

ATTORNEY NO. 35921

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 PROSPECTIVE ATTORNEYS' FEES,
AND FOR ALLOCATION OF EXPERT AND GAL FEES**

NOW COMES the Petitioner, PETER MATT, individually and by and through his attorneys, KATZ, GOLDSTEIN & WARREN, who hereby presents his Petition for Prospective Attorney Fees, and For Allocation of Expert and GAL Fees, pursuant to 750 ILCS 508(a), 750 ILCS 5/506, and 750 ILCS 5/604.10(b), and in support thereof, hereby 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. **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. On June 6, 2019, on this Court appointed Michael Bender as the Guardian Ad Litem. **See Exhibit C, Court Order dated June 6, 2019, incorporated by reference.**
7. The GAL order required each party to pay one-half of the GAL retainer, and the GAL fees have been allocated 50/50 from that date forward.
8. Through April 30, 2022, PETER MATT has paid 50% of all of the GAL fees and is current on her obligation to same, totaling \$11,233.96 paid.
9. Although the GAL fees have been related to the GAL's investigation on pending issues and concerns raised by MEGAN MATT, they have also been increased by repeated returns to Court for MEGAN MATT's failure to comply with court orders and failure to continue with ABA Therapy for Angus.
10. Although PETER MATT has continued to pay one-half of the GAL fees, he should be reimbursed under Section 508(b) for all fees and costs associated with MEGAN MATT's contempt findings, as well as the costs incurred for MEGAN MATT's new filing in the Northern District of Illinois.

11. This Honorable Court also appointed a Section 604.10(b) evaluator, Dr. Gerald Blechman, **See Exhibit D, Court Order dated September May 25, 2021, incorporated by reference.**
12. Pursuant to the order appointing Dr. Blechman, each party was to pay 50% towards the retainer.
13. Through April 11, 2022, PETER MATT has paid \$8,900.00 to Dr. Blechman for Dr. Blechman's investigation and appearances in this matter. MEGAN MATT has not paid her 50%, and instead PETER MATT has been paying her portion.
14. Upon information and belief, MEGAN MATT has not made any payments beyond her retainer payment.
15. PETER MATT retained the counsel of Steven H. Klein and Christopher D. Wehrman to represent him in the above cause while they were located at Swanson, Martin & Bell, LLP. He is now represented by both attorneys at their new firm of Katz, Goldstein & Warren.
16. Christopher D. Wehrman, who is a partner at Katz, Goldstein & Warren and an experienced practitioner in matrimonial law. He received his law degree from the Michigan State University Detroit College of Law in 2002, his Master's Degree in Public Administration from Michigan State University in 2002, and his undergraduate degree from Michigan State University in 1998. He received his certification for family law mediation through the Northwestern University and is a member of the Chicago Collaborative Law

Group and member of the American Academy for Certified Financial Litigators. His rate is \$375.00 per hour

17. There is currently a pending a motion by Peter Matt for Rule 137 Sanctions, a Motion for to Modify Parenting Time and Allocation of Parental Responsibilities based in part on MEGAN MATT's continued non-compliance with court orders as well as Dr. Blechman's preliminary recommendations, and Motion for Entry of QMCSO.
18. MEGAN MATT has further filed a \$20,000,000 federal lawsuit to further intimidate PETER MATT and the court system.
19. PETER MATT's counsel estimates that her prospective attorneys' and costs in preparing this matter for the ongoing litigation of \$25,000.00.
20. PETER MATT lacks the financial resources to pay for his attorneys' fees and costs in these proceedings and will be greatly prejudiced in his ability to assert his rights in this matter unless MEGAN MATT is ordered to advance such funds on his behalf.
16. Section 5/508(a) of the IMDMA provides, in relevant part, as follows:

The court from time to time, after due notice and hearing, and after considering the financial resources of the parties, may order any party to pay a reasonable amount for his own or the other party's costs and attorney's fees. Interim attorney's fees and costs may be awarded from the opposing party, in a pre-judgment dissolution proceeding in accordance with subsection (c-1) of Section 501 and in any other proceeding under this subsection. At the conclusion of any pre-judgment dissolution proceeding under this subsection, contribution to attorney's fees and costs may be awarded from the opposing party in accordance with subsection (j) of Section 503 and in any other proceeding under this subsection. Fees and costs may be awarded in any proceeding to counsel from a former client in accordance with subsection (c) of this Section. Awards may be made in connection with the following:

- (1) The maintenance or defense of any proceeding under this Act.

(2) The enforcement or modification of any order or judgment under this Act.

(3) The defense of an appeal of any order or judgment under this Act, including the defense of appeals of post-judgment orders.

(3.1) The prosecution of any claim on appeal (if the prosecuting party has substantially prevailed).

(4) The maintenance or defense of a petition brought under Section 2-1401 of the Code of Civil Procedure seeking relief from a final order or judgment under this Act. Fees incurred with respect to motions under Section 2-1401 of the Code of Civil Procedure may be granted only to the party who substantially prevails.

(5) The costs and legal services of an attorney rendered in preparation of the commencement of the proceeding brought under this Act.

(6) Ancillary litigation incident to, or reasonably connected with, a proceeding under this Act.

(7) Costs and attorney's fees incurred in an action under the Hague Convention on the Civil Aspects of International Child Abduction.

All petitions for or relating to interim fees and costs under this subsection shall be accompanied by an affidavit as to the factual basis for the relief requested and all hearings relative to any such petition shall be scheduled expeditiously by the court. All provisions for contribution under this subsection shall also be subject to paragraphs (3), (4), and (5) of subsection (j) of Section 503.

The court may order that the award of attorney's fees and costs (including an interim or contribution award) shall be paid directly to the attorney, who may enforce the order in his or her name, or that it shall be paid to the appropriate party. Judgment may be entered and enforcement had accordingly. Except as otherwise provided in subdivision (e)(1) of this Section, subsection (c) of this Section is exclusive as to the right of any counsel (or former counsel) of record to petition a court for an award and judgment for final fees and costs during the pendency of a proceeding under this Act.

21. The Affidavits of PETER MATT and Christopher D. Wehrman are attached hereto and made a part hereof as Exhibits "A" and "B".
22. PETER MATT has met the criteria set forth in 750 ILCS 5/508 for the payment of prospective attorneys' fees and costs and is requesting that this Court require MEGAN MATT to make such payments on his behalf in this matter so he can be properly and fairly represented concerning the matters presently pending before the Court.

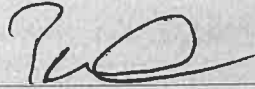
WHEREFORE, the PETITIONER, PETER MATT, respectfully requests the following relief:

A. For the entry of an Order pursuant to 750 ILCS 5/508 providing that MEGAN MATT pay the sum of \$25,000.00 to the law firm of Katz, Goldstein & Warren as and for PETER MATT's prospective attorney's fees in this matter;

B. MEGAN MATT pay 100% of the GAL fees going forward, and reimburse PETER MATT the amount of \$11,233.96 for the GAL fees he paid to date;

C. MEGAN MATT pay 100% of the 604.10(b) fees going forward, and reimburse PETER MATT the amount of \$8,900.00 for the 604.10(b) fees he has paid to date;

D. For such other and further relief as this Honorable Court deems just.



PETER MATT

KATZ, GOLDSTEIN & WARREN
Christopher D. Wehrman, Esq.
Firm No: 35921
2345 Waukegan Road, Suite 150
Bannockburn, Illinois 60015
(847) 317-9500

ATTORNEY NO. 35921

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COUNTY DEPARTMENT, DOMESTIC RELATIONS DIVISION

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)	No. 2016 D 9534
And)	
)	
MEGAN MATT,)	
Respondent.)	

EXHIBIT "A"
AFFIDAVIT OF PETER MATT IN SUPPORT OF
PETITION FOR PROSPECTIVE ATTORNEYS' FEES,
AND FOR ALLOCATION OF EXPERT AND GAL FEES

I, PETER MATT herein certify under penalty of perjury pursuant to Section 5/1-109 of the Code of Civil Procedure as to the following:

1. I am the Petitioner in the above-captioned matter.
2. I have personal knowledge of the matters stated in my Petition for Prospective Attorney Fees and For Allocation of Expert and GAL Fees and verify that they are true and correct, and if called upon to testify would do so consistently with the allegations contained therein.

FURTHER AFFIANT SAYETH NOT.

Under penalties as provided by law pursuant to Section 5/1-109 of the Code of Civil Procedure I certify that the statements set forth in this instrument are true and correct except as to matter therein states to on information and belief and as to I certify that I verify believe the same to be true.

DATED: 6/2/2022


PETER MATT

ATTORNEY NO. 35921

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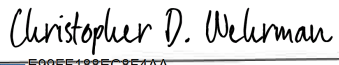
EXHIBIT "B"
AFFIDAVIT OF CHRISTOPHER D. WEHRMAN IN SUPPORT OF
PETITION FOR PROSPECTIVE ATTORNEYS' FEES,
AND ALLOCATION OF EXPERT AND GAL FEES

I, Christopher D. Wehrman, herein certify under penalty of perjury pursuant to Section 5/1-109 of the Code of Civil Procedure as to the following:

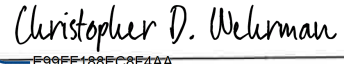
1. I am the partner primarily responsible for representing PETER MATT in the above captioned matter.
2. The information stated in the attached Petition for Prospective Attorney Fees and Allocation of Expert and GAL Fees the status of the proceedings in this cause and the estimates of fees and costs PETER MATT is likely to incur to participate adequately in the litigation of this cause are matters within my personal knowledge and expertise which are true and correct to the best of my knowledge, and if called upon to testify in this cause, I would do so consistently with the allegations contained hereinabove.

FURTHER AFFIANT SAYETH NOT.

DATED: 6/3/2022

DocuSigned by:

E99FF188EC8F4AA
 CHRISTOPHER D. WEHRMAN

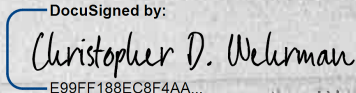
Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, I certify that the statements set forth in this instrument are true and correct except as to matters therein stated to be on information and belief and as to such matters I certify that I verily believe the same to be true.

DocuSigned by:

E99FF188EC8F4AA
 CHRISTOPHER D. WEHRMAN

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: 
 E99FF188EC8F4AA...
One of the attorneys for PETER MATT

CLIENT'S VERIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, I certify 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 I certify that I verily believe the same to be true.


PETER MATT

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