

SUPREME COURT OF ILLINOIS

COURT CONVENED AT 9:30 A.M., MONDAY, MARCH 14, 2005

THE FOLLOWING MOTIONS WERE PRESENTED AND ORDERS WERE ENTERED AS INDICATED:

ADVISEMENT DOCKET

No. 91494 - Michael E. Avery et al., etc., appellees, v. State Farm Mutual Automobile Insurance Company, appellant.

Motion by appellees for conditional non-participation.

Motion by appellees for leave to file memorandum instanter in response to appellant's opposition to appellees' motion for conditional non-participation.

No. 94144 - Christopher K. Gridley, etc., appellee, v. State Farm Mutual Automobile Insurance Company, appellant.

Motion by appellee to dismiss appeal on the ground of mootness.

No. 97506 - People State of Illinois et al., appellees, v. Gregory Seaphus, appellant.

Motion by appellant, pro se, to reinstate the case and for certain other relief.

No. 97507 - People State of Illinois et al., appellees, v. Gregory Seaphus, appellant.

Motion by appellant, pro se, to reinstate the case and for certain other relief.

No. 98824 - Dominic Sabbia, appellant, v. Nicholas Lombardi, appellee.

Motion by appellant, pro se, for stay of proceedings in the Circuit Court of Cook County in Sabbia v. Lombardi, case No. 98 CH 08113.

No. 99141 - People State of Illinois, respondent, v. Willie Pole, petitioner.

Motion by petitioner, pro se, for leave to file a motion for reconsideration of the Court's order entered on January 11, 2005, and to remand to the Circuit Court of Cook County with instructions to vacate the summary dismissal of petitioner's second pro se post-conviction petition and for certain other relief.

No. 99477 - People State of Illinois, petitioner, v. Wesley Zollicoffer, respondent.

Motion by petitioner for leave to file a motion for reconsideration of the order denying petition for leave to appeal.

No. 99682 - Equistar Chemicals, L.P., respondent, v. BMW Constructors, Inc., petitioner.

Motion by petitioner for leave to file a motion for reconsideration of the order denying petition for appeal as a matter of right or leave to appeal.

No. 99780 - Sheldon L. Baskin, as the Independent Executor of the Estate of Neil Nemorovski, appellee, v. Minnesota Life Insurance Company, appellant.

Motion by appellee for sanctions for filing excessive motions to reconsider and a frivolous appeal to the Supreme Court.

PEOPLE'S DOCKET

No. 99031 - People State of Illinois, appellee, v. Raymond E. Garvin, appellant.

Motion by appellant for an extension of time for filing brief to and including March 21, 2005.

No. 99616 - People State of Illinois, appellant, v. Winifred L. Moss, appellee.

Motion by appellant for an extension of time for filing brief to and including April 6, 2005.
Motion allowed.

Order entered by Justice Karmeier.

No. 100150 - Paul Runge, movant, v. Hon. Joseph G. Kazmierski, Judge of the Circuit Court of Cook County, respondent.

Motion by movant for a supervisory order.

No. 100161 - Maisha Hamilton-Bennett, movant, v. Hon. Robert P. Cahill, Justice of the Illinois Appellate Court, et al., etc., respondents.

Motion by movant for a supervisory order.

CIVIL DOCKET

No. 98351 - Philip N. Crusius, etc., appellant, v. Illinois Gaming Board et al., etc., appellees.

Motion by State Defendants to realign as appellants and to file a substitute brief which would designate the State Defendants as appellants rather than appellees.

Motion by appellant for leave to reply to "limited objection" filed by Emerald Casino, Inc., and the Official Committee of Unsecured Creditors of Emerald Casino, Inc. to the State Defendants motion to realign as appellants and to substitute brief.

Motion by Village of Rosemont to file surreply instanter in opposition of State Defendants' motion to realign as appellants and to substitute brief.

No. 98379 - U.S. Bank National Association et al., etc., appellants, v. Michael Clark et al., etc., appellees.

Motion by appellees Francis Coleman, Pamela Cushman and Linda Heath to substitute Thomas R. Meites for Stephen Stern as counsel for appellees. Motion allowed.

Order entered by Justice Fitzgerald.

Motion by appellees to dismiss appellees Michael Clark, Betty Clark (case No. 1-01-2535), Cecilia Williams (case No. 1-01-2539), Columbus Campbell (case No. 1-01-2545), Earline Clemons (case No. 1-01-2547), and Goldie Johnson (case No. 1-01-2538) from this appeal. Motion allowed.

Order entered by Justice Fitzgerald.

Motion by Woodstock Institute, National Training and Information Center, Neighborhood Housing Services of Chicago Inc., Central Illinois Organizing Project, South Austin Coalition Community Council and South Suburban Housing Center for leave to file a brief as amici curiae instanter in support of appellees. Motion allowed.

Order entered by Justice Fitzgerald.

No. 98464 - Angel Alvarado, appellee, v. The Industrial Commission et al., appellants.

Motion by appellee for an extension of time for filing brief to and including March 16, 2005. Motion allowed.

Order entered by Justice Fitzgerald.

No. 99067 - Chatham Foot Specialists, P.C., etc., appellant, v. Health Care Service Corporation, etc., appellee.

Motion by appellee to allow the law firm of Michael Best & Friedrich, LLP to withdraw their appearance and substitute the law firm of Schuyler Roche & Swirner, PC as counsel for appellee. Motion allowed.

Order entered by Justice Fitzgerald.

No. 99421 - Joann Melena, appellee, v. Anheuser-Busch, Inc., appellant.

Motion by John Vail for leave to appear pro hac vice. Motion allowed.

Order entered by Justice Karmeier.

Motion by Ralphs Grocery Company for leave to appear and file a brief instanter as amicus curiae in support of appellant. Motion allowed.

Order entered by Justice Karmeier.

- Nos. 99584 - Tri-G, Inc., et al., appellees, v. Burke,
99595 Bosselman & Weaver et al., appellants.
Cons.

Motion by the Illinois Civil Justice League, the DuPage County Bar Association, and the Northwest Suburban Bar Association for leave to file a brief instanter as amici curiae in support of appellant Burke, Bosselman & Weaver.

- No. 99979 - Illinois Tool Works, Inc., movant, v. Kajima Construction Services et al., respondents.

Motion by movant to transfer case No. 04 L 000973, Industrial Developments International, Inc., v. Formation Architects & Planners, Inc., et al., from DuPage County to Cook County and to consolidate it with Cook County case No. 04 L 001603, Illinois Tool Works, Inc., v. Kajima Construction Services et al.

- No. 100030 - Industrial Developments International, Inc., et al., respondents, v. Formations Architects & Planners, Inc., movant.

Motion by movant to transfer case No. 04 L 001603, Illinois Tool Works, Inc., v. Kajima Construction Services et al., from Cook County to DuPage County and to consolidate it with DuPage County case No. 04 L 000973, Industrial Developments International, Inc., v. Formation Architects & Planners, Inc., et al.

- No. 100038 - Industrial Developments International, Inc., et al., respondents, v. Formations Architects & Planners, Inc., et al. (Goss Plumbing, movant).

Motion by movant to transfer and consolidate actions pending in DuPage County and Cook County.

- No. 100062 - Michelle Markiewicz Qualkinbush, movant, v. Hon. Anne M. Burke, Justice of the Appellate Court, First District, et al., etc., respondents.

Motion by movant for a supervisory order.

No. 100064 - Bank One N.A., respondent, v. Michael A. Prate et al., etc., movants.

Motion by movant to transfer case No. 04 CH 440, Bank One, N.A., v. LaSalle Bank National Association et al., from Lake County to Cook County and to consolidate it with Cook County case No. 03 L 010779, Bank One, N.A. v. Michael A. Prate et al.

No. 100091 - Albert D. Thomas, Jr., petitioner, v. Mary L. Thomas, respondent.

Motion by petitioner, pro se, for leave to file a petition for original writs of mandamus, prohibition, habeas corpus and capias ad respondendum.

No. 100116 - Russell Flick, movant, v. Hon. James A. Knecht, Justice of the Appellate Court, Fourth District, et al., etc., respondents.

Motion by movant for a supervisory order.

No. 100121 - Jackson National Life Insurance Company et al., movants, v. Hon. Timothy C. Evans, Chief Judge of the Circuit Court of Cook County, et al., respondents.

Motion by movants for a supervisory order.

No. 100122 - Marc J. Eavenson, etc., et al., respondents, v. State Farm Mutual Automobile Insurance Company et al., movants.

Motion by movants to transfer case No. 03 L 1468, Eavenson v. State Farm Mutual Automobile and case No. 03 L 523, Jones v. State Farm Fire & Casualty Company, from Madison County to Cook County and to consolidate them with Cook County case No. 99 CH 12047, Snead v. State Farm Mutual Automobile Insurance Company.

No. 100125 - Amy Joan Schneider, petitioner, v. Hon. Albert G. Webber, IV, Judge of the Circuit Court of Macon County, et al., respondents.

Motion by petitioner, pro se, for leave to file a petition for an original writ of mandamus.

No. 100141 - Natron Jackson, movant, v. Hon. Ellis E. Reid, Justice of the Appellate Court, First District, et al., etc., respondents.

Motion by movant for a supervisory order.

LEAVE TO APPEAL DOCKET

No. 90497 - Larry Olin, Indv., etc., respondent, v. A.P. Green Industries, Inc., et al. (Armstrong World Industries, petitioner).

Status report filed by petitioner on February 1, 2005, pursuant to this Court's order of June 2, 2004.

Status report filed by respondent on March 3, 2005, pursuant to this Court's order of June 2, 2004.

No. 99654 - Jose Luis Casimiro et al., respondents, v. Inocencio Arceo, petitioner.

Motion by petitioner for leave to file petition for leave to appeal instante.

No. 99959 - Dena L. Jenkins, respondent, v. Jacqueline S. Lustig, etc., et al. (Lee J. Schuster, petitioner).

Motion by petitioner for leave to file petition for leave to appeal instante.

No. 100008 - Mary Willaby, petitioner, v. Clara Bendersky, M.D., et al., etc., respondents.

Motion by petitioner for leave to file petition for leave to appeal instante.

No. 100065 - People State of Illinois, petitioner, v. Marcus West, respondent.

Motion by petitioner for leave to file petition for leave to appeal instante.

No. 100072 - People ex rel. Gary W. Pack, etc., et al.,
respondents, v. The Village of Bull Valley,
petitioner.

Motion by respondent Wonder Lake Master Property
Owners Association, Inc., to strike and dismiss
petition for leave to appeal.

Motion by respondent Village of Wonder Lake to
strike and dismiss petition for leave to appeal.

No. 100173 - Marian Realty, Inc., etc., respondent, v. Lester
Hemingway et al., petitioners.

Motion by petitioners, pro se, for leave to file
petition for leave to appeal instanter. Motion
allowed.

Order entered by Justice Fitzgerald.

MISCELLANEOUS DOCKET

M.D. 11331 - Robert C. Bleitner, petitioner, v. Clerk of the
Circuit Court of Lawrence County, respondent.

Motion by the State's Attorney of Lawrence County
for leave to file response instanter to
petitioner's motion for leave to file a petition
for an original writ of mandamus. Motion
allowed.

Order entered by Justice Karmeier.

MISCELLANEOUS RECORD

M.R. 18210 - In re: Kim L. Harper. Disciplinary Commission.

Motion by the Administrator of the Attorney
Registration and Disciplinary Commission for
leave to substitute instanter corrected petition
for order and judgment for costs. Motion
allowed.

Order entered by Justice Fitzgerald.

M.R. 18621 - In re: Stephen Alan Kempf. Disciplinary Commission.

Motion by the Administrator of the Attorney Registration and Disciplinary Commission for leave to substitute instanter corrected petition for order and judgment for costs. Motion allowed.

Order entered by Justice Fitzgerald.

M.R. 19846 - In re: Don Carrillo. Disciplinary Commission.

Motion by Don Carrillo, by and through his counsel William J. Harte, Ltd., for an extension of time to and including March 14, 2005, to file his answer to the rule to show cause. Motion allowed.

Order entered by Justice Fitzgerald.

M.R. 20018 - In re: Law Offices of Joseph Mario Moreno & Associates, Ltd., movant.

Motion by movant for retroactive registration and renewal of registration.

M.R. 20019 - In re: George C. Pontikes and Associates, P.C., movant.

Motion by movant for late filing of registration to engage in the practice of law as a professional corporation.

M.R. 20020 - In re: John August Cook, P.C., movant.

Motion by movant for retroactive renewal of registration of John August Cook, P.C.

M.R. 20032 - In re: Hunt & Associates, P.C., movant.

Motion by movant to allow retroactive renewal of Hunt & Associates, P.C.'s registration for calendar year 2005.

M.R. 20036 - In re: Geraci, Arreola and Hernandez, L.L.C., petitioner.

Petition by petitioner for leave to renew original certificate retroactively for 2005.

M.R. 20049 - In re: Richard D. Felice, P.C., movant.

Motion by movant for leave to file retroactive renewal for 2005.

M.R. 20050 - In re: Michael J. Logan, Ltd., movant.

Motion by movant for leave to file retroactive application for certificate of registration for year 2005.

M.R. 20063 - In re: Auler Law Offices, P.C., movant.

Motion of Auler Law Offices, P.C. for retroactive renewal of registration pursuant to Supreme Court Rule 721.

M.R. 20065 - In re: Kenneth E. Poris, movant.

Motion by movant to reinstate certificate under Supreme Court Rule 721.

M.R. 20066 - In re: Johnson Law Group LLC, movant.

Motion by movant for leave to register under Supreme Court Rule 721.

M.R. 20067 - In re: Hinshaw & Culbertson, LLP, movant.

Motion of Hinshaw & Culbertson, LLP for retroactive renewal of certificate of registration number 9959 for the year 2005, pursuant to Supreme Court Rule 721.

M.R. 20069 - In re: E. Paul Rustin, Ltd., movant.

Motion for E. Paul Rustin, Ltd. for retroactive renewal of registration pursuant to Supreme Court Rule 721.

M.R. 20071 - In re: Mel Sloan, Attorney at Law, Ltd., movant.

Motion by movant to allow renewal of Certificate 1042 pursuant to Supreme Court Rule 721.

M.R. 20072 - In re: Cohen Law Firm, P.C., movant.

Motion by movant for leave to file renewal of certificate of registration #7167 pursuant to Supreme Court Rule 721.

M.R. 20073 - In re: Ronald A. Nyberg, Ltd., movant.

Motion for Ronald A. Nyberg, Ltd. for retroactive renewal of registration pursuant to Supreme Court Rule 721.

M.R. 20074 - In re: Isadore M. Bernstein & Associates, P.C.,
movant.

Motion for Isadore M. Bernstein & Associates,
P.C. for retroactive renewal of registration
pursuant to Supreme Court Rule 721.

M.R. 20075 - In re: Kinealy, Wilkens & Wilkens, a Professional
Corporation, movant.

Motion by movant for leave to retroactively renew
law firm registration for 2005 pursuant to
Supreme Court Rule 721.

M.R. 20079 - In re: Grund & Leavitt, P.C., movant.

Motion of Grund & Leavitt, P.C. for leave to
renew its registration retroactively for year
2005 pursuant to Supreme Court Rule 721.

M.R. 20095 - In re: Michael R. Kuzel, Ltd., petitioner.

Petition by petitioner for leave to file late
application of renewal of certificate for
registration pursuant to Supreme Court Rule 721.

M.R. 20097 - In re: W. Michael Fay, P.C., movant.

Motion to renew retroactively petitioner's
certificate to engage in the practice of law as a
professional corporation under Supreme Court Rule
721.

M.R. 20099 - In re: Sandra J. Hletko Weber, an attorney,
petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Sandra J. Hletko
Weber to Sandra J. Hletko Weber Bernhardt.
Motion allowed.

Order entered by Chief Justice McMorrow.

M.R. 20100 - In re: Susan Jeanne Ocasek, an attorney,
petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Susan Jeanne Ocasek
to Susan J. Ocasek-Clayton. Motion allowed.

Order entered by Chief Justice McMorrow.

M.R. 20101 - In re: Laurie A. Tan, an attorney, petitioner.

Motion by petitioner for leave to change her name on the roll of attorneys from Laurie A. Tan to Laurie Rice. Motion allowed.

Order entered by Chief Justice McMorrow.

M.R. 20102 - In re: Keren Levy, an attorney, petitioner.

Motion by petitioner for leave to change her name on the roll of attorneys from Keren Levy to Keren L. Weiss. Motion allowed.

Order entered by Chief Justice McMorrow.

M.R. 20103 - In re: Jennifer Anne Dovidio, an attorney, petitioner.

Motion by petitioner for leave to change her name on the roll of attorneys from Jennifer Anne Dovidio to Jennifer Dovidio Valentine. Motion allowed.

Order entered by Chief Justice McMorrow.

M.R. 20104 - In re: Avila & Tomic, LLC, movant.

Motion by movant to retroactively renew certificate of registration under Supreme Court Rule 721.

M.R. 20105 - In re: Sandra Violette Scavo, an attorney, petitioner.

Motion by petitioner for leave to change her name on the roll of attorneys from Sandra Violette Scavo to Sandra Scavo Pedersen. Motion allowed.

Order entered by Chief Justice McMorrow.

M.R. 20106 - In re: Margaret M. Zimmermann, an attorney, petitioner.

Motion by petitioner for leave to change her name on the roll of attorneys from Margaret M. Zimmermann to Margaret M. Seuryneck. Motion allowed.

Order entered by Chief Justice McMorrow.