one or ones you  
11 are referring to, you may do so, you may need to do so.

12 MR. MARIO NEAL: Just to like resubmit them, I  
13 guess, with the same process? Okay.

14 (Whereupon, a break was had  
15 in the proceedings.)

16 THE COURT: Good morning again. We are back on  
17 case No. 2022 DC 915, In Re the Marriage of Thomas Neal  
18 and Mario Neal.

19 Counsels and Mr. Mario Neal, would you be so  
20 kind as to introduce yourselves and who you represent  
21 in your role in this matter?

22 MR. CHUCK ROBERTS: Chuck Roberts for Tom Neal.

23 MR. RICK ROBERTS: Rick Roberts also for Tom Neal.

24 THE COURT: Thank you.

1                   MR. MARIO NEAL: Mario Neal representing myself.

2                   THE COURT: Thank you. And, Mr. Thomas Neal,  
3 would you introduce yourself?

4                   MR. THOMAS NEAL: Tom Neal, your Honor.

5                   THE COURT: Thank you.

6                   And so this morning we took care of the  
7 petitioner's motion to strike, the respondent's motion  
8 for maintenance, and also the petitioner's motion for  
9 the Rule 215 exam portion of the combined motion  
10 previously filed.

11                  So what we do have left is respondent's  
12 motion for temporary child support and the petitioner's  
13 motion to allocate marital expenses.

14                  And what the Court had mentioned earlier was  
15 that it may make sense to take a pause at some point  
16 and see if the parties wish to discuss the support  
17 matter before going to hearing on that.

18                  And I had mentioned to Mr. Mario Neal that  
19 the Court hadn't received any courtesy copies, nor any  
20 supplemental documents for the Court to consider, and  
21 that this is normally summary in nature. And so those  
22 are needed in advance.

23                  MR. MARIO NEAL: All right.

24                  THE COURT: And, Mr. Mario Neal, have you had a

1 chance to speak with Messrs. Roberts?

2 MR. MARIO NEAL: Yes, your Honor. I think that  
3 that was a valid concern. I am sorry. I didn't know.  
4 But I will make sure that I do follow up and comply  
5 with the rules. It's ignorance, not an excuse.

6 And we did discuss the child support, and we  
7 are just going to keep the current child support  
8 payment, no adjustments --

9 MR. RICK ROBERTS: No, Judge, I would object to  
10 this.

11 I think what we need is an opportunity to  
12 maybe speak with Mario Neal about the finer details --

13 THE COURT: Okay.

14 MR. RICK ROBERTS: -- about what might be in the  
15 agreed order. We are in the process of going back and  
16 forth --

17 THE COURT: Oh, understood.

18 MR. RICK ROBERTS: -- on discussing this.

19 THE COURT: Understood.

20 So, Mr. Mario Neal, it sounds like  
21 conceptually there might be the foundation of an  
22 agreement.

23 MR. MARIO NEAL: Okay.

24 THE COURT: Just the details need to be worked

1 out, which is perfectly fine.

2 The Court will note that it is ten to noon,  
3 and so we normally break at noon, anyway. And we have  
4 it set yet for this afternoon beginning at 1:30.

5 So what I can do, Messrs. Roberts and  
6 Mr. Neal, is in the event that the parties have an  
7 agreed order to submit that resolve the two pending  
8 matters, again the respondent's motion for temporary  
9 child support and the petitioner's motion to allocate  
10 marital expenses, and that is included in the agreed  
11 order, then we do have a future date.

12 And, Mr. Chuck Roberts, my apologies if you  
13 were or weren't in the courtroom, but we looked for a  
14 future date for status before Ms. Musielak left. It's  
15 February 13th at 9:25 for status on Dr. Shapiro's  
16 report subsequent to the Rule 215 examination and any  
17 further setting as may be necessary at that time.

18 But in the event there is an agreed order and  
19 this afternoon isn't necessary, rather than have you  
20 come back simply to report at 1:30, you can leave the  
21 agreed order with the secretaries.

22 MR. CHUCK ROBERTS: Great.

23 THE COURT: Mr. Mario Neal, so in the event an  
24 agreed order is reached, then Messrs. Roberts will ask

1 that you and Mr. Thomas Neal sign that agreed order.  
2 And then it can be left with the secretaries up front  
3 here. That would then no longer necessitate anyone  
4 coming back at 1:30.

5 MR. MARIO NEAL: Yes, your Honor, because I do  
6 have to meet Dr. Hatcher at 1 o'clock.

7                   THE COURT: Okay, good, good. So in the event  
8 that that occurs, you wouldn't -- no one would need to  
9 come back at 1:30 simply to let me know that. I will  
10 know by the leaving of the agreed order with the  
11 secretaries and then that future date to stand.

12 | MR. CHUCK ROBERTS: That is terrific. Thank you.

13 | MR. RICK ROBERTS: All right. Thank you, Judge.

14 | THE COURT: Thank you, everyone.

15 (Whereupon, which were all the  
16 proceedings had in this cause on  
17 this date.)

IN THE CIRCUIT COURT OF THE 18TH JUDICIAL CIRCUIT  
DU PAGE COUNTY, ILLINOIS

I, FRAN MARIE SAVIANO, hereby certify the foregoing to be a true and accurate transcript of the computer-based digitally recorded proceedings of the above-entitled cause to the best of my ability to hear and understand, based upon the quality of the audio recording, pursuant to Local Rule 1.03(c).

Fran M. Saccoccia

Fran M. Saviano, CSR  
Official Court Reporter  
18th Judicial Circuit of Illinois  
DuPage County  
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