

SUPREME COURT OF ILLINOIS

MONDAY, SEPTEMBER 22, 2003

THE COURT MADE THE FOLLOWING ANNOUNCEMENTS:

MISCELLANEOUS RECORD

M.R.18844 - In re: Derrick B. Reese. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Review Board, in part, is allowed. Respondent Derrick B. Reese is suspended from the practice of law for two (2) years and until further order of the Court.

Order entered by the Court.

M.R.18851 - In re: Arthur Herman Boelter, Jr. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose reciprocal discipline pursuant to Supreme Court Rule 763 is allowed, and respondent Arthur Herman Boelter, Jr., who has been disciplined in the State of Washington, is reprimanded in the State of Illinois.

Order entered by the Court.

M.R.18855 - In re: Sheldon S. Rosenfeld. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Sheldon S. Rosenfeld is suspended from the practice of law for ninety (90) days.

Respondent Sheldon S. Rosenfeld shall reimburse the Disciplinary Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.18860 - In re: Kenneth J. Allen. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission for leave to file reply instanter to respondent's objections is allowed.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose reciprocal discipline pursuant to Supreme Court Rule 763 is allowed, and respondent Kenneth J. Allen, who has been disciplined in the State of Indiana, is suspended from the practice of law in the State of Illinois for ninety (90) days, effective immediately.

Orders entered by the Court.

M.R.18862 - In re: Allen R. Titlebaum. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed. Respondent Allen R. Titlebaum is suspended from the practice of law for two (2) years and until restitution is made to the following entities in the amounts indicated:

Norak Corporation	\$ 3,483.10
Blue Ribbon Electric	\$ 1,115.13
Wholesale Computers	\$ 3,000.00
Rent Rite	\$ 600.37
J.C. Transportation	\$ 700.00
M & M Trucking	\$ 1,000.00
National Salt	\$ 2,350.00
M & M Surveying	\$ 1,238.00
Total	\$13,486.60

Respondent Allen R. Titlebaum shall reimburse the Disciplinary Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.18872 - In re: Val Jean F. Hillman. Disciplinary Commission.

The motion by Val Jean F. Hillman to strike his name from the roll of attorneys licensed to practice law in Illinois pursuant to Supreme Court Rule 762(a) is allowed, effective immediately.

Order entered by the Court.

M.R.18874 - In re: Michael W. Louis. Disciplinary Commission.

The motion by Michael W. Louis to strike his name from the roll of attorneys pursuant to Supreme Court Rule 762(a) is continued until October 14, 2003, to allow him to file an amended motion which does not contain reference to a specific rule violation if he wants to maintain his motion. If an amended motion is not filed by the due date, the name-strike motion will be denied without further notice.

Order entered by the Court.

M.R.18882 - In re: Louis Milton Pissios. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed. Respondent Louis Milton Pissios is suspended from the practice of law for two (2) years, with the second year of suspension stayed, and respondent placed on probation subject to the following conditions to take effect upon entry of the Court's order:

a. Respondent shall abstain from the usage of alcohol and any unprescribed controlled substances;

b. Respondent shall participate in Alcoholics Anonymous at the frequency recommended by his addictions therapist. Respondent is to maintain a log of his attendance at the meetings and submit the log to the Administrator with his quarterly reports;

c. Respondent shall maintain a sponsor in the 12-Step program and **is** to provide the name, address and telephone **number** of the sponsor to **the** Administrator. Respondent shall request that the sponsor communicate with the Administrator in writing every three months regarding respondent's participation and progress in Alcoholics Anonymous and report any lapses in sobriety or usage of controlled substances to the Administrator within **72** hours of his knowledge of that usage;

d. Respondent shall report to the Administrator any lapse in his sobriety or usage of any controlled substance within 72 hours of that usage;

e. Respondent shall attend meetings scheduled by the Commission probation officer as requested by the Administrator. Respondent shall submit quarterly written reports to the Administrator concerning the status of his practice of law and the nature and extent of his compliance with the conditions of probation;

f. Respondent shall notify the Administrator within fourteen days of any change of address;

g. Respondent shall comply with the Illinois Rules of Professional Conduct and shall cooperate with the Administrator in providing information regarding any investigations relating to his conduct;

h. At least thirty (30) days prior to the termination of the period of probation, respondent shall reimburse the Commission the costs of this proceeding as defined in Supreme Court Rule 773 and shall reimburse the Commission for any **further** costs incurred during the period of probation; **and**

i. Probation shall be revoked if respondent is found to have violated any of the terms of probation. The remaining one (1)-year period of suspension shall commence from the date of the determination that any term of probation has been violated.

Respondent Louis Milton Pissios shall reimburse the Disciplinary Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension/probation.

Order entered by the Court.

M.R.18889 - In re: Rosario August Picone, Jr. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Rosario August Picone, Jr. is suspended from the practice of law for thirty (30) days.

Respondent Rosario August Picone, Jr. shall reimburse the Disciplinary Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.18890 - In re: Phillip Bogart Allen. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed. Respondent Phillip Bogart Allen is suspended from the practice of law for one (1) year, stayed after the first five (5) months by a period of probation for one (1) year subject to the following conditions:

a. Respondent shall abide by all terms and conditions of his parole as required by the Kentucky State Parole Board, including attending AA meetings or an alternative alcohol treatment program, submitting to random drug tests and/or portable breathalyzer tests, and paying court-ordered child support;

b. Once respondent is released from parole, he shall continue to abstain from alcohol and to make court-ordered support and arrearage payments;

c. Respondent shall submit quarterly reports to the Commission probation officer regarding the nature and extent of his compliance with the conditions of probation;

d. Respondent shall comply with the Illinois Rules of Professional Conduct and shall cooperate with the Administrator in providing information regarding any investigations;

e. Probation shall be revoked if respondent is found to have violated any of the conditions of probation. The remainder of the one (1)-year period of suspension shall commence from the date of the determination that *any* condition of probation has been violated.

Respondent Phillip Bogart Allen shall reimburse the Disciplinary Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension/probation.

Order entered by the Court.

M.R.18894 - In re: Jerome Paul Genova. Disciplinary Commission.

The motion by Jerome Paul Genova to strike his name from the roll of attorneys licensed to practice law in Illinois pursuant to Supreme Court Rule 752(a) is allowed, effective immediately.

Order entered by the Court.

M.R.18896 - In re: Neil L. Gershon. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed. Respondent Neil L. Gershon is suspended from the practice of law for sixty (60) days, with the suspension stayed in its entirety by a one (1)-year period of probation subject to the following conditions:

a. Respondent shall continue in his course of treatment with Dr. Raymond Silverman, or another qualified psychiatrist acceptable to the Administrator, and shall report to Dr. Silverman or such other qualified psychiatrist on a regular basis of not less than once per month, with the Administrator advised of any change in attendance deemed warranted by such professional;

b. Respondent shall comply with all treatment recommendations of Dr. Silverman or such other qualified psychiatrist, including the taking of medications as prescribed;

c. Respondent shall provide to Dr. Silverman, or such other qualified psychiatrist, an appropriate release as required under the Confidentiality Act of the Mental Health Code, 740 ILCS 110/1 et seq., authorizing the treating professional to: (1) disclose to the Administrator on at least a quarterly basis information pertaining to the nature of respondent's compliance with any treatment plan established with respect to respondent's condition; (2) promptly report to the Administrator respondent's failure to comply with any part of an established treatment plan; and (3) respond to any inquiries by the Administrator regarding respondent's mental or emotional state or compliance with any established treatment plans;

d. Respondent shall notify the Administrator within fourteen days of any change in treatment professionals;

e. Respondent shall attend meetings scheduled by the Commission probation officer as requested by the Administrator. Respondent shall submit quarterly written reports to the Administrator concerning the status of his practice of law and the nature and extent of his compliance with the conditions of probation;

f. Respondent shall notify the Administrator within fourteen days of any change of address;

g. At least thirty (30) days prior to the termination of the period of probation, respondent shall reimburse the Commission \$2,812.50 for the cost of his psychiatric evaluation with Dr. Stafford Henry;

h. At least thirty (30) days prior to the termination of the period of probation, respondent shall reimburse the Disciplinary Fund for any Client Protection payments arising from his conduct;

i. Respondent shall comply with the Illinois Rules of Professional Conduct and shall timely cooperate with the Administrator in providing information regarding any investigations relating to his conduct;

j. Probation shall be revoked if respondent is found to have violated any of the conditions of probation, and respondent's sixty (60)-day suspension shall commence from the date it is determined that any condition of probation has been violated.

Order entered by the Court

M.R.18897 - In re: Alan Michael Katz. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Alan Michael Katz is suspended from the practice of law for two (2) years.

Respondent Alan Michael Katz shall reimburse the Disciplinary Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.18900 - In re: Michael John Poulakidas. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Michael John Poulakidas is censured.

Order entered by the Court.

M.R.18929 - In re: Rodney Lamar Bishop. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose reciprocal discipline pursuant to Supreme Court Rule 763 is allowed, and respondent Rodney Lamar Bishop, who has been disciplined in the State of Utah, is suspended from the practice of law in the State of Illinois for one (1) year.

Respondent Rodney Lamar Bishop shall reimburse the Disciplinary Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.18930 - In re: Gary Lee Sudeth. Disciplinary Commission.

The motion by Gary Lee Sudeth to strike his name from the roll of attorneys pursuant to Supreme Court Rule 762(a) is continued until October 14, 2003, to allow him to file an affidavit with the exact language required by Supreme Court Rule 762(a) (2) if he wants to maintain his motion. If a proper affidavit is not filed by the due date, the name-strike motion will be denied without further notice.

Order entered by the Court.

M.R.18931 - In re: William J. Stogsdill, Jr. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent William J. Stogsdill, Jr. is suspended from the practice of law for thirty (30) days.

Respondent William J. Stogsdill, Jr. shall reimburse the Disciplinary Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.18934 - In re: Robert Michael Voltl. Disciplinary Commission.

The motion by Robert Michael Voltl to strike his name from the roll of attorneys licensed to practice law in Illinois pursuant to Supreme Court Rule 762(a) is allowed, effective immediately.

Order entered by the Court.

M.R.18945 - In re: Vincent J. Krocka. Disciplinary
Commission.

The motion by movant Vincent J. Krocka to transfer
to disability inactive status pursuant to Supreme
Court Rule 758 is allowed, and movant is
transferred to disability inactive status until
further order of the Court.

Order entered by the Court.

SUPREME COURT OF ILLINOIS

COURT CONVENEED AT 9:30 A.M., MONDAY, SEPTEMBER 22, 2003

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

ADVISEMENT DOCKET

No. 96901 - Archer-Daniels-Midland Company, movant, v. Hon. Nicholas G. Byron, Judge of Third Judicial Circuit, et al., etc., respondents.

Motion by movant to withdraw motion for a supervisory order.

No. 96932 - Bondex International, Inc., et al., movants, v. Hon. Lola P. Maddox, Associate Judge of the 3rd Judicial Circuit, et al., respondents.

Motion by movants for stay of proceedings in the Circuit Court of Madison County in Bondex International, Inc., et al., v. Thompson et al., No. 03 L 163, pending disposition of the motion for a supervisory order.

NO. 96933 - Bondex International, Inc., et al., etc., movants, v. Hon. Lola P. Maddox, Associate Judge for the 3rd Judicial Circuit, et al., etc., respondents.

Motion by movants for stay of proceedings in the Circuit Court of Madison County in Bondex International, Inc., et al., v. Joiner, etc., et al., No. 02 L 361, pending disposition of the motion for a supervisory.

No. 96934 - The Flintkote Company et al., movants, v. Hon. Lola P. Maddox, Associate Judge of the 3rd Judicial Circuit, et al., respondents.

Motion by movants for stay of proceedings in the Circuit Court of Madison County in Flintkote Company, Inc., et al., v. Smith, No. 03 L 0169, pending disposition of the motion for a supervisory order.

PEOPLE'S DOCKET

No. 96987 - People State of Illinois, appellee, v. Salvador Lopez, appellant.

Motion by appellant for bond on appeal.

CIVIL DOCKET

No. 96920 - Union Carbide Corporation, appellant, v. Thomas Knight et al., appellees.

Motion by appellant for leave to file supplemental record instant.

Motion by appellant to withdraw motion for direct appeal pursuant to Supreme Court Rule 302(b) or, in the alternative, motion for a supervisory order.

LEAVE TO APPEAL DOCKET

No. 96611 - First State Bank of Harvard, etc., et al., respondents, v. J. Gale Brown et al., petitioners.

Motion by petitioners, pro se, for leave to file objections instant to misrepresentation and false statements in the answer to petition for leave to appeal.

No. 96798 - Dwayne W. Bishop, petitioner, v. Dewana V. Bishop, respondent.

Motion by petitioner, pro se, to recall the mandate of the Appellate Court, First District, in Bishop v. Bishop, case No. 1-01-2341, pending disposition of the petition for leave to appeal. Motion denied as moot.

order entered by Justice Freeman.

No. 96909 - Lisa P. Theis et al., respondents, v. Edward A. Berg, M.D. (Stanley W. Fronczak, M.D., petitioner).

Motion by EHS Good Samaritan Hospital-Advocate to join in and adopt the petition for leave to appeal.

No. 96961 - People State of Illinois, respondent, v. Thomas Testa, petitioner.

Motion by petitioner for an extension of time for filing petition for leave to appeal to and including October 15, 2003.

No. 96990 - Larry Wheaton et al., petitioners, v. M. Steven Suwana, M.D., F.A.C.S., respondent.

Motion by petitioner for leave to file petition for leave to appeal *instanter*. Motion allowed.

Order entered by Justice Freeman.

MISCELLANEOUS RECORD

M.R.18666 - In re: Bruce F. Bowman. Disciplinary Commission.

Motion by Bruce F. Bowman for leave to file reply *instanter* to Administrator's response to motion to stay or recall mandate for certiorari.

Motion by Bruce F. Bowman for reconsideration of this Court's order of September 8, 2003, denying the motion to stay or recall mandate for certiorari.

M.R.18988 - In re: Wendy L. Macilwaine, an attorney, petitioner.

Motion by petitioner for leave to change her name on the roll of attorneys from Wendy L. Macilwaine to Wendy L. Bendersky. Motion allowed.

Order entered by Chief Justice McMorrow.

M.R.18989 - In re: Kathy K. Karaboyas, an attorney, petitioner.

Motion by petitioner for leave to change her name on the roll of attorneys from Kathy K. Karaboyas to Kathy Karaboyas Malamis. Motion allowed.

Order entered by Chief Justice McMorrow.

M.R.18990 - In re: Tamara Ronette Bopp, an attorney,
petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Tamara Ronette Bopp
to Tamara Ronette Chandler. Motion allowed.

Order entered by Chief Justice McMorrow.

M.R.18991 - In re: E. Brooke Harkrader, an attorney,
petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from E. Brooke Harkrader
to E. Brooke Halleran. Motion allowed.

Order entered by Chief Justice McMorrow.

M.R.18992 - In re: Karen Leigh Sugden, an attorney,
petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Karen Leigh Sugden
to Karen Sugden Manley. Motion allowed.

Order entered by Chief Justice McMorrow.

M.R.18993 - In re: Stephanie Ruth Poe. an attorney,
petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Stephanie Ruth Poe
to Stephanie Poe Saur. Motion allowed.

Order entered by Chief Justice McMorrow.

M.R.18995 - In re: Susan M. Smiley. an attorney, petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Susan M. Smiley to
Susan M. Lorenc. Motion allowed.

Order entered by Chief Justice McMorrow.

M.R.18996 - In re: Diana C. Wanzenberg, an attorney,
petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Diana C. Wanzenberg
to Diana Marie Chafey. Motion allowed.

Order entered by Chief Justice McMorrow.