

IN THE CIRCUIT COURT OF DUPAGE COUNTY
CHANCERY DEPARTMENT

Case No 2020 MR000349

MICHAEL STOLLER
GRIEVANT/PLAINTIFF/APPELLANT(s)
Leo Stoller, Christopher Stoller
V.

Illinois Department of Human Resources
Defendant/Respondents

Judge Paul Fullerton

9:00am June 8th 2020 Hearing

Room 2005

TO: See Service List

NOTICE OF FILING

PETITIONERS/Appellants Christopher Stoller, Leo Stoller and Michael Stoller files their **Memorandum in support of their Motion for Rule 137 Sanctions and in response to the Illinois Department of Human Recourses (IDHS's) Motion to Strike Plaintiff from Complaint, Dismiss all Claims filed by him and Strike all flings signed by him with the Clerk of the Court_ and Defendant's Motion to Vacate the Court's May 4, 2020 Stay Order**

/s/ Michael Stoller

/s/Christopher Stoller

/s/Leo Stoller E.D.

P.O. Box 60645

Chicago Illinois 60660

Cns40@hotmail.com

773-746-3163

June 7, 2020

CERTIFICATE OF SERVICE

I certify that the foregoing was served upon the following party via first class mail on June 7, 2020 and electronically.

::

/s/ Chris Stoller

Bryant Jant

Department of Human Services
100 West Randolph Street 13th Floor
Chicago, IL 60601

IN THE CIRCUIT COURT OF DUPAGE COUNTY

CHANCERY DEPARTMENT

Case No 2020 MR000349

MICHAEL STOLLER
GRIEVANT/PLAINTIFF/APPELLANT(s)
Leo Stoller, Christopher Stoller
V.

Illinois Department of Human Resources
Defendant/Respondents

PETITIONERS/Appellants Christopher Stoller, Leo Stoller and Michael Stoller Memorandum in support of their Motion for Rule 137 Sanctions and in response to the Illinois Department of Human Recourses (IDHS's) Motion to Strike Plaintiff from Complaint, Dismiss all Claims filed by him and Strike all flings signed by him with the Clerk of the Court and Defendant's Motion to Vacate the Court's May 4, 2020 Stay Order

1. NOW COMES PETITIONERS/APPELLANTS CHRISTOPHER STOLLER, LEO STOLLER AND MICHAEL STOLLER ("Stollers") in Opposition to **Kawme Raoul** and **Brian T. Jant** , attorneys for Appellee/Respondent Illinois Department of Human Services (**IDUS**)



fraudulent two Motion(s) to Strike Plaintiff from Complaint, Dismiss all Claims filed by him (Christopher Stoller) and Strike all filings signed by him with the Clerk of the Court (“Motion to Strike”), and fraudulent Motion to Vacate the Court’s **May 4, 2020** Stay Order and in support of the Appellants/Plaintiffs’ said responses and Cross Motion for Rule 137 Sanctions.

2. Christopher Stoller, Leo Stoller¹ and Michael Stoller, in support of their cross Motion for Rule 137 Sanctions and in support of their charges that **Kawme Raoul** and **Brian T. Jant** have also violated the Illinois Rules of Professional Conduct ARDC Rules 8.4 c & d et al., and states as follows:
3. The Stollers made an attempt pursuant to the Illinois Rules of Professional Conduct, via email (see **Exhibit 1**) to request that **Kawme Raoul** and **Brian T. Jant** withdraw the offensive Motion(s) to Strike Plaintiff from Complaint, Dismiss all Claims filed by him (Christopher Stoller) and Strike all filings signed by him with the Clerk of the Court (“Motion to Strike”), and fraudulent Motion to Vacate the Court’s May 4, 2020 Stay Order, prior to filing this Motion for Rule 137 Sanctions, in order for **Kawme Raoul** and **Brian T. Jant** to have an opportunity, take the necessary remedial action, to cure their Professional Misconduct, and to avoid the consequences of having to burden the court with a Rule 137 Sanction motion, which is now filed against them. **Kawme Raoul** and **Brian T. Jant**, as a result of their complete defiance of Rule 137, and the Illinois Rules of Professional Conduct, refused to take the necessary remedial action, to purge themselves of the Rule 137 Sanctionable conduct which is in itself, an additional violation of the Rules of Professional Conduct.
4. Stollers’ moves this Court for Rule 137 Sanctions against the Respondent/Appellee/Defendant Illinois Department of Human Resources (“IDHR”) and their attorneys, **Kawme Raoul** and **Brian T. Jant**, for filing their frivolous, fraudulent, falsified Defendant’s Combined Motion to Strike Plaintiff **Christopher Stoller** from the Complaint, Dismiss all Claims filed by him and Strike all filings signed by him as a Nullity and Defendant’s Motion to Vacate the Court’s **May 4, 2020** Stay Order, which this court is

¹ Leo Stoller is the Executive Director of the Americans for the Enforcement of Attorney Ethics (AEAE) since 1974 see www.rentamark.net

asked to strike and deny as a sanction.

5. Illinois Supreme Court Rule 137 provides that the signature of an attorney or party on a pleading or motion constitutes a certificate by him 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 this it is not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the court of litigation” If a pleading or motion is signed in violation of this rule, the court may impose upon the party or attorney an appropriate sanction, which may include reasonable attorney’s fees Ill. Sup. Ct R. 137.
6. The IDHS 's frivolous, fraudulent, falsified Motion to Strike is not well grounded in fact and is unwarranted by existing law, contains numerous misstatements of material fact and law in direct violation of ARDC 3.3(a), represents a “fraud on the Court² and Direct Criminal Contempt³ 730 ILCS

2 Whenever any officer of the court commits **fraud** during a proceeding in the court, he/she is engaged in "fraud upon the court". In **Bulloch v. United States**, 763 F.2d 1115, 1121 (10th Cir. 1985), the court stated "Fraud upon the court is fraud which is directed to the judicial machinery itself and is not fraud between the parties or fraudulent documents, false statements or perjury. ... It is where the court or a

member is corrupted or influenced or influence is attempted or where the judge has not performed his judicial function --- thus where the impartial functions of the court have been directly corrupted."

"Fraud upon the court" has been defined by the 7th Circuit Court of Appeals to "embrace that species of fraud which does, or attempts to, defile the court itself, or is a fraud perpetrated by officers of the court so that the judicial machinery can not perform in the usual manner its impartial task of adjudging cases that are presented for adjudication." **Kenner v. C.I.R.**, 387 F.3d 689 (1968); 7 Moore's Federal Practice, 2d ed., p. 512, ¶60.23.

3 Every court of law in Illinois has the inherent power to punish the parties that appear before it from misuse or abuse of legal process. In Illinois, the court has the authority to sentence those people to imprisonment. Contempt of court is behavior that opposes or defies the authority, justice, and dignity of the court. Contempt charges may be brought against parties to proceedings; lawyers or other court officers. There are two types of contempt of court recognized under Illinois law. First, a person can be guilty of civil contempt. And second, a person can be guilty of criminal contempt. If a person is guilty of criminal contempt of court, the punishment is intended to deter other people from committing the same conduct. This

130/3.

. Kawme Raoul and Brian T. Jant did not make a Reasonable Inquiry Into the Facts

Under this requirement, an attorney or party may be sanctioned for failure to make a reasonable inquiry into the facts and law before filing the pleading, motion or other paper. This is a vague standard. The lead case for analyzing what constitutes a "reasonable inquiry into the facts" is *Chicago Title and Trust Company v. Anderson*, 177 Ill.App.3d 615 (1st Dist. 1988). There, the Court held that a reasonable factual inquiry requires an "objective standard based on circumstances existing at the time the pleading or other legal paper was presented to the Court." 177 Ill.App.3d at 615. Both the litigant and the attorney have an affirmative duty under Rule 137 to conduct an investigation of the facts and law before filing the pleading. *Polisky v. BDO Siedman*, 293 Ill.App.3d 414 (2d Dist. 1997).

Kawme Raoul and Brian T. Jant Motion to Strike Plaintiff from Complaint, Dismiss all Claims filed by him and Strike all flings signed by him with the Clerk of the Court, and Defendant's Motion to Vacate the Court's May 4, 2020 Stay Order are Not Well Grounded In Fact

Kawme Raoul and Brian T. Jant Motion Pleadings fails to meet– the objective reasonableness test.

The touchstone here for whether this court should award sanctions against **Kawme Raoul and Brian T. Jant** frivolous, fraudulent, falsified

person must serve a sentence like any other criminal defendant. **Contempt of court under Illinois law is considered to be the following: any conduct committed with intent to impede, embarrass, or obstruct the court, or to derogate from the court's authority, or bring the court into disrepute.** *Criminal contempt* involves behavior that assaults the dignity of the court or impairs the ability of the court to conduct its work. Direct criminal contempt is any conduct that takes place in the presence of the judge. In these cases, the judge is a witness to the contempt of court. Therefore, the judge does not have to hold trial to determine the guilt or innocence of the person who is in contempt. In situations where direct criminal contempt of court takes place, the judge is authorized to impose a sentence immediately. <http://legal-dictionary.thefreedictionary.com/Contempt+of+Court>

Motion to Strike Plaintiff from Complaint, Dismiss all Claims filed by him and Strike all flings signed by him with the Clerk of the Court’ and Defendant’s frivolous, fraudulent, falsified Motion to Vacate the Court’s May 4, 2020 Stay Order for the filing frivolous Motions which are not well grounded in fact and unwarranted by existing law is objective reasonableness, under the circumstances, at the time of filing,⁴ including the fact that **Kawme Raoul and Brian T. Jant did not make a reasonable inquiry regarding the facts and law underpinning the IDHS’s **Motion to Strike Plaintiff from Complaint, Dismiss all Claims filed by him and Strike all flings signed by him with the Clerk of the Court** and Defendant’s **Motion to Vacate the Court’s May 4, 2020 Stay Order** are **Not Well Grounded In Fact**⁵**

“In order to avoid sanctions, the **Kawme Raoul and Brian T. Jant**’ must have presented objectively reasonable arguments, which they did not, for their view, regardless of whether they are found to be correct.”⁶ Accordingly, whether **Kawme Raoul and Brian T. Jant** positions were subjectively reasonable is irrelevant – it is **not** sufficient if **Kawme Raoul and Brian T. Jant** “honestly believed” that their **frivolous, fraudulent, falsified Motion to Strike Plaintiff from Complaint, Dismiss all Claims filed by him and Strike all flings signed by him with the Clerk of the Court and Defendant’s frivolous, fraudulent, falsified Motion to Vacate the Court’s May 4, 2020 Stay Order** are **Not Well Grounded In Fact**, were unreasonable.⁷

The record evidences that **Kawme Raoul and Brian T. Jant** failed to

⁴ Whitmer v. Munson, 335 Ill.App.3d 501, 514, 781 N.E.2d 618, 629 (1st Dist. 2002); Anderson v. Schlosser, 267 Ill.App.3d 351, 353-54, 642 N.E.2d 194, 196 (3d Dist. 1994).

⁵ . In re Schneider, 298 Ill.App.3d 103, 108-09, 697 N.E.2d 1161, 1165 (1st Dist. 1998).

⁶ . Gambino v. Boulevard Mortgage Corp., 398 Ill. App.3d 21, 73, 922 N.E.2d 380, 427 (1st Dist. 2009); Barrett, 343 Ill.App.3d at 1199, 799 N.E.2d at 928; Ambrose v. Thornton Township School Trustees, 274 Ill.App.3d 676, 685, 654 N.E.2d 545, 551 (1st Dist. 1995).

⁷ . See, e.g., Sterdjovich v. RMK Management Corp., 343 Ill.App.3d 1, 19, 796 N.E.2d 1146, 1160 (1st Dist. 2003)

investigate the facts underlying their **frivolous, fraudulent, falsified Motion to Strike Plaintiff from Complaint, Dismiss all Claims filed by him and Strike all flings signed by him with the Clerk of the Court . Not Well Grounded In Fact and Defendant’s frivolous, fraudulent, falsified Motion to Vacate the Court’s May 4, 2020 Stay Order .**⁸

Kawme Raoul and Brian T. Jant failed to investigate the facts underlying their **frivolous, fraudulent, falsified Motion to Strike Plaintiff from Complaint, Dismiss all Claims filed by him and Strike all flings signed by him with the Clerk of the Court and Defendant’s frivolous, fraudulent, falsified Motion to Vacate the Court’s May 4, 2020 Stay Order** which were knowingly false, could easily have been revealed as false, upon reasonable inquiry,⁹ and are unsupported by specific facts, as clearly outlined in this Memorandum of Law, which is sanctionable.¹⁰

Kawme Raoul and Brian T. Jant make the following misstatement of material fact and law to this court in violation of Rule 137 and ARDC Rule 3.3(a) on page 5 ¶ 1:

In the IDHS **Defendant’s frivolous, fraudulent, falsified Motion to Vacate the Court’s May 4, 2020 Stay Order,** which was filed on **June 4th, 2020,** Attorneys **Kawme Raoul and Brian T. Jant** knew or should have known that the Stollers’ had filed an **Appeal** of Judge Diamond’s **May 4, 2020 Order on May 14, 2020** see (**Exhibit 3**) Declaration of Christopher Stoller.

Kawme Raoul is the Illinois Attorney General and **Brian T. Jant** is an assistant Illinois Attorney General, they knew that the Stollers filed

⁸ . In re Schneider, 298 Ill.App.3d at 108-09, 697 N.E.2d at 1165

⁹ Sterdjevich, 343 Ill.App.3d at 21, 796 N.E.2d at 1162.

¹⁰ . In re Schneider, 298 Ill.App.3d at 109-110, 697 N.E.2d at 1166; Swanson v. Cater, 258 Ill.App.3d 157, 162-63, 630 N.E.2d 193, 197 (2d Dist. 1994).

a Notice of Appeal on **May 11, 2020 of Judge Diamond's May 4th, 2020 Order**, long prior to their filing of the IDHS **June 4, 2020 frivolous Motion to Vacate the Court's May 4, 2020 Stay Order** which is incorporated herein by reference.

Kawme Raoul and Brian T. Jant knew that Jurisdiction of the appellate court attaches upon the proper filing of the Stollers' notice of appeal on **May 11, 2020**. **Kawme Raoul and Brian T. Jant** knew when the Stollers' notice of appeal was filed on **May 11, 2020 (Exhibit 3)**, the appellate court's jurisdiction attaches *instanter*, and the cause is beyond the jurisdiction of **Judge Paul Fullerton**. *Daley*, 106 Ill.2d at 37, 86. Ill.Dec. 918, [476 N.E.2d](#). Accordingly, the Stoller's May 11, 2020 notice of appeal divested Judge **Paul Fullerton** court of jurisdiction as well known to **Kawme Raoul and Brian T. Jant** .

Kawme Raoul and Brian T. Jant knew "Once the Stollers' notice of appeal was filed on **May 11, 2020**, the Judge Fullerton may **not** enter any order changing or modifying a judgment or its scope, or interfering with the review of that judgment. *In re Marriage of Ward*, 267 Ill.App.3d at 44, 204 Ill. Dec 449, 641 N.E.2d 879. Notwithstanding, **Kawme Raoul and Brian T. Jant** filed **frivolous, fraudulent, falsified Rule 137 sanctionable Motion to Vacate the Court's May 4, 2020 Stay Order**.

Kawme Raoul and Brian T. Jant go on further to violate ARDC Rule 3.3(a) and Rule 137 by making the false allegations in their **Motion to Strike Plaintiff from Complaint, Dismiss all Claims filed by him and Strike all flings signed by him with the Clerk of the Court, which appears to be a Motion 2-615 and 2-619 Motion to Dismiss, which is incorporated herein by reference, is completely misplaced in an Appellate Appeal as this is. See a true and correct reproduction of the court transcript dated May 11, 2020 page 8 below:.,**

13 THE COURT: The other thing, this is an
14 administrative review hearing. Generally, what I do in
15 administrative review hearings, as you're probably aware,
16 I act as the Appellate Court for the administrative
17 agency.

18 MR. STOLLER: I'm a little hard of hearing, Judge.

19 THE COURT: Basically, in administrative review, I
20 act as the Appellate Court for the administrative agency.
21 So, generally, these things are done all on paper so --

On page 5 ¶ 1 of the IDHS **frivolous, fraudulent, falsified Motion to Strike Plaintiff from Complaint, Dismiss all Claims filed by him and Strike all filings signed by him with the Clerk of the Court** plaintiff (Christopher Stoller) simply has no basis for naming himself as a party in this case and his actions in attempting to prosecute this matter constitute the **unauthorized practice of law which is prohibited under the Illinois Attorney Act, 705 ILCS 205/1**, et seq. Plaintiff must be stricken as a party pursuant to Section 2-619(a)(9) because Plaintiff does not have standing to bring the instant lawsuit for review of the final administrative decision”..

Kawme Raoul and Brian T. Jant did not present one scintilla of reliable, admissible evidence that Christopher Stoller has been engaged in the unauthorized practice of law. See Christopher Stoller declaration. Illinois Human Resources has **no** opposing declaration.

The “affirmative matter” on which the IDHS Section 2-619 **frivolous, fraudulent, falsified** motion was based was **not** apparent on the face of the complaint, their motion must be supported by affidavit or other evidence and it was not. *Kedzie and 103rd Currency Exchange, Inc. v. Hodge*, 156 Ill. 2d 112, 116, 619 N.E.2d 732 (1993).

Christopher Stoller evidentiary facts asserted in his affidavit filed in

support of this memorandum are **not** refused by counter affidavit(s), the court must take those facts as true, notwithstanding contrary unsupported allegations in the IDHS's pleading. *Marriage of Kohl*, 334 Ill. App. 3d 867, 877, 778 N.E.2d 1169, 1178 (1st Dist. 2002); *Pryweller v. Cohen*, 282 Ill. App. 3d 899, 907, 668 N.E.2d 1144, 1149 (1st Dist. 1996).

Christopher Stoller has presented adequate affidavits supporting the asserted defense(s), the Appellant/Petitioner/Plaintiff satisfied the initial burden of going forward on the Stoller's Rule 137 motion. The burden then shifted to the IDHS. A counteraffidavit was necessary to refute evidentiary facts properly asserted by the Christopher Stoller's affidavit supporting the Rule 137 motion, thus the facts are deemed admitted. After considering the pleadings and Christopher Stoller affidavits, Judge Fullerton should find that the IDHS has failed to carry the shifted burden of going forward, the Stoller's Rule 137 motion should be granted and the IDHS motions should be dismissed with prejudice. *Kedzie and 103rd Currency Exchange, Inc. v. Hodge*, 156 Ill. 2d 112, 116, 619 N.E.2d 732, 735 (1993). *Accord Van Meter v. Darien Park District*, 207 Ill. 2d 359, 377 799 N.E.2d 273, 284 (2003).

Illinois has a Rules explicitly addressing threats of criminal prosecution or professional disciplinary actions to obtain an advantage in a civil matter

Illinois has a rules explicitly addressing threats of criminal prosecution or professional disciplinary actions to obtain an advantage in a civil matter. **Kawme Raoul and Brian T. Jant** who stated "this matter constitute the **unauthorized practice of law which is prohibited under the Illinois Attorney Act, 705 ILCS 205/1**, et seq. by Christopheer Stoller in order to obtain an advantage in this civil proceeding and to prejudice Christopher Stoller, are now subject to discipline under various Illinois Rules of Professional Conduct, including:

Rule 1.2(e)

Rule 3.1 , (Meritorious Claims and Contentions) 3.3(a) Candor before a Tribunal

Rule 3.4 (Fairness to Opposing Party and Counsel)

Rule 4.1 (Truthfulness in Statements to Others)

Rule 4.4 (Respect for Rights of Third Persons)

Rule 8.4(b)(c)(d) &(g) (Honesty, Trustworthiness or Fitness) and (d) (Prejudicial Conduct to Administration of Justice)

Illinois Rules of Professional Conduct 1.2 (e) provides that “A lawyer shall **not** present, participate in presenting, or **threaten** to present criminal charges or professional disciplinary actions to obtain an advantage in a civil matter.”¹¹

Rule 8.4(g) of the Illinois Rules of Professional Conduct states as follows: It is professional misconduct for a lawyer to: (g) present, participate in presenting, or threaten to present criminal or professional disciplinary charges to obtain an advantage in a civil matter. Illinois lawyers have been disciplined for threatening criminal charges to gain an advantage in a civil matter. See *In re Ditkowsky, 2012 PR 00014*¹²

The court need to proceed **no** further for the legal Justification by this Court to deny the Illinois Human Resource’s Motions **Motion to Strike Plaintiff from Complaint, Dismiss all Claims filed by him and Strike all flings signed by him with the Clerk of the Court . Not Well Grounded In Fact** and Defendant’s **Motion to Vacate the Court’s May 4, 2020 Stay Order**

CHRISTOPHER STOLLER, LEO STOLLER AND MICHAEL STOLLER HAVE

ARTICLE 3 STANDING

Christopher Stoller, Leo Stoller and Michael Stoller are proper parties to this action and have Article 3 Standing. **SHIMER v. WASHINGTON** No. 94-2063 100 F.3d 506 (1996) United States Court of Appeals, Seventh Circuit.

“A litigant must generally assert his or her own legal rights and interests, **W a r t h v. S e l d i n** , 422 U.S. 490, 499, 95 S.Ct. 2197, 2205, 45

¹¹ <https://www.isba.org/sites/default/files/ethicsopinions/91-29.pdf>

¹² <https://www.isba.org/sites/default/files/ethicsopinions/Opinion%2020-03%20%28Board%20Final%29%28May%202020%29.pdf>

L.Ed.2d 343 (1975). To establish third-party standing, the Seventh Circuit require that a litigant, in addition to alleging injury-in-fact¹³, allege a sufficiently close relationship with the third party (Christopher Stoller is Michael Stoller, Uncle and State of Illinois Home Health Giver since at least as early as 2016, Leo Stoller is the father of Michael Stoller an Illinois Health Care worker, who are damaged by the decision of the IDHS, which is currently the subject of appeal before this court, in so far as the health care hours awarded to Michael Stoller are inadequate for his health, safety and welfare needs, and have caused an injury to Christopher Stoller and Leo Stoller, Illinois Home Care Workers, by the reduction in compensation, for taking care of Michael Stoller, so that the this court is assured that the litigants, Christopher Stoller and Leo Stoller will be an elective proponent of the cause, *P o w e r s v. O h i o* , 499 U.S. 400, 411, 111 S.Ct. 1364, 1370-71, 113 L.Ed.2d 411 (1991), and the Seventh Circuit considers whether there is some hindrance to the third party's ability to protect his own interest. *I d.*” In this case Michael Stoller is a disable person has a significance hindrance and ability to protect his own interest which the record of this case clearly

¹³ Christopher Stoller alleges an injury insofar as, he is a Illinois Health Care Worker, who takes care of Michael Stoller, a disable person, and who’s hours of care have been restricted, limited, causing an injury to Michael Stoller and to Christopher Stoller, the care taker who’s hours of compensation were unlawfully reduced by the Illinois Department of Human Recourse, causing a direct financial injury to Christopher Stoller. The said injury is fairly traceable to the action complained of; and (3) that a favorable decision will likely redress the injury. It is clear that Christopher Stoller has Article III standing, having met the three elements necessary to establish Article III. See (1) an ‘injury in fact’—an invasion of a legally recognized interest which is concrete and particularized, actual or imminent, and not conjectural or hypothetical; (2) a causal link between that injury and the defendant's action, such that the injury is fairly traceable to the action complained of; and (3) that a favorable decision will likely redress the injury. *Sierakowski v. Ryan*, 223 F.3d 440, 442–43 (7th Cir. 2000) (citing *Friends of the Earth, Inc. v. Laidlaw Env'tl. Servs., Inc.*, 528 U.S. 167, 180–81 (2000)).

establishes. Nonetheless, Leo Stoller and Christopher Stoller do not represent Michael Stoller in these proceedings, they represent their own interests in these proceedings and to the extent that their own interests may overlap Michael Stoller's interests, but Leo Stoller and Christopher Stoller do not represent Michael Stoller before this court.

Standing and Mootness “

Christopher Stoller and Leo Stoller have Article III standing. And have established the three elements: (1) an ‘injury in fact’—an invasion of a legally recognized interest which is concrete and particularized, actual or imminent, and not conjectural or hypothetical; (2) a causal link between that injury and the defendant's action, such that the injury is fairly traceable to the action complained of; and (3) that a favorable decision will likely redress the injury.” *Sierakowski v. Ryan*, 223 F.3d 440, 442–43 (7th Cir. 2000) (citing *Friends of the Earth, Inc. v. Laidlaw Envtl. Servs., Inc.*, 528 U.S. 167, 180–81 (2000)). “[T]he Supreme Court has made clear that in order to invoke Article III jurisdiction a plaintiff in search of prospective equitable relief must show a significant likelihood and immediacy of sustaining some direct injury” which Christopher Stoller and Leo Stoller have shown. Christopher Stoller and Leo Stoller do not represent Michael Stoller in these proceedings.

Likewise, Christopher Stoller, *pro se*, Leo Stoller, *pro se*, has made no claim to represent Michael Stoller, in these proceedings either. see his declaration and the Declaration of Leo Stoller. Christopher Stoller and Leo Stoller are proper parties in this matter, in their individual capacity, they clearly have Article III Standing . Accordingly, documents signed solely by Christopher Stoller do **not** constitute the unauthorized practice of law and should **not** be stricken from the record as a nullity. This is a false sanctionable claim by **Kawme Raoul and Brian T. Jant**, who falsely stated “this matter constitute the unauthorized practice of law which is prohibited under the Illinois Attorney Act, 705 ILCS 205/1, et seq.. against Christopher Stoller, in order to obtain a advantage in this civil proceeding and to prejudice Christopher Stoller

before this court. **Kawme Raoul and Brian T. Jant** now are subject to this court issuing a **Rule 137 Sanction against the Illinois Department of Human Services and Kawme Raoul and Brian T. Jant and a referral to the ARDC for an attorney disciplinary investigation against Kawme Raoul and Brian T. Jant** . In addition **Kawme Raoul and Brian T. Jant** are now subject to discipline under various Illinois Rules of Professional Conduct, including:

Rule 1.2(e)

Rule 3.1 , (Meritorious Claims and Contentions) 3.3(a) Candor before a Tribunal

Rule 3.4 (Fairness to Opposing Party and Counsel)

Rule 4.1 (Truthfulness in Statements to Others)

Rule 4.4 (Respect for Rights of Third Persons)

Rule 8.4(b)(c)(d) &(g) (Honesty, Trustworthiness or Fitness) and (d) (Prejudicial Conduct to Administration of Justice)

Kawme Raoul and Brian T. Jant attorneys for the Illinois Department of Human Recourses admit that “the matter before the Court is an administrative review action and therefore no additional evidence is to be considered by the Court in making its determination. *Stratton v. Wenona Community Unit Dist. No. 1*, 133 Ill. 2d 413, 427 (1990).” See page 6 of the Illinois Department of Human Services Combined Motion to Strike Plaintiff Christopher Stoller from the Complaint, Dismiss all Claims filed by him and Strike all filing signed by Him as a Nullity at page 6 ¶ 2 incorporated herein as if fully copied and attached.

In a hearing before Judge **Paul M Fullerton** on **May 11, 2020** Judge **Fullerton** made the following statements on the record. See a true and correct reproduction of the Court Transcript at pages 8 lines lines 13 thru 24. Pages 9 lines 1 thru 24

13 THE COURT: The other thing, this is an
14 administrative review hearing. Generally, what I do in
15 administrative review hearings, as you're probably aware,
16 I act as the Appellate Court for the administrative
17 agency.

18 MR. STOLLER: I'm a little hard of hearing, Judge.

19 THE COURT: Basically, in administrative review, I
20 act as the Appellate Court for the administrative agency.
21 So, generally, these things are done all on paper so --

22 MR. STOLLER: I'm aware of that, Judge. And I plan
23 on filing a summary affirmance in this case.

24 THE COURT: That's the way it's going to go.

1 what the agency needs to do, though, is, when
2 they appear, they need to file the entire record with the
3 Court.

4 And then, basically, I enter a briefing
5 schedule, and that's the way this thing goes.

6 So, perhaps, that can happen rather than you
7 coming to court.

8 MR. STOLLER: I have the record, Judge; and I filed
9 the summary affirmance in this case during the
10 administrative proceedings.

11 And I have access to the record. I'll file the
12 record.

13 THE COURT: Don't. Their job, under the statute, is
14 to file the record.

15 MR. STOLLER: All right.

16 THE COURT: So don't file the record because their
17 obligation to file it creates the official court record.

18 So once they appear, that's -- their job is to
19 file the court record.

20 Right now, I'll set it for status for June 8th.

21 TRO that was entered on May 4th will remain in
22 effect until further order of this Court.

23 I noted that your motion to dismiss is
24 withdrawn.

Jean M. Tartaglia, Official Court Reporter

Judge **Paul Fullerton** said that, " ...what I do in an administrative review hearing, as you are probably aware, I act as the Appellate Court for the Administrative hearing."

The Appellee, the Illinois Department of Human Services **frivolous, fraudulent, falsified** Motions 2-615 and 2-619 **Motion to Strike Plaintiff from Complaint, Dismiss all Claims filed by him and Strike all filings signed by him with the Clerk of the Court** and Defendant's Motion to Vacate the Court's May 4, 2020 Stay Order are totally inappropriate motions to file before appellate review and should be denied on their face with prejudice.

Currently, Judge Diamond's **May 4, 2020 Order** is on appeal No 2:20:0297 before the Illinois Appellate Court see a true and reproduction of the **May 29, 2020** letter from the Second Illinois Appellate Court notifying IDHS below:



**ILLINOIS APPELLATE COURT
SECOND DISTRICT**

55 SYMPHONY WAY
ELGIN, IL 60120
(847) 695-3750

May 29, 2020

Christopher Stoller
P.O. Box 60645
Chicago, IL 60660

RE: Stoller, Michael v. Department of Human Services
(Christopher Stoller and Leo Stoller, Grievant/Plaintiff-Appellants)
Appeal No.: 2-20-0297
County: DuPage County
Trial Court No.: 20MR349

The docketing statement in the above cause has been filed. The following due dates pertain to the preparation and filing of the record on appeal.

Report of proceedings, bystander's report, or agreed statement of facts due to be filed in the trial court (Ill. S. Ct. R. 323): 06/29/2020

Record on appeal due to be filed in the appellate court (Ill. S. Ct. Rs. 325, 326): 07/13/2020

Jeffrey H. Kaplan
Clerk of the Court

cc: Department Of Human Services
DuPage County Circuit Court
Leo Stoller
Michael Stoller

1. Plaintiff/Appellants Leo Stoller, Michael Stoller and Christopher Stoller filed a Notice of Appeal No 20-0207 of Judge **Diamonds May 4, 2020 Orders** on May 14, 2017
2. Jurisdiction of the appellate court attaches upon the proper filing of the Stoller's notice of appeal. When the Stollers' notice of appeal was filed May 14, 2020, the appellate court's jurisdiction attaches *instanter*, and the cause is beyond the jurisdiction of this trial court. *Daley*, 106 Ill.2d at 37, 86. Ill.Dec. 918, [476 N.E.2d](#). . Accordingly, the Stollers' May 14, 2020 notice of appeal divested this circuit court of jurisdiction of Judge **Diamond's** May 4, 2020 Order..
3. "Once a notice of appeal is filed, the trial court may not enter any order changing or modifying a judgment or its scope, or interfering with the May 11, 2020 review of that judgment. *In re Marriage of Ward*, 267 Ill.App.3d at 44, 204 Ill. Dec 449, 641 N.E.2d 879.
4. The Appellee the Illinois Department of Human Services and the Attorney General Office, their attorneys, had knowledge of the Appellant's Appeal No.20-0297 filed on May 11, 2020. See at true and correct copy of a May 11, 2020 letter that Christopher Stoller sent to the General Counsel Illinois Department of Human Services copies of the Notice of Appeal see **Exhibit 2**.
5. **Kawme Raoul and Brian T. Jant**, attorneys for the Illinois Department of Human Recourses A statement is sanctionable under Rule 137 if it is **not** well grounded in fact. A pleading, or other paper is not well grounded in fact if an untrue statement is make without reasonable cause, *Chicago City Bank and Trust Co. v. Pick*, 235 Ill.App.3d 252 (1st Dist. 1992), or in sheer speculation. *Swanson v. Carter*, 258 Ill.App.3d 157 (2nd Dist. 1994). It is not sufficient that the attorney believed that the case was well grounded in fact or law. *Shea, Rogal & Associates, Ltd. v. Leslie Volkswagen, Inc.*, 250 Ill.App.3d 149

(1st Dist. 1993).

The Third District has clearly noted that an attorney simply is not entitled to make up facts, put them in a pleading, and then hope something remotely similar comes up at trial. *Liddle v. Cepeda*, 251 Ill.App.3d 892 (3d Dist. 1993).

D. Kawme Raoul and Brian T. Jant did not make a Reasonable Inquiry Into The Law

No clear standard has been articulated regarding sanctions for failure to make a reasonable inquiry into the law. Usually, if there is some support for the applicability of the law, courts deny sanctions requested on this basis. *Davis v. Chicago Housing Authority*, 176 Ill.App.3d 976 (1st Dist. 1988).

E. Kawme Raoul and Brian T. Jant Motion to Dismiss is Not Warranted By Existing Law

It is unnecessary to be the prevailing party in the case for the filing to be warranted by existing law. *Allcare v. Bork*, 176 Ill.App.3d 993 (1st Dist. 1988). Generally, a Plaintiff is not required to anticipate a defense to a claim. *Couri v. Korn*, supra. However, sanctions were appropriate when the Plaintiff filed an action after the statute of limitations ran when the statute was straight forward and obvious. *Wren v. Feeney*, 176 Ill.App.3d 364 (3rd Dist. 1988). But see *Derby Meadows Utility Co., Inc. v. Village of Orland Park*, 226 Ill.App.3d 195 (1st Dist. 1992) where the court denied sanctions because the affirmative defense of Statute of Frauds was not as easy to anticipate as the statute of limitations defense in *Wren*, supra.

The Third District upheld sanctions when the attorney was made aware of an affirmative defense of absolute immunity before filing and proceeded to file the action anyway. *Jurgensen v. Haslinger*, 295 Ill.App.3d 139 (3d Dist. 1998).

F. Kawme Raoul and Brian T. Jant Motion to Dismiss did not make a Good Faith Argument For Extension, Modification of Reversal of Existing Law

Sanctions will be upheld under this portion of Rule 137 only when the law is well settled. This means that the law at issue is essentially unchangeable and clearly obvious. An attorney must really make an effort to violate this section, but it can be

done. See *Jurgensen*, supra, where the Court found that there could be no good faith argument for a change in firmly embedded common law dealing with the absolute immunity of a witness testifying in a judicial proceeding. Therefore, it was not realistic to request at exception for testimony of a witness in a will contest.

G. Kawme Raoul and Brian T. Jant Motion to Dismiss was brought for an Improper Purpose

Rule 137 allows for sanctions if a pleading, motion or other paper is filed for an improper purpose, such as to harrass or to cause unnecessary delay or needless increase in the cost of litigaton. *Moody v. First National Bank of Moline*, 239 Ill.App.3d 986 (3rd Dist. 1993).

H. A hearing on the merits is unnecessary

A hearing on the merits is unnecessary because the untrue statements were made without reasonable cause which can be determined solely on the basis of the pleadings . *Century Road Builders v. Palos Heights*, 283 Ill.App.3d 527, 531 (1st Dist. 1996).

Declarations of Christopher Stoller, Leo Stoller and Michael Stoller submttted in support of this Memorandum

WHEREFORE, Christopher Stoller , Leo Stoller and Michael Stoller requests that the **Judge** Paul Fullerton issue a Rule 137 sanction in the form of denying the Illinois Department of Human Recourses Motion to Motion to Strike Plaintiff from Complaint, Dismiss all Claims filed by him and Strike all flings signed by him with the Clerk of the Court and the Illinois Human Recourse Motion to Vacate the Court's May 4, 2020 Stay Order with prejudice. Attorneys Kawme Raoul and Brian T. Jant are referred to the ARDC for an investigation associated with the pleadings filed by them in this case.

MOTION TO STAY

In the alternative, to give the Petitioners 304(a) language and to permit the Petitioners to take an immediate appeal and to stay this case pending the Petitioners/Appellant/Plaintiffs' appeal to the Illinois Appellate Court.

Respectfully Submitted

/s/ Michael Stoller
/s/Christopher Stoller
/s/Leo Stoller
P.O. Box 60645
Chicago Illinois 60660
Cns40@hotmail.com
773-746-3163

└─┘

Verification

Under penalties as provided by law pursuant to § 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 the undersigned certifies as aforesaid that he verily believes the same to be true.

/s/Chris Stoller 6-7-20

IN THE CIRCUIT COURT OF DUPAGE COUNTY

CHANCERY DEPARTMENT

Case No 2020 MR000349

MICHAEL STOLLER
GRIEVANT/PLAINTIFF/APPELLANT(s)
Leo Stoller, Christopher Stoller
V.

Illinois Department of Human Resources
Defendant/Respondents

ORDER

This Matter coming to be heard on Michael Stoller, Leo Stoller and Christopher Stoller's Motion for Rule 137 Sanctions, the court being fully advised in the premises.

IT IS HEREBY ORDERED: Michael Stoller, Leo Stoller and Christopher Stoller's Motion for Rule 137 Sanctions is GRANTED/DENIED

The Illinois Department of Human Servers Motions to Strike Plaintiff from Complaint, Dismiss all Claims filed by him and Strike all filings signed by him with the Clerk of the Court and Defendant's Motion to Vacate the Court's May 4, 2020 Stay Order are dismissed with prejudice.

ENTERED:

IN THE CIRCUIT COURT OF DUPAGE COUNTY

CHANCERY DEPARTMENT

Case No 2020 MR000349

MICHAEL STOLLER
GRIEVANT/PLAINTIFF/APPELLANT(s)
Leo Stoller, Christopher Stoller
V.

Illinois Department of Human Resources
Defendant/Respondents

**ORDER OF REFERRAL TO ILLINOIS ATTORNEY REGISSTRATOPM AMD
DISCIPLINARY COMMISSION**

This case is referred to the Illinois Attorney Registration and Disciplinary Commission for investigation of the possible professional misconduct of **Kawme Raoul** and **Brian T. Jant**. Said evidentiary record is described in detail in the attached Appellants Christopher Stoller, Leo Stoller and Michael Stoller files their **Memorandum in support of their Motion for Rule 137 Sanctions and in response to the Illinois Department of Human Resources (IDHS's) Motion to Strike Plaintiff from Complaint, Dismiss all Claims filed by him and Strike all filings signed by him with the Clerk of the Court and Defendant's Motion to Vacate the Court's May 4, 2020 Stay Order**. The Court takes no position on whether a attorney disbarment prosecution is or is not warranted, a decision entirely up to the **ILLINOIS ATTORNEY REGISSTRATOPM AMD DISCIPLINARY COMMISSION**. The Clerk shall please send a copy of this order to the **ILLINOIS ATTORNEY REGISSTRATOPM AMD DISCIPLINARY COMMISSION** for a Professional Misconduct Investigation..

IT IS SO ORDERED.

IN THE CIRCUIT COURT OF DUPAGE COUNTY

CHANCERY DEPARTMENT

Case No 2020 MR000349

MICHAEL STOLLER
GRIEVANT/PLAINTIFF/APPELLANT(s)
Leo Stoller, Christopher Stoller
V.

Illinois Department of Human Resources
Defendant/Respondents

Declaration of Christopher Stoller

1. I am Christopher Stoller, 71, *sui juris*, and one of the Appellants in this appeal.
2. . That the following facts are true to the best of my belief or knowledge based upon my own personal knowledge. If called to testify, I would testify to same.
3. I am an Illinois Home Health Care Worker, since 2016, assigned to assist Michael Stoller 28, a disabled person, a protected person as defined by the America's for Disability Act.
4. I am appearing in this appeal, pro se, not as a representative of Michael Stoller. but only myself.
I have a personal interest in this Appeal , in that the dispute involves a reduction in Michael Stoller's home health care hours of care, which results in a loss of wages to me and thus an injury to me.
5. Due to the Covid 19 pandemic, Michael Stoller is required to "shelter in" 24 hours a day. In my opinion Michael Stoller is in need of at least 16 hours a day of home health care.
6. I have never filed any papers in this proceeding on behalf of Michael Stoller. I have only filed pleadings on behalf of myself, pro se.

Affivant saysth not

/s/ Christopher Stoller

Under penalties as provided by law pursuant to § 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 the undersigned certifies as aforesaid that he verily believes the same to be true.

/s/ Christopher Stoller

06/7/20

IN THE CIRCUIT COURT OF DUPAGE COUNTY

CHANCERY DEPARTMENT

Case No 2020 MR000349

MICHAEL STOLLER
GRIEVANT/PLAINTIFF/APPELLANT(s)
Leo Stoller, Christopher Stoller
V.

Illinois Department of Human Resources
Defendant/Respondents

Declaration of Leo Stoller

1. I am Leo Stoller, 73, *sui juris*, and one of the Appellants in this appeal.
2. . That the following facts are true to the best of my belief or knowledge based upon my own personal knowledge. If called to testify, I would testify to same.
3. I am an Illinois back up Home Health Care Worker, assigned to assist Michael Stoller 28, my son, a disabled person, a protected person as defined by the America's for Disability Act.
4. I am appearing in this appeal, pro se, **not** as a representative of Michael Stoller. I have a personal interest in this Appeal , in that the dispute involves a reduction in Michael Stoller's home health care hours of care, which results in a loss of wages to me and thus an injury.
5. Due to the Covid 19 pandemic, Michael Stoller is required to "shelter in" 24 hours a day. In my opinion Michael Stoller is in need of at least 16 hours a day of home health care.
6. I have never filed any papers in this proceeding on behalf of Michael Stoller. I have only filed pleadings on behalf of myself, pro se.

Affivant saysth not

/s/ Leo Stoller

Under penalties as provided by law pursuant to § 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 the undersigned certifies as aforesaid that he verily believes the same to be true.

/s/ Leo Stoller

06/7/20

IN THE CIRCUIT COURT OF DUPAGE COUNTY

CHANCERY DEPARTMENT

Case No 2020 MR000349

MICHAEL STOLLER
GRIEVANT/PLAINTIFF/APPELLANT(s)
Leo Stoller, Christopher Stoller
V.

Illinois Department of Human Resources
Defendant/Respondents

Declaration of Michael Stoller

1. I am Michael Stoller, 28, and one of the Appellants in this appeal. I am a disabled person as defined by the Americans for Disability Act. (ADA). The Social Security Administration has designated me a "disabled person from birth". I am unemployed. I have never worked.
2. The following facts are true to the best of my belief or knowledge based upon my own personal knowledge. If called to testify, I would testify to same.
3. I am a disabled person in need of home health care.
4. I am appearing in this appeal, pro se. Neither Christopher Stoller my uncle nor Leo Stoller, my father, are representing me in this matter. Christopher Stoller and Leo Stoller have not filed any pleadings in this proceedings as my representative.
5. Due to the Covid 19 pandemic, I am required to "shelter in" 24 hours a day. In my opinion I need at least 16 hours a day of home health care.

Affivant saysth not

/s/ Michael Stoller

Under penalties as provided by law pursuant to § 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 the undersigned certifies as aforesaid that he verily believes the same to be true. /s/Michael Stoller 6/7/2020

EXHIBIT 1

Fw: Stoller v. Dept. of Human Services; 2020 MR 349

L Stoller <ldms4@hotmail.com>

Fri 6/5/2020 3:02 PM

To: Jant, Brian <BJant@atg.state.il.us>; RKwame@atg.state.il.us <RKwame@atg.state.il.us>**Cc:** ABC News update <c2a745cfd67e705bf7ae160724da887c@asmpx.quiall.net>; newsmagazine abc <abc.news.magazines@abc.com>; Assig cbs <assignment@cbsnews.com>; Chicago Lawyer Magazine <headlines@lawbulletinmedia.com>; Chung, Daniel <Daniel.Chung@Illinois.gov>; Chicago Lawyer Magazine <headlines@lawbulletinmedia.com>; Chicago Tribune <chicagotribune@e.chicagotribune.com>; Roberta Menis <rmenis@att.net>; Jule Beauty <whisperedlegends@yahoo.com>; editor usatoday <editor@usatoday.com>; Editor Tribune <ctc-editor@tribune.com>; Editor StLouisPaper <siteeditor@stltoday.com>; editor NewYork Times <executive-editor@nytimes.com>; Ruby Harris <lectricguitar@me.com>; national washpost <national@washpost.com>; newsmagazine abc <abc.news.magazines@abc.com>; OakPark Pioneerpress <oakpark@pioneerlocal.com>; sundaystyles@nytimes.com <sundaystyles@nytimes.com>; citydesk Suntimes <citydesk@suntimes.com>; Twitter <info@twitter.com>**Bcc:** Leo <ldms4@hotmail.com> 1 attachments (864 KB)

Motion for Rule 137 Sanctions 2.pdf;

Please find our Motion for 137 Sanctions

Cordially

Christopher Stoller

From: L Stoller <ldms4@hotmail.com>**Sent:** Friday, June 5, 2020 12:48 PM**To:** Jant, Brian <BJant@atg.state.il.us>; RKwame@atg.state.il.us <RKwame@atg.state.il.us>**Cc:** ABC News update <c2a745cfd67e705bf7ae160724da887c@asmpx.quiall.net>; newsmagazine abc <abc.news.magazines@abc.com>; Assig cbs <assignment@cbsnews.com>; Chicago Lawyer Magazine <headlines@lawbulletinmedia.com>; Chung, Daniel <Daniel.Chung@Illinois.gov>; Chicago Lawyer Magazine <headlines@lawbulletinmedia.com>; Chicago Tribune <chicagotribune@e.chicagotribune.com>; Roberta Menis <rmenis@att.net>; Jule Beauty <whisperedlegends@yahoo.com>; editor usatoday <editor@usatoday.com>; Editor Tribune <ctc-editor@tribune.com>; Editor StLouisPaper <siteeditor@stltoday.com>; editor NewYork Times <executive-editor@nytimes.com>; Ruby Harris <lectricguitar@me.com>; national washpost <national@washpost.com>; newsmagazine abc <abc.news.magazines@abc.com>; OakPark Pioneerpress <oakpark@pioneerlocal.com>; sundaystyles@nytimes.com <sundaystyles@nytimes.com>; citydesk Suntimes <citydesk@suntimes.com>; Twitter <info@twitter.com>; Twitter <notify@twitter.com>; editor usatoday <editor@usatoday.com>; ABC News update <c2a745cfd67e705bf7ae160724da887c@asmpx.quiall.net>; WallStreet Journal <wsj.service@dowjones.com>**Subject:** Re: Stoller v. Dept. of Human Services; 2020 MR 349

Kwame Raoul AG

Brian Jant

Re: Stoller v. Dept. of Human Services; 2020 MR 349

The Department of Illinois Human Services is attempting to unlawfully deprive a disabled "adult Child" from receiving an additional five hours of care per week, during this national pandemic!

We Received copies of the Illinois Department of Human Services frivolous and fraudulent Defendant's Combined Motion to Strike Plaintiff Christopher Stoller form the Complaint, Dismiss All Claims Filed by Him and Strike All filings signed by Him as a Nullity and the Department of Illinois Human Recourses Department Motion to Vacate the Court's May 4, 2020 . Your pleadings are filed will numerous misrepresentations of material fact and law in violation of ARDC Rules 3.3(a), 8.4(c)&(d).

We are going to give you an opportunity to with draw the two offensive pleadings and take the necessary remedial actions to cure your professional misconduct.

Kwame Raoul having direct supervisory authority over Mr. Brian Jant failed to make reasonable efforts to ensure that Mr. Brian Jant conforms to the Illinois Rules of Professional Conduct. Instead. Kwame Raoul is charged with using Brian Jant, as a shield, to protect himself from charges of professional misconduct, associated with this case by directing Brian Jant to file the frivolous above mentioned pleading in this case.

(c) Kwame Raoul is responsible for Brian Jant violation(s) of the Rules of Professional Conduct Rule 3.3(a) and 8.4(c) & (d) before the DuPage County Court. because Kawame Raoul is charged with :

- (1)ordering Brian Jant, with knowledge of the specific professional misconduct, ratifies the specific professional misconduct involved; and
- (2) Kwame Raoul is the Illinois Attorney General with managerial authority (ARDC Rule 5.1 violation) in the AG"s office which Brian Jant practices, and has direct supervisory authority over Brian Jant and knows of the conduct at a time when its consequences can be avoided or mitigated but failed to take reasonable remedial action by endorsing and redefying the professional misconduct conduct before the Dupage County court in filing fraudulent Motion(s).

Defendant's fraudulent Combined Motion to Strike Plaintiff Christopher Stoller form the Complaint, Dismiss All Claims Filed by Him and Strike All filings signed by Him as a Nullity and the Department of Illinois Human Recourses Department Motion to Vacate the Court's May 4, 2020 . These offensive pleadings must be withdrawn today or Attorney Disbarment Complaints will be filed with the Illinois Attorney Registration and Disciplinary Commission.

Please advise by 3:00PM today if your motions will be withdrawn? ..

Cordially

Leo Stoller, Executive Director of Americans for the Enforcement of Attorney Ethics (AEAE) since 1974
www.rentamark.net

From: Jant, Brian <BJant@atg.state.il.us>
Sent: Thursday, June 4, 2020 4:27 PM
To: 'cns40@hotmail.com' <cns40@hotmail.com>
Cc: 'ldms4@hotmail.com' <ldms4@hotmail.com>
Subject: Stoller v. Dept. of Human Services; 2020 MR 349

All:

Please find attached Defendant's Combined Motion to Strike and Dismiss and related Notice of Motion. I will be presenting the attached on June 8, 2020 at 9:00 a.m.

Thank you,

Brian Jant
Assistant Attorney General
General Law Bureau
Office of the Illinois Attorney General
100 W. Randolph St., 13th Floor
Chicago, IL 60601
312-814-5312
BJant@atg.state.il.us

E-MAIL CONFIDENTIALITY NOTICE: This electronic mail message, including any attachments, is for the intended recipient(s) only. This e-mail and any attachments might contain information that is confidential, legally privileged or otherwise protected or exempt from disclosure under applicable law. If you are not a named recipient, or if you are named but believe that you received this e-mail in error, please notify the sender immediately by telephone or return e-mail and promptly delete this e-mail and any attachments and copies thereof from your system. If you are not the intended recipient, please be aware that any copying, distribution, dissemination, disclosure or other use of this e-mail and any attachments is unauthorized and prohibited. Your receipt of this message is not intended to waive any applicable privilege or claim of confidentiality, and any prohibited or unauthorized disclosure is not binding on the sender or the Office of the Illinois Attorney General. Thank you for your cooperation.

EXHIBIT 2

May 11, 2020
General Counsel Illinois Department of Human Services
100 W, Randolph St. 6-400
Chicago, Illinois 60601

Re: Service of Notice of Appeal Michael Stoller et al v. Illinois Department of Human Services Case No. 2020MR000349

Dear General Counsel

Please find a copy of the Petitioner's Notice of Appeal filed in the above mentioned case.

On April 18, 2020 your office was served with Summons and complaint pursuant to the directions of Daniel Chung Daniel.Chung@illinois.gov from the Department of Rehabilitations Services 6200 N. Hiawatha 773-989-5000 office see attached email. We have enclosed a additional courtesy copy of the summons and complaint.

Daniel Chung also acknowledged on May 4, 2020 forwarding to you copies of subpoenas that were served upon employees of the department of Human Services, Danica Jackson and Elliott Ryan See attached copy of the Daniel Chung email.

The Illinois Department of Human Services had actual and constructive knowledge of this lawsuit at least as early as April 18, 2020.

On April 27, 2020 the General Counsel Office was served with a copy of an emergency motion via US. Mail and telephonically of an Emergency Motion to be heard on May 4th, 2020. No one from your office appeared at the Emergency Motion hearing.

There was a status hearing today in DuPage in the Case today and again no one from the Office of the General Counsel appeared in court.

The Petitioners are attaching a copy of a Notice of Appeal that was filed today, in DuPage County in the said proceeding.

Cordially

/s/Christopher Stoller
P.O. Box 60645
Chicago, Illinois 60660 Phone 312-545-4554 cns40@hotmail.com

EXHIBIT 3

IN THE CIRCUIT COURT OF DUPAGE COUNTY
CHANCERY DEPARTMENT

Case No 2020 MR000349

MICHAEL STOLLER
GRIEVANT/PLAINTIFF/APPELLANT(s)
Christopher Stoller, Leo Stoller
V.

Illinois Department of Human Resources
Defendant/Respondents

Ch...
20 MAY 14 PM 3:26
FILED

TO: See Service List

NOTICE OF FILING DECLARATION OF CHRISTOPHER STOLLER

PETITIONER Christopher Stoller filed his Declaration with the clerk of the court.

/s/ Michael Stoller *Michael Stoller*

/s/Christopher Stoller *Christopher Stoller*

/s/Leo Stoller *Leo Stoller*

P.O. Box 60645

Chicago Illinois 60660

Cns40@hotmail.com

773-746-3163

CERTIFICATE OF SERVICE

I certify that the foregoing was served upon the following party via first class mail on May 14, 2020.

::

Christopher Stoller
/s/ Christopher Stoller

Department of Human Services
EEO/AA Office
401 S. Clinton Street, 7th floor
Chicago, IL 60607

General Counsel
Illinois Dept of Human Resources
100 W. Randolph St 6-400
Chicago, Illinois 60601

IN THE CIRCUIT COURT OF DUPAGE COUNTY
CHANCERY DEPARTMENT

Case No 2020 MR000349

MICHAEL STOLLER
GRIEVANT/PLAINTIFF/APPELLANT
PETITIONER(s)
Christopher Stoller, Leo Stoller
V.

Illinois Department of Human Resources
Defendant/Respondents

FILED
20 MAY 11, PM 3:26
CLERK OF THE COURT

DECLARATION OF CHRISTOPHER STOLLER

CHRISTOPHER STOLLER, 71, sui juris, on oath states that:

1. I am one of the Petitioners in this action. I am a disable person, a protected person under the Americans for Disability Act.
2. . That the following facts are true to the best of my belief or knowledge based upon my own personal knowledge. If called to testify, I would testify to same.
3. On **April 15, 2020** I received a email from **Daniel Chung**, the Supervisor at the Illinois Rehabilitation Services at 6200 N. Hiawatha, 3rd Floor, Chicago, Illinois 773-989-5000. **Mr. Chung** informed me that the General Counsel, at the Illinois Department of Human Services, 100 W. Randolph St 6-400 would accept service of the summons and complaint in the above captioned

case if I sent them a copy of the complaint and summons.

4. I mailed a copy of the summons and complaint to Illinois Department of Human Resources , 100 W. Randolph St 6-400, Chicago, Illinois 60601 on **April 20, 2020** See a true and correct copy marked as **Exhibit 1**.
5. I mailed a second copy of the summons and complaint to Illinois Department of Human Resources ,401 S. Clinton St., Chicgo, Illinois 60607 Room 60607 on **April 20, 2020** See a true and correct copy marked as **Exhibit 2**.
6. I sent copies of the Orders and additional copies of the pleadings to Illinois Department of Human Resources ,401 S. Clinton St., Chicgo, Illinois 60607 Room 60607 on **May 7th, 2020** See a true and correct copy marked as **Exhibit 3**.
7. I gave the to Illinois Department of Human Resources prior telephonic notice (773) 907-4100 on **April 27, 2020**, of the emergency motion hearing, which was on **May 4, 2020**.
8. I sent the General Counsel for Illinois Department of Human Services, 100 W. Randolph St 6-400, Chicago, Illinois 60601, a letter on **May 12, 2020** see a true and correct copy of the letter. marked as (**Exhibit 4**)

Affivant saysth not



/s/ Christopher Stoller
415 Wesley Ave
Oak Park, IL
60302

EXHIBIT 1

STATE OF ILLINOIS IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT COUNTY OF DU PAGE UNITED STATES OF AMERICA

Michael Stotter
Leo Stotter
Christopher Stotter

PLAINTIFF

DEPARTMENT OF HUMAN SERVICES

DEFENDANT

2020MR000349

CASE NUMBER

FILED
20 MAY 13 PM 1:23
File Stamp Here

SUMMONS
CIRCUIT COURT

ORIGINAL ALIAS

To each Defendant: DEPARTMENT OF HUMAN SERVICES

You are Summoned and Required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance in the office of the Clerk of the Circuit Court, 505 N. County Farm Road, Wheaton, Illinois, within 30 days after service of this summons not counting the day of service.

If you fail to do so, a judgment by default may be entered against you for the relief asked in the complaint.

To the Officer

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service and not less than three (3) days before the date of appearance. If service cannot be made, this summons shall be returned so endorsed.

This summons may not be served later than thirty (30) days after its date.

DATE OF SERVICE
APRIL 23, 2020
TO BE INSERTED BY OFFICER ON COPY LEFT WITH DEFENDANT OR OTHER PERSON

Name: CHRIS STOTTER Pro Se
DuPage Attorney Number: 99500
Attorney for: CHRIS STOTTER
Address: 415 WESLEY AVE SUITE 1
City/State/Zip: CAR PARK, IL 60307
Telephone Number: 773-746-3163
Email: CNS 40 @ HOTMAIL.COM

WITNESS:

APR 20 2020

CHRIS KACHIROUBAS, Clerk of the Eighteenth Judicial Circuit Court, and the seal thereof, Wheaton, Illinois



Chris Kachirobas
443 Date
BY DEPUTY CLERK
Deputy Clerk

E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <http://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/FAQ/gethelp.asp> or talk to your circuit clerk's office.

NOTE:

The filing of an appearance or answer with the Circuit Court Clerk requires a statutory filing fee, payable at the time of filing.

If you need legal advice concerning your legal responsibility as a result of this summons being serviced upon you and you don't have a lawyer, you can call the DuPage Bar Association, Lawyer Referral Service at 630-653-9109.

Service and return \$ _____
 Miles _____ \$ _____
 Total \$ _____

Sheriff of _____ County

RETURN

I certify that I served this summons on defendant as follows:

- (a) (Individual - personal):
By leaving a copy and a copy of the complaint with each individual as follows:
- (b) (Individual - abode):
By leaving a copy and a copy of the complaint at the usual place of abode of each individual with a person of his family, of the age of 13 years or upwards, informing that person of the contents of the summons, and also by sending a copy of the summons and the complaint in a sealed envelope with postage fully prepaid, addressed to each individual at the usual place of abode, as follows:
- (c) (Corporation):
By leaving a copy and a copy of the complaint with the registered agent, officer, or agent of each corporation as follows:
- (d) (Other service): U.S.A.S. BY ASSIGNMENT OF DANIEL CHUNG SUPERVISOR OF ILLINOIS DEPT OF HUMAN SERVICES
- (e) (Unable to Serve):
By _____, Deputy Badge Number: _____

Name of Defendant ILLINOIS DEPT OF HUMAN SERVICES
 Name of Person
 summons given to _____
 Sex _____ Race _____ Approximate age _____
 Place of service 100 W. RANDOLPH ST. 6-400
 City, State CHICAGO, IL 60601
 Date of service APRIL 23RD 2020
 Date of Mailing APRIL 20, 2020

Name of Defendant _____
 Name of Person
 summons given to _____
 Sex _____ Race _____ Approx. age _____
 Place of service _____
 City, State _____
 Date of service _____ Time _____
 Date of Mailing _____
 Sheriff of _____ County
 County Illinois License # _____

By _____

EXHIBIT 2

8440

STATE OF ILLINOIS,
CIRCUIT COURT
DuPage COUNTY

PROOF OF DELIVERY

For Court Use Only
20 MAY 13 PM 1:23
FILED

Instructions ▼
Directly above, enter the name of the county where the case was filed.
Enter the name of the person or company that filed this case as Plaintiff/Petitioner.
Enter the name of the Defendant/Respondent.
Enter the Case Number given by the Circuit Clerk.

Michael Stoller et al.,
Plaintiff / Petitioner (First, middle, last name or Company)
v.
Department of Human Services
Defendant / Respondent (First, middle, last name)

2020MR000349
Case Number

In 1, enter the name of the court document you are sending to the other parties in the court case (e.g., a Court Order or Answer).

1. I am sending the following court document: Summons and Complaint

In 1a, enter the name, mailing address, and email address of the party or lawyer to whom you sent the document.

a. To:
Name: General Counsel, Illinois Department of Human Services
First Middle Last
Address: 100 W. Randolph, 6-400 Chicago Illinois 60601
Street, Apt # City State ZIP
Email address: _____

In 1b, check the box to show how you sent the document, and fill in any other information required on the blank lines.

- b. By: Personal hand delivery
 Regular, First-Class Mail, put into the U.S. Mail with postage paid at:
Chicago, Illinois
Address of Post Office or Mailbox
 Third-party commercial carrier, with delivery paid for at:

Name (for example, FedEx or UPS) and office address
 The court's electronic filing manager (EFM) or an approved electronic filing service provider (EFSP)
 Email (not through an EFM or EFSP)
 Mail from a prison or jail at:

Name of prison or jail

CAUTION: If the other party does not have a lawyer, you may send the document by email only if the other party has listed their email address on a court document.

c. On: April 20, 2020
Date
At: 12:01 a.m. p.m.
Time

In c, fill in the date and time that you sent the document.

2. I sent this document:

In 2, if you sent the document to more than 1 party or lawyer, fill in a, b, and c. Otherwise leave 2 blank.

a. To:
Name: _____
First Middle Last
Address: _____
Street, Apt # City State ZIP
Email address: _____

- b. By: Personal hand delivery
 Regular, First-Class Mail, put into the U.S. Mail with postage paid at:

Address of Post Office or Mailbox

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Name (for example, FedEx or UPS) and office address

- The court's electronic filing manager (EFM) or an approved electronic filing service provider (EFSP)
 Email (not through an EFM or EFSP)
 Mail from a prison or jail at:

Name of prison or jail

- c. On: _____
Date
 At: _____ a.m. p.m.
Time

If you sent your document to more than 2 parties or lawyers, check the box and file the *Additional Proof of Delivery* with this form

- I have completed an *Additional Proof of Delivery* form.

Under the Code of Civil Procedure, 735 ILCS 5/1-109, making a statement on this form that you know to be false is perjury, a Class 3 Felony.

I certify that everything in the *Proof of Delivery* is true and correct. I understand that making a false statement on this form is perjury and has penalties provided by law under 735 ILCS 5/1-109.

If you are completing this form on a computer, sign your name by typing it. If you are completing it by hand, sign and print your name.

/s/ Christopher Stoller
Your Signature

415 Wesley Suite 1
Street Address

Christopher Stoller
Print Your Name

Chicago, Illinois 60302
City, State, ZIP

(773) 746-3163
Telephone

May 11, 2020
General Counsel Illinois Department of Human Services
100 W, Randolph St. 6-400
Chicago, Illinois 60601

Re: Service of Notice of Appeal Michael Stoller et al v. Illinois Department of
Human Services Case No. 2020MR000349

Dear General Counsel

Please find a copy of the Petitioner's Notice of Appeal filed in the above
mentioned case.

On April 23, 2020 your office was served with Summons and complaint pursuant
to the directions of Daniel Chung Daniel.Chung@illinois.gov from the
Department of Rehabilitations Services 6200 N. Hiawatha 773-989-5000 office
see attached email. We have enclosed a additional courtesy copy of the summons
and complaint.

Daniel Chung also acknowledged on May 4, 2020 forwarding to you copies of
subpoenas that were served upon employees of the department of Human Services,
Danica Jackson and Elliott Ryan See attached copy of the Daniel Chung email.

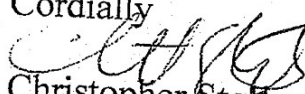
The Illinois Department of Human Services had actual and constructive knowledge
of this lawsuit at least as early as April 18, 2020.

On April 27, 2020 the General Counsel Office was served with a copy of an
emergency motion via US. Mail and telephonically of an Emergency Motion to be
heard on May 4th, 2020. No one from your office appeared at the Emergency
Motion hearing.

There was a status hearing today in DuPage in the Case today and again no one
from the Office of the General Counsel appeared in court.

The Petitioners are attaching a copy of a Notice of Appeal that was filed today, in
DuPage County in the said proceeding.

Cordially


Christopher Stoller

P.O. Box 60645

Chicago, Illinois 60660 Phone 312-545-4554 cns40@hotmail.com

EXHIBIT 3

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| First-Class Mail® Letter | 1 | \$0.55 | \$0.55 |
| (Domestic) (CHICAGO, IL 60607) (Weight:0 Lb 0.30 Oz) (Estimated Delivery Date) (Monday, 05/11/2020) | | | |
| Certified | | | \$3.55 |
| (USPS Certified Mail #) (70191640000058142451) | | | |
| Return Receipt | | | \$2.85 |
| (USPS Return Receipt #) (9590940252819154083767) | | | |
| Affixed Postage | | | (\$0.55) |
| (Affixed Amount:\$0.55) | | | |
| Total: | | | \$7.09 |

Debit Card Remit'd \$7.09
 (Card Name:VISA)
 (Account #:XXXXXXXXXX9283)
 (Approval #)
 (Transaction #:885)
 (Receipt #:024308)
 (Debit Card Purchase:\$7.09)
 (Cash Back:\$0.00)
 (AID:A0000000980840 Chip)
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
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IDHS Illinois Department
of Human Services
Grace B. Hou, Secretary

Office of the Secretary

Grace B. Hou, Secretary



Chicago Office

401 S Clinton St,
7th Floor
Chicago, IL 60607

Phone: (312) 793-1547

Fax: (312) 793-2060

TTY/Nextalk: (866) 324-5553

Springfield Office

100 S Grand Ave,
3rd Floor
Springfield, IL 62702

Phone: (217) 557-1602

Fax: (217) 551-1647

TTY/Nextalk: (866) 324-5553

EXHIBIT 4

May 12, 2020
General Counsel Illinois Department of Human Services
100 W, Randolph St. 6-400
Chicago, Illinois 60601

Re: Service of Notice of Appeal Michael Stoller et al v. Illinois Department of Human Services Case No. 2020MR000349

Dear General Counsel

Please find a copy of the Petitioner's Notice of Appeal filed in the above mentioned case.

On April 18, 2020 your office was served with Summons and complaint pursuant to the directions of Daniel Chung Daniel.Chung@illinois.gov from the Department of Rehabilitations Services 6200 N. Hiawatha 773-989-5000 office see attached email. We have enclosed a additional courtesy copy of the summons and complaint.

Daniel Chung also acknowledged on May 4, 2020 forwarding to you copies of subpoenas that were served upon employees of the department of Human Services, Danica Jackson and Elliott Ryan See attached copy of the Daniel Chung email.

The Illinois Department of Human Services had actual and constructive knowledge of this lawsuit at least as early as April 18, 2020.

On April 27, 2020 the General Counsel Office was served with a copy of an emergency motion via US. Mail and telephonically of an Emergency Motion to be heard on May 4th, 2020. No one from your office appeared at the Emergency Motion hearing.

There was a status hearing today in DuPage in the Case today and again no one from the Office of the General Counsel appeared in court.

The Petitioners are attaching a copy of a Notice of Appeal that was filed today, in DuPage County in the said proceeding.

Cordially

Christopher Stoller
P.O. Box 60645
Chicago, Illinois 60660 Phone 312-545-4554 cns40@hotmail.com