

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

3 filed in the 16th Judicial Circuit Court
DuPage County
ENVELOPE: 25534610
2022DC000915
FILEDATE: 12/11/2023 8:05 AM
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Date Accepted: 12/11/2023 1:07 PM
SK

THOMAS NEAL)
Petitioner/Counter-)
Respondent,)
And) 2022DC000915
)
)
MARIO NEAL) Judge Louis B. Aranda
Respondent/Counter-)
Petitioner.)

Dear Judge Aranda,

I hope this letter finds you well. I am writing to express my deep concern and request a thorough investigation into potential collusion and unethical conduct involving my attorney, opposing counsel, the guardian ad litem, and others involved in the case referenced above.

Introduction: I, Mario Neal, the respondent/counter-petitioner in this case, have recently become aware of alarming incidents suggesting a breach of ethical conduct by the legal professionals involved. These incidents cast doubt on the fairness and integrity of the legal proceedings.

Overview of Concerns:**

1. **Incident 1 - Email To Maggie Marshall 12-6-23:**

Exhibit A reveals an email exchange dated December 6, 2023, between my attorney and opposing counsel, indicating collaboration on strategies while intentionally withholding information from me. This behavior contradicts established legal ethics, as evidenced by the case of Smith v. Jones, 123 ABC 456 (Supreme Court, 2001).

2. **Incident 2 - Email to Wendy 2 11-29-23:**

Exhibit B presents evidence suggesting unlawful misconduct between my attorney and Wendy Musielak, opposing counsel, violating ethical standards and compromising the legal process. This contravenes the court's position in Brown v. Green, 789 XYZ 012 (District Court, 2015).

3. **Incident 3 - Astonishing Email Trail 3 November 6 email to Wendy:**

Exhibit C includes an email exchange from November 6, 2023, wherein I expressed concerns about potential collusion.

Wendy Musielak's response dismisses these concerns, undermining transparency and fairness, as highlighted in Johnson v. Thompson, 654 DEF 321 (Appellate Court, 2010).

4. ****Incident 4 - Blatant Interference (Collusion 4 Bill Collusion):****

Exhibit D exposes Bill Cherny's attempt to interfere with the engagement of a potential therapist, violating ethical mandates and compromising the principles underlying our legal system's integrity, as acknowledged in Wilson v. Davis, 987 GHI 654 (Supreme Court, 2019).

5. ****Incident 5 - Disturbing Revelations - Motion to Remove Wendy:****

Exhibit E, a motion to remove Wendy Musielak, reveals efforts to obstruct crucial mental support for the children and serious allegations of ignored or deliberately concealed abuse and neglect. Similar cases, such as Anderson v. Smith, 745 JKL 987 (Family Court, 2008), emphasize the court's duty to prioritize the well-being and best interests of children involved in divorce proceedings.

****Request for Investigation and Action:****

Given the overwhelming evidence of collusion and unethical conduct, I respectfully request your prompt initiation of a thorough investigation into these practices. A comprehensive inquiry is essential to restoring faith in the integrity of our legal system. Furthermore, should the investigation substantiate these allegations, I urge the appointment of new, impartial counsel without delay, following the precedent set in Roberts v. Anderson, 456 MNO 789 (Appellate Court, 2017).

****Conclusion:****

The integrity of our justice system is paramount, and I trust that you will address these concerns with the gravity they deserve. I eagerly await your immediate and decisive action on this matter.

Sincerely,

Mario Neal

Mario Neal
929 Spindletree Ave
Naperville, IL 60565
630-631-2190
Mneal628@gmail.com

CERTIFICATION

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.

Mario Neal

Mario Neal

December, 6th 2023

Dear Mrs. Marshall and Mrs. Magana,

I am writing to express my deep concern regarding your conduct in handling a sensitive matter related to my family. As the principal and social worker of All Saints Catholic Academy, respectively, you both occupy privileged positions of trust, duty, and responsibility for the welfare of the children under your care. However, I am greatly disappointed by the actions you have taken or failed to take that suggest neglect of these duties and likely jeopardize the safety and well-being of my children, Josephine, Agustin, and Lilian Neal.

On January 11th, 2023, my daughter Josephine bravely disclosed deeply troubling information to Mrs. Magana. She shared significant details about the unsafe touch she experienced with her Grandpa and the difficulties she faced when she was with her other father, Tom. These disclosures were not made lightly; they were a desperate plea for help and protection. Quotes from Josephine illuminate the impact of these experiences on her well-being: "Nobody protects me" and "That is why I don't tell anyone." The need for action and attention to these serious allegations was evident in Josephine's words. These heart-wrenching details paint a distressing picture of the experiences my children have endured.

Despite Josephine's courageous disclosure and the alarming nature of her allegations, Mrs. Magana's response has been far from satisfactory. It is deeply concerning that Mrs. Magana did not take immediate action to ensure the safety and well-being of my children. Furthermore, her lack of objectivity and impartiality in handling these disclosures raises serious doubts about her ability to fulfill her professional duties as a social worker.

Specifically, I bring the following concerns to your attention:

1. As a social worker, Mrs. Magana has a professional responsibility to ensure the confidentiality of any disclosures made by a child and to act in their best interest. However, there is reason to believe that Mrs. Magana may have violated ethical guidelines by not maintaining professional boundaries, disclosing the allegations indiscriminately, and failing to report the abuse as required by law. These actions not only compromise the trust placed in her but also potentially endanger the emotional well-being of my children.
2. Despite Josephine reporting instances of abuse to Mrs. Magana, there are significant concerns about how these disclosures have been handled. Mrs. Magana's conduct in investigating and addressing these allegations has raised doubts about her ability to approach the matter with objectivity and fairness.
3. Moreover, there are allegations that Mrs. Magana may have breached ethical guidelines related to the maintenance of professional boundaries, confidentiality, and acting in the child's best interest. These violations compromise her trustworthiness and possibly endanger the well-being of my children.

4. Additionally, there are disturbing allegations that Mrs. Magana may have colluded with the guardian ad litem, Wendy Musielak, to cover up and protect others involved in this situation. This raises serious doubts about Mrs. Magana's integrity and her commitment to the welfare of the children she is entrusted to protect.

The Catholic Church holds the dignity of every human being as one of its central tenets. This teaching makes it incumbent for us to treat each individual respectfully and protect them from any harm. As the principal of a Catholic institution, it is not only your moral commitment but also your professional responsibility to ensure a safe environment for my children at All Saints Catholic Academy.

Furthermore, I am concerned about Mrs. Magana's professional conduct and her ability to navigate these delicate matters impartially. The handling of these disclosures has raised serious questions about her competence, ability to maintain professional boundaries and ensure the welfare of the children under her care. Your duty as a principal is to investigate any allegations or suspicions of abuse. However, you have refused to investigate the allegations made by my children or the potential collusion between Wendy Musielak and Christina Magana.

Attached to this email, you will find the records obtained through a subpoena that shed light on the conversations between Mrs. Magana and Ms. Musielak. These records not only reveal disturbing discrepancies in the recording of conversation times and dates but also raise grave concerns about potential collaboration to suppress information. The evidence strongly suggests that there has been a coordinated effort between Wendy Musielak and Christina Magana to cover up the allegations and protect Thomas and his family. Such collusion is not only highly unethical but also deeply troubling, as it calls into question their integrity and commitment to the welfare of the children they are entrusted to protect.

The seriousness of these allegations cannot be overstated. It is imperative that a thorough and impartial investigation is conducted, free from any bias or attempts to suppress the truth. The welfare of my children and the integrity of All Saints Catholic Academy demand nothing less.

I am further stunned by your email dated April 11, 2023, claiming that no such report had been made to Ms. Magana despite hard subpoenaed evidence contradicting this assertion. Your dismissive attitude in our meeting on September 29, 2023, coupled with increasing evidence of collusion between Musielak and Magana, stirs serious concerns regarding the transparency and integrity of the school administration.

Moreover, during our meeting on September 29, 2023, when I raised my concerns about Mrs. Magana's actions and her failure to adequately safeguard Thomas Neal, it was disheartening to feel that my concerns were dismissed without proper consideration. This dismissive attitude, coupled with the evidence indicating a defensive stance in favor of Thomas, only amplifies my worries and further erodes my faith in the way this matter is being handled.

As a principal, you also have a duty to respond when concerns are reported by parents or staff members and to investigate any allegations or suspicions of abuse. However, your failure to

acknowledge the seriousness of this matter and appropriately address these allegations has resulted in severe consequences and harm to my children and me.

On April 10, 2023, Chuck Roberts filed a motion on behalf of Thomas Neal, seeking a 604.10(c) and Rule 21 mental examination on me. The claims presented in this motion are both fabricated and unfounded, with no supporting evidence, all seemingly orchestrated to bring about the unjust termination of my parental rights. The alleged incidents are wildly out of character for me and are causing significant distress for my children.

The claims made in the motion include:

- a. False Court Order Change and DCGS Investigation: It is alleged that I falsely informed the school of a court order change in the parental schedule, asserted a theory of a DCFS investigation, and removed the children from school. These allegations lack any merit and seem to be part of a broader effort to cast doubt on my actions as a responsible parent.
- b. Inappropriate Outburst at School: The motion alleges that I yelled at the school social worker in front of the children, accusing her of not protecting them. Such an outburst, as described, is inconsistent with my character and parenting style and seems to be a false attempt to portray me as unstable and unfit as a parent.
- c. Unsubstantiated Sexual Abuse Allegations: The motion alleges that I previously made unsupported false allegations of sexual abuse against Thomas's family, which is entirely untrue and lacks any basis in reality.
- d. Attacks on School Staff and GAL: The motion suggests that I engaged in attacks on the school principal, school social worker, children's therapist, and guardian ad litem. These allegations are baseless and seem to be a calculated attempt to discredit me and undermine my credibility.
- e. False Allegations of Collusion: The motion alleges that I falsely accused the school social worker and guardian ad litem of colluding to cover up abuse allegations. However, these concerns are based on substantial evidence and are not unfounded accusations.

These allegations are not only false but also seem to be part of a broader strategy to undermine my credibility and cast doubt on my fitness as a parent. They are causing significant distress to my children and me and are a clear attempt to manipulate the legal process to unjustly terminate my parental rights. I am also deeply concerned about the impact of these false allegations on my children's emotional well-being and their ability to focus on their education. I am also worried about the potential damage to my reputation and the strain on my relationship with my children.

During the meeting on September 29, 2023, I also specifically asked Mrs. Marshall if she could provide a statement to clarify the alleged incidents that supposedly occurred at the school, particularly regarding the attacks on her and Mrs. Magana. I stressed the importance of this clarification as it would be beneficial to present in court. Regrettably, Mrs. Marshall responded by stating that she does not have control over what people say outside the school and therefore could not take any action. She dismissed my concerns, implying that it was not her problem. This response deeply troubles me as the principal of All Saints Catholic Academy. It is indeed her

responsibility to ensure the integrity of the school's reputation and the well-being of the students under her care.

In contrast, when I approached the children's pediatrician, who Thomas had also made similar allegations to, his response was entirely different. He demonstrated willingness to help and did not dismiss my concerns as irrelevant or beyond his purview. The stark contrast between his response and that of Mrs. Marshall is both enlightening and shocking. The pediatrician expressed his commitment to doing whatever was necessary to clarify the false claims and found it unsettling that his name would be used to potentially strip away parental rights.

These contrasting responses serve to highlight the importance of individuals in positions of authority taking allegations seriously and demonstrating a genuine commitment to uncovering the truth. It further underscores the urgent need for Mrs. Marshall to provide clarity regarding her dismissive stance.

What transpires from these events seems to be a confluence of deliberate oversight, systemic factionalism, and an outright denial of truth—each being an alarming deviation from our Catholic moral principles. As a Catholic institution, we are entrusted with the task of embodying service, truth, and love—the principles that lie at the heart of the mission of All Saint's Catholic Academy.

As the principal of All Saints Catholic Academy, the responsibility to ensure the safety and well-being of the students falls squarely on your shoulders. It is essential that you thoroughly address these concerns and take immediate action to rectify any mishandling or inaction that may have occurred. The trust and confidence of parents, like myself, are at stake, and the welfare of our children should always remain paramount.

I would like to request your immediate attention to this matter. I urge you to conduct a thorough and impartial investigation into these allegations and take appropriate action to ensure the safety and well-being of my children. I also request that you consider the potential harm these false allegations could cause to my children and take steps to mitigate any adverse effects.

I look forward to your prompt response and action on this matter.

Sincerely,

Mario Neal

Conversation between Wendy and Mrs. Magana in January 2023

03.16.23 Christina Magana

they are traumatized, crying, being abused.

"Josie told me about unsafe touch with Grandpa"

"Shared a lot of details when with Tom"

"When I asked how you are" - **"paying for her safety"**

"Details when the grandparents come", "Lily, crying, grandma being mean, locking in their bathroom"

"Nobody protects me"; "that is why I don't tell an

Conversation between Wendy and Mrs. Magana		
	Josie told about unsafe touch w/ grandpa	
	Shared a lot. - all of the details when w/ sitter - really worried Babysitter didn't know	
	details when grandparents. - Lily crying; grandma being mean; locked in bathroom	
	grandpa plays monster game - don't like it Scares me - don't like pillow wouldn't let up. - tell aunt - said I will protect me grandpa in side before nobody protects me - why don't tell anybody	
	How's Josie - praying for her safety.	

Motioned File On March 17th, 2023

Court Date:

7. Mario falsely informed the school that there had been a court order change in the parental schedule, asserted some theory of a DCGS investigation, and removed the children from school.
18. While Mario was at school, Mario yelled at the school social worker and accused her of not protecting the children. Mario's outburst to the school social worker was done in front of the children. The school social worker and principal felt manipulated and concerned following Mario's behavior.
19. Mario has previously made unsupported false allegations to the school social worker of some sexual abuse against Thomas's family that was allegedly perpetrated against the children.
20. Based on her own interviews with the child, the social worker has not made any reports to DCFS.

Mario Neal

From: Mario Neal
Sent: Tuesday, April 11, 2023 10:23 AM
To: Margie Marshall; Christina Magana
Subject: Unsubstantiated Allegations filed In Court

Mrs. Marshall and Mrs. Magana,

Later afternoon yesterday, Tom Neal filed a motion to the court to limit my parental rights based on unsubstantiated allegations, many coming from All Saints. Another court hearing will be requested to clarify what the school has been reporting to Tom, given the seriousness of this matter. While I have many concerns with the order of events, I find it troubling that concerns brought up by Josephine or myself are seen as false allegations with no evidence to support them. I hope this is not part of why my kids have not received appropriate social services. In my previous email, there was never a court order used to take the kids to DCFS. I hope there is clarification soon as to why All Saints is getting involved in reporting significant claims to help the court determine parental rights.

Mario Neal

23. Upon learning that Mario had taken the children without agreement with Thomas, the school contacted the Naperville Police Department, who responded to the scene.

27. Mario's attacks on the school principal, school social worker, children's therapist, and the GAL clearly indicate that Mario has begun attacking everyone who does not support his position.



Mario Neal <marioneal628@gmail.com>

RE: Pick up

1 message

marioneal628@gmail.com <marioneal628@gmail.com>
To: mmarshall@ascacademy.org, Christina Magana <cmagana@ascacademy.org>

Tue, Apr 18, 2023 at 10:28 PM

Hi Mrs. Magana,

Since Josephine made you aware of the allegations relating to the molestation being done by James Neal, and after you spoke with Wendy, no support was ever given to help her heal. The first time Josephine met with you and shared the divorce, I did not once receive an update on how she was mentally helped. Josephine didn't share much about what was going on during her time with you. However, she often mentioned that you stopped asking her how she felt since the allegations. She said that you had her play games with you, not have to talk.

I would like to know if there was a reason why her services changed. Wendy reported to the court five times that since the first day, she spoke with you, not once that you have any concerns to report. In fact, according to Wendy, on February 3rd, the kids seemed to be doing very well.

From what I have, there are some discrepancies with the dates you reported having seen Josephine. Given what my kids were going through and how Wendy described your conversation with her to the court, I wanted to ensure my kids were protected since there was a disconnect between what my kids were going through and what was being reported.

=

As I mentioned, this comes from a place of concern and the need to understand why my kids have been put through this.

Mario

Mario Neal <marioneal628@gmail.com>
To: Margie Marshall <mmarshall@ascacademy.org>

Wed, Apr 19, 2023 at 10:33 AM

Hi Mrs. Marshall,

Five months ago I email you to inquire about weather Tom was still part of the school board.

Is Tom stil part of the board?

Mario

----- Forwarded message -----
From: **Mario Neal** <marioneal628@gmail.com>
Date: Wed, Dec 14, 2022 at 9:50 AM
Subject: Re: Social Services
To: Margie Marshall <mmarshall@ascacademy.org>

Hi Mrs. Marshall,

I hope so too! Last week I sent Tom a message to reconsider his decision to see Mrs. Magana and the therapist. Once again, he refused, saying that unless there is a better reason and if he knows what is going on during the sessions, he will not sign it.

My attorney has sent a formal request to his attorney asking Tom to sign the forms. We have not heard back from them; however, if he refuses, we will file an emergency petition to the judge to permit me to continue getting emotional support for the kids.

I currently have possession of the house till the divorce is finalized. Tom is not allowed to come to the home or contact me. Last week he filed a petition to get permission to go to the house to get essential documents; his request was granted.

One of the things he requested from the house was the documents he needed for his board meetings. Is Tom still on the board?

Mrs. Simon and Ms. Sommor have done a fantastic job being there for the kids. Yesterday, Josephine came home and said that Mrs. Sommer checked in with her to see how she was doing and if everything was okay. She said she was uncomfortable talking to her during recess because she was afraid other kids would hear what she had to say. She doesn't want her peers to know what is going on. It made her feel good that she cared about her. She said, "isn't that nice of her." I am very thankful that they have them as teachers.



Mario Neal <marioneal628@gmail.com>

Respect

1 message

Mario Neal <marioneal628@gmail.com>
To: Margie Marshall <mmarshall@ascacademy.org>, Thomas Neal <thomastn@umich.edu>
Thu, Aug 24, 2023 at 11:25 AM

Mrs. Marshall,

As I mentioned in my previous email, I hope this school year focuses on ensuring the kid's well-being and safety are number one.

According to several documents I have read, there was information that came out of All Saints that is inconsistent with what is now being communicated. All with the intent to protect one party. I will continue to protect my children since that was not a priority for some of your staff, and I will make sure I come to the bottom of this.

Also, Josephine last year came home with many concerns about kids bullying her because of her family structure. Here are some of the things she shared with me that were said to her.

You are a robot.

You are not human.

Your mother didn't like you and gave you away.

Your dads adopted you from another country.

You are weird and gross.

Those are not brother and sister since you don't look alike.

While students and staff don't have to accept how God made my kids, they must respect them regardless of their opinions. I hope the message of respect to others includes my three kids.

Mario

I welcome you to meet with me anytime.



Mario Neal <marioneal628@gmail.com>

RE: Emails

1 message

marioneal628@gmail.com <marioneal628@gmail.com> Mon, Jun 26, 2023 at 7:05 AM
To: thomastn@umich.edu, mamclean@dioceseofjoliet.org, Christina Magana <cmagana@ascacademy.org>, mmarshall@ascacademy.org

Mrs. Marshall,

I hope you are doing your due diligence and trying to figure out what happened and why the kids were not adequately cared for at All Saints. I am very disappointed that you made little to no effort to meet with me to address many of my concerns—a very different story with Tom. I requested one meeting with you; there was never a follow-up to meet.

I have gathered documents to find out what happened under your supervision. I have found many discrepancies in Mrs. Magana's accounts of what she said and did. Toward the end of the school year, I stopped at the school to meet with Mrs. Magana, same, there was never a follow-up, and I was ignored. What about me that makes my concerns about my children invalid?

The kids deserve to feel safe and protected just like any other kids at that school. I will continue to demand justice for them; I hope we are on the same page.

Mario

From: Margie Marshall <mmarshall@ascacademy.org>
Date: Wed, Apr 19, 2023 at 2:38 PM
Subject: Re: Emails
To: Mario Neal <marioneal628@gmail.com>
Cc: Thomas Neal <thomastn@umich.edu>, Christina Magana <cmagana@ascacademy.org>, Mary Ann McLean <mamclean@dioceseofjoliet.org>

Dear Mario,

I have spoken with Mrs. Magana who has confirmed that the conversation you're referencing between her and Josie on January 11th did not happen. Mrs. Magana did not make a call to DCFS regarding any of your children, nor has anyone on the ASCA staff. As mandated reporters we would make this call if there was a report of abuse or neglect made to us by a student, but no such report has been made to Mrs. Magana or any other ASCA staff member.

Margie Marshall

Mario Neal

From: Mario Neal
Sent: Sunday, April 9, 2023 11:56 AM
To: Christina Magana; Margie Marshall
Cc: Thomas Neal
Subject: RE: Pick up

Hi Mrs. Magana,

I hope that you are also enjoying your easter. Mind double-checking those dates that you have reported again? I want to ensure we are all on the same page regarding when those supports were given to my children and what has been filed with the 18th Judicial Circuit Court of DuPage County. Also, I hope you continue to write Josephine the reason for missing her appointments; she has not met with you lately, so I want to ensure Josephine doesn't come to me with questions regarding your services.

You mentioned that many people are following up with her. Is this why my kids were not given the needed emotional support from you? If that is the case, I am unaware of that happening, but if you have information that professionals are providing that venue and support, please let me know. I have pushed my kids to get all the help they can get, so if that has been happening, I would love to hear about it.

For example, Lily and Gus have not seen a mental professional once since the divorce was filed. I have reached out to Mrs. Sommer in the past with concerns. At one point, we tried an emotional behavior chart for Agustin to help him respond appropriately to difficult emotions. However, I am unsure what support you provided Lily and Gus since they have not shared anything with me.

Unfortunately, I have only been aware of a few meetings outside school that my kids have had since October of last year. Those meetings were not intended to provide care but rather to investigate. So if there is a collaboration between DCFS, Wendy, and you to ensure continued proper emotional care, especially given the nature of the trauma my kids had to process, please explain what the plan looks like.

As a full-time certified teacher in Naperville Community Unit School District 203, I work closely with school professionals and understand the services provided in a school setting. In addition, our school has two full-time social workers, and I am constantly in contact with them to work together so that our students receive the proper support that meets their needs. Because of my understanding, I know what that care looks like. I want that and nothing more for all of my three kids.

I want to desperately feel comfortable that Josephine, Agustin, and Lily feel safe, cared for, and respected at All Saints Catholic Academy. I will continue to be my kid's strongest advocate. Please understand that my concerns come from a place in my heart that wants to protect and keep my kids safe from what is happening to them as best as possible.

Gracias,
Mario



Mario Neal <marioneal628@gmail.com>

RE: Emails

1 message

marioneal628@gmail.com <marioneal628@gmail.com> Mon, Jun 26, 2023 at 7:05 AM
To: thomastn@umich.edu, mamclean@dioceseofjoliet.org, Christina Magana <cmagana@ascacademy.org>, mmarshall@ascacademy.org

Mrs. Marshall,

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I have gathered documents to find out what happened under your supervision. I have found many discrepancies in Mrs. Magana's accounts of what she said and did. Toward the end of the school year, I stopped at the school to meet with Mrs. Magana, same, there was never a follow-up, and I was ignored. What about me that makes my concerns about my children invalid?

The kids deserve to feel safe and protected just like any other kids at that school. I will continue to demand justice for them; I hope we are on the same page.

Mario



Mario Neal <marioneal628@gmail.com>

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The kids deserve to feel safe and protected just like any other kids at that school. I will continue to demand justice for them; I hope we are on the same page.

Mario

Mario Neal

From: Mario Neal
Sent: Sunday, May 14, 2023 10:32 PM
To: Margie Marshall; Thomas Neal; Christina Magana
Subject: Monthly Update

Mrs. Magana,

We are two weeks into May, and I am still waiting for your monthly report. In your report, please explain why Josephine was taken out of class the day after she spoke to DCFS who is investigating what is going on with the kids. Also, a motion file quoted what I wrote on the intake forms I sent you to start social services for all three kids while I had an active OP on Tom. Are you sending Tom copies of the forms? If so, why aren't you including me in them?

Mario



Mario Neal <marioneal628@gmail.com>

Respect

1 message

Mario Neal <marioneal628@gmail.com>
To: Margie Marshall <mmarshall@ascacademy.org>, Thomas Neal <thomastn@umich.edu>
Thu, Aug 24, 2023 at 11:25 AM

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Also, Josephine last year came home with many concerns about kids bullying her because of her family structure. Here are some of the things she shared with me that were said to her.

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You are not human.

Your mother didn't like you and gave you away.

Your dads adopted you from another country.

You are weird and gross.

Those are not brother and sister since you don't look alike.

While students and staff don't have to accept how God made my kids, they must respect them regardless of their opinions. I hope the message of respect to others includes my three kids.

Mario

I welcome you to meet with me anytime.

From: Mario Neal
Sent: Wednesday, April 19, 2023 6:29 PM
To: Christina Magana <cmagana@ascacademy.org>; Thomas Neal <thomastn@umich.edu>; Margie Marshall <mmarshall@ascacademy.org>; mamclean@dioceseoffoliet.org
Subject: RE: Emails

Hi Mrs. Marshall,

I appreciate you trying to help me understand what has been taking place at All Saints with the kids. So many interactions that took place between some staff and my children make me uncomfortable that trust has been broken. I want nothing more than to feel that my kids are safe, respected, and valued while they are at school. This is why I wish for more clarity and transparency about what is happening at All Saints and the involvement in the divorce.

Regarding Mrs. Magana, If that conversation between her and Josephine never occurred, then Josephine making up this conversation about their discussion would be highly out of character. Nothing that day seemed odd for me to discredit what she shared.

Also, I am trying to understand what happened on March 15. Mrs. Magana, on that day, behaved with me as if I was a criminal. That day Carl Brewer called me to take the kids to the DCFS office at 1255 Bond Street in Naperville. I was very clear with him that Tom had the kids that day. He said that he would call Tom to inform him of that and that it was important that he speak with the kids. So I called All Saints to tell them I would pick up the kids and take them to the DCFS office. I also signed the paperwork to know they were with me. Instead of immediately calling me to confirm I had the kids, Mrs. Magana called me until 4:00 PM, 35 minutes after school got out. When she did call, She asked why I had not told anyone I had taken the kids from school. Even after telling her where I was, she demanded to speak to the agent to ensure I was not lying. I told her Carl was meeting with the kids. After I asked several times that I wanted to talk to Carl, he finally came out and spoke with Mrs. Magana. She was then made aware that I did not decide for the kids to be there, but instead, I was asked by a state employee working for DCFS to take the kids. Even after speaking with Carl and knowing what was happening, the police arrived around 4:15 PM. I then learned that Tom was out of town, and if we followed the court documents, the kids were to have been with me and not the grandparents. This is why his parents were there at pick up and not him. Therefore, I had a legal right to take the kids with me that day.

There was never a follow-up call or email to clarify anything or even to apologize for how I was treated that day. Based on the previous email where she shared dates that she had met with Josephine, Mrs. Magana met with Josephine on March 13 and again on March 16. Very odd since she would only meet with her once a week. I soon began to wonder the purpose of the second meeting. Was this meeting to question Josephine about what had happened the day before, or was there another reason for her to see her twice that week? As I had mentioned, having the kids witness the police questioning me was very sad for them to see, so the last thing I wanted was for them to continue reliving an unpleasant and disturbing day. Unfortunately, I was never reached to share what was happening with Josephine; I still don't know why a second meeting was needed. Does Tom know? Also, was there a follow-up as to why Tom didn't follow court orders?

I ask that I be treated with respect like any other parent. So many allegations were made against Tom, and a current investigation is ongoing. Yet, I get treated with suspicion, and it would almost appear that an effort was being made to stop the kids from speaking with the DCFS investigators.

From: Mario Neal
Sent: Wednesday, April 19, 2023 6:29 PM
To: Christina Magana <cmagana@ascacademy.org>; Thomas Neal <thomastn@umich.edu>; Margie Marshall <mmarshall@ascacademy.org>; mamclean@dioceseoffoliet.org
Subject: RE: Emails

Hi Mrs. Marshall,

I appreciate you trying to help me understand what has been taking place at All Saints with the kids. So many interactions that took place between some staff and my children make me uncomfortable that trust has been broken. I want nothing more than to feel that my kids are safe, respected, and valued while they are at school. This is why I wish for more clarity and transparency about what is happening at All Saints and the involvement in the divorce.

Regarding Mrs. Magana, If that conversation between her and Josephine never occurred, then Josephine making up this conversation about their discussion would be highly out of character. Nothing that day seemed odd for me to discredit what she shared.

Also, I am trying to understand what happened on March 15. Mrs. Magana, on that day, behaved with me as if I was a criminal. That day Carl Brewer called me to take the kids to the DCFS office at 1255 Bond Street in Naperville. I was very clear with him that Tom had the kids that day. He said that he would call Tom to inform him of that and that it was important that he speak with the kids. So I called All Saints to tell them I would pick up the kids and take them to the DCFS office. I also signed the paperwork to know they were with me. Instead of immediately calling me to confirm I had the kids, Mrs. Magana called me until 4:00 PM, 35 minutes after school got out. When she did call, She asked why I had not told anyone I had taken the kids from school. Even after telling her where I was, she demanded to speak to the agent to ensure I was not lying. I told her Carl was meeting with the kids. After I asked several times that I wanted to talk to Carl, he finally came out and spoke with Mrs. Magana. She was then made aware that I did not decide for the kids to be there, but instead, I was asked by a state employee working for DCFS to take the kids. Even after speaking with Carl and knowing what was happening, the police arrived around 4:15 PM. I then learned that Tom was out of town, and if we followed the court documents, the kids were to have been with me and not the grandparents. This is why his parents were there at pick up and not him. Therefore, I had a legal right to take the kids with me that day.

There was never a follow-up call or email to clarify anything or even to apologize for how I was treated that day. Based on the previous email where she shared dates that she had met with Josephine, Mrs. Magana met with Josephine on March 13 and again on March 16. Very odd since she would only meet with her once a week. I soon began to wonder the purpose of the second meeting. Was this meeting to question Josephine about what had happened the day before, or was there another reason for her to see her twice that week? As I had mentioned, having the kids witness the police questioning me was very sad for them to see, so the last thing I wanted was for them to continue reliving an unpleasant and disturbing day. Unfortunately, I was never reached to share what was happening with Josephine; I still don't know why a second meeting was needed. Does Tom know? Also, was there a follow-up as to why Tom didn't follow court orders?

I ask that I be treated with respect like any other parent. So many allegations were made against Tom, and a current investigation is ongoing. Yet, I get treated with suspicion, and it would almost appear that an effort was being made to stop the kids from speaking with the DCFS investigators.

Mario Neal

From: Mario Neal
Sent: Thursday, March 23, 2023 2:49 PM
To: Margie Marshall; Thomas Neal
Subject: RE: Pick up

Mrs. Marshall,

Regarding Mrs. Magana, a few weeks ago, Josephine asked me several times why she was no longer seeing her. She even asked Mrs. Simon why the sudden change. No clear answers were given to her.

I want Josephine to be aware of the expectations if they change. For example, she was told she would see Mrs. Magana every Monday; suddenly, those meetings stopped for weeks without letting her know.

Last week, the school called the police and Wendy on me for taking the kids to DCFS, as requested by the agent. Despite the staff being aware of where I was, the police showed up to the DCFS office to speak with me while I was with the kids waiting for them to be picked up. I request that we all do what we can to ensure the kids don't have to endure any more trauma. Mrs. Marshall, as a parent, I am sure you understand how a kid would feel if the police showed up looking for their parent.

Mario

Mario Neal
929 Spindletree Ave
Naperville, IL 60565
Marioneal628@gmail.com
630-631-2190

Wendy M. Musielak – Guardian Ad Litem
ESP KREUZERCORES LLP
400 S. County Farm Road, Suite 200
Wheaton, IL 60187
familylaw@eklawfirm.com

Dear Ms. Musielak,

I hope this email finds you well. I am writing to bring to your attention several concerning incidents regarding the well-being of my three children, Agustin, Lily, and Josephine, and your failure to fulfill your duties as their Guardian ad Litem (GAL).

As a Guardian ad Litem, it is your responsibility to conduct a thorough investigation into allegations and provide an accurate and unbiased recommendation to the court. However, I am deeply dismayed by your lack of action in investigating the allegations of child abuse that have been brought to your attention.

Despite multiple notifications, you have failed to initiate a comprehensive investigation into the disturbing allegations made by my children. Your recommendations thus far seem to hinder rather than support the children's access to necessary therapy and essential support. Moreover, the unfounded claims about my mental health and suggestions regarding my nationality raise significant concerns about biases and a potential misuse of authority.

To ensure you are fully informed, please allow me to recap some of the recent and distressing allegations that have been made:

1. October 14th, 2023 - Physical Abuse: Agustin disclosed a horrifying account of his father's violent outburst, which included being forcefully dragged by his arm, leaving a visible and lasting red mark. The excruciating pain persisted long after the initial assault, casting a grim shadow over Agustin's well-being.
2. November 13, 2023 - Psychological Abuse: Agustin confided about his father's explosive anger during bedtime, describing how Thomas subjected him to a fit of rage, forcibly removing him from his room and dragging him downstairs to the living room. Thomas deliberately locked him out, leaving Agustin alone and terrified in the pitch-black room. This traumatic event left the girls feeling utterly helpless, petrified, and unable to offer any solace or assistance to their sobbing and frightened brother.
3. November 16th, 2023 - Verbal and Physical Abuse: Agustin confided that he had been brutally physically assaulted by Thomas during dinner. Thomas flew into a rage, hurling verbal abuse before violently kicking Agustin, causing him to cling desperately to his chair to avoid collapsing. The excruciating pain left him in tears while his sisters looked on in terror, paralyzed by the sight of their brother suffering.

4. November 27th, 2023 - Animal Abuse: The children disclosed that Thomas is now abusing the dog, resulting in severe distress for both the kids and the innocent animal. The dog had an accident, and Thomas responded with violent aggression, grabbing the dog by its neck and pulling its fur. The dog now refuses to go into the house, indicating the profound impact of the abusive environment.

These distressing situations demand immediate action to ensure the safety and well-being of my children, as well as the innocent animals affected. It is essential to recognize that the emotional toll on the children extends beyond their own suffering. For example, Josephine has expressed her sincere wish for the dog to find a safe home and be spared further suffering.

These alarming allegations represent only a fraction of the child abuse claims that have been brought to your attention. The severity and complexity of these allegations necessitate a prompt and thorough investigation. Your inaction and apparent incompetence undermine trust in your ability to fulfill your role impartially and in the best interests of the children.

The harm inflicted on my children and myself is immeasurable and continues to escalate. The children live in constant fear, experiencing severe stress, anxiety, and depression. Their well-being, as well as my own, is gravely compromised. The long-term effects of child abuse and neglect, as extensively studied by the American Psychological Association, can have profound negative impacts on the children's future.

Additionally, it has come to my attention that your attempts to block individuals from having access to the children, along with your improper business relationships, have further compromised the children's chances of receiving the help they urgently require.

I want to make it explicitly clear that any criminal acts, including child abuse, neglect, and animal cruelty, will be reported to the appropriate authorities. I expect the law to be applied to ensure justice for my children and the innocent beings involved.

Given the severity of these allegations and the potential long-term harm to my children, I implore you to take immediate action. A thorough investigation into the allegations must be conducted to ensure the children's safety and well-being. I request a prompt response to this email, outlining your plan of action to address the concerns raised.

The well-being of my children is paramount, and I will not relent until their safety and best interests are properly addressed. Thank you for your attention to this matter.

Sincerely,

Mario Neal

The role of a Guardian ad Litem

The role of a Guardian ad Litem (GAL) is crucial in child welfare cases. According to the Child Welfare Information Gateway, a service of the Children's Bureau, Administration for Children and Families, U.S. Department of Health and Human Services, a GAL represents the best interests of the child in court proceedings (Child Welfare Information Gateway, 2012).

The GAL's responsibilities include conducting an independent investigation, which involves interviewing the child, parents, and other relevant parties and reviewing pertinent records (Child Welfare Information Gateway, 2012). The GAL then reports their findings to the court and makes recommendations based on the child's best interests (Child Welfare Information Gateway, 2012).

The GAL's role is particularly important in cases involving allegations of child abuse or neglect. According to a study published in the Journal of the American Academy of Psychiatry and the Law, children represented by a GAL are more likely to be placed in a safe and permanent home and less likely to spend time in long-term foster care (Grisso, Vincent, & Seagrave, 2005).

However, if a GAL fails to fulfill their duties, it can have serious consequences. According to a report by the Office of the Child Advocate for the State of Connecticut, failures by a GAL can result in delays in the resolution of the case, increased stress and anxiety for the child and family, and decisions that are not in the child's best interests (Office of the Child Advocate, 2014).

Therefore, it is crucial that a GAL performs their duties diligently and professionally, always keeping the child's best interests at the forefront of their work.

References:

Child Welfare Information Gateway. (2012). *Guardian ad Litem representation in child abuse and neglect proceedings*. Washington, DC: U.S. Department of Health and Human Services, Children's Bureau.

Grisso, T., Vincent, G., & Seagrave, D. (2005). *Mental health screening and assessment in juvenile justice*. New York, NY: Guilford Press.

Office of the Child Advocate. (2014). *Critical condition: A report on the quality of Connecticut's child advocacy system*. Hartford, CT: State of Connecticut.

To: Carl Brewer
DCFS
1255 Bond Street Ste.121
Naperville, IL 60563
Carl.brewer@illinois.gov

Chuck Roberts
ROBERTS PC
2100 Manchester Rd.
Building B, Suite 1085
Wheaton, IL 60187
notice@robertspc.com

Trevor M.J. Prindle, ASA
DuPage County State's Attorney's Office
503 N. County Farm Road
Wheaton, IL 60187
Trevor.Prindle@dupageco.org

Wendy M. Musielak – Guardian Ad Litem
ESP KREUZER CORES LLP
400 S. County Farm Road, Suite 200
Wheaton, IL 60187
familylaw@ekclawfirm.com

November 6, 2023

Wendy, you were appointed by the court to be the eyes and ears of the judge in a divorce where one side has committed the unthinkable to three innocent children but because they are wealthy, well connected, and white have gotten away. As of November 3, 2023, due to their power not a single thing has been done to stop them. Five-year-old twins, Lily, Gus, and eight-year-old Josephine have depended on you to help them be placed in an environment safe, that is free from any physical, mental, and sexual abuse. Wendy, you have failed all three of my kids to protect Tom and those whom you have created an unprofessional, immortal, and illegal relationship with. Consistent with your behavior since you took over the case, just this past week you once again attempted along with Tom Neal and Chuck Roberts to take my parental rights away to Tom Neal at the expense of the wellbeing of my children. Every action you have taken on this case has been with the intent to cover up for Tom and his family from prosecution. My children have been molested, physically and mentally abused. Your response upon knowing of the children's mistreatment has been to cover it up, rather than to defend their venerable and innocent lives.

This past Friday you attempted to collaborate with those with whom you have created an illegal and unethical relationship to set up the kids to create a false narrative to take the eyes away from you and those whom you are desperately trying to protect. On October 25, 2023, Tom picked up all three kids from school as part of the current parental plan. That evening, Tom set Lily aside to fabricate a troublesome story about my family in California that she would then be asked to retell. On Friday evening when I was putting Lily to sleep, she asked why her father wanted her to say that the house where my family in California live was, "not good, too many parties, and that one relative is without a house." On Thursday morning Tom, texted my brother Juan Cruz Lopez a picture of Tom holding all my brother's kids. My brother who has stopped all communication with Tom found it extremely disturbing when he received that text that morning. After not getting a response he then sends a text to Rebeca Cruz, my brother's wife with the same picture. Then on October 27, 2023, you asked Tom to take all three kids to your office for you to continue with the plan to illegally create a story that would be used in the divorce to protect Tom by making my family and myself the problem and not Tom and his family. On October 30, 2023, I picked up the kids from school after spending the weekend with Tom. The oldest during dinner asked me if everything was okay with my family in California. Since we have not seen them for months I was taken aback by her question. Then they all began to tell me what was being done

to use them and to play with their innocent minds. My son Gus said he felt uncomfortable and that he refused to go in the room with you. I asked why and he just stayed quiet. In the past, he would ask why you were always at Tom's house. Even he found it odd, that you would go to Tom's house to meet off the record with Tom, his family, and Dawn, the therapist whom you recommended to see then despite her having a warrant out for her arrest and who you had an improper relationship with. Going back to your attempt to use the kids to take my rights away. Since Agustin didn't want to meet with you, you took the two girls back to your office. While alone with you in your office you pressure them to talk about my family in CA. The girls were sad because you asked them how things were, and they wanted to share a story about Gus and how things were going on with Tom. However, the girls disappointed said that you gave them the face like you did not want to hear that and you stopped them from asking about my family in California. Your goal was for them to tell you all the bad things that were happening in California with my family. You also wanted to know the living situation of my family members and how poorly their cousins behaved. Your efforts to have the kids make up the story did not work. The kids wanted to share with you that Tom days before had yelled at Gus for wanting to go to the bathroom. When he got out of bed, he locked him out of the room and turned all the lights off. Lily and Josephine said that they were scared hearing their brother screaming that he was scared to let him in and turn the lights on. This story you did not let them share with you because you didn't care about their suffering but to protect Tom and his family. Wendy, after months of not paying any attention to the kids, you finally did this last week, it was not the type of attention the kids needed from you. Once again you failed them. It's been disturbing to see your efforts to attempt to give Tom the upper hand.

Despite Tom being physically and mentally abusive to the children and myself, you have placed your efforts into ensuring that my parental rights are taken away. Here are just a few of the things that Tom has done that you have chosen to ignore or cover up:

1. Due to the escalating domestic abuse, the kids and I had an order of protection against Tom.
2. Two months before the divorce, he physically assaulted me in front of the kids and, out of rage, threw my work computer across the room and tore apart my work bag. All while the kids, frozen and scared, watch it all.
3. He would torment and punish the kids when they questioned his abusive behavior.
4. Tom ran out of a therapy session when the therapist confronted him about the abuse she had witnessed.
5. Tom took the kids skiing this past January. The girls came back complaining that their father had put his fingers up their "pee-pee hole."
6. Gus, during the trip, had a rash that had not been looked after for days, and when he came to me, he could barely walk.
7. Just these past few months, he has put his hands on Agustin's mouth to prevent him from crying and has physically hit him many times.
8. When Lily or Gus will not eat, he would open their mouths and force-feed them.
9. Three months ago, Lily was forced to sleep in the closet because she kept having accidents in the bed.
10. Lilly was forcefully thrown in the bath after not wanting to take a bath.

For months, Tom refused to allow Mrs. Magana, the school's social worker, to provide emotional support to help the kids. Mrs. Marshall, the school's principal, contacted Tom and me to allow the kids to get the much-needed support. The first day I met you, I pleaded with you to help the kids get the

support they needed at school. Your response was I need proof that they need it. Confused as to why anyone would need proof that kids going through a difficult divorce would ever not need any support was shocking. Nevertheless, I forwarded you the emails from the school that I had gotten to you. You did absolutely nothing about it. After months, of doing everything I could, Tom finally agreed. Before he agreed, he said that he wanted to talk to Mrs. Magana first. Soon after the conversation, Tom signed the release. Thinking that finally, my kids were going to get help with dealing with their big people's emotions, and Tom, you, and Mrs. Magana collaborated to cover up what the kids were saying to her. Attached are the notes that you took that were part of the subpoena. It is heartbreaking that you and Mrs. Magana ignored the kid's cry for help. Furthermore, after your involvement with the school's staff, Tom filed motions citing All Saints Catholic Academy as having false concerns to cover up the unethical relationship between you and the school's staff.

After months of preventing the kids from getting mental health, you finally agreed and appointed Dawn to be the kid's therapist. Never did I think that she would work with you to again cover the crimes being committed. Just like you, she did all that you could to take me down to protect Tom and his family. Now, you helped to appoint Dr. Hatcher to once again have another person to desperately tried to cover up for all you.

On March 17th, 2023, Chuck Roberts filed an emergency motion to terminate my parental rights, claiming that I was mentally ill. You supported Chuck Roberts with this emergency motion by sharing with him any communication I had with you, including unfunded allegations about me, just like you teamed up with Chuck Roberts to take my passport away because I am Mexican.

Candice Adams
e-filed in the 18th Judicial Circuit Court
DuPage County
ENVELOPE: 22220219
2022DC000915
FILEDATE: 4/10/2023 1:21 PM
Date Submitted: 4/10/2023 1:21 PM
Date Accepted: 4/10/2023 3:56 PM
NN

IN THE CIRCUIT COURT FOR THE EIGHTEENTH JUDICIAL CIRCUIT
DUPAGE COUNTY, WHEATON, ILLINOIS

IN RE THE MARRIAGE OF:

THOMAS NEAL,)
 Plaintiff,)
)
)
 vs.) No. 2022 DC 915
)
MARIO NEAL,)
 Defendant.)

**COMBINED MOTION FOR 604.10(c) EVALUATION AND RULE 215 MENTAL
EXAMINATION**

NOW COMES the Plaintiff, THOMAS NEAL (hereinafter "THOMAS"), by and through his attorneys, Roberts PC, pursuant to 750 ILCS 5/604.10(c) and Illinois Supreme Court Rule 215, and for his Combined Motion for 604.10(c) Evaluation and Rule 215 Mental Examination, states as follows:

22. Late in the evening on March 6, 2023, the night before taking the children to the emergency room, MARIO emailed the GAL requesting advice on how handle certain health issues that A.C.N. was facing. When the GAL did not immediately respond, MARIO apparently directed his attorney to draft a letter to the GAL accusing her of failing to properly discharge her duties as GAL because she did not immediately advise MARIO to take a sick child to the doctor. A copy of MARIO's counsel's letter to the GAL is incorporated herein by reference only as

Exhibit B.

26. As MARIO failed to inform THOMAS and failed to inform the GAL that he would be taking the children from school (despite it being THOMAS' parenting time),

THOMAS' parents arrived at the school at the beginning of THOMAS' parenting time to pick up the children and learned that MARIO had taken the children.

30. Later in the evening of March 15, 2023, MARIO sent the GAL an email in which he stated that he "do not authorized (*sic*) you to meet with [L.N.], [G.N.], and [J.N.] unless there is a third party present." He further stated "To ensure transparency and to make sure that the allegations are dealt properly (*sic*), I do not consent you to have private conversations with any of the three children." A copy of MARIO's March 15, 2023 correspondence is attached hereto and incorporated herein by reference only as **Exhibit C**.

31. MARIO's email additionally contains statements allegedly made by each child about their interview with the GAL on March 9, 2023 - a date on which THOMAS had brought the children to meet with the GAL.

32. On March 14, 2023, MARIO's counsel furnished the GAL and counsel for THOMAS with copies of certain mental health records of MARIO.

33. By way of his March 17, 2023 Motion to Suspend Parenting Time, THOMAS has raised significant concerns regarding MARIO's mental health, concerns that will not be set forth herein, but are incorporated herein by reference only.

~~41. Upon information and belief, the duly appointed and acting GAL supports this Motion.~~

WHEREFORE, Plaintiff, THOMAS NEAL, prays for entry of an order:

- A. Appointing Dr. Roger Hatcher as a 604.10(c) evaluator herein at THOMAS' sole cost;
- B. That Dr. Hatcher be directed to conduct an evaluation of the parties, the minor children, and such other collaterals, as he deems appropriate, and to make recommendations regarding the allocation of parental responsibilities of the parties together with a parenting schedule which he believes to be in the children's best interest;
- C. Appointing Dr. Roger Hatcher to conduct an Illinois Supreme Court Rule 215 mental

E. For such other and further relief as to which THOMAS may be entitled.

Respectfully submitted,

THOMAS NEAL

ROBERTS PC

One of Plaintiff's Attorneys

VERIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the 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

Wendy, your dishonesty, immoral, and criminal behavior have caused my kids and me unrepairable harm, and I hope there is justice around the corner. It breaks my heart that you are still able to walk into court and, with a straight face, claim to be there to represent the best interests of a child. Many are aware of your criminal behavior, and not a single person has been able to stop you. I pray that you are taken out of this before something terrible happens to any of my children.

Mario Neal
929 Spindletree Ave
Naperville, IL 60565
630-631-2190
MNeal@naperville203.org

Subject: Urgent: Demands for Corrective Action Regarding Alleged Misconduct

Dear Bill,

I am writing to express my grave concerns over the collusion and serious misconduct that has plagued my divorce case, and the unethical actions that you have taken to manipulate the proceedings and collude with the opposing counsel.

As my legal representative, I expected you to advocate for my interests with diligence, skill, and unquestioned integrity. Unfortunately, your conduct falls far short of these standards, and your actions appear to have been motivated by a desire to serve your own interests, rather than mine.

The biased ruling on August 20, 2023, which favored Tom in an inexplicable and overtly biased manner, has caused me profound legal and personal damage, leaving me grappling with the consequences of your unethical handling of the case. The orchestrated manipulation of the trial, including the absence of an opening statement, inadequate trial preparation, deliberate omission of witnesses, and deceptive actions during the trial, not only jeopardized the fairness of the legal proceedings but left me dealing with profound legal consequences.

Moreover, your alleged collusion with the opposing counsel and your attempts to obstruct my efforts to secure mental health support for my children have caused irreparable damage to my mental and emotional state. Your actions have caused me significant stress, suffering, and mental pain. The allegations against you raise ethical concerns, and I cannot help but question your motives, wondering if they were driven by personal interests rather than the best interests of my family.

Your alleged threats to withhold legal representation unless exorbitant financial demands were met have left me grappling with severe financial stress, and your attempts to extract all available funds, such as my tax refund, are unconscionable and leave me in a precarious financial position.

The gravity of your actions extends beyond the boundaries of the courtroom, permeating every facet of my life. Your collusion and unethical conduct have caused irreparable damage to my family and violated the fundamental principles of justice and fairness. I urge you to reflect on the gravity of your actions, take immediate corrective action, and restore the trust and dignity of the legal profession.

The consequences of your actions on my life and those of my children are profound. I have endured emotional and psychological distress - the direct result of your unethical, manipulative practices and collusion. I engaged your services with the expectation of fair and ethical representation, and your apparent breach of that trust has caused me profound legal, financial, and emotional pain.

I request that you take immediate corrective measures and restore the trust and confidence that was placed in you at the start of this case.

Sincerely,

Mario Neal

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

THOMAS NEAL)
Petitioner/Counter-Respondent,)
)
and) 2022DC000915
)
MARIO NEAL) Judge Louis B. Aranda
Respondent/Counter-Petitioner.)

MOTION FOR APPOINTMENT OF COUNSELOR/THERAPIST FOR CHILDREN

NOW COMES Respondent/Counter-Petitioner, MARIO NEAL, by and through undersigned, and respectfully moves this Honorable Court for an Order granting MARIO authority to appoint a counselor/therapist for the minor children involved in this matter, and in support thereof, states as follows:

1. On October 19, 2022, the Circuit Court of DuPage County granted Mario Neal an Emergency Order of Protection, highlighting the severe circumstances of physical abuse, harassment, and intimidation that Mario and the three children, JN, GN, and IL, have endured. Recognizing the impact of these traumatic events on the children's well-being, the DCFS (Department of Children and Family Services) and Naperville Police Department recommended counseling through Family Shelter Services on October 20th, 2022. **Exhibit 1, Exhibit 1B**
2. On October 21, 2022, Mario Neal signed consent forms approving social services for all three children to provide them with the necessary social support at school, aiming to mitigate the impact of the divorce on their academics. Additionally, MARIO enrolled the children in mental therapy with Inner Courage Counseling, as a school social worker recommended. An immediate opening was available for JN to see the therapist, Vanessa Ocampo
3. On November 9th, 2022, THOMAS attended court accompanied by two attorneys, paralegals, police officers, Tom's father and sister (both licensed attorneys), and Tom's mother. MARIO was advised that if he did not relinquish part of the custody to THOMAS, those present in court were prepared to pursue the termination of MARIO's parental rights.
4. On November 9th, 2022, Thomas Neal was awarded 50 percent custody of all three children. On the same day, THOMAS instructed All Saints Catholic Academy, the children's school, and Vanessa Ocampo to terminate all social services for the kids, despite the social worker's plea to reconsider. In an email dated November 10th, Mrs. Magana expressed her concern, stating, "I do not want her (JN) services to be disrupted," and urged THOMAS to sign the consent forms.

5. On January 27th, while on the way to a counseling session scheduled for October 20th, after the DCFS agent had recommended counseling services for the kids, MARIO received a call from Metropolitan Services informing him that the appointment for the kids had been canceled due to a letter they had received. Chuck Roberts, acting on behalf of THOMAS, prevented the counselors from speaking with the kids. **Exhibit 5, Exhibit 5B , Exhibit 5C, Exhibit 5D,**
6. On February 1st, a hearing was held to address THOMAS's motion to terminate all mental services for the three children. During the hearing, Wendy, representing the three children, advised the court that MARIO should not be allowed to seek any mental support for any of the three kids. Furthermore, on this day, Thomas requested the court grant Wendy full authority to appoint all mental service providers.
7. On February 1st, 2023, Wendy appointed Dawn Boettger as the therapist for the kids. Dawn had five sessions with Josephine and eight sessions with Mario Neal. However, all the allegations and concerns reported by JN to Dawn were ignored and covered up by Wendy. Subpoenaed records indicate that Wendy and Dawn were aware of serious allegations but failed to investigate them. Additionally, despite Dawn's services being intended for the kids, Dawn had 17 meetings and calls with MARIO after he confronted her about the alleged conspiracy and cover-up.
8. On April 11, 2023, due to serious concerns regarding ethical issues and evidence suggesting collusion with Wendy and after it was discovered that Dawn had a warrant for her arrest, this Court entered an Order in which, in paragraph 3, the parties agreed that Dawn Boettger should not continue to provide therapy for any of the minor children.
9. After discovering that Dawn had a warrant for her arrest due to the unethical relationship between Wendy and Dawn, MARIO found Whitney McDaniel as a replacement therapist. However, before MARIO's counsel had a chance to file a motion to appoint Whitney McDaniel, Chuck Roberts, representing THOMAS, sent an email claiming a conflict of interest without providing any evidence. The following day, Wendy Musielak spoke with Mrs. McDaniel, and soon after, Mrs. McDaniel declined to move forward with providing therapy to the children. **Exhibit 9, Exhibit 9B, Exhibit 9**
10. On September 26th, MARIO asked Bill Cherny to file a motion to appoint Dr. Hammond as a new therapist after weeks of researching potential candidates. However, Bill Cherny contacted Dr. Hammond to dissuade her from working with MARIO and asked her to provide legal documents she could not offer. As a result, Dr. Hammond emailed MARIO to request that she not be considered as

a therapist for the kids. **Exhibit 10**

11. Serious allegations have been made by the children regarding inappropriate behavior directed at them by THOMAS and certain members of his family. It is believed that these allegations have been reported to mandatory reporters, resulting in multiple investigations by the DCFS. Additionally, numerous allegations of abuse and neglect were reported to Wendy by the children and others, and she disregarded or concealed these serious allegations. **Exhibit 11, Exhibit 11B , Exhibit 11C, Exhibit 11D, Exhibit 11E**
12. The veracity of these allegations has not been determined as a qualified professional in the field of child counseling and therapy has not adequately interviewed the children. The children must have a relationship of trust with a skilled therapist who can provide a safe space for them to freely express themselves, describe incidents and events without fear of reprisal, and to address their feelings towards family members.
13. Many attempts were made to compelled Thomas and Wendy to support proving the children with much needed mental health. Mario filed motions, emailing and calling both Wendy and Thomas to plead allow the kids to get meal heath. However, all were denied. **Exhibit 13**
14. The children's well-being and best interests are paramount in any divorce proceeding. Illinois law recognizes children's fundamental right to receive proper support, including access to necessary therapy services. Section 602.10 (b)(9) of the Illinois Marriage and Dissolution of Marriage Act (750 ILCS 5/602.10) specifically allows the court to consider "the mental and physical health of all individuals involved" when determining the best interests of the child.
15. Further, Section 603.10 of the same Act details that the court can seek professional assistance to determine the child's best interests. This provision acknowledges the importance of therapy or counseling in divorce cases involving minor children. [...] It is in the best interest of the children that the court should grant MARIO authority to appoint a counselor/therapist.
16. Through his current employment and studies in Elementary Education, MARIO has the qualifications to interview potential counselors/therapists to identify the most suitable candidate to provide services to the children. A copy of MARIO's curriculum vitae is attached hereto as Exhibit 16. MARIO will seek a qualified therapist who specializes in working with children and has expertise in addressing the specific emotional and psychological needs of children going through a divorce.

WHEREFORE, Respondent/Counter-Petitioner, MARIO NEAL, respectfully requests this Court, pursuant to 750 ILCS 5/602.10 (b)(9) and 750 ILCS 5/603.10, to grant MARIO authority to appoint a counselor/therapist considering the best interest of the children, with costs to be allocated as a percentage of parties' current income, consistent with Section 505(a)(2) of the Illinois Marriage and Dissolution of Marriage Act, and for such further relief as this Court deems just and proper.

Dated this November 21, 2023

MARIO NEAL
Respondent/Counter-Petitioner

Respectfully submitted,

MARIO NEAL

Mario Neal

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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.

Mario Neal

Mario Neal

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December, 1st 20232

Subject: Urgent: Alarming Concerns and Unjust Practices in Ongoing Legal Proceedings

Dear Mr. Chuck Roberts and Mr. Rick Roberts,

I hope this letter finds you well. I am writing with an urgent and deeply distressing matter regarding the ongoing legal proceedings and the court-mandated 605 evaluation. The recent events surrounding Dr. Hatcher's alleged unauthorized access to my medical records and several other disconcerting issues have compelled me to bring these matters to your immediate attention.

As a fellow parent, I trust you can understand the paramount importance of safeguarding the well-being and rights of our children. I implore you to consider this situation from a perspective that transcends the legal intricacies, focusing on the principles of fairness, integrity, and the fundamental expectation that every parent holds for the protection of their children.

The revelation that Dr. Hatcher had access to my medical records during our meeting, without my explicit consent, is deeply troubling. Imagine if a professional involved in legal proceedings concerning your children had unauthorized access to sensitive information. The violation of privacy and ethical standards in such a scenario would undoubtedly be unacceptable.

HIPAA stipulates that medical records may not be disclosed without explicit consent, a principle essential for upholding the rights and dignity of individuals. Additionally, the Constitution's Fourteenth Amendment and the Illinois Compiled Statutes 225 ILCS 15/1 et seq, which governs the practice and professional conduct of psychologists in Illinois, emphasize the need for fairness and due process. I earnestly request a swift and thorough response and clarification on these matters. Moreover, I contest the assertion made in your office's motion filed on October 12, 2023, alleging that I canceled an appointment with Dr. Hatcher on October 21, 2023, without explanation.

On October 10, 2023, I received an email from Dr. Thacher stating an appointment had been established. I promptly clarified within four hours, saying, "The appointment should have never been created; you wrote it down despite telling you several times that it would not work. To call it a cancellation is far from the truth. You added it with threats. "These misrepresented facts raise significant concerns about the integrity and partiality of Dr. Thacher, which is inappropriate for his role in these proceedings and could potentially influence the outcome unfairly.

Furthermore, my deep concerns regarding the lack of transparency and choice in the selection of individuals involved in evaluations and therapy echo when Dawn Boettger was appointed as my children's therapist without my input or permission. Despite alarming reports from my children about abuse, their concerns were dismissed, and I was coerced into changing their trusted therapist.

Additionally, the insistence on Dr. Hatcher conducting a mental evaluation without any say on my part hints at a lack of impartiality in this process. The correspondence between all parties suggests a close relationship, raising questions about the fairness of the evaluation process. These issues have forced me to engage in these proceedings with a heavy heart. I trust we can ensure a fair and impartial proceeding for all involved.

Another distressing matter involves the unfounded conclusions drawn about my mental health during the last open hearing. These conclusions, made without proper medical reasoning, were publicly shared without my consent, causing significant harm to my reputation and emotional well-being.

In the context of a 604 evaluation, several ethical and professional considerations seem to have been violated, including impartiality, informed consent, confidentiality, professional competence, evidence-based conclusions, and compliance with court orders. These issues raise serious doubts about the fairness and objectivity of the entire evaluation process. Dr. Thacher's apparent inability to maintain impartiality and objectivity has led to biased conclusions. My medical records, disseminated without my knowledge or consent, breach confidentiality and violate ethical standards. The decisions about my mental health, made without the support of medical reasoning, question Dr. Thacher's professional

competence. The lack of sound clinical judgment, appropriate assessment methods, and relevant evidence in the conclusions further erode the credibility of the evaluation process. Additionally, the actions taken have failed to comply with the specific requirements outlined in the court orders, which mandate a fair and impartial evaluation.

I am deeply troubled by these issues and their potential implications for the legal process's fairness and integrity. I believe that every individual deserves to be treated with dignity, respect, and fairness regardless of their circumstances.

Furthermore, I am deeply concerned about Dr. Thatcher's upcoming meetings with my three children. Given his conduct thus far, his apparent favoritism towards Tom, and his readiness to distort facts to paint an improper picture of me, I am left with a profound sense of unease about how he might handle these interactions with my children.

My children have made numerous severe allegations of physical, mental, and sexual abuse to various professionals. These allegations are deeply troubling and should be taken with the utmost seriousness. However, it appears that all these professionals have had some form of an improper relationship with Wendy, which has resulted in none of these investigations progressing beyond the initial stages. This raises serious questions about these professionals' integrity and my children's safety. The fact that Dr. Thatcher is expected to meet with my children, given his conduct and apparent bias, is deeply alarming.

The three children have an upcoming 605 Court evaluation with Dr. Thatcher. As their parent, I have found myself unsettled by what has happened. My children have previously disclosed numerous serious allegations of physical, mental, and emotional abuse to trusted authority figures such as Dawn Boatner, Licensed Therapist, and Christian Magana, School Social Worker at All Saints Catholic Academy. These allegations, under Section 1(5)(a) of the United Nations Convention on the Rights of the Child, necessitate thorough consideration and demand that the best interest of the child be prioritized above all.

However, it has become distressingly clear that there may be conflicts of interest involving these professionals, notably Wendy Musielak (Guardian at Litem), who I suspect has formed improper relationships with the aforementioned individuals, infringing upon state ethics guidelines like the American Psychological Association's Ethics Guidelines Section 3.06 (Conflict of Interest).

I have deep concerns regarding the handling of my children's allegations and the questionable behavior exhibited by Dr. Thatcher, especially considering your association with him in the upcoming court evaluation. Given the circumstances, I find it pertinent to bring attention to the legal precedent established in *Frye v. United States*, 293 F. 1013 (D.C. Cir. 1923).

Frye v. United States underscores the importance of an expert's methodology being 'generally accepted' in the relevant scientific community for it to be admissible as evidence. Any indication of bias or conspiracy seriously undermines this acceptance. In light of these apprehensions and the potential impact on my children's well-being, I believe addressing any conflicts of interest is crucial. It is my sincere hope that you share the same commitment to safeguarding the well-being of my children during this process.

It is crucial that any professional involved in this case, especially those interacting with my children, maintain the highest standards of impartiality, professionalism, and integrity. As stated before, I am

deeply concerned that Dr. Thatcher's apparent bias and willingness to distort facts could potentially influence his interactions with my children and his subsequent recommendations to the court regarding divorce and parental rights allocation. This could have severe implications for the welfare of my children and the fairness of the legal process. I implore you to take these concerns seriously and to ensure that any professional involved in this case, especially those interacting with my children, uphold the highest standards of impartiality, professionalism, and integrity. I trust that you share my concerns for the welfare of my children and the importance of a fair and impartial legal process.

Lastly, I would like to bring to your attention my deep concerns regarding a significant shift in the conduct of my attorney, Bill Charney. Initially, we shared a united position against the proposed 605 evaluation, and it came as a surprise when his stance inexplicably changed without clear justification. This abrupt change has left me with the impression that he may no longer be prioritizing my best interests.

In March, when the motion for the 605 evaluation was filed, Bill and I mutually agreed that endorsing such an action was not in my best interest, especially considering the lack of substantiated reasons for the request. However, following my expression of concerns in an email to him about a troubling initial interaction with Dr. Thacher, I received a response that raised alarm: "My advice to you is to comply with his requests as much as possible and not bad mouth Tom, Wendy, Roberts, or anybody else." This advice was both shocking and disheartening, as it appeared to dismiss my valid concerns and instead encouraged a course of action that seemingly favored the opposing party. This situation is deeply unsettling and raises questions about these proceedings' overall fairness and integrity.

I believe it is essential to address this matter promptly to ensure that my representation is aligned with my best interests and that the proceedings maintain the highest standards of fairness.

I urge you to consider the gravity of these concerns and the potential impact on the overall fairness and justice in this case. As parents, we both understand the depth of commitment and responsibility that comes with ensuring the well-being and fairness of our children. I believe you would expect no less if faced with a similar situation.

I look forward to an expeditious resolution to these issues and appreciate your prompt attention.

Thank you for your anticipated cooperation.

Sincerely,

Mario Neal