

FILED
6/28/2022 11:54 AM
IRIS Y. MARTINEZ
CIRCUIT CLERK
COOK COUNTY, IL
2016D009534
Calendar, 23
18465362

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.)

MOTION FOR SUPREME COURT RULE 215 EXAMINATION

NOW COMES the Petitioner, PETER MATT, by and through his attorneys, KATZ, GOLDSTEIN & WARREN, and pursuant to Illinois Supreme Court Rule 215 and other relevant provisions of the Illinois Marriage and Dissolution of Marriage Act (“IMDMA”), requests that this Court to order a psychiatric evaluation of the Respondent, *instanter*. In support of 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] [REDACTED] 2008; and T [REDACTED] [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 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."**

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5. The parties' eldest child, A [REDACTED] has been diagnosed with mental health disabilities requiring medical care and court ordered ABA Therapy.

6. The parties' long standing post-decree litigation has caused the appointment of a GAL, a parenting coordinator, and Section 604.10(b) evaluator.

7. In an attempt to disrupt these proceedings, MEGAN MATT has failed to participate fully and completely in the evaluation of the Court's 601.10(b) evaluator, instead filing a lawsuit against him.

8. Nevertheless, the Court's 604.10(b) evaluator did prepare an initial report on February 7, 2022 recommending that PETER MATT be the sole decision maker for A [REDACTED] treatment and that PETER MATT should have sole decision making for Theodore.

9. Since then, MEGAN MATT has continued to engage in conduct that is concerning to PETER MATT and causes concerns as to the health and welfare of the children.

To wit:

- A. MEGAN MATT had terminated the services of the ABA Therapist in violation of court orders;
- B. MEGAN MATT has failed to ensure A [REDACTED] participation in ABA Therapy in violation of court orders and has been found in contempt of court for same;
- C. MEGAN MATT undermines the ABA Therapy and will not allow it to occur during her parenting time at a time that the therapists are available;
- D. MEGAN MATT refuses to participate in ABA Therapy for A [REDACTED] during the week when it is inconvenient for her;
- E. MEGAN MATT has caused multiple ABA therapists to be unable to work

with [REDACTED]

- F. MEGAN MATT has caused multiple changes in medical providers unminding the efficacy of medical care for Angus;
- G. MEGAN MATT undermines PETER MATT in the selection and participation of extra-curricular activities for Theodore, including convincing Theodore to claim extra educational activities was causing him to be suicidal;
- H. MEGAN MATT has refused to complete working with the Section 604.10(b) evaluator to allow the final report and recommendations to be tendered to the court;
- I. MEGAN MATT has contacted DCFS against PETER MATT notwithstanding the involvement of a GAL, Parenting Coordinator, and Section 604.10(b) Evaluator in this matter;
- J. On Jun 10, 2022, MEGAN MATT sent a correspondence to A [REDACTED] medical providers stating, in part:

As it happens many parties, including Matt, face imminent indictment for their participation in a bribery scheme as well as Mr. Matt's financial crimes. Mr. Matt faces imprisonment and deportation. Michael Bender, who has served in the past as the children's guardian ad litem, Mr. Wehrman (Mr. Matt's attorney) and Doctors Gerald Blechman and John Palen are also under federal investigation for their crimes. I have no idea how long the federal prosecution will take but I can assure you it is very active and these criminals will be stopped.

10. Illinois Supreme Court Rule 215(d) allows for the Court to order a physical or mental examination in an action where the physical or mental condition is in controversy.

11. Illinois Supreme Court Rule 215(d) states:

(d) Impartial Medical Examiner.

(1) *Examination Before Trial.* A reasonable time in advance of the trial, the court may on its own motion or that of any party, order an impartial physical or mental examination of a party where conflicting medical testimony, reports or other documentation has been offered as proof and the party's mental or physical condition is thereby placed in issue, when in the court's discretion it appears that such an examination will materially aid in the just determination of the case. The examination shall be made by a member or members of a panel of physicians chosen for their special qualifications by the Administrative Office of the Illinois Courts.

12. Here, the mental condition of MEGAN MATT is at issue as her failure to participate in the Section 604.10(b) examination, false allegations of abuse, failure to ensure A [REDACTED] therapy continues, and manipulating Theodore into making claims of suicide, among other issues, impacts her ability to parent the children.

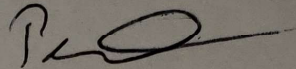
13. Based upon the allegations raised by PETER MATT, the investigation and recommendations of the GAL, and the investigation and preliminary report with recommendations of Dr. Blechman, this Court should entered an order obligating MEGAN MATT to appear for a psychiatric examination.

WHEREFORE, the Petitioner, PETER MATT, by and through his attorneys, Katz, Goldstein & Warren, respectfully prays as follows:

- A. That the Court enter an order requiring MEGAN MATT to present for a Rule 215(d) examination;
- B. That the Court suspend MEGAN MATT's parenting time until the examination is complete and report tendered to the Court; and,

C. For such other relief as this Court deems equitable and just.

Respectfully submitted,



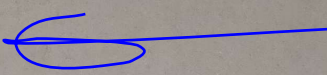
PETER MATT

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

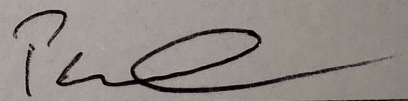
I, the undersigned, state that I am one of the attorneys employed by the firm of KATZ, GOLDSTEIN & WARREN and representing the party who has signed the foregoing pleading. I certify that I have read the foregoing pleading and that to the best of my knowledge, information and belief, formed after reasonable 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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Chicago, Illinois 60611
(847) 317-9500
#35921

Go to <http://www.cookcountycourt.org/LinkClick.aspx?fileticket=G7A8KAcSi8E%3d&portalid=0>

to get more information and Zoom Meeting ID

Remote Court Date: No hearing scheduled

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NOTICE OF MOTION

VIA E-Mail: [REDACTED]
TO: [REDACTED]

[mbender@caesarbenderlaw.com]
Michael Bender, Esq.- GAL
Caesar & Bender, LLP
150 N. Michigan Ave., Suite 2130
Chicago, IL 60601

On, **July 5, 2022 at 11:30 a.m.** or at any such other time that this matter shall be heard, I shall appear via Zoom Conference (ID: 934 9022 2003, Password: 543296) before the Honorable Judge Robert Johnson, or any judge sitting in his stead, in courtroom number 2108 at the Richard Daley Center, 50 W. Washington, Chicago, Illinois and will then and there present and ask for hearing *instanter*, **Petitioner's Motion For Supreme Court Rule 215 Examination**, a copy of which is hereby served upon you at which time and place you may appear if you see fit.

DocuSigned by:
Christopher D. Wehrman
E99FF188ECBF4AA...
One of Petitioner's Attorneys

KATZ, GOLDSTEIN & WARREN
Attorney for Petitioner
2345 Waukegan Road, Suite 150
Bannockburn, Illinois 60015
Telephone No. (847) 317-9500
Service accepted at: pleadings@kgwlaw.com
FIRM No.: 35921

PROOF OF SERVICE

The undersigned states that on June 28, 2022, I served this NOTICE OF MOTION, together with the documents referred to therein, as follows: by personal delivery to each person to whom it is directed; and/or depositing the same in the U.S. Mail at 2345 Waukegan Road, Bannockburn, Illinois, before 5:00 p.m., with proper postage prepaid; and/or by e-mailing to the above named persons e-mail address. Under penalties 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.

DocuSigned by:
Aneta Sniadala
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