

A400627
REPORT OF PROCEEDINGS **January 15, 2010**

5 In Re the Estate of,

6 Mary G. Sykes, No. 09 P 4585

7 An Alleged Disabled.

8

10 REPORT OF PROCEEDINGS of the above-entitled
11 cause held at the Richard J. Daley Center, Courtroom
12 1809, Chicago, Illinois, before the HONORABLE
13 CHERYL D. CESARIO, Judge of said Court, at 10:00
14 o'clock a.m. on January 15, 2010.

15

16

17

18

19 ATKINSON-BAKER, INC.
20 COURT REPORTERS
20 (800) 288-3376
20 www.depo.com

21

22 REPORTED BY: DAVID DEMSKI

23 FILE NO.: A400627

24

A400627
REPORT OF PROCEEDINGS **January 15, 2010**

1 THE COURT: What is next?
2 THE CLERK: Sykes.
3 MR. WALLER: Good morning, your Honor. Mark
4 Waller on behalf of the Guardian.
5 MS. FARENZA: Good morning, your Honor.
6 Cynthia Farenga one of two guardian ad litem in this
7 case.
8 MR. STERN: And Adam Stern, one of the other
9 guard ad litem.
10 MR. ALEXANDER: Randall Alexander on behalf
11 of Denison and Associates.
12 GLORIA SYKES: And Gloria Jean Sykes, Mary
13 Sykes's daughter, and I'm also pro se at this point.
14 THE COURT: Can I ask why do we have two
15 GALs in this case? Go ahead, Mr. Stern.
16 MR. STERN: Ms. Farenga was the original
17 guardian ad litem and issues came up when she was on
18 vacation. Judge Connors appointed me as special
19 guardian ad litem. When Ms. Farenga returned, Judge
20 Connors asked me to stay on board and we've had issue
21 after issue --
22 THE COURT: So you've been working together,
23 is that it?
24 MS. FARENZA: We've been on this together.

Page 2

1 Ma'am, there's no talking in the courtroom. Okay.
2 MS. FARENZA: The bottom line is that this
3 should all be put over for Judge Connors --
4 THE COURT: Does anybody have any other
5 reaction to this particular motion? Do I understand
6 that Ms. Denison is not going to be here today?
7 MR. ALEXANDER: That's correct, your Honor.
8 I'm here on her behalf.
9 MR. WALLER: I object to the motion at this
10 point and suggest that we continue it.
11 THE COURT: Anything else --
12 GLORIA SYKES: Yes, your Honor. There has
13 been --
14 THE COURT: Wait a second. It's her motion,
15 so maybe Mr. Stern can respond.
16 GLORIA SYKES: But she was my attorney, your
17 Honor.
18 THE COURT: Excuse me. She was your
19 attorney.
20 GLORIA SYKES: She was my attorney of choice
21 and they brought in allegations that were basically
22 unfounded and --
23 THE COURT: But my question is legally. I'm
24 looking for does anybody have a legal argument relative

Page 4

1 THE COURT: I thought that this gentleman in
2 the rear told me he was on this case too. Are you --
3 GLORIA SYKES: No. He's just here with me.
4 THE COURT: All right. We have a separate
5 court reporter, I understand. Now, I received a
6 courtesy copy of a notice of a filing --
7 MR. ALEXANDER: For the motion for extension
8 of time.
9 THE COURT: Right. Are you with JoAnne
10 Denison?
11 MR. ALEXANDER: Yes.
12 THE COURT: Does anybody want to respond to
13 this?
14 MS. FARENZA: Yes, we do, your Honor. This
15 is a very complicated matter, which it's really not
16 possible to fill in all the background.
17 This matter is scheduled to be heard before
18 Judge Connors on the 25th of January. Everyone knew
19 that Judge Connors was out this week. This really
20 shouldn't be filed for today. One of the parties doing
21 the filing, JoAnne Denison, has been expressly denied
22 leave to appear in this matter and there are the --
23 THE COURT: Excuse me, excuse me. Sir,
24 please have a seat. He can sit at the counsel table.

Page 3

1 to this particular filing?
2 MR. STERN: There's a couple of different
3 things, Judge. I mean, besides the fact what counsel
4 just raised, they're looking to appeal the December 10th
5 order for guardianship. One, I am not aware of any
6 notice of appeal filed in the Circuit Court, no one has
7 tendered me any notice of filing here in the Circuit
8 Court of a notice to appeal which is required.
9 THE COURT: Can by agree that it's past 30
10 days now, right?
11 MR. STERN: It is past 30 days.
12 THE COURT: So I think on this particular
13 motion the Court has lost jurisdiction. I'd refer
14 counsel to 303(d) --
15 MR. ALEXANDER: Your Honor, this is why the
16 motion was brought on behalf of Ms. Denison, such that
17 we were unable to make the filing deadline on Monday,
18 which was --
19 THE COURT: So now I've lost jurisdiction
20 because you did not make -- I or any judge sitting in
21 Judge Connors's courtroom would have lost
22 jurisdiction --
23 MR. ALEXANDER: I'm just asking, although
24 Judge Connors is out, we just wanted to see if she would

Page 5

A400627
REPORT OF PROCEEDINGS **January 15, 2010**

1 grant us the extension of time so that we might --
 2 THE COURT: And I'm saying that she wouldn't
 3 be able to do it, even if she were here. That 303(d),
 4 Supreme Court Rule 303(d) is applicable here, that she's
 5 already lost jurisdiction, that any motion to extend the
 6 filing of an appeal needs to be filed in the appellate
 7 court. But I will be glad to leave every one of these
 8 motions to her. I know nothing about this case. I can
 9 see having been handed one, two, three, four other
 10 motions, which I will not name at this time, that these
 11 are most proper, though, having looked at the title, for
 12 her to answer because -- for her to deal with. Now, one
 13 I think of these motions --

14 MR. STERN: Judge, I've been served with two
 15 motions.

16 THE COURT: All right. I'll read them for
 17 the record. Gloria Sykes's first discovery request to
 18 plenary guardian Carolyn T-o-e-r-p-e, for the record.
 19 The second one that was placed up here was a motion to
 20 revoke the power of attorney and or withdraw for Kevin
 21 Joyce and his firm to represent Gloria J. Sykes. And
 22 the third is an emergency motion to move Mary Sykes
 23 home --

24 MR. STERN: That's a motion for today?

Page 6

1 filed, and I understand he did file a withdrawal. I --
 2 THE COURT: Has he filed a withdrawal.
 3 MR. STERN: He has.
 4 MS. FARENKA: It was heard on the 22nd, your
 5 Honor.

6 THE COURT: In terms of you representing
 7 yourself pro se, any filings would need to be delivered
 8 to you.

9 Has the Judge allowed him to withdraw?

10 MS. FARENKA: No. It is set for the 22nd.

11 GLORIA SYKES: No, that's not actually true.

12 What Judge Connors said last time in Court and that's
 13 why I have my own court reporter, we've been having
 14 difficulty getting the transcripts on this case. But
 15 what Judge Connors actually said was is that I needed to
 16 file that properly because I got --

17 THE COURT: File what properly, Dear?

18 GLORIA SYKES: My motion here.

19 THE COURT: The motion to revoke the power
 20 of attorney and/or withdraw for Kevin Joyce and his
 21 firm?

22 GLORIA SYKES: Right. She said I needed to
 23 do it, she did not deny me that right.

24 THE COURT: All right, so you've done it.

Page 8

1 THE COURT: It's been filed. And then
 2 there's a motion to obtain permanent visitation
 3 schedule. Now, I don't know relative to the
 4 emergency --

5 MR. STERN: I believe that was motioned up
 6 for the 25th.

7 THE COURT: It was? Very good. Then
 8 everything is put over, entered, and continued until the
 9 25th.

10 GLORIA SYKES: Your Honor, may I please ask
 11 for one thing? When I was last in front of Judge
 12 Connors on the fifth and I submitted the motion
 13 regarding Kevin Joyce, who was my attorney, she had said
 14 to me that I should put him back on and Mr. Joyce
 15 actually e-mailed everybody, saying that they should
 16 talk to me, yes, he's off the case, yada-yada, and as
 17 far as I know, he is, you know, he's off the case, and
 18 yet he e-mailed everybody, he's off the case. It was a
 19 mutual rationale why he's off the case right now. I
 20 filed for -- a long time ago I had filed for pro se
 21 because at one point Judge Connors actually said I
 22 didn't need an attorney, but I filed an appearance
 23 anyway as pro se and so now no one will talk to me or
 24 deal with me because they're saying Mr. Joyce hasn't

Page 7

1 GLORIA SYKES: And I've done it. But the
 2 problem here now is that I have a 91-year-old mother who
 3 I'm now able to talk to all of a sudden, and yet my
 4 sister will not let me visit her, even though when she
 5 was under oath and with Judge Connors she said, you
 6 know, she was going to let people visit her and take her
 7 out and all that stuff. My sister -- and what's
 8 happening here, and you'll have to excuse me, your
 9 Honor, I'm just trying to care for my mother, okay, and
 10 what is happening here is there's allegations brought
 11 into Court, they're unfounded, they're not put on paper.
 12 I have no opportunity or none of my attorneys in the
 13 past have had an opportunity to, you know, give our side
 14 of the story --

15 THE COURT: I'm sorry, excuse me, but didn't
 16 you have a full hearing in this matter?

17 MS. FARENKA: Yes, we did, your Honor.

18 THE COURT: All right, thank you.

19 GLORIA SYKES: But right here in the
 20 transcript my sister agrees that she's going to allow
 21 mom have visits, go out. The Judge is very insistent
 22 here, and yet when I talked to my mother, my mother
 23 says, oh, I want to see you --

24 THE COURT: For the record, she's referring

Page 9

A400627
REPORT OF PROCEEDINGS

January 15, 2010

Page 1

A
able 6:3 9:3
about 6:8 10:23
above-entitled 1:10
actually 7:15,21 8:11,15
ad 2:6,9,17,19
Adam 2:8
aforesaid 12:10
after 2:21
ago 7:20
agree 5:9
agrees 9:20
ahead 2:15 10:2,3
Alexander 2:10,10 3:7
3:11 4:7 5:15,23
allegations 4:21 9:10
Alleged 1:7
allow 9:20
allowed 8:9 10:24 11:10
already 6:5 11:9
although 5:23
and/or 8:20
answer 6:12
anybody 3:12 4:4,24
anyone 11:2
Anything 4:11
anyway 7:23
appeal 5:4,6,8 6:6
appear 3:22
appearance 7:22
appellate 6:6
applicable 6:4
appointed 2:18
appropriate 10:14
argument 4:24
asked 2:20
asking 5:23 10:17
Associates 2:11
ATKINSON-BAKER
1:19
attorney 4:16,19,20
6:20 7:13,22 8:20
attorneys 9:12
aware 5:5
a.m 1:14
A400627 1:23

B

back 7:14
background 3:16
basically 4:21
before 1:12 3:17
behalf 2:4,10 4:8 5:16
being 12:4
believe 7:5
besides 5:3
board 2:20
bottom 4:2
brought 4:21 5:16 9:10
business 12:5

C

C 1:2 12:2
call 10:23
came 2:17
care 9:9 10:22
Carolyn 6:18
case 2:7,15 3:2 6:8 7:16
7:17,18,19 8:14 11:16
11:17
cause 1:11
Center 1:11
CESARIO 1:13
CHERYL 1:13
Chicago 1:12 12:6
choice 4:20

Circuit 1:3 5:6,7
circumstances 10:14
City 12:6
clear 11:15
CLERK 2:2
come 10:8
communicate 11:2
complicated 3:15
concerned 10:5
Connors 3:19
Connors 2:18,20 3:18
4:3 5:24 7:12,21 8:12
8:15 9:5 11:4,9,15
Connors's 5:21
contains 12:10
continue 4:10
continued 7:8
conversations 10:7
COOK 1:3
copy 3:6
correct 4:7 12:9
counsel 3:24 5:3,14
COUNTY 1:2,3,4 12:2
couple 5:2
court 1:3,13,19 2:1,14
2:22 3:1,4,5,9,12,23
4:4,11,14,18,23 5:6,8
5:9,12,13,19 6:2,4,7
6:16 7:1,7 8:2,6,12,13
8:17,19,24 9:11,15,18
9:24 10:2,12,15,16,21
11:7,9,12,17 12:5
courtesy 3:6
courtroom 1:11 4:1
5:21
CSR 12:15
Cynthia 2:6

D

D 1:13
Daley 1:11
daughter 2:13
DAVID 1:22 12:4,15
day 10:7 12:8
days 5:10,11
deadline 5:17
deal 6:12 7:24 11:13
Dear 8:17
December 5:4
delivered 8:7
DEMSKI 1:22 12:4,15
denied 3:21
Denison 2:11 3:10,21
4:6 5:16
deny 8:23
DEPARTMENT 1:4
different 5:2
difficulty 8:14
Disabled 1:7
discovery 6:17
DIVISION 1:4
doing 3:20 12:5
done 8:24 9:1
duly 12:4

E

each 11:13
emergency 6:22 7:4
entered 7:8
Estate 1:5
even 6:3 9:4 10:18
every 6:7 10:7 11:13
everybody 7:15,18
10:19 11:14
Everyone 3:18
everything 7:8

evidence 10:24
examined 10:2
excuse 3:23,23 4:18 9:8
9:15
expects 11:14
expressly 3:21
extend 6:5
extension 3:7 6:1
e-mail 10:23
e-mailed 7:15,18 10:19

F

fact 5:3
far 7:17
Farenga 2:5,6,16,19,24
3:14 4:2 8:4,10 9:17
fifth 7:12
file 1:23 8:1,16,17 11:17
filed 3:20 5:6 6:6 7:1,20
7:20,22 8:1,2
filing 3:6,21 5:1,7,17 6:6
filings 8:7
fill 3:16
firm 6:21 8:21
first 6:17 12:4
foregoing 12:8
forward 11:15
four 6:9
from 11:15
front 7:11
full 9:16

G

G 1:6
GALS 2:15
gentleman 3:1
getting 8:14
give 9:13
given 12:7,11
glad 6:7
Gloria 2:12,12 3:3 4:12
4:16,20 6:17,21 7:10
8:11,18,22 9:1,19
10:4 11:6,8
go 2:15 9:21 10:2,3
11:14
going 4:6 9:6,20 10:6,15
good 2:3,5 7:7
grant 6:1
guard 2:9
guardian 2:4,6,17,19
6:18
guardianship 5:5

H

hand 10:10
handed 6:9
happening 9:8,10
having 6:9,11 8:13
heard 3:17 8:4
hearing 9:16 12:7,11
hearsay 10:23
held 1:11
her 4:8,14 6:8,12,12 9:4
9:6,10 10:11 12:16
him 7:14 8:9 11:1
home 6:23 10:8
Honor 2:3,5 3:14 4:7,12
4:17 5:15 7:10 8:5 9:9
9:17 10:16 11:20
HONORABLE 1:12

Illinois 1:1,3,12 12:1
important 10:22
INC 1:19

insistent 9:21
involved 11:17
issue 2:20,21
issues 2:17

J

J 1:11 6:21 12:4,15
January 1:14 3:18 12:8
Jean 2:12
JoAnne 3:9,21
Joyce 6:21 7:13,14,24
8:20 10:19
judge 1:13 2:18,19 3:18
3:19 4:3 5:3,20,21,24
6:14 7:11,21 8:9,12
8:15 9:5,21 10:24
11:4,9,15
jurisdiction 5:13,19,22
6:5
just 3:3 5:4,23,24 9:9
11:17

K

K 1:2 12:2
Kevin 6:20 7:13 8:20
10:18
knew 3:18
know 6:8 7:3,17,17 9:6
9:13 10:5 11:15

L

last 7:11 8:12
leave 3:22 6:7
legal 4:24
legally 4:23
less 10:23
let 9:4,6
like 10:13
line 4:2
item 2:17,19
items 2:6,9
long 7:20 11:17
looked 6:11
looking 4:24 5:4 11:17
lost 5:13,19,21 6:5

M

make 5:17,20
many 10:7
Mark 2:3
Mary 1:6 2:12 6:22
matter 3:15,17,22 9:16
may 7:10 10:1,1
maybe 4:15
ma'am 4:1 10:3
mean 5:3
middle 11:18,19
might 6:1
minute 10:21
mom 9:21
Monday 5:17
morning 2:3,5
most 6:11
mother 9:2,9,22,22 10:6
motion 3:7 4:5,9,14
5:13,16 6:5,19,22,24
7:2,12 8:18,19 10:12
10:14
 motioned 7:5
motions 6:8,10,13,15
11:13
move 6:22
mutual 7:19

N

name 6:10
need 7:22 8:7
needed 8:15,22
needs 6:6
next 2:1
none 9:12
notes 12:9
nothing 6:8
notice 3:6 5:6,7,8

O

O 1:2,2 12:2,2
oath 9:5 12:4
object 4:9
obtain 7:2
off 7:16,17,18,19
oh 9:23
okay 4:1 9:9 10:4,12
okayed 11:9
one 2:6,8 3:20 5:5,6 6:7
6:9,12,19 7:11,21,23
10:18 11:13
opportunity 9:12,13
order 5:5 11:1,2
orders 11:16
original 2:16
other 2:8 4:4 6:9 10:11
out 3:19 5:24 9:7,21
10:10
over 4:3 7:8 10:7
own 8:13
o'clock 1:14

P

P 1:6
paper 9:11 10:1
particular 4:5 5:1,12
parties 3:20
past 5:9,11 9:13
people 9:6
permanent 7:2
phone 10:10
piece 10:1
placed 6:19
please 3:24 7:10
plenary 6:18
point 2:13 4:10 7:21
10:22
possible 3:16
power 6:20 8:19
pro 2:13 7:20,23 8:7
11:8,11
PROBATE 1:4
problem 9:2
proceedings 1:10 12:7
12:10
proper 6:11
properly 8:16,17
put 4:3 7:8,14 9:11

Q

question 4:23

R

raised 5:4
Randall 2:10
rationale 7:19
Re 1:5
reaction 4:5
read 6:16
real 10:22
really 3:15,19 10:5
rear 3:2
received 3:5 10:19
record 6:17,18 9:24
refer 5:13

A400627
REPORT OF PROCEEDINGS **January 15, 2010**

Page 2

referring 9:24
regarding 7:13
relative 4:24 7:3
REPORT 1:10
reported 1:22 12:6
reporter 3:5 8:13 12:5
REPORTERS 1:19
represent 6:21
representing 8:6
request 6:17
required 5:8
respond 3:12 4:15
returned 2:19
revoke 6:20 8:19
Richard 1:11
right 3:4,9 5:10 6:16
 7:19 8:22,23,24 9:18
 9:19
rule 6:4 10:15

S

salient 10:22
saying 6:2 7:15,24
says 9:23 12:5
schedule 7:3 10:13
scheduled 3:17
se 2:13 7:20,23 8:7 11:8
 11:11
seat 3:24
second 4:14 6:19
see 5:24 6:9 9:23 10:9
 11:12,16,19
seems 10:13
separate 3:4
served 6:14
set 8:10 10:13 11:5,6,7
 11:10
she'll 11:13,14
shorthand 12:6,9
side 9:13
Sir 3:23
sister 9:4,7,20 10:9
sit 3:24
sitting 5:20
some 10:1,12
something 10:5,17
sorry 9:15 10:4
special 2:18
specifically 11:2
SS 1:1 12:1
STATE 1:1 12:1
stay 2:20
Stern 2:8,8,15,16 4:15
 5:2,11 6:14,24 7:5 8:3
 11:20
story 9:14
stuff 9:7 10:11
submitted 7:12
sudden 9:3
suggest 4:10
Supreme 6:4
sworn 12:4
Sykes 1:6 2:2,12,12 3:3
 4:12,16,20 6:21,22
 7:10 8:11,18,22 9:1
 9:19 10:4 11:6,8
Sykes's 2:13 6:17

T

table 3:24
take 9:6 10:10
taken 12:10
taking 12:7
talk 7:16,23 9:3 10:18
talked 9:22
talking 4:1 10:8

tell 11:14
tendered 5:7
terms 8:6
thank 9:18 11:20
thing 7:11
things 5:3
think 5:12 6:13
third 6:22
though 6:11 9:4 10:18
thought 3:1
three 6:9
time 3:8 6:1,10 7:20
 8:12
title 6:11
today 3:20 4:6 6:24
together 2:22,24 10:6,9
told 3:2
transcript 9:20 10:2
 12:9
transcripts 8:14
true 8:11 12:9
trying 9:9 11:8
two 2:6,14 6:9,14
T-o-e-r-p-e 6:18

U

unable 5:17
under 9:5 10:14 11:11
understand 3:5 4:5 8:1
 10:16
unfounded 4:22 9:11
unless 10:24
until 7:8

V

vacation 2:18
very 3:15 7:7 9:21 10:6
 10:8 11:15
visit 9:4,6
visitation 7:2 10:13
visits 9:21

W

wait 4:14 10:21 11:4
Waller 2:3,4 4:9
want 3:12 9:23
wanted 5:24
wants 10:8,9
week 3:19
were 4:21 5:17 6:3
we've 2:20,24 8:13
withdraw 6:20 8:9,20
 11:1
withdrawal 8:1,2
working 2:22
wouldn't 6:2
writing 11:1
www.depo.com 1:20

Y

yada-yada 7:16

0

084-004386 12:15
09 1:6

1

10th 5:4
10:00 1:13
15 1:14
15th 12:8
1809 1:12

2

2010 1:14 12:8

22nd 8:4,10
25th 3:18 7:6,9 11:5,7
 11:10,12,19
288-3376 1:20

3

30 5:9,11
303(d) 5:14 6:3,4

4

4585 1:6

8

800 1:20

9

91-year-old 9:2