

1 THE CLERK: Sykes.

2 THE COURT: Good afternoon.

3 MR. SCHMIEDEL: Good afternoon, Judge.

4 Peter Schmiedel, S-c-h-m-i-e-d-e-l, on behalf of
5 Carolyn Toerpe, T-o-e-r-p-e, the guardian of the
6 person and estate of Mary Sykes.

7 MS. FARENGA: Cynthia Farenga,
8 F-a-r-e-n-g-a, on eof Mary Sykes' guardian ad
9 litem. Good afternoon.

10 MR. STERN: Adam Stern, S-t-e-r-n, the
11 other GAL.

12 MS. FARENGA: Is Ms. Sykes in the
13 courtroom? She is not --

14 THE COURT: I assume she is not stepping
15 up. She certainly heard me call the case.

16 What are we doing today?

17 MR. SCHMIEDEL: We were trying to get
18 dates from Dr. Shaw. I have phone calls in to him.

19 THE COURT: Let me stop you. Ms. Sykes, do
20 you want to come forward, or do you want to stay
21 back there? It's your choice.

22 MS. GLORIA SYKES: Well, your Honor, you
23 told me that I had no standing.

24 THE COURT: Okay. All right. Let me

1 indicate to you that I was just handed a second ago
2 a fax that's come in. And I would assume you have
3 notice of it. So I will pass it to you so you can
4 read it into the record. Just the front page, I
5 think. It has -- it described -- it purports to
6 be --

7 MS. FARENGA: Your Honor, this purports to
8 be a fax to the Court bearing today's date,
9 February 21st, from Gloria Jean Sykes, next friend,
10 unquote, regarding the estate of Mary Sykes,
11 pursuant -- it says message pursuant Rule 381
12 original actions and the Supreme Court pursuant to
13 Article 6 Section 4a of the Constitution; attached
14 please find, quote, motion for leave to file
15 complaint for writs, unquote verified complaint for
16 extra order writs of prohibition and mandamus,
17 unquote; and, quote, appendix, unquote, respectfully
18 submitted, Gloria Sykes. That's the cover memo.

19 And the document itself is actually
20 stated to be under the Supreme Court of the State of
21 Illinois and adjudicated disabled adult ward under
22 court-appointed guardian ad litem by next friend
23 realtor slash Petitioner versus Jane L. Stuart,
24 Court, Cook County Judge, Circuit Probate Division

1 and guardian ad litem Attorney Adam Stern and
2 Cynthia Farenga. The case number is blank.

3 And it's entitled motion for leave to
4 file complaint for writs --

5 THE COURT: That's enough. I assume you
6 have not seen it. And in that it's not addressed to
7 you, one could argue that perhaps there is no need
8 to give you notice of it. But I want you to know
9 that that was received by fax today.

10 MR. STERN: I did receive it, Judge, a few
11 hours ago.

12 MS. FARENGA: I received only the first
13 page of it. I just asked Ms. Sykes for a copy.

14 THE COURT: Okay. Have you seen it,
15 Mr. Schmiedel?

16 MR. SCHMIEDEL: No, Judge.

17 THE COURT: Well, they are named in it, and
18 you aren't.

19 MR. SCHMIEDEL: Okay.

20 THE COURT: I don't know what relief she
21 seeks, but I don't think that's by way of an
22 appropriate appeal.

23 MR. SCHMIEDEL: The appeal is -- as we said
24 before, has been thrown out long ago.

1 THE COURT: But this is not -- my point is
2 even though that was -- that matter was -- is no
3 longer pending for the Appellate Court, this writing
4 does not mean tha this Court has lost jurisdiction.
5 I don't see this as an appropriate appeal to the
6 Supreme Court from the decision on the lower
7 court -- from the lower Appellate Court.

8 MR. SCHMIEDEL: Well, also there is no
9 notice.

10 MS. FARENGA: There is no notice. It's not
11 motioned up for any date certain.

12 THE COURT: Right. So I think it would
13 fail.

14 MR. SCHMIEDEL: My uderstanding is there
15 has to be personal service, too, Judge.

16 THE COURT: Personal service on whom?

17 MR. SCHMIEDEL: On whomever the Respondent
18 is, supposedly.

19 MR. STERN: It says -- under the Rules,
20 Judge, it says a copy of the motion together with
21 the proposed complaint shall be served upon the
22 other party or parties, including the nominal party
23 or parties, and proof of service shall be filed at
24 the time the motion is filed. That's under

1 Rule 381.

2 THE COURT: And fax is not personal
3 service.

4 MR. STERN: Correct.

5 THE COURT: So I would think that prevents
6 us from moving forward today.

7 MR. SCHMIEDEL: No.

8 THE COURT: The upshot of where i'm going
9 with all of this -- thank you.

10 MS. FARENGA: Your Honor, outside the
11 courtroom we suggested securing some dates, and
12 Mr. Schmiedel would just present them.

13 MR. SCHMIEDEL: We want some dates in
14 April.

15 THE COURT: Give me my book.

16 MR. SCHMIEDEL: And i'm told that maybe
17 Friday is, unfortunately, the best day.

18 THE COURT: Which Friday?

19 MR. SCHMIEDEL: Let me see.

20 THE COURT: I'm not here on the 20th
21 because i'm at that judicial conference thing. So
22 the Friday before, which would be the 28th.

23 MR. SCHMIEDEL: The 27th is not good. I'll
24 be in Seattle.

1 THE COURT: There is always Friday the 13th
2 and Friday the 6th.

3 MR. STERN: The 6th i'm out of town, but
4 the 13th is available.

5 THE COURT: Is the 13th of April convenient
6 for you, Ms. Sykes?

7 MS. GLORIA SYKES: I'm just looking in my
8 iPhone, but I don't have my extended -- your Honor,
9 would you mind if I just e-mail somebody and they
10 can look into my --

11 THE COURT: Why don't you step out and
12 we'll wait until you come back, and you can call
13 them, and that might even be quicker.

14 MS. GLORIA SYKES: That's what I will do
15 now. Thank you very much.

16 THE COURT: You're welcome.

17 MR. SCHMIEDEL: And then maybe we should
18 pick up one other day.

19 THE COURT: I don't want to do anything
20 while she's out. I don't think that's wise.

21 MR. SCHMIEDEL: That's fine. And if that
22 doesn't work with Dr. Shaw, i'll notify --

23 THE COURT: What's your other date?

24 MR. SCHMIEDEL: I would say it would

1 probably have to be the first week in May.

2 THE COURT: Monday, the 23rd. Do you know
3 if that's available? Would it be better if we set
4 it for May?

5 MS. FARENGA: No, your Honor. It wouldn't,
6 respectfully. Because Mary Sykes is ninety-three
7 years old, and if Ms. Sykes says it's okay, I say
8 let's do it.

9 THE COURT: She didn't say it was okay.

10 MS. GLORIA SYKES: Right now you can put
11 whatever you want in there. If I have to be out of
12 town, I will notify the Court.

13 THE COURT: This is what I would like you
14 to do. If you won't be able to, when you get home
15 or wherever you -- when you look at your calendar if
16 the 23rd of April is not convenient, please e-mail
17 or fax, rather, the attorneys and the Court then
18 what dates you are available, all right?

19 MR. SCHMIEDEL: Your Honor, why can't we
20 just let her go make another phone call?

21 THE COURT: She said she doesn't want to
22 call whoever she called.

23 MS. FARENGA: Well, your Honor, I only --

24 THE COURT: Stop. I won't -- stop. I'll

1 set it for the 23rd of April. That's the best I can
2 do.

3 MR. SCHMIEDEL: The 13th and the 23rd.

4 THE COURT: All right.

5 MR. STERN: One other matter up for today
6 as well on the partition. On Thursday when we were
7 here last, the 16th of February, previous to that,
8 Judge, you had a court order that asked for parties
9 to nominate someone to serve as commissioner.

10 And we have discussed that on several
11 court dates. I did find somebody who was willing to
12 serve, which is an attorney, Michael Blattner. I
13 did notify Gloria Sykes last Thursday of that, and I
14 did file a nomination. So I would ask that we can
15 go ahead with that.

16 THE COURT: Today?

17 MR. STERN: Yes.

18 THE COURT: Did you hear him, Ms. Sykes?

19 MS. GLORIA SYKES: Yes. And like the last
20 time --

21 THE COURT: I didn't ask you to respond. I
22 asked you if you heard him. Now, if you want to
23 respond to something after he has made his
24 presentation, I am going to ask you to come up

1 before the Court a little closer so that the court
2 reporter can hear you.

3 If you decide that you want to sit
4 back in the back bench, that's your decision. Oh,
5 you are going to come on up.

6 MS. GLORIA SYKES: I will do what I did
7 last time. I object to this; that there is no
8 jurisdiction. And, again, there is an ADA claim.
9 These people are adversaries, and you know what I
10 will be filing as soon as I leave here because it's
11 understood that everybody was served through
12 facsimile.

13 MS. FARENGA: We were not served.

14 THE COURT: We are not going to argue that.
15 And that's not before the Court.

16 MS. FARENGA: That's fine.

17 Mr. Stern might want to tell the Court
18 how Mr. Blattner's name was selected because it's
19 pertinent.

20 MS. GLORIA SYKES: And I object to him
21 because I know Mr. Blattner. He is an attorney, and
22 I came to him, and he came to me. He was gonna help
23 me get supervised to talk to my mother. And then he
24 called me ack and he said that Peter Schmiedel and

1 Adam Stern -- he knows them and they talked him out
2 of it. And number one he is not in real estate.
3 Number two, you have no jurisdiction and, you know,
4 you want to pick people that are friends of
5 Mr. Schmiedel and Mr. Stern. That's very biased.
6 But, again, you have no jurisdiction. So that's all
7 I need to say on the record right now. And you can
8 say whatever you want.

9 THE COURT: If that's all you want to say,
10 then i'm going to say this. That you have an equal
11 opportunity, I believe, to put forth the
12 commissioner to do his initial work. This has been
13 pending here for I want to say three months.

14 MR. SCHMIEDEL: No, Judge. Eight months.

15 THE COURT: And this is the only
16 commissioner that has been put before the Court.
17 You had an equal opportunity to put forth someone.
18 And I will say to you that just because someone is
19 an attorney does not mean that they are precluded
20 and that they know other attorneys. It does not
21 mean that they are precluded from appearing on
22 cases --

23 MS. GLORIA SYKES: Your Honor, he's a GAL
24 He's in the buddy system. He is very biased. He

1 already told me why he was not going to work with
2 me. He came to me. He came to me and said he
3 was -- he was gonna help me to get supervised
4 visits.

5 He lives in the Naperville area, and
6 he said he was going to talk to Mr. Schmiedel. And
7 Mr. Schmiedel, of course no one's good enough even
8 though there is a Court order that says I can see my
9 mother approximately every two weeks.

10 So, again, there's always these other
11 things going on. I believe that, you know, the writ
12 of mandamus is going to the Supreme Court. I
13 believe -- and the laws are the laws. And you can
14 just go on and you can take my money. You can take
15 my home. You can take everythign from me.

16 Obviously what's mine belongs to my sister.
17 What's my mother's belongs to my sister. And you
18 can render me penniless and homeless, but there are
19 laws. I will stand by the laws. And as I sit here
20 right now in God I trust and in God I trust, your
21 Honor. Thank you very much.

22 THE COURT: Okay. So we have a partition
23 action, and I do -- maybe I should say for the
24 record that I do think that I do have jurisdiction

1 in this matter. This comes as a -- flowing from the
2 underlying disabled adult petition and later
3 decision that was entered by the Court.

4 And I am a judge in the appropriate
5 area hearing this matter. This is just part of that
6 case.

7 MR. SCHMIEDEL: Actually, I can give you a
8 little background. There was a motion to dismiss
9 the partition action that was filed in front of
10 Judge Connors originally. She denied the motion to
11 dismiss. They raised that issue. We responded.
12 There was argument and, in fact, she said she was
13 going to go forward with the partition action in
14 this case.

15 So there's already been a ruling on
16 the motion to dismiss the partition --

17 MS. GLORIA SYKES: That was never heard,
18 your Honor. I never got an opportunity to be heard
19 because I have no standing. And, like you said, I
20 can't file any motions.

21 THE COURT: Okay. So now you know. There
22 is one thing I want you to know. And I want to make
23 sure the record shows this because I think this is
24 important, and I think when I first came on the case

1 I mentioned how important it was.

2 As to visitation, you have always had
3 the ability to visit with your mother. It had to be
4 supervised, and I believe there is a cousin who
5 appeared in court, a relative of yours, who was
6 willing to be the supervisor.

7 You did not -- no, ma'am. Sit down.
8 I'm not changing anything. It was always up to you,
9 and you did not want to be supervised by your
10 cousin. And you have not called her or made
11 arrangements for that visitation -- excuse me,
12 ma'am. Stop. Excuse me. Excuse me. Stop talking,
13 ma'am.

14 MR. STERN: Judge, there were visits which
15 took place with the cousin supervising. The
16 supervisor cousin no longer wishes to supervise the
17 Gloria Sykes visits.

18 THE COURT: Excuse me, ma'am. Stop
19 talking.

20 MR. STERN: The cousin does arrange for
21 other family members to visit and facilitates those.
22 But she will not supervise visits by Gloria Sykes
23 and her mother anymore.

24 THE COURT: I didn't know that.

1 MR. STERN: We did report it to you, Judge.

2 THE COURT: Let me suggest then that we
3 need to find somebody else.

4 MR. STERN: And, Judge, we had discussed
5 this before. I can file -- at this point, Judge,
6 there are, in my opinion, no other family members
7 that are willing or suitable to supervise.

8 I have suggested to this Court and to
9 Ms. Sykes that she needs a professional supervisor
10 at this time.

11 THE COURT: And where would we find such a
12 person?

13 MR. STERN: Rehab Assist used to supervise
14 visits between Gloria Sykes and her mother. Gloria
15 Sykes no longer wishes Rehab Assist to supervise
16 those visits. I suggested that I would give her
17 names of other agencies. She believes that
18 everybody that works on this floor is biased. So
19 she will not partake in using those services.

20 THE COURT: Stop, ma'am. Stop.

21 MS. FARENGA: The Domestic Relations
22 Division, those attorneys have names of agencies
23 because they are always in a position like that.
24 And --

1 THE COURT: Domestic Relations? The
2 divorce division?

3 MS. FARENGA: That was suggested long ago;
4 that Ms. Sykes doesn't want -- we said we could pull
5 names from that source, and that also went nowhere.

6 THE COURT: Ma'am, stop. Stop. Just stop
7 talking. Just stop talking.

8 How do we go about getting those
9 names?

10 MS. FARENGA: We can get -- we can make
11 some phone calls.

12 MR. SCHMIEDEL: I can get names. The
13 issues is that Ms. Sykes said she won't pay it.

14 MS. GLORIA SYKES: I'm not paying to see my
15 mom, and you have no judgment on me from Domestic
16 Violence. And my sister is a Respondent in a
17 petition for order of protection that my sister
18 called the sister the abuser. So if you start
19 investigating the right person who is the abuser,
20 please tell me why I need --

21 THE COURT: Ma'am, you have no idea what we
22 are talking about. And I'm sorry. What we were
23 trying to do is to find other choices for the
24 supervisor for you. And Domestic Relations, which

1 is what we used to call the divorce division, often
2 has a need for supervised visitation.

3 So they have whole lists of people who
4 are available. And that's what this conversation
5 was about. But it seems that you don't want to pay
6 for it. It's over. It's over.

7 MS. GLORIA SYKES: I have given them names
8 of professionals. Every single one of them they
9 said no because I called people up and I said this
10 GAL, Amy, she's a professional. She works wiht the
11 elder care.

12 They said no.

13 THE COURT: Do you know anything about
14 that?

15 MR. STERN: I know about that. If you
16 would like me to speak --

17 THE COURT: Let her finish.

18 MS. GLORIA SYKES: I offerred somebody form
19 the Chicago Police Department to come in as my
20 father was a Chicago police officer. And I was
21 denied. I got all the e-mails.

22 THE COURT: I didn't ask you that. What
23 would a police officer have to do with this? I
24 don't think this is a police matter.

1 MS. GLORIA SYKES: He was somebody we
2 offered. My cousin, Richard, offered to supervise.
3 He was said no. Every cousin that doesn't like my
4 sister, of course, and all family members who don't
5 agree with my sister and what she is doing, they are
6 bad people.

7 THE COURT: That's why I think it would be
8 better to have a neutral party from even the
9 Domestic Relations Division. That would certainly
10 be a neutral party.

11 MS. GLORIA SYKES: If I have to pay to see
12 my mother -- and there is no record of conviction
13 against me for a reason I have to have
14 supervision --

15 THE COURT: That's not what happens here.
16 The Court does not need to have a conviction in
17 order to order supervised visitation. What were you
18 going to say, sir? Stop, ma'am. Stop ma'am. Stop,
19 ma'am.

20 MR. STERN: You asked if I -- if anybody
21 knew about the person Amy. So I was going to tell
22 you I did. At one point Gloria did suggest someone
23 by the name of Amy, said she would not disclose her
24 last name; said that she was a mother of someone who

1 does her hair and was a social worker and would not
2 give me any contact information or anything else.
3 And so it could not be pursued any further since we
4 did not get complete information on who the
5 supervisor would be.

6 Just by way of background, Judge,
7 there's been basically three supervisors of visits
8 besides the guardian. Rehab Assist was one of them.
9 Gloria Sykes terminated that. We did try someone
10 that Gloria Sykes knew, a pastor.

11 Those visits were unsuccessful
12 because --

13 THE COURT: Excuse me. Stop, ma'am. Just
14 stop. Just stop.

15 MR. STERN: -- Gloria could not abide by
16 the Court's direction with Judge Connors, and the
17 supervisor was unable to control Gloria. So those
18 visits were terminated.

19 THE COURT: So that goes back to when this
20 was before Judge Connors?

21 MR. STERN: Correct.

22 MS. GLORIA SYKES: I've got --

23 THE COURT: I'm not going to re-open that,
24 ma'am. I am not -- I am not going to re-open that.

1 No, ma'am, I am not.

2 MS. GLORIA SYKES: They can bias me and
3 discredit me. I've got the reports from the
4 supervisor.

5 THE COURT: Ma'am, stop talking. And
6 please don't -- just stop. Stop.

7 MS. GLORIA SYKES: I have a report that
8 says I can have unsupervised visits.

9 THE COURT: If you could prevail upon the
10 cousin --

11 MR. STERN: She will not.

12 MS. FARENGA: She resigned. She came back
13 and she's not -

14 MS. GLORIA SYKES: She's supervising for my
15 aunt, and she would have had me at the family party
16 for Christmas, and my sister wouldn't let me be
17 there.

18 THE COURT: I would ask that one of the
19 GALs call this cousin and see --

20 MR. STERN: I would be more than happy to
21 do so, Judge, but I can tell you as I stand here
22 today, as an officer of the Court, she will one
23 hundred percent not do it. But I will ask.

24 THE COURT: Ask in a way that doesn't --

1 excuse me, Ms. Sykes. I asked you to please stop
2 talking.

3 MR. STERN: She is willing to supervise
4 other family, but she will not do it with her
5 cousin, Gloria.

6 MS. GLORIA SYKES: She's tried to put
7 together a family thing with me there, too.

8 THE COURT: Excuse me, Ms. Sykes. You are
9 talking about -- I'm going to ask you to wait,
10 ma'am.

11 MR. STERN: I do not want to get into her
12 personal reasons for the fact that the matter would
13 be something that would cause more anguish to the
14 cousin.

15 MS. GLORIA SYKES: No, it won't. Your
16 Honor, they had me served with a pizza flyer. They
17 told my cousin about it. She didn't want to get
18 involved in it, and she got -- Cynthia Farenga and
19 my sister got her involved in that. And she was
20 very upset.

21 I know my cousin. She's my cousin.
22 Blood is thicker than water, sir.

23 THE COURT: If you would please try to
24 reach out to her, and if she is unwilling, if

1 there's another family member who would be willing
2 to do it --

3 MS. GLORIA SYKES: There are plenty of
4 family members, your Honor. But my sister doesn't
5 like them.

6 THE COURT: I will ask you one more time,
7 ma'am, to stop talking.

8 MS. GLORIA SYKES: Okay. I'm sorry.

9 MR. STERN: Your Honor, I will. No
10 problem.

11 MS. FARENGA: For the record, the partition
12 action was granted on September 8th of 2011.

13 THE COURT: So the preliminary steps have
14 been done.

15 MR. SCHMIEDEL: All you need to do is
16 appoint the commissioner and go forward.

17 THE COURT: Has a report --

18 MR. SCHMIEDEL: No. No, that's what we
19 need to appoint him for; to do the report.

20 THE COURT: Then there's been more than
21 enough notice, and I will note for the record that
22 on December 21st -- I'm looking at 2011. The
23 petition for partition was entered and continued to
24 February 16th of -- last week. Last Thursday.

1 And last Thursday we spoke about this
2 would be something that would be considered today
3 and among the issues that were before the Court.
4 And so it is more -- certainly there's more than
5 enough notice that this was going to be before the
6 Court.

7 There has been only this one
8 commissioner that has been put before the Court. Do
9 you have any objections?

10 MR. SCHMIEDEL: No, Judge. We fully
11 support Mr. Blattner.

12 THE COURT: And you already stated your
13 objection. I'm going to overrule your objection,
14 Ms. Sykes, for the reason that I don't know what
15 your conversation was. I wonder if I should have
16 him here to examine him -- stop, ma'am. Stop. Just
17 stop. I'm not asking you to come talk to me. Im
18 not asking you to talk to me. Please just stop
19 talking. Stop it.

20 You are going to have to stop. Go
21 ahead.

22 MR. SCHMIEDEL: This is a role, Judge, that
23 is really laid out by statute. So his discretion is
24 governed by the actual statute. He has a very

1 discrete role; to determine whether or not this, in
2 fact, can be partitioned.

3 THE COURT: And that's the only issue,
4 whether it can be easily split in two, as it were.
5 And, therefore, it's unnecessary to put the entire
6 parcel before a -- up for sale.

7 MR. SCHMIEDEL: Or that it can't and,
8 therefore, it has to be put up for sale.

9 THE COURT: And that is the only issue that
10 he will be giving an opinion on. So I think that we
11 are -- he is --

12 MR. SCHMIEDEL: So I think he is in a
13 position to be able to go forward on this very
14 narrow task.

15 MS. FARENGA: And, for the record, I don't
16 know Mr. Blattner.

17 MS. GLORIA SYKES: Objection, Your Honor.
18 Again, this is my bankruptcy. If you want to go
19 after my estate, then you are going to have to come
20 to the bankruptcy court and prove that my mother
21 is --

22 THE COURT: Thank you very much.

23 I have before me --

24 MS. GLORIA SYKES: Incidentally, I left my

1 mother in a trust for survivorship only. My mother
2 has no ownership. She's written she has no
3 ownership. It is my estate. And until these people
4 here can prove it's not my estate -- and if they
5 want to go -- it's very dangerous because it is my
6 Chapter 11. And they are adversaries in my
7 Chapter 11.

8 And if you want to go after my estate,
9 you are going to have to go into the bankruptcy
10 court.

11 THE COURT: Okay. And they did. And I am
12 looking at an order dated October 25th, 2011, signed
13 by the Honorable Pamela Hollis, order modifying
14 automatic stay. On the motion of Carolyn Toerpe,
15 guardian of the person and the estate of Mary Sykes,
16 a disabled person, as trustee of the Mary Sykes
17 Trust for the entry of an order modifying the
18 automatic stay, due notice having been given to all
19 necessary parties, it is hereby ordered that the
20 automatic stay, as it applies to Carolyn Toerpe in
21 her capacity as guardian of the person and estate of
22 Mary Sykes, and as trustee of the Mary Sykes Trust
23 is modified to permit Carolyn Toerpe to comply with
24 all orders entered or to be entered in cause number

1 09 P 4585 pending in the Probate Division of the
2 Circuit Court of Cook County, Illinois, and to
3 proceed on all matters pending in the Probate Court,
4 including the petition for partition and petition to
5 set aside apportionment.

6 The automatic stay as it applies to
7 Carolyn Toerpe in her capacity as trustee of the
8 Mary Sykes Trust is also modified to permit Carolyn
9 Toerpe, as trustee, to comply with all orders
10 entered or to be entered in cause number
11 10 M1 712719 pending in the municipal division of
12 the Circuit Court of Cook County, Illinois, and is
13 modified to permit Carolyn Toerpe to proceed with
14 the eviction order in that case and to respond to
15 all motions pending in the Circuit Court and the
16 Appellate Court related to the eviction order.

17 So there we are. Stop talking. Now,
18 I'm going to --

19 MS. GLORIA SYKES: Do you need me anymore?

20 THE COURT: That's your decision.

21 MS. GLORIA SYKES: Obviously you are going
22 to do what you are going to do. You don't care
23 about the law.

24 THE COURT: I'm going to appoint

1 Mr. Blattner as the commissioner. And when will he
2 be able to report back to the Court?

3 MR. SCHMIEDEL: Hopefully by April 13th.
4 Oh, actually we are up on March 30th, Judge, for the
5 accounting.

6 THE COURT: Okay. Well, March 30th.

7 Let the record reflect that
8 Ms. Gloria Sykes has left the courtroom.

9 MS. FARENGA: Could we have two minutes,
10 your Honor, to step outside?

11 THE COURT: Sure.

12 (Whereupon, a brief recess
13 was taken.)

14 THE COURT: All right. Let the record show
15 that Ms. Farenga has come back into the courtroom by
16 herself. Where are the others? What are we doing?

17 MS. FARENGA: I'm going to just convey to
18 the Court what we discussed outside, which was
19 simply that there be an order that pertaining to
20 discovery only to witness lists that any
21 witnesses -- excuse me. Names of witnesses and
22 documents will be tendered -- be provided one party
23 to the other by two weeks before the next hearing
24 date.

1 THE COURT: And the April date? The 13th?

2 MS. FARENGA: Right.

3 THE COURT: That would be fine. Anything
4 else that we need? Have we covered everything?

5 MS. FARENGA: We have covered everything
6 pertinent for today.

7 THE COURT: I think it's important that the
8 disabled person, who is the ward of this Court, is
9 properly protected in any interchange with anybody.

10 MS. FARENGA: There was a time when
11 Mr. Stern and I personally offered -- before things
12 were quite so --

13 THE COURT: Let me -- let the record
14 reflect that Mr. Schmiedel is in the courtroom, and
15 Mr. Stern is in the courtroom. Mr. Stern has just
16 asked if I want him to look for her. She knows what
17 time this court was opening. She was here.

18 She knows what the subject matter is
19 before the Court. She was here.

20 MR. SCHMIEDEL: In my capacity as
21 representing Carolyn, there is one other thing that
22 you should know that has happened that you haven't
23 been told about that has been disturbing. And it is
24 that there were videotapes taken of Mary Sykes

1 during visits, which is one of the things Judge
2 Connors ordered; that there be no videotapes. They
3 were published on You Tube. Three different
4 videotapes of Mary Sykes were published on You Tube.
5 And at least two of them --

6 THE COURT: Only one at a time, please.

7 MR. SCHMIEDEL: I wrote to You Tube.

8 THE COURT: When did that happen? A long
9 time ago?

10 MR. SCHMIEDEL: Two months. Mid January.
11 January. I wrote to You Tube as the lawyer for
12 Carolyn indicating that she was under guardianship,
13 and there was no way that she could give consent to
14 this, and it violated her privacy.

15 And I also thought that it violated
16 her rights under the Probate Act. They took off --
17 for some reason, they only took two of the three
18 off. They agreed -- they wrote back and said thank
19 you. It violates our privacy.

20 But there is one still hanging out
21 there. And I have re-written to them because I
22 responded to them when they said respond to us. How
23 do you think we did. I said you did -- two thirds
24 of what you did was okay. But you didn't -- please

1 take off the rest.

2 I don't know if they have taken off
3 the last one yet.

4 MR. STERN: Not as of yesterday.

5 MR. SCHMIEDEL: So this is what we are
6 dealing with. She tapes her mother at a time when
7 she is under order not to, and then puts her mother
8 out on You Tube. This is in the presence of the
9 priest, who was the supervisor. And that's why this
10 has been so difficult.

11 THE COURT: I would say to you that I do
12 believe that Gloria Sykes thinks she understands the
13 law better than the five lawyers that are now in the
14 room. I think we have to be very careful because
15 she is willing to do whatever she thinks the law
16 will allow her to do.

17 MR. SCHMIEDEL: She also needs -- and this
18 is as transparent as a window. Is being pushed by
19 an attorney, Ken Ditekowsky, who threatened me
20 basically with criminal prosecution, also threatened
21 me -- although he said he doesn't represent Gloria
22 Sykes -- threatened me with a - that I had until
23 today by the end of business today to withdraw the
24 partition or the petition for partition, or he

1 would -- she would file a Rule to Show Cause against
2 me in the bankruptcy court because I was violating
3 the statute which -- we are talking about a parallel
4 universe here. Because the stay is lifted.

5 My understanding is she didn't ask for
6 a stay with the appeal. She is appealing it to the
7 district court. I got a phone call last week when
8 it was -- when the case was also up in forcible
9 court from the lawyer who represents the bank in
10 Indiana who said to me, you know, I was in court
11 today, and her -- it was the second time it was up.

12 And it was dismissed because -- for
13 want of prosecution because she didn't show up. So
14 my understanding is that the appeal of the order --

15 THE COURT: Oh, she had the appeal of
16 the --

17 MR. SCHMIEDEL: Of the order.

18 THE COURT: Of the eviction order.

19 MR. SCHMIEDEL: She appealed the entry of
20 the order.

21 THE COURT: By the bankruptcy judge?

22 MR. SCHMIEDEL: Yes. And my understanding
23 is that's now been dismissed.

24 MS. FARENGA: It's formally docketed now,

1 yeah.

2 MR. SCHMIEDEL: So there is nothing pending
3 in bankruptcy regarding this particular case.
4 Nonetheless, that doesn't stop us from getting ten
5 e-mails a day over the weekend or at night
6 threatening us with all sorts of horrible things
7 that are happening, totally motivating someone who
8 is not health -- who is not mentally well to do all
9 of these things while hiding behind his computer and
10 refusing to come out here and deal with you in the
11 light of day with what is actually happening in this
12 case.

13 And the case has broadened out to an
14 ADA case.

15 THE COURT: Where is the ADA case

16 MR. SCHMIEDEL: The ADA case is -- we are
17 in a reply -- the motion to dismiss, which is due
18 February 27th. The judge is going to rule by May.

19 THE COURT: Where is that going to be?

20 MR. STERN: Federal.

21 MR. SCHMIEDEL: Federal District Court,
22 Judge Guzman (phonetic). And the State of Illinois
23 and all the judges in the probate division and
24 Governor Quinn.

1 MS. FARENGA: The reason we are named
2 defendants, as Ms. Sykes said, in the federal court
3 case is because she names us. This is not --

4 THE COURT: I saw the complaint, of course.

5 MS. FARENGA: This attorney has also urged
6 and encouraged another attorney to -- who is
7 attempting to appear before the Court. And she is
8 the one who, in fact, posted the You Tube video.

9 Be that as it may, I would say that we
10 have tried, and Mr. Stern somehow had the task
11 specifically of trying to accomplish visitation
12 through a cousin who had been visiting. It got so
13 bad that she won't supervise. Because her husband
14 contacted all of us and said don't contact her
15 anymore. She can't take it.

16 And after that she agreed to supervise
17 other family members. I, myself, wrote to
18 Ms. Sykes and said nobody cares. Nobody will use
19 this as any kind of leverage or anything else. If
20 you pay for a supervisor, that will not in any way
21 be held against you. See your mother.

22 And, you know, that was greeted with
23 all kinds of nonsense. So we will continue to try,
24 but so the Court knows, we take this very seriously.

1 As I said about a year ago before things had
2 completely gotten insane, Mr. Stern and i offered
3 ourselves on a weekend to take turns. And that's
4 take turns supervising.

5 THE COURT: Anyway, it's just very
6 unfortunate. And it's very unfortunate that she
7 truly does not understand the impact of the rulings
8 that are being made not just by this Court, but, for
9 instance, this order modifying the automatic stay
10 that specifically speaks to the petition for
11 partition.

12 MR. STERN: And, Judge, she's also filed
13 motions to reconsider that lifting of the stay as
14 well and has been denied. There's been at least two
15 motions to reconsider that have been denied by the
16 bankruptcy court, as well as her appeal.

17 So for her to say, you know -- for her
18 to not understand what it means, it's really hard to
19 comprehend since she's filing motions to change
20 that.

21 MR. SCHMIEDEL: But it's also fueled by the
22 fact that there is some lawyer that doesn't get it.
23 He should be getting it. He writes and says we are
24 very -- this is a very dangerous tactic. You are

1 way out there. You are violating the automatic stay
2 and the federal government takes this very
3 seriously, and you are going to be very much in
4 trouble relative to this.

5 And then the other -- I intercepted
6 this other one where he threatened me with criminal
7 prosecution because I intercepted my own
8 correspondence to Gloria Sykes that came back, which
9 I showed you, to me, which said return to sender.

10 But I must have intercepted that and,
11 therefore, I must have known that the postal
12 inspector was going to be investigating me and
13 coming to get me for criminal violations of the
14 postal service regulations.

15 MS. FARENGA: And encouraging Gloria Sykes
16 to pursue fraud complaints with the postal service
17 against Mr. Schmiedel.

18 THE COURT: I'm going to also speak to
19 someone who sits and hears minor guardianships. I
20 know that there is a place way in Evergreen Park
21 that supervises visits between families. But that's
22 so far --

23 MS. FARENGA: She would have to get there
24 from Naperville. It's a little closer.

1 MR. SCHMIEDEL: We would have to get her
2 there, but that would be fine. I got a name from
3 somebody next door when we were in the hall. And,
4 in fact, I think this person was in the hall. And
5 Ms. Sykes said she wasn't going to pay.. These
6 people might be free.

7 MR. STERN: And also, Judge, I mentioned
8 Michael Blattner. Gloria did contact -- talk to
9 him. And he was willing to supervise some visits.
10 And we agreed to that, but then Michael and Gloria
11 had some issue that was unrelated to us.

12 So it's not -- you know, we have tried
13 to facilitate visits, but they have to be safe for
14 Mary Sykes, and it has to be understood that they
15 are not to be used as an occasion to say don't you
16 want to come back and live at home. They are making
17 me homeless. You don't want me to be homeless,
18 right, mom?

19 THE COURT: I understand.

20 MR. STERN: Judge Connors tried on at least
21 three different occasions to explain it to her. So
22 it's been told to her over and over.

23 MR. SCHMIEDEL: She doesn't want to get it
24 is the other thing. But we want to put in the order

1 that we should exchange our witness list and
2 documents.

3 THE COURT: It's already been explained.

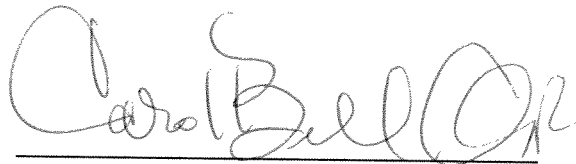
4 Thank you very much.

(Which was all the evidence offered and received
in the above-entitled cause on this day.)

STATE OF ILLINOIS)
) ss:
COUNTY OF C O O K)

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - PROBATE DIVISION

I, CAROL BELL, C.S.R., an Official Court Reporter for the Circuit Court of Cook County, County Department, Probate Division, do hereby certify that I reported in shorthand the proceedings had at the hearing of the above-entitled cause before the Honorable Jane L. Stuart, and that I thereafter caused the foregoing to be transcribed into typewriting, which I hereby certify to be a true and correct transcript of the proceedings had as previously aforesaid.



CAROL BELL, C.S.R.
Official Court Reporter
Illinois C.S.R. #084-002526

Dated this 15th day
of June, A.D., 2012.

STATE OF ILLINOIS)
) SS:
COUNTY OF C O O K)

I, the Honorable Jane L. Stuart, Judge of the Circuit Court of Cook County, presiding judge at the hearing of the aforementioned cause, do hereby certify that the above and foregoing is a true and correct Report of Proceedings had at the said hearing.

AND, FORASMUCH, THEREFORE, as the matters and things hereinbefore set forth do not otherwise fully appear of record, the attorney for the Petitioner tenders this Report of Proceedings and prays that the same may be signed and sealed by the judge of this court pursuant to the statute in such case made and provided.

WHICH IS ACCORDINGLY DONE THIS _____day
of _____, 2012.

Honorable Jane L. Stuart
Circuit Court of Cook County, Illinois