

FILED
4/28/2022 3:33 PM
ATTORNEY IRIS Y. MARTINEZ
CIRCUIT CLERK
COOK COUNTY, IL
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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) No. 2016 D 9534
)
MEGAN MATT,)
Respondent.)

**PETER MATT’S MOTION FOR ENTRY OF
QUALIFIED MEDICAL CHILD SUPPORT ORDER**

NOW COMES the Petitioner, PETER MATT, by and through his attorneys, KATZ,
GOLDSTEIN & WARREN, and as for his Motion for Entry of Qualified Medical Child Support
Order (“QMCSO”) pursuant to Section 505 of the Illinois Marriage and Dissolution of Marriage
Act, 750 ILCS 5/505.2, states as follows:

1. On August 27, 2017, a Judgment for Dissolution of Marriage incorporating the parties’ Marital Settlement Agreement (“MSA”) attached hereto by reference as **Exhibit “A”**.
2. As a result of the marriage, two children were born to the parties, namely A [REDACTED] born in 2008, and T [REDACTED] born in 2012.
3. A Custody Judgment and Parenting Agreement entered by this Court on September 27, 2017 is attached hereto by reference as **Exhibit “B”**.
4. Although the MSA obligates Peter Matt to maintain health insurance for the minor children, Megan Matt requested, and Peter Matt agreed, to allow Megan Matt to insure the children on her health insurance with her employer as she believed her health insurance provided better coverage at a lower cost.

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5. The parties' eldest child has a disability requiring the use of ABA Therapy. Megan Matt has been found in contempt of court numerous times for her failure to comply with court orders regarding said therapy.

6. Further, this Court gave Peter Matt the right to engage in ABA Therapy services for A [REDACTED]

7. In order to ensure that appropriate ABA Therapy is covered by insurance, and due to prior instances of Megan Matt withholding and misstating insurance coverage, and to permit Peter Matt to have reimbursements issued directly to him as appropriate and to ensure that he has unfettered access to the Explanation of Benefits forms and other information relating to the children's health insurance coverage, a QMSCO is necessary.

8. Accordingly, Peter Matt requests that this Honorable Court enter the proposed QMCSO pursuant to Section 505 of the Illinois Marriage and Dissolution of Marriage Act, 750 ILCS 5/505.2.

9. A proposed QMSCO is attached hereto, though updated information is requested to be provided by Megan Matt, as **Exhibit "C"**.

WHEREFORE, the Petitioner, PETER MATT, respectfully requests the following relief:

- A. For an entry of the attached QMCSO, *instanter*, and
- B. For such other and further relief as this Honorable Court deems 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
410 N. Michigan Ave., Ste. 400
Chicago, Illinois 60611
(847) 317-9500
#35921

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

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

QUALIFIED MEDICAL CHILD SUPPORT ORDER

WHEREAS this Court has jurisdiction over Petitioner, Respondent and the subject matter of this Order pursuant to the Illinois Marriage and Dissolution of Marriage Act, 750 ILCS 5/505; and

WHEREAS Petitioner, Respondent and the Court intend that this Order shall be a Qualified Medical Child Support Order (hereinafter referred to as a "QMCSO") as defined in Section 609(a) of the Employee Retirement Income Security Act of 1974, as amended ("ERISA"); and

WHEREAS Petitioner and Respondent have stipulated that the Court enter this Order.

IT IS HEREBY ORDERED:

1. This Order is intended to serve as a "QMCSO" which orders the Medical Plan specified below to provide medical benefits to the children of the Petitioner, PETER MATT and Respondent MEGAN MATT ("Participant"), namely, **A [REDACTED] and Theodore Matt**, who are named below ("Alternate Recipient") pursuant to the Judgment for Dissolution of Marriage entered on September 27, 2017, and in accordance with Section 609 and other relevant sections of the Employee Retirement Income Security Act of 1974, as amended ("ERISA"), and Section 505/2 of the Illinois Marriage Act.

2. The Medical Plan subject to this Order is as follows:

Plan Administrator: _____
a. Name: _____
b. Address: _____

3. The Participant is the Respondent, MEGAN MATT

The Participant's Address, Social Security Number and Date of Birth is set forth on Exhibit "A" to this QMCSO which is incorporated by reference and for privacy reasons will not be entered into the court record.

4. The Alternate Recipient is: PETER MATT.



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The Alternate Recipient's Address, Social Security Number and Date of Birth is set forth on Exhibit "A" to this QMSCO which is incorporated by reference and for privacy reasons will not be entered into the court record.

5. The Designated Representative of the Alternate Recipient is PETER MATT. This Order provides PETER MATT with rights as a Designated Representative in addition to those that MEGAN MATT has as the Participant; however, such rights are not to supersede those provided to the Participant.

The Designated Representative's Address Social Security Number and Date of Birth is set forth on Exhibit "A" to this QMSCO which is incorporated by reference and for privacy reasons will not be entered into the court record.

6. The Alternate Recipient shall receive the following benefits by the Medical Plan: The coverage currently available to the participant or which may subsequently be available to said participant under the Medical Plan in existence at the time.

7. The plan shall notify the Alternate Recipient and the Designated Representative of any amendment or modification to the Plan, or any termination or merger of the Medical Plan, which would result in this coverage becoming unavailable to the Alternate Recipients.

8. The period to which the order applies shall be from the date of the entry of this Order to the first to occur of the Alternate Recipient completing his post-secondary education or reaching their 23rd birthday.

9. The Designated Representative is deemed to have been appointed by the Alternate Recipient to receive copies of notices, health insurance policies, explanation booklets, plan descriptions, or any modifications or amendments thereto, insurance identification cards, provide directories, claims forms, and any other documentation necessary for the Designated Representative to utilize said health insurance coverage for the benefit of the Alternative Recipient.

10. **Representative Duties.** Both the Participant and the Designated Representative of the Alternate Recipient may submit claims for reimbursement to the Plan and the Plan shall reimburse that party directly for any payment of benefits made pursuant to this Order in reimbursement of expenses actually paid. Both parties shall submit requests for reimbursement pursuant to plan provisions, and the party receiving reimbursements shall divide all reimbursements received from the Plan pursuant to the terms of the Marital Settlement Agreement where applicable.

11. This Order does not require the Medical Plan (or any successor Medical Plan) to provide any type or form of benefit, or any option, not otherwise provided under the Medical Plan (or any successor Medical Plan).

12(i). It is intended by the parties that this Order will qualify as a Qualified Medical Child Support Order pursuant to ERISA Section 609 (29 U.S.C.A. Section 1169), and subsequent amendments, and that it will be interpreted and administered as such.

12(ii). The Court retains jurisdiction to amend this Order for the purpose of establishing or maintaining the Order as a Qualified Medical Child Support Order; and further, the Court may

amend this Order to revise or conform its terms so as to effect the expressed provisions of the Order, the parties' Judgment for Dissolution of Marriage entered on May 14, 2014, as well as to enforce this Order against successor medical insurance plans, to provide coverage for a child who moves out of the service area, or to modify this Order to comply with the requirements of ERISA section 609 (29 U.S.C.A. Section 1169).

13. Copies of this QMSCO shall be forwarded to the Plan Administrator by counsel for MEGAN MATT. The Plan Administrator shall follow procedures consistent with Section 609(a) of ERISA for determining the qualified status of this Order.

ENTERED:

Katz, Goldstein & Warren
Attorneys for Respondent PETER MATT
410 N. Michigan Ave., Ste. 400
Chicago, Illinois 60611
(847) 317-9500
Attorney Number 35921

Judge

EXHIBIT "A" TO QUALIFIED MEDICAL CHILD SUPPORT ORDER

FOR SUBMISSION TO PLAN ADMINISTRATION ONLY

Due to the Federal Privacy Act, many state courts prohibit the inclusion of personal data in public records to prevent identity theft. Therefore, the following information is to be submitted to Blue Cross Blue Shield with the court certified copy of the Qualified Medical Child Support Order.

Participant Information: Name: MEGAN MATT Address: [REDACTED] SSN: [REDACTED] Date of Birth: [REDACTED] Telephone: [REDACTED]	Designated Recipient Information: Name: PETER MATT Address: [REDACTED] SSN: [REDACTED] Date of Birth: [REDACTED] Telephone: [REDACTED]
Participant Attorney's Information: Name: N/A Address: Phone:	Designated Recipient Attorney's Information: Name: Christopher D. Wehrman/ KATZ, GOLDSTEIN & WARREN Address: 410 N. Michigan Ave., Ste. 400 Chicago, Illinois 60611 Phone: 847/317-9500
Alternate Recipient: Name: Ar [REDACTED] Address: [REDACTED] SSN: [REDACTED] Date of Birth: [REDACTED]	Alternate Recipient: Name: T [REDACTED] Address: [REDACTED] SSN: [REDACTED] Date of Birth: [REDACTED]