

**IN THE CIRCUIT COURT OF COOK COUNTY  
COUNTY DEPARTMENT, LAW DIVISION**

DELBERT J. CHARLES, as Independent  
Administrator of the Estate of ABNERD  
JOSEPH, deceased,

Plaintiff(s),

v.

SUDLER AND COMPANY d/b/a SUDLER  
PROPERTY MANAGEMENT, et. al.

Court No. 2024L005346

Courtroom 2207  
Calendar D

**DEFENDANTS NATALIE BISHOPP AND ROBERT BISHOPP'S  
EMERGENCY MOTION FOR SANCTIONS AGAINST PLAINTIFF  
PURSUANT TO ILLINOIS SUPREME COURT RULE 219(c)**

Defendants NATALIE BISHOPP and ROBERT BISHOPP (“Bishopps”) by their attorneys BEST, VANDERLAAN & HARRINGTON, and for their Emergency Motion for Sanctions Against Plaintiff Pursuant to Illinois Supreme Court Rule 219(c), state as follows:

1. Plaintiff filed his original Complaint on May 14, 2024, arising out of the alleged shooting of Abnerd Joseph on September 14, 2023, at the Legacy condominium building located at 60 East Monroe Street, Chicago, Illinois.
2. On February 18, 2025, Plaintiff answered written discovery wherein Plaintiff was requested to disclose those treating physicians Abnerd Joseph saw in the five years prior to his death. In response, Plaintiff disclosed two facilities, Clear Immediate Care Physician and Peachtree Psychiatric Services.
3. On July 25, 2025, Plaintiff disclosed a third facility, Florida State University Health Services.
4. Plaintiff has supplemented their document productions up to 19 times to date.
5. Since July 25, 2025, Plaintiff has not disclosed any additional facilities.

6. On March 13, 2026, counsel for the Bishopps was made aware of cell phone data pulled from Abnerd Joseph's phone and preserved by the Chicago Police Department. Defense counsel for the Bishopps was given access to this information for the first time on March 13, 2026. This data contains hundreds of thousands of text messages that counsel has been in the process of reviewing.

7. Abnerd Joseph's cellphone has been in Plaintiff's possession – both the decedent's family members who are parties to this matter and plaintiff's counsel - since his passing in 2023 and throughout discovery in this matter.

8. Through their review of the data, counsel for the Bishopps has identified numerous other facilities at which Plaintiff sought treatment. There were also multiple messages with the decedent's friends and employer about him seeking medical treatment. Despite this, Plaintiff failed to disclose these facilities which were readily discoverable to Plaintiff.

9. When answering discovery, parties have an obligation to make "reasonable efforts in good faith" to obtain secure responsive information, including from individuals and sources that are within their control. *See, Grant v. Rancour*, 2020 IL App (2d) 190802 (2<sup>nd</sup> Dist. 2020).

10. "Discovery is intended to be a mechanism for the ascertainment of truth, for the purpose of promoting either a fair settlement or a fair trial." *Ostendorf v. International Harvester Co.*, 89 Ill.2d 273, 282 (1982). There is a requirement of full and frank disclosure imposed by the discovery rules. *Id.*

11. Illinois Supreme Court Rule 213(i) imposes onto a party a duty to seasonably supplement or amend prior answers to written discovery whenever new or additional information becomes known to a party.

12. Illinois Supreme Court Rule 219(c) authorizes a trial court to impose sanctions, including barring evidence and/or dismissing claims, upon any party who unreasonably fails to comply with any provisions of the court's discovery rules or any order pursuant to these rules. *Shimanovsky v. General Motors Corp.*, 181 Ill.2d 112, 120 (1998); IL R S CT Rule 219(c). Trial courts have wide discretion in regulating pretrial discovery and imposing sanctions pursuant to Rule 219(c). *See Redelmann v. K.A. Steel Chemicals, Inc.*, 377 Ill. App. 3d 971, 976–77 (1st Dist. 2007) (citations omitted).

13. Illinois courts have consistently held that fractional discovery answers undermine the rules of discovery and warrant sanctions when the complete information was available to the answering party. *See, Zagorski v. Allstate Ins. Co.*, 2016 IL App (5<sup>th</sup>) 140056 (5<sup>th</sup> Dist. 2016); *See also, Buehler v. Whalen*, 70 Ill.2d 51 (1977).

14. Here, Plaintiff had information pertaining to prior medical facilities that Abnerd Joseph treated at within the months leading up to his death and yet failed to disclose it at any point during discovery. To date, Plaintiff has not supplemented their discovery answers – despite issuing their own subpoenas to the same medical providers on March 31, 2026.

15. Counsel for the Bishopps had to discover these facilities on its own after being provided access to the cell phone data pulled by the Chicago Police Department from Abnerd Joseph's cellphone.

16. Once these facilities were discovered by defense counsel, subpoenas for records were timely issued.

17. Plaintiff then chose to continue his attempts at preventing fair and open discovery by filing his Motion to Quash those subpoenas issued by the Bishopps. This is even more egregious given that Plaintiff has issued subpoenas to some of the same providers.

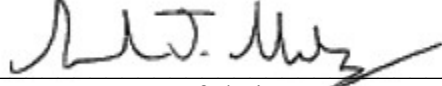
18. Given the tactical gamesmanship that has been employed by Plaintiff to prevent fair and open discovery, the Bishopps have been left with no other option but to seek sanctions.

19. As such, the Bishopps request that this Court enters sanctions against Plaintiff including, but not limited to, ordering Plaintiff to pay the costs incurred, including legal fees, in identifying these new facilities Plaintiff failed to disclose, obtaining the records from said facilities, and preparing this Motion necessitated by Plaintiff's own conduct.

WHEREFORE, Defendants NATALIE BISHOPP and ROBERT BISHOPP respectfully request this Honorable Court enter an Order granting their Motion in its entirety and for any other relief in their favor that this Court deems appropriate.

Respectfully submitted,

**NATALIE BISHOPP and ROBERT BISHOPP**

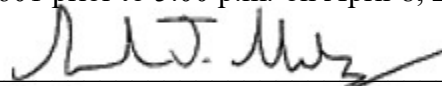
By:  \_\_\_\_\_  
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**CERTIFICATE OF SERVICE**

I, the undersigned, state that I caused copies of the foregoing to be served, with enclosures referred to thereon, if any, by **Email** to the attorney(s) of record at the address(es) of record from 200 N. LaSalle Street, Suite 2600, Chicago, IL, 60601 prior to 5:00 p.m. on April 8, 2026.

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Re: Charles v. Bishopp et al  
Court No.: 2024L005346  
BVH File: LIB.25571

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