

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.)

No. 2016 D 9534

PETER MATT'S RULE 137 PETITION FOR SANCTIONS

NOW COMES the Petitioner, PETER MATT, by and through his attorneys from the law firm of KATZ, GOLDSTEIN & WARREN, and pursuant to Illinois Supreme Court Rule 137 and Section 508(b) of the Illinois Dissolution of Marriage Act, moves this honorable Court to issue sanctions against MEGAN MATT. 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:
Angus, born August of 2008; and Theodore, born February of 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. **See Exhibit A, Judgment and Marital Settlement Agreement, incorporated by reference.**
4. On September 27, 2017, an Allocation Judgment and Joint Parenting Agreement (JPA) was also entered in this matter allocating parenting time and

joint decision-making authority amongst the parties. **See Exhibit B, Allocation Judgment, incorporated by reference.**

5. There has been significant post-decree litigation related to the minor children including multiple petitions for rule to show cause filed by Peter Matt (which have been granted or granted in part), petitions for rule to show cause filed by Megan Matt (leading to the appointment of a Section 604.10(b) evaluator), a recent serious of motions filed by Megan Matt to increase the costs of litigation and otherwise seek to embarrass and defame Peter Matt along with his counsel, the GAL, the Court, and the court staff.
6. Megan Matt is representing herself pro se.
7. Peter Matt caused a Petition for Rule to Show Cause to be filed on February 9, 2022 whereby he alleged that Megan Matt failed to comply with the Court's orders related to ABA Therapy for the parties' eldest child. Following an evidentiary hearing on April 4, 2022, Megan Matt was held in contempt of Court for her failure to comply with the Court's November 19, 2019 Court Order. **See Exhibit C, April 4, 2022 Court Order.**
8. Megan Matt filed a Motion to Dismiss Peter Matt's February 9, 2022 Petition for Rule to Show Cause (which was denied on April 4, 2022). **See Exhibit D, Megan Matt's Motion to Dismiss, incorporated by reference.** Among her allegations in the motion were:

- a. "There is a long well documented history of fraud, deceit and abuse of power by officers of the court and court appointees involved in this case which makes all actions by court appointees subject to extra scrutiny." **Ex. D, p. 4.**
 - b. "...Mr. Matt is so obviously and objectively impaired in his abilities to parent, to make decisions and to act ethically that it is impossible that Dr. Blechman could prepare a report based on facts such as documentary evidence, psychological assessments and visit notes that suggests Mr. Matt is capable of decent parental decision making or care." **Ex. D, p. 4.**
 - c. "Should Dr. Blechman purjor himself or exercise ethical misconduct, for example by conducting psychological assessments of the parties and then hiding these assessments from the Court, he would jeopardize his license as a psychologist in the state of illinois (sic)." **Ex. D, p. 4.**
 - d. "...I allege that Dr. Blechman is seeking to avoid disclosing reports of child abuse by Mr. Matt raised by the children's doctors on repeated occasions." **Ex. D, p. 4.**
 - e. "Should it be revealed that Dr. Blechman, along with Mr. Michael Bender, hid credible reports of abuse and child endangerment, both parties' reputations would suffer." **Ex. D, p. 4.**
9. Megan Matt further alleges in her Motion to Dismiss the following:
- a. "Mr. Bender, as Guardian Ad Litem, and Mr. Wherman (sic), as opposing counsel, are also witness to a documented solicitation of a bribe by a public official during the course of his appointed duties on December 5th, 2020 by Dr.

John Palen, a court appointed parenting coordinator and close colleague of Mr. Bender who Mr. Bender personally asked to be appointed. **Ex. D, p. 5.**

- b. “Mr. Bender has hidden allegations of domestic violence by Mr. Matt including reports by credible third parties such as doctors, police and clergy.” **Ex. D, p. 5.**
- c. “Mr. Bender and Mr. Wehrman have both hidden criminal tax fraud and money laundering by Mr. Matt.” **Ex. D, p. 5.**

10. This was not the first time Megan Matt has filed a pleading with baseless and defamatory allegations. On November 30, 2021, Megan Matt filed her Petition To Substitute Judge For Cause. **See Exhibit E, Megan Matt’s Motion for Substitution of Judge, incorporated by reference.** In her Petition, Megan Matt alleges:

- a. “On December 5, 2020, Dr. John Palen, parenting coordinator, accidentally copied me on an email including Mr. Bender; Mr. Christopher Wehrman, opposing counsel; and Ms. Kaye Mason, Judge Johnson’s clerk...” **Ex. E, p. 3.**

“b. This email is evidence of inappropriate ex parte communication wherein all parties in this case, except me, are given access to communicate with each other and with Judge Johnson via his clerk, on an ongoing, secretive basis.” **Ex. E, p. 3.**

“c. This private email thread almost certainly gives the opposing parties in this matter a tactical advantage. This is on the face of it evidence of profound bias and prejudice toward me.” **Ex. E, p. 3.**

- b. “The second instance of ex parte communication observed by me occurred on

May 27, 2021...” **Ex. E, p. 4.**

“k. As a basis for his special treatment Mr. Wehrman suggests that because Judge Johnson appointed a custody evaluator no matters should be heard. This is simply unimaginable.” **Ex. E, p. 5.**

“n. Ms. Mason agreed to follow Mr. Wehrman’s instructions and set aside Cook County Domestic Relations Division policies in order to see if Judge Johnson would grant Mr. Wehrman his favor of blocking the hearing.” **Ex. E, p. 5.**

“o. According to an email from Ms. Mason, without any reference to a legal basis, Judge Johnson verbally approved this favor to Mr. Wehrman and ordered her to cancel my duly scheduled hearing date.” **Ex. E, p.5.**

“q. On the face of it these events demonstrate an unequal relationship wherein Petitioner’s counsel is allowed to seek and receive favors outside of open court to my detriment.” **Ex. E, p. 6.**

“s. Because Petitioner is given the ongoing opportunity to discuss any number of matters with Judge Johnson via his clerk on an ex parte basis and I have been strictly rebuked for any communication to Ms. Kaye Mason that is not routine scheduling, which is to say legally allowable, there is an inherent imbalance.” **Ex. E, p. 6.**

- c. “One factor that has contributed to rulings not based in fact and the denial of due process by Judge Johnson is the appointment of Michael Bender as Guardian Ad Litem.” **Ex. E, p.13.**

- d. “During discussions to which I was not privy, Mr. Bender proffered to Mr. Wehrman a custody evaluation, with a custody evaluator hand selected by Mr. Bender, in exchange for denying me due process.” **Ex. E., p. 15.**
 - e. “Mr. Wehrman said, “Your honor, she just wants to show I’m laundering money for my client”. **Ex. E, p. 16.**
 - f. “Mr. Wehrman makes generalized, untrue, disparaging statements not related to the proceedings such as “That woman lies”, “This woman doesn’t care about her children”, “That woman can’t be trusted”, “That woman doesn’t want to take care of her kids”. **Ex. E, p. 16.**
11. Megan Matt further filed a Petition to Transfer Venue in the Interest of Justice on February 16, 2022. **See Exhibit F, Megan Matt’s Petition to Transfer Venue in the Interest of Justice, incorporated by reference.** In her petition, Megan Matt alleges:
- a. “The staff, appointees and employees who collectively determine legal outcomes in the Domestic Relations Division of the Circuit Court of Chicago are so biased against me and the undue influence in favor of my former husband, Peter Matt, is so great, that an immediate transfer of venue is necessary.” **Ex. F, p. 3.**
 - b. “...I have also been forced to participate in criminal activity by court order on two occasions.” **Ex. F, p. 10.**
 - c. “Mr. Matt does not believe in the traditional taxation system and therefore keeps his considerable family wealth and assets hidden abroad.” **Ex. F, p. 10.**

- d. "...Mr. Matt enjoys displaying a facade of poverty and on two occasions he has engaged in welfare fraud." **Ex. F, p. 11.**
- e. "...Mr. Matt was supported by Dr. John Palen, the court ordered parenting coordinator, in attempting to force me to engage in a criminal scheme." **Ex. F, p. 11.**
- f. "I fear A [REDACTED] identity may be used to launder money, by disguising funds from businesses not disclosed to the IRS as gifts or loans from A [REDACTED] wealthy German grandfather to A [REDACTED] for his care;" **Ex. F, p. 13.**
- g. "I fear A [REDACTED] disability and minor child status may be exploited in order to create trusts, businesses and other structures wholly intended to launder money, remit payment to other parties and to evade taxation;" **Ex. F, p. 13.**
- h. "I fear A [REDACTED] disability and minor child status may be used as a basis to appoint individuals as executors, guardians, trustees or other paid roles for as a means to receive kickbacks or bribes;" **Ex. F, p. 13.**
- i. "I fear A [REDACTED] identity may be used as a means for further fraudulent activity of the type already proposed by Mr. Matt." **Ex. F, p. 13.**
- j. "Given that A [REDACTED] has already been the target of an open scheme to defraud him, supported by appointees of this court..." **Ex. F, p. 13.**
- k. "One bank account is held at Wintrust. Mr. Matt shares this account with his father, Leo Matt, who resides in Germany. This account has been used to wire funds from Mr. Matt's unreported businesses: Goedecke Germany, Goedecke Poland and Goedecke India as well as cash from the over \$1 million I know Mr.

- Matt to hold in personal investments and accounts held abroad.” **Ex. F, p. 14.**
- l. “It is my belief that Judge Johnson did not wish to embarrass Mr. Bender and Mr. Wehrman by letting the Motion for Financial Allocation and subpoenaed documents be revealed in open court.” **Ex. F, p. 15.**
 - m. “I have also observed and documented child abuse and neglect by Mr. Matt which court appointees have aggressively hidden.” **Ex. F, p. 15.**
 - n. “Mr. Bender in his role as Guardian Ad Litem has sought to hide reports of Mr. Matt’s abusive behaviors or parental unfitness on repeated occasions.” **Ex. F, p. 16.**
 - o. “Mr. Bender agreed not to allow any of the disturbing matters presented in the above Petitions to be heard as part of the deal with Mr. Wehrman to initiate a Custody Evaluation.” **Ex. F, p. 16.**
 - p. “Subsequent to these filings, reports of domestic violence have been raised by myself and credible third parties but Mr. Bender has sought to mischaracterize or hide these reports in order to protect his own and Mr. Matt’s reputation.” **Ex. F, p. 17.**
 - q. “I asked T [REDACTED] if his father ever hit him (T [REDACTED]). He nodded his head. I asked him where his dad hit him, he put his hand on his right cheek.” **Ex. F, p. 18.**
 - r. “... the Custody Evaluation was proffered as a means to hide money laundering, tax fraud, and reports of abuse by credible third parties such as police and clergy.” **Ex. F, p. 22.**
 - s. “Mr. Wehrman further used his private influence with Judge Johnson to hide

evidence of Mr. Matt's parental misconduct." **Ex. F, p. 22.**

t. "I am subject to ongoing interference and fraudulent behaviors using the court's technology." **Ex. F, p. 23.**

12. Peter Matt has been forced to pay substantial funds to not only respond to the allegations in these pleadings, but also to litigate them. Megan Matt's Motion to Dismiss was denied she was found in contempt of court following an evidentiary hearing on Peter Matt's Petition for Rule to Show Cause, her Motion for Substitution of Judge for Cause was denied, and she chose not to prosecute her Motion to Transfer Venue following the hearing on the Petition for Rule to Show Cause.
13. Trial courts may grant sanctions under 137 at their discretion. *William J. Templeman Co. v. W.E. O'Neil Constr. Co.*, 1998 Ill. App. LEXIS 587 (1st Dist. 1998).
14. Rule 137 provides for the imposition of sanctions if any "pleading, motion, or other document is signed in violation of this rule, the court, upon motion or upon its own initiative, may impose upon the person who signed it, a represented party, or both, an appropriate sanction, which may include an order to pay to the other party or parties the amount of reasonable expenses incurred because of the filing of the pleading, motion or other document, including a reasonable attorney fee."
15. Deliberately lying, obstructing justice, and misrepresenting facts are sanctionable under Rule 137.

16. Rule 137 requires that litigants who sign a pleading, motion, or other paper certify that he has read the document, has made a reasonable inquiry into its basis, and believes that the statements contained therein are “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 it is not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.” *Cretton v. Protestant Mem’l Med. Ctr., Inc.*, 371 Ill. App. 841, 864 (5th Dist. 2007).
17. Rule 137 serves to prevent parties in a legal action from asserting allegations unfounded in fact or law.
18. Rule 137 provides for the imposition of sanctions against those who make improper pleadings.
19. Pursuant to Illinois Supreme Court Rule 137(a), a party’s signature on a pleading certifies that to the best of the attorney’s knowledge, information, and belief formed after reasonable inquiry the pleading is well-grounded in fact and is warranted by existing law. Ill. Sup. Ct., R 137(a).
20. A party’s signature on a pleading also verifies that the pleading is not interposed for any improper purpose. *Id.* Rule 137 further permits the court to sanction the signor if a pleading is signed in violation of Rule 137. *Id.* The sanction may include an order to pay to the other parties the amount of reasonable expenses incurred because of the filing of the pleading, including a reasonable attorney fee. *Id.*

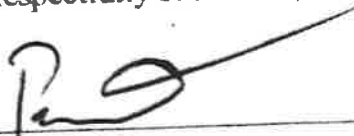
21. Sanctions “prevent abuse of the judicial process by penalizing claimants who bring vexatious and harassing actions based upon unsupported allegations of fact or law.” *Fremarek v. John Hancock Mutual Life Insurance Co.*, 272 Ill. App. 3d 1067, 1074 (1995).
22. A party seeking Rule 137 sanctions must show that the opposing party made false allegations without reasonable cause. *Cretton v. Protestant Mem’l Med. Ctr., Inc.*, 371 Ill. App. 841, 864 (5th Dist. 2007) (upholding imposition of Rule 137 sanctions). The trial court must employ an objective standard to determine whether a party made reasonable inquiry. *Id.* A party’s subjective good faith in signing the pleadings is insufficient to avoid Rule 137 sanctions. *Id.* Courts determine reasonableness by looking to the facts and circumstances that existed at the time a pleading was filed. *Id.*
23. Megan Matt’s pleadings identified above were submitted and argued in bad faith.
24. Rule 137 sanctions against Megan Matt are appropriate.
25. This Court should impose sanctions against Megan Matt.

WHEREFORE, Petitioner PETER MATT respectfully requests that this Court:

- A. Impose sanctions against Megan Matt;
- B. Grant Attorney’s Fees and costs in favor of Peter Matt; and,

C. Grant any further relief this Court deems just.

Respectfully submitted,



PETER MATT

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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.

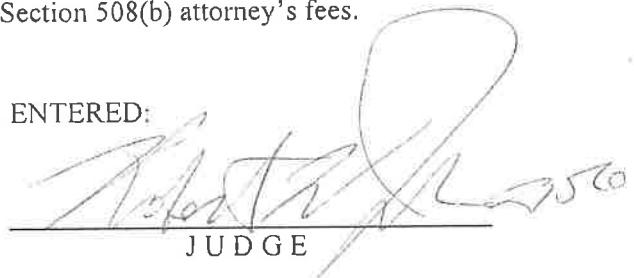


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3. Peter Matt shall be solely responsible for the scheduling, paperwork, consent, and related functions for ABA Therapy, and may use Positive Behavior Supports Corporation as the service provider if they are available, pursuant to the therapist's recommendations during both parties' parenting time as necessary. Megan Matt shall participate in the ABA Therapy process for A [REDACTED] as required by the service provider to ensure that services are provided and continued for A [REDACTED] and shall not otherwise cause the ABA Therapy to stop nor undermine Peter Matt's ability to proceed with same for Angus.
4. Megan Matt's Motion to Transfer Venue is dismissed for want of prosecution.
5. Peter Matt has leave to file a motion for Section 508(b) attorney's fees.

ENTERED:



JUDGE

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