

NOTICE

This Order was filed under Supreme Court Rule 23 and is not precedent except in the limited circumstances allowed under Rule 23(e)(1).

2023 IL App (4th) 220475-U
NO. 4-22-0475
IN THE APPELLATE COURT
OF ILLINOIS

FILED
October 12, 2023
Carla Bender
4th District Appellate
Court, IL

FOURTH DISTRICT

JESSICAWILSON, Individually and as the Executor of)	Appeal from the
the Estate of Matthew Cacioppi, Deceased,)	Circuit Court of
Plaintiff-Appellant,)	Winnebago County
v.)	No. 18L16
OSF HEALTHCARE SYSTEM, d/b/a OSF ST.)	
ANTHONY MEDICAL CENTER, an Illinois Not-for-)	
Profit Corporation, and LAWRENCE P. PRABHAKAR,)	Honorable
MD,)	Lisa R. Fabiano,
Defendants-Appellees.)	Judge Presiding.

JUSTICE LANNERD delivered the judgment of the court.
Justices Cavanagh and Steigmann concurred in the judgment.

ORDER

¶ 1 *Held:* The appellate court affirmed, concluding the trial court did not abuse its discretion when it (1) consolidated the wrongful death and probate cases for the limited purpose of determining whether Rule 137 sanctions should be imposed and (2) both dismissed the wrongful death case with prejudice and awarded attorney fees as a sanction for Rule 137 violations.

¶ 2 Plaintiff, Jessica Wilson, individually and as the executor of the estate of Matthew Cacioppi, appeals from the Winnebago County circuit court's judgment imposing sanctions in the form of attorney fees under Illinois Supreme Court Rule 137 (eff. Jan. 1, 2018) and dismissing her wrongful death suit against defendants, OSF Healthcare System (OSF) and Lawrence P. Prabhakar, MD. On appeal, plaintiff argues the trial court abused its discretion when it (1) consolidated her wrongful death case with the probate case associated with the decedent, (2) dismissed the wrongful death case with prejudice as a sanction for violating Illinois

Supreme Court Rule 137 (eff. Jan. 1, 2018), and (3) awarded attorney fees to defendants.

Defendants respond no abuse of discretion occurred and the judgment should be affirmed. We agree with defendants and affirm.

¶ 3

I. BACKGROUND

¶ 4

A. Probate Case

¶ 5

In February 2016, plaintiff filed an affidavit of heirship, verified petition for letters of administration, and oath of office related to the death of Matthew Cacioppi. These proceedings were docketed as Winnebago County case No. 16-P-83 (probate case). Plaintiff listed herself as Cacioppi's "spouse" and stated, "[Plaintiff] is the spouse, via civil union, of the decedent." In the affidavit of heirship, plaintiff also stated she and Cacioppi were married via civil union in his lifetime. At an April 16, 2016, hearing in the probate case, plaintiff testified under oath that although she and Cacioppi had a marriage ceremony, she had not been able to have the marriage formally registered.

¶ 6

In response to plaintiff's statements regarding her marital status with Cacioppi, the trial court amended the verified petition by hand. The court retitled the petition as "Petition to Admit Will & for Letters of Office" and crossed out the word "spouse," replacing it with "L" for "legatee." The court also amended the affidavit of heirship, inserting "not" before the word "married," and adding the following: "3. Survived by mother, father deceased. 4. Mother & father had 3 children: decedent, Andrea Harkness, Melanie Jenkins. 5. Dec[edent] left the following heirs: [Dawn Horn, Andrea Harkness, and Melanie Jenkins]." The court crossed out plaintiff's name from the document. After hand-writing the amendments to the pleadings, the court directed plaintiff to initial the pleadings, which she did. The court then appointed plaintiff as executor of Cacioppi's estate.

¶ 7

B. Plaintiff's Complaints

¶ 8

In January 2018, plaintiff filed a six-count complaint in the Winnebago County circuit court, individually and as executor of Cacioppi's estate, which the court docketed as No. 18-L-16 (wrongful death case). Plaintiff asserted claims for wrongful death, negligence, and loss of consortium related to Cacioppi's death. Counts I to III were brought against OSF; counts IV to VI asserted the same claims against Dr. Prabhakar. In the complaint, plaintiff alleged that she "has suffered grief and despair and has been deprived of her husband's comfort, care, advice, society and support and as such has a right to bring an action on her own behalf." In count III, plaintiff alleged as follows:

"34. That all times relevant MATTHEW CACIOPPI and [PLAINTIFF] were wedded as husband and wife.

35. That as a direct and proximate result of the aforesaid negligent acts of Defendant OSF, Plaintiff's husband sustained severe and permanent injuries and died.

36. Plaintiff *** has been deprived of the care, comfort, society, companionship and relationship with her husband."

Plaintiff's counsel, Cynthia Koroll, signed the initial complaint.

¶ 9

In July 2018, plaintiff filed an amended complaint, again individually and as the executor of Cacioppi's estate. In the amended complaint, plaintiff again alleged she and Cacioppi were married at all relevant times and added claims against Rockford Surgical Services, who is not a party to this appeal. Koroll again signed the amended complaint.

¶ 10 Plaintiff filed a second amended complaint in February 2019, again individually and as the executor of Cacioppi's estate. Plaintiff again asserted she and Cacioppi were married at all relevant times, and Koroll signed the second amended complaint.

¶ 11 In May 2019, plaintiff filed a third amended complaint, again individually and as the executor of Cacioppi's estate. Plaintiff omitted the loss of consortium claims, and Koroll signed the third amended complaint.

¶ 12 C. Defendants' Motion to Dismiss

¶ 13 In June 2019, OSF filed a motion to dismiss the third amended complaint under section 2-619 of the Code of Civil Procedure (Procedure Code) (735 ILCS 5/2-619 (West 2018)). Dr. Prabhakar later joined the motion. In the motion, defendants contended that despite plaintiff's allegations she "has been deprived of her husband's comfort, care, advice, society and support and as such has a right to bring an action on her own behalf," plaintiff testified at her discovery deposition that she had never been legally married to Cacioppi. Defendants further claimed that in 2016, plaintiff falsely represented to the trial court that she was Cacioppi's spouse to obtain the status of personal representative of the decedent's estate. Attached to defendants' motion to dismiss were exhibits C and D, the unamended, file-stamped copies of the petition for letters of administration and affidavit of heirship, respectively, that were filed in the related probate case.

¶ 14 Defendants further claimed, based on plaintiff's misrepresentation of her marital status, the trial court's order appointing plaintiff executor in the probate case was void *ab initio* as the product of a fraud on the court and caused the court to act outside its statutory authority. Defendants asserted, as a result, plaintiff did not have standing to sue under the Illinois Wrongful Death Act (740 ILCS 180/1 *et seq.* (West 2018)) because she was not properly appointed as the

administrator or personal representative of Cacioppi's estate, and therefore, the wrongful death case should be dismissed.

¶ 15 Plaintiff filed a response to defendants' motion to dismiss, to which she attached a copy of Cacioppi's will. The will was prepared by Koroll and dated January 11, 2016. In the will, Cacioppi stated, "On January 10, 2016 I and [plaintiff] were married in a Civil Ceremony. Ill health precluded registering the marriage with the State of Illinois."

¶ 16 D. Motion to Dismiss Hearing

¶ 17 The trial court conducted a hearing on defendants' motion to dismiss in June 2021. During arguments, OSF emphasized plaintiff's false allegations she and Cacioppi were married and she had standing to pursue the wrongful death case on her own behalf. OSF argued the case should be dismissed entirely or, in the alternative, plaintiff should be dismissed as a party.

¶ 18 The trial court found Cacioppi's will established plaintiff and Cacioppi were never legally married, and therefore, plaintiff made material misrepresentations to the court in both the wrongful death and probate cases. The court took the case under advisement.

¶ 19 In July 2021, plaintiff's counsel submitted a copy of the April 11, 2016, transcript from the probate case to the trial court. The court indicated that it needed to review the transcript before issuing its decision on the motion to dismiss and continued the matter for further proceedings. The court also *sua sponte* scheduled a hearing to determine whether sanctions were warranted under Illinois Supreme Court Rule 137 (eff. Jan. 1, 2018) and consolidated the wrongful death and probate cases for that limited purpose.

¶ 20 E. Rule 137 Hearing

¶ 21 In August 2021, the trial court held a hearing on the issue of Rule 137 sanctions. At the hearing, plaintiff testified she had been Cacioppi's girlfriend since 2012. On January 10, 2016, she and Cacioppi had a bedside marriage ceremony while he was in the hospital, which was officiated by a woman who claimed to be a minister. The woman informed plaintiff a certificate would be provided at the end of the ceremony that she could take to Cook County to legalize the marriage. Cacioppi died several days later. Plaintiff never received a certificate and attempted to contact the woman who performed the ceremony. Sometime later, a supervisor at the hospital informed her that the woman who performed the ceremony was not ordained and could not sign a marriage certificate for plaintiff. Thereafter, plaintiff acknowledged she needed a marriage certificate to be legally married and that she never went to the Cook County clerk's office to obtain a marriage certificate.

¶ 22 Dawn Horn, Cacioppi's mother, also testified at the hearing. Horn admitted she knew plaintiff and Cacioppi were never married and did not have a civil union. She also admitted she was aware of and consented to Koroll identifying plaintiff as Cacioppi's wife in the pleadings filed in this case. Horn agreed with plaintiff and Koroll to waive her right to pursue a wrongful death claim because she believed plaintiff should receive any financial compensation related to Cacioppi's death.

¶ 23 During the hearing, the trial court found the following pleadings filed by plaintiff contained false statements: (1) the petition for the letters of administration identifying plaintiff as Cacioppi's wife, (2) the affidavit of heirship indicating that plaintiff and Cacioppi were married in his lifetime, (3) the initial complaint identifying plaintiff as Cacioppi's wife, (4) the amended complaint with the same allegations, (5) the second amended complaint alleging the same, and (6) the third amended complaint alleging Cacioppi was plaintiff's husband.

¶ 24 In September 2021, defendants each filed petitions for attorney fees related to plaintiff's violations of Rule 137. In its petition, OSF requested \$39,945.50 in attorney fees. Counsel's affidavit attached to the petition states, "A detailed billing log reflecting the work performed, the date it was performed, the time allotted to each task, who performed the work, the rate charged and the amount billed and paid by OSF is attached as Exhibit 1, for *in camera* inspection." Counsel's affidavit further provided that "[t]he information contained in Exhibit 1 consists of attorney work product reflecting the mental thoughts and impressions of [OSF's] defense counsel and constitutes attorney-client privileged information." Exhibit 1 to OSF's fee petition is not contained in the record on appeal. In Dr. Prabhakar's petition, he requested \$30,395.50 in attorney fees. Counsel's affidavit attached to the petition states as follows:

"[A] copy of detailed invoices and billing logs reflecting the work performed, the date it was performed, the person who performed the work, the time allotted to each task, the rate charged and the amount billed and paid by [Dr. Prabhakar's insurer are attached] as Exhibit 1, for *in camera* inspection."

Counsel's affidavit further provided as follows:

"All of the information contained in Exhibit 1 consists of privileged attorney/client communications and privileged attorney work product reflecting the mental thoughts and impressions of [defense counsel] in defense of this claim, and is not subject to disclosure or discovery by any other party, and all privileges are preserved and explicitly not waived by submitting this fee petition and affidavit for an *in camera* inspection."

Exhibit 1 to Dr. Prabhakar's fee petition is not contained in the record on appeal.

¶ 25 On May 4, 2022, the trial court entered a written order dismissing the case with prejudice and awarding \$10,000 in attorney fees to each of the defendants, for a total of \$20,000. Specifically, the court ordered Koroll to pay \$18,000 and plaintiff to pay \$2000. Although the memorandum opinion was filed in both the probate and wrongful death cases, the order for sanctions was filed solely in the wrongful death case. In its findings, the court opined that Koroll, plaintiff, and Horn were all aware plaintiff was not legally married to Cacioppi but perpetrated a fraud on the court because they believed that a wrongful death claim brought on behalf of a spouse would have more value than one brought by Cacioppi's true heirs (*i.e.*, Horn and Cacioppi's surviving siblings). In ordering both dismissal and attorney fees, the court reasoned as follows:

“As to the second *Santiago*[*v. E.W. Bliss Co.*, 2012 IL 111792] requirement, Ms. Koroll's casual relationship with the truth and utter disregard for the obligations imposed by Supreme Court Rule 137 demonstrate that a lesser sanction would be inadequate to remedy both the harm to the judiciary and the prejudice to these defendants. It is the continued lying even after this Court made a finding that [plaintiff] was not the spouse which convinces the Court that a lesser remedy would be inadequate here. Clearly, Ms. Koroll has shown many times over that she does not respect this Court's authority when she continues to advance this falsehood. It is also glaringly evident that even being caught in a lie cannot change Ms. Koroll's behavior and compel compliance with [Rule] 137. For that reason as well, the Court finds that a lesser sanction would be inadequate.

* * *

Although the cases seem to either impose attorneys' fees or dismiss with prejudice, the Court believes that the factual circumstances of this case make it uniquely suited for an award of attorneys' fees in addition to dismissal with prejudice. First, a dismissal with prejudice does not sanction [plaintiff] for her blatant and knowing violations of [Rule] 137. Having no interest in any wrongful death cause of action, its dismissal with prejudice does not hold her accountable in any way. An award of attorneys' fees is thus appropriate against her.

As for attorney Koroll, the defendants have expended significant resources in unravelling her falsehoods, and even when they did, she persisted in the lies. She has to date not acknowledged her lies to this Court and these defendant[s], has not offered any explanation for her repeated lies, and has not sought to correct any false pleadings. Instead, she has continued to harass the defendants with baseless motions. An award of attorneys' fees against her in addition to dismissal with prejudice is thus appropriate."

¶ 26 This appeal followed.

¶ 27 **II. ANALYSIS**

¶ 28 Plaintiff presents three arguments on appeal. First, plaintiff argues the trial court abused its discretion when it consolidated her wrongful death case with the probate case associated with the decedent. Second, plaintiff asserts the court's dismissal of the wrongful death case as a sanction for violating Rule 137 was arbitrary and capricious and exceeded the bounds of the rule. Finally, plaintiff claims the court abused its discretion when it awarded defendants attorney fees. Defendants respond the court did not abuse its discretion when it consolidated the

cases for the limited purpose of determining whether sanctions were warranted, dismissed the wrongful death case with prejudice, and awarded them attorney fees. We affirm.

¶ 29 A. Consolidation of the Probate and Wrongful Death Cases

¶ 30 Plaintiff first argues the trial court abused its discretion when it consolidated the probate and wrongful death cases. Specifically, plaintiff complains the consolidation of the two cases impermissibly conferred standing on defendants in the probate case and allowed them “to file pleadings ***, seek and receive attorney fees, and question parties and witnesses.” Plaintiff contends this abuse of discretion “deprived the estate, and therefore the heirs and legatee, of the substantial right to sue for wrongful death of the decedent.” Defendants respond the court’s consolidation of the two cases for the limited purpose of determining whether Rule 137 sanctions were warranted was not an abuse of discretion. We agree with defendants.

¶ 31 Under section 2-1006 of the Procedure Code, “actions pending in the same court may be consolidated, as an aid to convenience, whenever it can be done without prejudice to a substantial right.” 735 ILCS 5/2-1006 (West 2020). The trial court may *sua sponte* order the consolidation or severance of cases. *Ad-Ex, Inc. v. City of Chicago*, 247 Ill. App. 3d 97, 103 (1993). In *Ad-Ex*, the First District explained consolidation may take the following three forms:

“(1) where several actions are pending involving substantially the same subject matter, the court may stay proceedings in all but one and see whether the disposition of the one action may settle the others thereby avoiding multiple trials on the same issue; (2) where several actions involve an inquiry into the same event in its general aspects, the actions may be tried together, but with separate docket entries, verdicts and judgments, the consolidation being limited to a joint trial; and (3) where several actions are pending which might have been brought as

a single action, the cases may be merged into one action, thereby losing their individual identity, to be disposed of in one suit.” *Id.* at 102-03.

Additionally, a trial court may consolidate cases for a limited purpose if the requirements of section 2-1006 are otherwise met. See, *e.g.*, *Hynes v. Department of Revenue*, 269 Ill. App. 3d 697, 712 (1995) (citing *Heritage Pullman Bank v. American National Bank & Trust Co. of Chicago*, 164 Ill. App. 3d 680 (1987)). In *Heritage Pullman Bank*, the First District acknowledged the trial court permissibly consolidated a forcible entry and detainer action with a pending foreclosure action to permit a single hearing on common issues. *Heritage Pullman Bank*, 164 Ill. App. 3d at 684. The *Heritage Pullman Bank* court held consolidation of two cases for the limited purpose of addressing a common issue does not result in the merging of the two matters into a single suit. *Id.*

¶ 32 A reviewing court will not disturb the trial court’s decision to consolidate cases unless it constitutes an abuse of discretion. *Ad-Ex, Inc.*, 247 Ill. App. 3d at 102. An abuse of discretion occurs when the trial court’s decision is unreasonable, arbitrary, or where no reasonable person would agree with its conclusion. *Lake Environmental, Inc. v. Arnold*, 2015 IL 118110, ¶ 16.

¶ 33 The trial court did not abuse its discretion when it consolidated the probate and wrongful death cases for the limited purpose of determining whether Rule 137 sanctions were warranted because it aided the court’s convenience in determining whether plaintiff and Koroll signed false pleadings and did not prejudice any of plaintiff’s substantial rights. First, plaintiff’s contention that consolidation allowed defendants to file documents in the probate case is not well-taken, as the record shows their fee petitions were all filed in the wrongful death case. Second, defendants also correctly note that they would have been permitted to question witnesses

and present evidence at the Rule 137 hearing even if the cases had not been consolidated. See, e.g., *Olsen v. Staniak*, 260 Ill. App. 3d 856, 862 (1994) (“The purpose of the court holding a Rule 137 evidentiary hearing is so that the parties can place before the court facts which it may rely upon in making an informed and reasonable decision.”). Third, plaintiff also incorrectly states the court imposed sanctions in both cases. The record shows that while the memorandum opinion was filed in both cases, the order for sanctions was only filed in the wrongful death case. Finally, to the extent plaintiff argues consolidation prejudiced her by depriving the estate of its only asset (*i.e.*, the wrongful death case), this court concludes the dismissal of the wrongful death case was not a result of the *consolidation*, but rather plaintiff’s and Koroll’s misconduct.

¶ 34 Here, the record shows the trial court properly consolidated the cases for the limited purpose of determining the common issue of whether plaintiff and Koroll violated Rule 137 when they signed pleadings asserting plaintiff was married to Cacioppi. We find such limited consolidation was not arbitrary or unreasonable and therefore not an abuse of the court’s discretion.

¶ 35 B. Rule 137 Findings

¶ 36 Plaintiff next argues the “trial court’s ruling[s] were arbitrary and capricious and exceeded the purpose of Supreme Court Rule 137 and the bounds of reason with the excessive sanctions.” Defendants assert plaintiff has forfeited this argument by failing to support her argument with citations to the record and relevant authority in violation of Illinois Supreme Court Rule 341(h)(7) (eff. Oct. 1, 2020). Defendants further claim, even if plaintiff’s argument were not forfeited, the trial court’s finding plaintiff and Koroll knowingly signed false pleadings in this case was supported by the record and therefore not arbitrary or capricious.

¶ 37 Although plaintiff has neglected to include some citations to the record in support of this argument, we conclude her brief sufficiently comports with the requirements of Rule 341(h)(7) such that forfeiture is not required here. *Id.* Plaintiff alleges the trial court’s conclusion Rule 137 sanctions were warranted was arbitrary because the current version of the complaint at issue had been amended to omit any allegation plaintiff was Cacioppi’s wife, and therefore compliance with the rule should not have been at issue. Plaintiff also contends the court (1) failed to consider whether lesser sanctions would be appropriate, (2) did not provide counsel the opportunity to explain the repetition of the untrue allegations in the pleadings complained of, and (3) erroneously concluded Horn participated in a scheme to deprive the beneficiaries of the wrongful death case when she was a beneficiary herself.

¶ 38 Under Rule 137(a), the attorney for a represented party is required to sign all pleadings submitted to the trial court. Ill. S. Ct. R. 137(a) (eff. Jan. 1, 2018).

“The signature of an attorney or party constitutes a certificate by him that he has read the pleading, motion or other document; that to the best of his knowledge, information, and belief formed after reasonable inquiry it is well grounded in fact and is warranted by existing law or a good-faith argument for the extension, modification, or reversal of existing law, and that it is not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.” *Id.*

If the trial court finds a litigant’s pleading violates Rule 137, it may issue an appropriate sanction, which includes the award of attorney fees and dismissal of the case. *Id.*; *Santiago*, 2012 IL 111792, ¶ 20. However, “[d]ismissal is justified only when (1) there is a clear record of willful conduct showing deliberate and continuing disregard for the court’s authority; and (2) a

finding that lesser sanctions are inadequate to remedy both the harm to the judiciary and the prejudice to the opposing party.” *Santiago*, 2012 IL 111792, ¶ 20. “The purpose of [Rule 137] is to prevent abuse of the judicial process by penalizing claimants who bring vexatious and harassing actions based upon unsupported allegations of fact or law.” *Fremarek v. John Hancock Mutual Life Insurance Co.*, 272 Ill. App. 3d 1067, 1074 (1995).

¶ 39 The decision whether to issue sanctions under Rule 137 is within the sound discretion of the trial court, which this court will not disturb absent an abuse of discretion. *Id.* As stated above, an abuse of discretion occurs when a trial court’s decision is unreasonable, arbitrary, or where no reasonable person would agree with its conclusion. *Lake Environmental, Inc.*, 2015 IL 118110, ¶ 16. Additionally, a court abuses its discretion when its findings of fact are against the manifest weight of the evidence, meaning the opposite conclusion is readily apparent. *Baker v. Daniel S. Berger, Ltd.*, 323 Ill. App. 3d 956, 963 (2001).

¶ 40 Here, the trial court’s conclusion sanctions were warranted under Rule 137 was not arbitrary despite plaintiff’s amendment of the complaint to omit the false allegation she was Cacioppi’s wife. The fact plaintiff omitted the false allegation after it was discovered by defendants during plaintiff’s deposition has no bearing on whether the Rule 137 violation occurred. Plaintiff acknowledges in her brief Koroll was aware plaintiff was not married to Cacioppi when she signed the pleadings at issue but pleaded it anyway with the hope they could later have the marriage or civil union properly registered. Because plaintiff does not dispute Koroll knowingly signed the pleadings without a well-grounded basis in fact for the allegation plaintiff and Cacioppi were married, there is ample support for the court’s determination Rule 137 was violated. Plaintiff’s and Koroll’s efforts to comply with Rule 137 after the fact did not preclude the court from issuing, in its discretion, an appropriate sanction for the violations.

¶ 41 Next, we find plaintiff's contentions the trial court (1) failed to consider whether lesser sanctions would be appropriate and (2) did not provide counsel the opportunity to explain the repetition of the untrue allegations in the pleadings complained of are not supported by the record. In its written order, the court devoted an entire paragraph to its conclusion a sanction less than dismissal would not be appropriate in this case. The court reasoned Koroll's "continued lying" over the course of years justified the dismissal of the case with prejudice as a sanction. Furthermore, counsel admits in her brief the court advised Koroll she could testify at the Rule 137 evidentiary hearing to explain why the untrue allegations were repeated in multiple pleadings throughout the case, and Koroll declined to do so. The record demonstrates Koroll had ample opportunity to explain her behavior.

¶ 42 Finally, the trial court's factual finding Horn participated in a scheme to deprive the rightful beneficiaries of their rights to file a wrongful death claim even though she was a beneficiary herself was not illogical or against the manifest weight of the evidence. Horn testified she knew she was a rightful beneficiary of any wrongful death claim regarding Cacioppi but wanted any award of damages to be provided to plaintiff. Horn testified she knew plaintiff and Cacioppi were not legally married and consented to waiving any claim she had so plaintiff could proceed as the complainant in the wrongful death case. The court's finding Horn participated in this scheme is supported by Horn's testimony, and her desire for plaintiff to receive any financial compensation related to Cacioppi's death explained the motivation for her actions.

¶ 43 We conclude plaintiff has not shown the trial court's dismissal of the wrongful death case as a sanction for violating Rule 137 was the result of an abuse of discretion or any of its factual findings were against the manifest weight of the evidence.

¶ 44

C. Attorney Fees Award

¶ 45 Finally, plaintiff asserts the trial court abused its discretion when it awarded attorney fees to defendants. Defendants contend the court properly awarded attorney fees as part of its Rule 137 sanctions and no abuse of discretion occurred. We agree with defendants.

¶ 46 As stated above, Rule 137 provides the trial court may award attorney fees as a sanction for violating the rule, and this court reviews the decision to award attorney fees for an abuse of discretion. Ill. S. Ct. R. 137(a) (eff. Jan. 1, 2018); *Fremarek*, 272 Ill. App. 3d at 1074.

¶ 47 We agree with the trial court's conclusion that because plaintiff had no individual interest in the wrongful death case, "a dismissal with prejudice does not sanction [plaintiff] for her blatant and knowing violations of [Rule] 137." In their fee petitions, defendants described in detail the efforts they undertook to uncover plaintiff's and Koroll's Rule 137 violations. Because defendants showed they incurred expenses litigating the Rule 137 violations and plaintiff had no real interest in the wrongful death case, it was not arbitrary or unreasonable for the court to conclude attorney fees were an appropriate sanction in addition to dismissal.

¶ 48 Additionally, plaintiff has forfeited any contention the trial court abused its discretion in awarding attorney fees because the fee petitions did not include counsels' hourly rate, total hours billed, tasks performed, or any other information needed to award the fees. First, plaintiff failed to object to this issue at the evidentiary hearing and raise it in a posthearing motion. See *Adams v. Sarah Bush Lincoln Health Center*, 369 Ill. App. 3d 988, 1005 (2007) ("To preserve an issue for appeal, the party must both make an objection at the time of trial and in a posttrial motion."). Furthermore, the record shows defendants provided this information to the court in exhibits attached to their fee petitions and indicated they had been submitted for the court's *in camera* review. Plaintiff failed to attach the exhibits as part of the record in this appeal.

Because it is plaintiff's burden as the appellant to provide a complete record on appeal, this court will resolve any doubts arising from any incompleteness in said record against her. *Foutch v. O'Bryant*, 99 Ill. 2d 389, 391-92 (1984). Because plaintiff has neither preserved this issue for review nor provided a complete record, we honor plaintiff's forfeiture.

¶ 49 Because plaintiff has not shown an abuse of discretion occurred in any of her claims in this appeal, we affirm the trial court's judgment.

¶ 50 III. CONCLUSION

¶ 51 For the reasons stated, we affirm the trial court's judgment.

¶ 52 Affirmed.