

Yuling Zhan

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March 26, 2009

Honorable Justice James F. Smith

Illinois Appellate Court, Fifth Division, 1st District, Chicago, IL 60601

Re: Case 1-07-0088

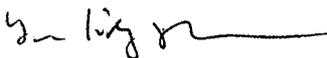
Dear Honorable Justice Smith,

As stated in my court filings, there are several clear and fundamental errors in the Order drafted by you in the case (No. 1-07-0088). Enclosed please find a copy of part of Defendant's admissions (No. 114), which was filed in the Circuit Court on April 13, 2006, and which was on record on appeal (C162-163).

After a cursory reading of the above document, one will be readily convinced that it is plain wrong to assume that (1) A motion might still be pending on November 3, 2005 after it had been stricken on October 20, 2005; (2) A stricken motion might had been re-filed while Defendant and its counsel thought that it was still pending; (3) A judge still had authority to rule in a case after a motion for substitution of the same judge had been filed; (4) A judge could ignore a court rule set out by himself, which required any motion presented to him could not affect or alter any ruling determined in courtroom 1501(See attachment); (5) After judicial admission, Defendant could be allowed to rescind, start providing false contention of a material fact in the middle of an appeal. As such, again, with due respect, I would appreciate very much if you could correct the errors within your capacity, if possible.

Defendant's counsel Ms. Elaine S. Vorberg is very familiar with the above documents. Beyond dispute, Defendant and its counsel did not re-file the specific stricken motion before or on November 8, 2005. As a result, the Defendant became at default for failure to plead after October 20, 2005 and thereafter. And it would be an insult to the intelligence of all legal professionals to assume otherwise. I believe a lawyer does not have a license to provide deliberate false statements of material facts in court. And I would be for ever grateful if you can do something about it within your duty and authority.

Sincerely yours.



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Enclosures

Cc: Hon. Justice Margaret O. Frossad; Hon. Justice Michael F. Toomin; Mr. Steven M. Ravid, Clerk of the Court and Defendant's counsel Elaine S. Vorberg