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2/9/2022 12:20 PM
IRIS Y. MARTINEZ
CIRCUIT CLERK
COOK COUNTY, IL
2016D009534
Calendar, 63

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, DOMESTIC RELATIONS DIVISION

IN RE THE MARRIAGE OF:)
PETER MATT,)
Petitioner,)
) No. 2016 D 9534
And)
)
MEGAN MATT,)
Respondent.)

PETITION FOR RULE TO SHOW CAUSE

NOW COMES, the Petitioner, PETER MATT, individually and by and through his attorneys, KATZ, GOLDSTEIN & WARREN, and pursuant to Sections 511 and 508 of the Illinois Marriage and Dissolution of Marriage Act ("IMDMA")(750 ILCS 5/511, 5/508) and Cook County Rule 13.8, hereby respectfully requests that this Honorable Court compel the Respondent, MEGAN MATT, to comply with the November 20, 2019 Order, and issue rule against MEGAN MATT for her non-compliance with same. In support thereof, PETER MATT states as follows:

1. The parties were married on January 24, 2007 in New York.
2. As a result of their marriage, two children were born to parties, namely: A [REDACTED] 2008; and T [REDACTED] 2012.
3. On September 27, 2017 a Judgment for Dissolution of Marriage (Judgment), incorporating a Marital Settlement Agreement, was entered in this matter, thereby dissolving the bonds of matrimony between the parties. A copy of the Judgment is attached hereto and incorporated herein *by reference only* as **Exhibit "A."**
4. On September 27, 2017, an Allocation Judgment and Joint Parenting

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Agreement (JPA) was also entered in this matter allocating parenting time and joint decision-making authority amongst the parties. A copy of the JPA is attached hereto and incorporated herein *by reference only* as **Exhibit "B."**

5. On November 20, 2019, an Order was entered providing that PETER MATT shall maintain health insurance for the children, the parties shall research a therapist to focus on communicating parenting tissues, and that A [REDACTED] ABA therapy shall continue. A copy of the November 20, 2019 Order is attached hereto and incorporated herein as **Exhibit "C."**

6. MEGAN MATT has repeatedly and consistently violated the terms of the parties' Judgment, JPA, and this Court's November 20, 2019 Order. As such, PETER MATT seeks rule to issue against MEGAN MATT for her violations and a finding of indirect civil contempt of court against her.

7. MEGAN MATT has a long history of refusing to co-parent and has continued to behave in a manner inconsistent with the best interests of the parties' minor children, including her inability to efficiently communicate with PETER MATT regarding parenting related athletic and educational activities for the children and unilaterally terminating the therapy and services for Angus.

8. MEGAN MATT's inability to co-parent, communicate, and refusal to participate in prior mediation necessitated court intervention on multiple occasions and ultimately lead to the appointment of a guardian *ad litem*, Michael Bender, in June of 2019.

9. The parties' son, A [REDACTED] has developmental disabilities and the parties

have engaged the use of a psychologist, therapist, and psychiatrist for his treatment.

10. A [REDACTED] treatment also involves a behavioral therapy known as "ABA therapy." ABA therapy is essential to A [REDACTED] treatment and is considered the "gold standard" of behavioral therapy.

11. Despite the necessity of continued participation in ABA therapy, MEGAN MATT has consistently refused to take A [REDACTED] to ABA therapy during her parenting time.

12. MEGAN MATT's noncompliance, however, is not unfamiliar to PETER MATT nor the Court in this post- decree litigation. In fact, MEGAN MATT was previously held in contempt of Court for her failure to comply with the Court's November 20, 2019 Court Order pursuant to an order entered by the Court on August 21, 2020. A copy of the August 21, 2020 Order is attached hereto and incorporated herein as **Exhibit "D."**

13. Specifically, to guarantee A [REDACTED] participation in ABA therapy, an order was entered on November 20, 2019, which states, in pertinent part:

"1. Peter Matt is ordered to obtain and maintain health insurance for the minor children, subject to reallocation as of the date he obtains the policy. Peter shall begin the search for insurance within 18 hours.

3. The parties shall research a therapist to work with the parties regarding communication on parenting issues.

4. ABA therapy shall continue. Both parties shall continue to be responsible for same. Megan's ability to pay her portion shall be revisited at next court."

See Exhibit "C."

14. Notwithstanding the November 20, 2019 and August 21, 2020 Court Orders, MEGAN MATT again terminated A [REDACTED] ABA Therapy on or about December 21, 2021.

15. Further, MEGAN MATT's decision was unilateral, in contravention of the parties' Allocation Judgment.

16. MEGAN MATT's contumacious behavior is harmful to the well-being of the parties' minor child. MEGAN MATT's vexatious conduct is being done for no other reason than to harass PETER MATT and increase the cost of litigation, at the expense of her children. MEGAN MATT has demonstrated a clear pattern of her intent to violate the terms of the Court's orders and, true to form, her blatant refusal to take Angus to ABA therapy is a continuation of said conduct.

17. Additionally, the Court appointed a Section 604.10(b) expert, Dr. Blechman. Dr. Blechman has prepared a preliminary report on February 7, 2022 recommending that PETER MATT be the sole decision maker for A [REDACTED] treatment for the foreseeable future. (Dr. Blechman further believes that PETER MATT should have sole decision making for Theodore.) A copy of the Dr. Blechman's February 7, 2022 recommendations are attached hereto and incorporated herein as **Exhibit "E."**

18. MEGAN MATT should be held in indirect civil contempt of court for her failure and refusal to comply with the provisions of the November 20, 2019 Order.

19. Additionally, Section 5/508(b) of the IMDMA, states in pertinent part, as follows:

"In every proceeding for the enforcement of an order or judgment

when the court finds that the failure to comply with the order or judgment was without compelling cause or justification, the court shall order the party against whom the proceeding is brought to pay promptly the costs and reasonable attorney's fees of the prevailing party." 750 ILCS 5/508(b).

20. PETER MATT has been forced to incur fees as a result of MEGAN MATT's non-compliance and improper conduct. Therefore, MEGAN MATT must be ordered to pay the reasonable attorney fees and costs incurred in connection with the enforcement of the Order and as a result of her improper conduct, in accordance with Section 508(b) of the Illinois Marriage and Dissolution of Marriage Act. 750 ILCS 5/508(b).

WHEREFORE, the Petitioner, PETER MATT, individually and by and through his attorneys, KATZ, GOLDSTEIN & WARREN, respectfully prays as follows:

- A. That this Honorable Court issue a rule against MEGAN to show cause, if any, why she should not be held in indirect civil contempt of court for her failure to comply with the Allocation Judgment and the Order entered on November 20, 2019, as alleged herein;
- B. That this Honorable Court enter an order granting PETER MATT sole allocation of parental responsibilities over Angus's medical and treatment decisions;
- C. That MEGAN MATT be required to purge her contempt by complying with the ABA therapy as solely scheduled by PETER MATT; and,

D. For such further relief this Court deems necessary and just.

Respectfully submitted,




PETER MATT

Christopher D. Wehrman (cwehrman@kgwlaw.com)
Katz, Goldstein & Warren
410 N. Michigan Ave., Ste. 400
Chicago, Illinois 60611
(847) 317-9500
#35921

ATTORNEY'S STATEMENT


I, the undersigned, state that I am one of the attorneys employed by the firm of KATZ, GOLDSTEIN & WARREN and representing the party who has signed the foregoing pleading. I certify that I have read the foregoing pleading and that to the best of my knowledge, information and belief, formed after reasonable inquiry of my client, said pleading is well grounded in fact and is warranted by existing law or a good faith argument for the extension, modification or reversal of existing law, and that said pleading is not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.

KATZ, GOLDSTEIN & WARREN

By: 
One of the attorneys for PETER MATT

CLIENT'S VERIFICATION

UPON PENALTY OF PERJURY, I, the undersigned, state that I have read the foregoing pleading. I further state that this pleading is being filed with my consent and as part of my attorney's required duties in representing me. I further state that my attorney has explained to me that by signing this pleading and this verification, I am acknowledging that my attorney is acting with my consent and at my direction and that my attorney has based his statement on the factual information provided to him by me, as well as upon his investigation thereof.


PETER MATT

Christopher D. Wehrman (cwehrman@kgwlaw.com)
Katz, Goldstein & Warren
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(847) 317-9500
#35921

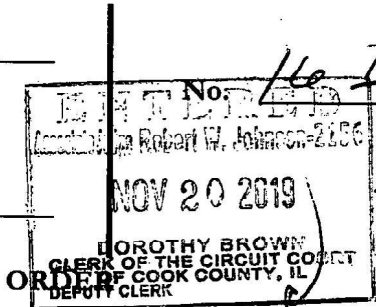
IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Peter Matt

v. Pet.

Megyn Matt

Resp



16-D-9534

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This matter coming before the court for hearing on Child Rep's petition for fees, the parties, their respective attorneys, and the Child Rep being present, and the court being fully advised in the premises, it is so ORDERED.

~~① Peter Matt is ordered to obtain and maintain health insurance for the minor children, subject to reallocation, as of the date he obtains the policy. Peter shall begin the search for insurance within 48 hours.~~

① Peter Matt is ordered to obtain and maintain health insurance for the minor children, subject to reallocation, as of the date he obtains the policy. Peter shall begin the search for insurance within 48 hours.

② Megyn Matt is ordered to pay Michael Bender \$1429 w/i 90 days.

③ The parties shall research a therapist to work with the parties regarding communication on parenting issues.

④ ABA therapy shall continue. Both parties shall continue to be responsible for same in equal ability to pay. Her portion shall be revisited at next court.

Attorney No.: 39719
 Name: Bral Nomburg
 Atty. for: Resp
 Address: 3257 N. Sheffield
 City/State/Zip: Chy 60617
 Telephone: 773 784 9900

ENTERED: ⑤ Status is set for January 14, 2020 at 9:30 AM

Dated: _____

 Judge _____ Judge's No. _____

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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, DOMESTIC RELATIONS DIVISION

IN RE: THE MARRIAGE OF)
PETER MATT,)
Petitioner,)
)
and)
)
MEGAN MATT,)
Respondent.)

Associate Judge Robert W. Johnson

Case No. 2016 D 9534

AUG 21 2020

Circuit Court-2156

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ORDER

This cause coming before the Court for a hearing on Peter Matt's two count Petition for Rule to Show Cause, both parties appearing remotely with their counsel and the Guardian Ad Litem appearing, and the Court holding an evidentiary hearing and otherwise being advised,

IT IS ORDERED:

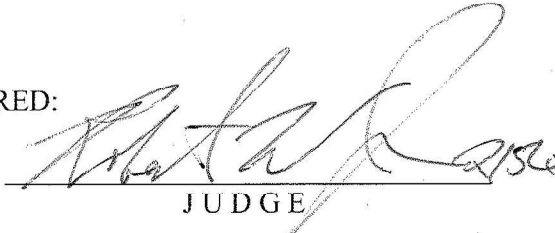
1. Peter Matt's Petition for Rule to Show Cause, Count I, is granted in part and denied in part. The Court finds that Megan Matt willfully and contumaciously failed to participate in the court ordered ABA therapy for Angus in violation of the Allocation Judgment and the obligation to co-parent on Significant Decisions, and therefore is found to be in indirect civil contempt of court following the issuance of a Rule and her failure to provide a legally sufficient reason for failure to comply with the Allocation Judgment, but she did not violate the Allocation Judgment as it alleged as to soccer, religion, and a new psychiatrist.
2. Peter Matt's Petition for Rule to Show Cause, Count II, is granted. The Court finds that Megan Matt willfully and contumaciously failed to participate in the court ordered ABA therapy for Angus in violation of the November 20, 2019 Court Order, and therefore is found to be in indirect civil contempt of court following the issuance

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of a Rule and her failure to provide a legally sufficient reason for failure to comply with the November 20, 2019 Court Order.

3. The purge shall be determined by the Court at the next Court date.
4. Peter Matt has leave to file a motion for Section 508(b) attorney's fees.
5. This matter is set for status on all pending issues and GAL report on August 28, 2020 at 8:30 a.m.

ENTERED:


JUDGE

#29558
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Attorneys for Peter Matt

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February 7, 2022

Michael Ian Bender, Esq.
150 North Michigan Avenue, Suite 2130
Chicago, Illinois 60601

Re: Former Marriage of Matt and Mason

Dear Mr. Bender:

I am the 604.10 (c) Evaluator in the above named case. On January 11, 2022. I received an emailed letter from Megan Mason which I believe also copied you. That email made it clear that Ms. Mason was refusing to cooperate further with the evaluation until “the Appeal on the substitution of judge for cause is ruled upon...” She made clear her notion that there were no parentage issues to deal with. She noted various resources we could utilize if we had concerns about parenting of either A [REDACTED] or T [REDACTED]. I do have concerns about parenting issues with both children which I express here in letter form rather than a 604.10(c) Report.

I had occasion to observe A [REDACTED] and T [REDACTED] on Saturday, February 5, 2022. Before that observation, Mr. Matt emailed the following:

“Megan’s motion to substitute the judge was denied and she is now appealing that. To do this she needs to file a bystander report. She wants to do this with the help of a recording she did or one of her fellow church members, who observed the hearing, did. I feel this can backfire on her, since it is illegal to record a court hearing. During the hearing I was a little frightened to hear how her mind works these days. She was saying things like: “...you know, first of all, I love democracy. And January 6, 2020 (sic), I saw people storming the Capital (sic). So, I feel spiritually and emotionally called to protect democracy, And my understanding of a judge’s role in an American courtroom is that it is a sacred duty to uphold the judicial process in that court And so, Mr. Trowbridge’s (her former lawyer) malfeasance only matters here because Judge Johnson, Mr. Wehrman, and Mr. Bender observed it over the course of four months, and did nothing to intervene. “[...]”I think the appointment of Michael Bender without any legal proceeding (sic) was an illegal appointment. And I believe it was related to Judge Johnson’s bias against women, perhaps, against divorced women? I don’t know. I don’t really have to prove

EXHIBIT E

that. I just know, I am an American citizen, and a mother with a divorce agreement and guardian ad litem was appointed. And I see it as bias.”

Due to the completion of her motion we now have a judge (the former one) again for our case. Now my lawyer can file something because A [REDACTED] still doesn't have ABA. Megan doesn't allow ABA because she doesn't like that the therapist is unvaccinated and she doesn't like the therapist's work in general. Megan is held in contempt for not allowing ABA so I am wondering what happens next. Fact is finding a new ABA will take time. Onboarding in regular circumstances can already take 3 months. I know this because we have been bouncing around between therapists many years now. By now we have gone through around a dozen evaluation and onboarding processes.

T [REDACTED] is not allowed to go to soccer practice during her time, because Megan thinks he does enough soccer with me. The back and forth between Megan's opinion about soccer is frustrating to T [REDACTED] I can imagine. He is a great player and he has the dream to become pro and certainly has the opportunity. He is willing to put in the work, but he needs to be allowed to do so. Last week T [REDACTED] scored a 91% in the national MAP test for reading and 77% for math. i.e. is doing great academically. He is very proud of this but doesn't agree with me that it might be due to his work with the Northwestern Gifted Program. He likes to work hard, but sometimes his initial reaction is “I rather watch TV”

A [REDACTED] has no ABA and I believe he is a bit regressing due to that. He moved from regular PE to adaptive PE, and he regularly spitting, hitting, kicking smashing windows, disrobing and toileting issues i.e. stool on clothes. I think this is worse than last year. The school says he needs to sleep more, but the medicine (Strattera) makes him anxious, etc., which also impacts his sleep. I will request a meeting with the school and with the psychiatrist to discuss. When only Megan and me are discussing with the psychiatrist she will get opposing views (maybe out of principle). The meds also have some impact on his overall participation in Special Olympics, which he is doing with me. He has been swimming 3 times per week, but one team doesn't allow his participation anymore, because he has gotten too weak and doesn't swim the whole pool length consistently. I guess this is mainly due to the increased anxiety and drowsiness, which probably is the medicine side effect.

Regards,
Peter

When I saw T [REDACTED] on February 5th, he was under good control as opposed to the time I saw him with his mother. He was not anxious and not running around the room saying bizarre things about how unable he thought himself to be. He was proud of doing well in school, but, as many children, resented that he had to spend extra time going to school. In general, I saw a very bright boy who appeared perfectly normal.

A [REDACTED] was obviously anxious, intolerant of being in my office and had a number of tics and peculiar behaviors. He only related to his father and not to me.

This is an interim report with interim recommendations.

Megan apparently sees no problem with her parenting but I think keeping her autistic child out of the appropriate therapy is a form of child abuse. Therefore, I recommend that her decision making about A [REDACTED] treatment be modified so that Peter Matt is the sole decision-maker for the present and foreseeable future.

Similarly, T [REDACTED] is doing well and even though he dislikes the extra education at the Northwestern Program is thriving. Importantly, I did not see the obviously disturbed kid I saw last summer with his mother. Therefore, I think father should have sole decision making for T [REDACTED] as well. If Megan attempts to interfere with either A [REDACTED] or T [REDACTED] treatment, her parenting time should be curtailed.

If you have further questions, don't hesitate to call.

Respectfully,

Gerald A. Blechman, Ph.D.
Licensed Clinical Psychologist
Nationally Certified Custody Evaluator