

Sec. 2 619.1. Combined motions. Motions with respect to pleadings under Section 2 615, motions for involuntary dismissal or other relief under Section 2 619, and motions for summary judgment under Section 2 1005 may be filed together as a single motion in any combination. A combined motion, however, shall be in parts.

4. On or about March 7, 2017 MICHELLE filed a Petition for Rule to Show Cause against MICHAEL. In her motion, MICHELLE argues that MICHAEL failed to cooperate with Dr. Mark Goldstein and the reunification process per the Court's April 20, 2016 order.

5. By this motion, MICHAEL asserts that MICHELLE's motion should be stricken and dismissed because: a) the April 20, 2016 order which MICHELLE ostensibly seeks enforcement is superseded and thus mooted by the Court's award to MICHAEL of Parental Responsibility and Custody by order February 29, 2016, b) per the attached Affidavit of Dr. Goldstein (incorporated herein as Exhibit "A"), MICHAEL was consistently cooperative with Dr. Goldstein as opposed to MICHELLE who subverted the entire reunification process.

6. MICHAEL notes that the Guardian Ad Litem initially suggested that Dr. Robert Shapiro shepherd the reunification outlined by the Court's April 20, 2016 order but the parties subsequently agreed at MICHELLE's counsel's suggestion to utilize Dr. Mark Goldstein. As noted in his Affidavit, Goldstein was confronted with the problem that MICHELLE had misrepresented the nature of MICHAEL's paternity to J.C. which Goldstein was rightfully sensitive toward. Goldstein had set an appointment with MICHELLE and J.S. intended to reveal to J.S. that MICHAEL was his Father at which point MICHELLE fled the jurisdiction to avoid the entire reunification process. Goldstein's assertions per his Affidavit clearly defeat the conclusory allegations of non-compliance hypocritically advanced by MICHELLE who in end sabotaged the reunification process that had been previously established.

7. Irrespective of Goldstein's declaration that MICHAEL was compliant with the reunification process, Illinois law is clear any temporary custody order is superseded by a final judgment. *In re Marriage of Kostusik*, 361 Ill.App.3d 103, 836 N.E.2d 147 (1st Dist. 2005). Here, the temporary order of April 20, 2015 was superseded by the Court's award to MICHAEL of Parental Responsibilities in February of 2016. It is thus no longer actionable and cannot be enforced by MICHELLE.

WHEREFORE, based upon the foregoing, MICHAEL GANTINE, Respondent/Movant herein, respectfully prays as follows:

- A. That the instant Motion to Strike and Dismiss be granted for the reasons advanced *supra*;
- B. For such other relief as in equity may be just.

MICHAEL GANTINE

Daniel J. Moriarty
By: One of His Attorneys

Daniel J. Moriarty
Attorney for Respondent
111 E. Jefferson
Naperville, IL 60540
630-215-3651

March 23, 2017

Atty. No. 198538

**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT
DUPAGE COUNTY, ILLINOIS**

IN RE:	PARENTAGE OF)	
)	
	MICHELLE WATTS,)	
)	
	Petitioner,)	
)	
	and)	No. 09 F 143
)	
	MICHAEL GANTINE)	
)	
	Respondent.)	

AFFIDAVIT OF DR. MARK GOLDSTEIN

DR. MARK GOLDSTEIN, on oath deposes and states as follows:

1. That Affiant is a licensed psychologist in practice for in excess of forty (40) years.
2. That Affiant served by agreement the above parties to oversee the reunification of Respondent and the parties minor child; J.G. per order of the Circuit Court of DuPage County.
3. That the Respondent MICHAEL GANTINE complied with my requests of him incident to the reunification process. I spoke with Mr. Gantine several times on the phone and he was willing to fly to Chicago to begin the reunification process with his son. I indicated to him that I first needed to meet with his son several times to prepare the child. I met with MICHELLE WATTS to gain an understanding of the history and she provided me with written materials as well. Subsequently, I met with the minor child, who was unaware that Mr. Gantine was his father; he thought that another man with whom his mother had lived for a period of time was his father. The child and his mother were to have a joint session with me, in order to share that the minor child's father was Mr. Gantine, but Ms. Watts and the child did not appear for the appointment, nor cancel the appointment. Furthermore, the child's mother did not respond to my

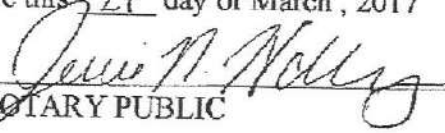
messages through text. Later, Mr. Gantine informed me that his son and his son's mother had eloped and were not to be found. More recently, Mr. Gantine called to inform me that his son had been found and was in his custody.

Respectfully submitted,

JMG

DR. MARK GOLDSTEIN

SUBSCRIBED and SWORN to before
me this 24 day of March, 2017


NOTARY PUBLIC

