

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

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

5 IN THE ESTATE OF:)
6 MARY SYKES,)
7 a disabled person.) No. 09 P 04585)

8 REPORT OF PROCEEDINGS had at the
9 matter of the above-entitled cause, before the
10 HONORABLE JANE STUART, Judge of said Court, on
11 the 15th day of February, A.D., 2011.

12 APPEARANCES:

13 MR. PETER SCHMIEDEL,
14 appeared on behalf of Guardian of the
15 person, Carolyn Toerpe;

16 MR. ADAM STERN and MS. CYNTHIA FARENGA,
17 appeared as Guardians ad Litem;

18 MS. GLORIA JEAN SYKES,
19 appeared pro se;

20 MR. JOEL BRODSKY,
21 Appeared pro se.

22
23 Sharon M. Rodrigo, CSR # 084-002233
24 Official Court Reporter
Circuit Court of Cook County
County Department, Probate Division

1 Symetra paper, exactly saying where the Symetra
2 account was.

3 I have a letter from Symetra that they
4 never talked to Mr Schmiedel, that they never
5 talked to him.

6 Also, I cannot also pay my mortgage on my
7 house because Mr Schmiedel is (inaudible) with
8 Chase. I have a lawsuit pending there now with
9 Chase. Now, they have told you --

10 THE COURT: Now I'm going to tell you
11 something. One more time -- Let me put it another
12 way so you can hear me.

13 In that the Court has never determined, no
14 Court has -- no Probate Court has ever determined
15 that Mary Sykes has a defined interest in the money
16 that came out of the Lumbermen's Mutual Casualty
17 versus Gloria Sykes case, that is still an open
18 issue.

19 MS SYKES: Correct. And Mr Brodsky --

20 THE COURT: Because those funds were not
21 identified --

22 MS SYKES: Yes, they were.

23 MR Schmiedel: It wasn't that they were not
24 identified, Judge. It was a misunderstanding of --

1 They thought that by placing it against Chase, it
2 would affect Symetra. When, in fact, Symetra was
3 not part of Chase.

4 MR STERN: That's because at the hearing in
5 front of Judge Connors it was told to the Court by
6 one of her former attorneys that the account was a
7 Chase Symetra account.

8 THE COURT: I understand.

9 MS FARENGA: In fact --

10 THE COURT: That's what you said. But it was
11 never actually frozen. We don't know what's left,
12 if anything is left.

13 MS FARENGA: That is correct.

14 THE COURT: And we have -- And so there has
15 never been a finding. Never been a finding.

16 MS SYKES: Your Honor, there are court
17 transcripts where the Judge --

18 THE COURT: You cannot point to an order where
19 Judge Connors ever found that Ms Sykes, Mrs Mary
20 Sykes, had a right to, name a dollar amount, of the
21 money from the Lumbermen's Mutual Casualty versus
22 Gloria Sykes case?

23 MS SYKES: She repeatedly said it in court, she
24 did not care about anything. This is how they do

1 things here. That the money belonged to her.

2 THE COURT: Here is the problem you have right
3 now: You are here and I'm sitting here. You have
4 heard me say this. You have heard each one of the
5 attorneys agree that there has never been a Court
6 that has found conclusively that Mary Sykes had a
7 defined interest in the settlement amount out of
8 the Lumbermen's Mutual Casualty versus Gloria Sykes
9 case. No.

10 MS SYKES: So let's have a hearing.

11 THE COURT: Not here today, no. We don't have
12 a hearing out of the air.

13 MS SYKES: Then let's set --

14 THE COURT: I would agree. But I want you to
15 understand where this case is now.

16 MS SYKES: I have a motion before you --

17 THE COURT: No, ma'am. You don't just come in
18 and plop things down in front of me.

19 MS SYKES: This has been before the Court for
20 three months.

21 THE COURT: Not before me for three months.

22 MR STERN: Is Gloria Sykes going to divulge
23 where the accounts are and how much is left as
24 previously ordered by the Court some--

1 MS FARENGA: Multiple times.

2 MS SYKES: No.

3 THE COURT: She is not going to divulge that.
4 Is that correct, ma'am?

5 MS SYKES: Your Honor, I have civil rights
6 attorneys; and when the time comes that we have a
7 hearing, we can then discuss that, your Honor. I
8 will do it according to the law.

9 THE COURT: You know what, I have an idea.
10 Let's do this.

11 Let's stop spinning our wheels and
12 worrying about where it is as much as discerning if
13 it can be proven to the satisfaction of the Court
14 that Mary Sykes has an interest in money.

15 We have been spending a lot of time trying
16 to find the money. Let's find out if she has any
17 interest.

18 Because the truth is, that if Mrs Sykes
19 were competent at the time of the settlement when
20 she signed the -- I forgot the name --

21 MR STERN: The apportionment agreement.

22 THE COURT: If she were competent to do that,
23 then this Court has no interest in those funds.

24 MS FARENGA: Your Honor, it was my motion for