

Appendix A

**Cook County Circuit Court Denial of Irina 2-1401 Petition –
No Jurisdiction
And
Denial to Review Fraud upon the Court – No Jurisdiction**

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Citimortgage, et al.

v.

Valery Vinarov, et al.

No. 10 C# 027778

+ 10 C# 41177

ORDER

This case comes before the Court on the following motions:

- ① JPMorgan Chase Bank N.A.'s Motion to Dismiss Complaint to Foreclose Mortgage;
- ② Irina Vinarov's Petition for Relief from Void Judgments;
- ③ Valery Vinarov's Motion Fraud Upon Court;
- ④ Taxant Patel's Motion to Vacate Court Order of 2/22/17 on Demand; and
- ⑤ Valery Vinarov's Motion Request to Strike Patel and his Attorneys' Pleadings.

and the Court being advised in the premises, thereon declines to hear the aforesaid motions presented because the ~~Appellate~~ Court believes it does not have jurisdiction due to the appeal in this matter.

Attorney No.: ~~11701~~ decision in the

Name: Andrea D. Lerner

ENTERED:

Atty. for: JPMorgan Chase Bank N.A.

Judge Cecilia A. Horan

Address: 330 N. Wabash Ave., 11th Fl.

Dated:

MAY 09 2019

City/State/Zip: Chicago, IL 60611

Telephone: 312-890-7000

Judge

Circuit Court - 2186

Judge's No.

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Appendix B

Appellate Court Order Denying Irina 2-1401 Petition due to “not bona fide” Party to underlying Foreclosure Litigation

**Grossly misconstrued 735 ILCS 5/2-1401 – Not a single word requiring
Injured party to be “Bona Fide Party” to litigation.**

**Conflicts with Rule 60 - Relief from a Judgment or Order. (6) states:
“any other reason that justifies relief”**

**Irina was robbed of her Property Ownership Rights guaranteed by US
Constitution (5th and 14th Amendments).**

**Said Order is entered with objective to eliminate Irina as an obstacle in
allowing Banks to steal Irina Property through Fraud upon the Court and
filing False Claims in underlying Foreclosure Litigation against Valery
Vinarov who, as a matter of Law is not owner of the Property – Irina is.**

IN THE
APPELLATE COURT OF ILLINOIS
FIRST JUDICIAL DISTRICT

CITIMORTGAGE, INC.,)
Plaintiff-Appellee,)
)
v.)
)
VALERY Vinarov, WASHINGTON MUTUAL BANK,) No. 19-1173
N/K/A JPMORGAN CHASE BANK, N.A. UNDER)
MORTGAGE RECORDED AS DOCUMENT NUMBER)
0634522061 AND UNDER MODIFICATION AGREEMENT)
RECORDED AS DOCUMENT NUMBER 0729017116,)
Defendant-Appellant.)

ORDER

This cause having come before the Court on petitioner Irina Vinarov's pro se "Motion to Reconsider Order Denying Application for Waiver of Court Fees";

The petitioner's pro se notice of appeal states that she is appealing the trial court's May 9, 2019 order, which declined to hear her "Petition for Relief from Void Judgments" pursuant to 735 ILCS 5/3-1401, due to lack of jurisdiction; Whereas the petitioner has failed to prove that she was a bona fide party in case number 10CH27778 and is therefore allowed to seek relief from judgments in the case, she cannot appeal from that order. The petitioner had the right to appeal the trial court's judgment denying her leave to intervene in the case, but she did not file a notice of appeal from that order;

IT IS HEREBY ORDERED that the petitioner's Motion to Reconsider Order Denying Application for Waiver of Courts Fees is DENIED.

ORDER ENTERED

JUL 18 2019

APPELLATE COURT FIRST DISTRICT

Glenn R. Hartigan

JUSTICE
Naomi C. Brown

JUSTICE
Mark J. Turner

JUSTICE

Appendix C

**Appellate Court Order in Response to Motion to Reconsider, Denying
Irina's 2-1401 Petition due to "not bona fide Party" and threat to treat
additional motions as frivolous and treat Accordingly**

IN THE
APPELLATE COURT OF ILLINOIS
FIRST JUDICIAL DISTRICT

CITIMORTGAGE, INC.,)
Plaintiff-Appellee,)
)
v.)
)
VALERY VINAROV, WASHINGTON MUTUAL BANK,) No. 19-1173
N/K/A JPMORGAN CHASE BANK, N.A. UNDER)
MORTGAGE RECORDED AS DOCUMENT NUMBER)
0634522061 AND UNDER MODIFICATION AGREEMENT)
RECORDED AS DOCUMENT NUMBER 0729017116,)
Defendant-Appellant.)

ORDER

This cause having come before the Court on petitioner Irina Vinarov's pro se "Motion to Reconsider Order entered July 18, 2019";

As explained in our July 18, 2019 order, the petitioner is not a bona fide party in case number 10CH27778 from which she appeals:

"The petitioner's pro se notice of appeal states that she is appealing the trial court's May 9, 2019 order, which declined to hear her "Petition for Relief from Void Judgments" pursuant to 735 ILCS 5/3-1401, due to lack of jurisdiction; Whereas the petitioner has failed to prove that she was a bona fide party in case number 10CH27778 and is therefore allowed to seek relief from judgments in the case, she cannot appeal from that order. The petitioner had the right to appeal the trial court's judgment denying her leave to intervene in the case, but she did not file a notice of appeal from that order";

IT IS HEREBY ORDERED that the petitioner's Motion to Reconsider Order entered July 18, 2019 is DENIED. Any additional motions by petitioner related to this case will be considered frivolous and treated accordingly.

ORDER ENTERED

AUG 01 2019

APPELLATE COURT FIRST DISTRICT

Brenda L. Johnson
JUSTICE

Jeanine M. Conroy
JUSTICE

James E. Donnelly
JUSTICE

Appendix D

**Illinois Supreme Court Notice of Order
Court Clerk Refused to Produce Actual Order signed by Justices**

Supreme Court Case No. 125242: Disposition

DoNotReply-ILCourts@illinoiscourts.gov

❶ You forwarded this message on 11/26/2019 10:50 AM.

Sent: Tue 11/26/2019 8:35 AM

To: vvinarov@att.net

 Message |  PLA Denied.pdf (44 KB)

Disposition - PLA Denied has been filed by the Supreme Court in 125242.

This email was sent to vvinarov@att.net.



SUPREME COURT OF ILLINOIS

SUPREME COURT BUILDING
200 East Capitol Avenue
SPRINGFIELD, ILLINOIS 62701-1721
(217) 782-2035

FIRST DISTRICT OFFICE
160 North LaSalle Street, 20th Floor
Chicago, IL 60601-3103
(312) 793-1332
TDD: (312) 793-6165

November 26, 2019

In re: CitiMortgage, Inc., respondent, v. Valery Vinarov, petitioner. Leave to appeal, Appellate Court, First District.
125242

The Supreme Court today DENIED the Petition for Appeal as a Matter of Right or, in the alternative, Petition for Leave to Appeal in the above entitled cause.

The mandate of this Court will issue to the Appellate Court on 12/31/2019.

Very truly yours,

Carolyn Taff Gosboll

Clerk of the Supreme Court

Appendix E

Irina Proof of Ownership - Partial Down-Payment

Check for Advance Payment of \$8,000 paid to Escrower converted into down payment. Check of paid \$20,000 is lost. The record of \$20,000 payment is in ABN Amro/CitiMortgage Possession (Citi refused to Produce).

Appendix K

**Appellate Court Summary Judgment Avoidance/Failure/Refusal to
Adjudicate Fraud upon the Court in underlying case 1-19-1167.**

**Case 1-19-1167 was opened with objective to adjudicate Fraud upon the
Court. Essentially, Judgment is Approval of Stealing Irina Property
attained through Fraud.**

**Summary Judgment based on Misplaced Law. New Fraud upon the
Court Claims erroneously and intentionally misidentified as Motion –
bare face Fabrication. No judges signatures, compare with Order denying
request to adjudicate Fraud upon the Court (Appendix O) – fear to
Identify themselves in connection with Judicial Absurd, Fabrication and
Criminal Act ???**

NOTICE
The text of this order may
be changed or corrected
prior to the time for filing of
a Petition for Rehearing or
the disposition of the same.

2020 IL App (1st) 191167-U

SIXTH DIVISION
February 14, 2020

No. 1-19-1167

NOTICE: This order was filed under Supreme Court Rule 23 and may not be cited as precedent by any party except in the limited circumstances allowed under Rule 23(e)(1).

IN THE
APPELLATE COURT OF ILLINOIS
FIRST JUDICIAL DISTRICT

CITIMORTGAGE, INC., and JP MORGAN CHASE BANK, N.A., Plaintiffs-Appellees,)	Appeal from the Circuit Court of Cook County.
v.)	
VALERY VINAROV, Under Mortgage Recorded as Document Number 0634522061 and Under Modification Agreement Recorded as Document Number 072907116 , UNKNOWN OWNERS, and Nonrecord Claimants,)	No. 10 CH 27778
Defendants, (Valery Vinarov, Defendant-Appellant))	Honorable Cecilia A. Horan, Judge Presiding.

JUSTICE CUNNINGHAM delivered the judgment of the court.
Justices Connors and Harris concurred in the judgment.

SUMMARY ORDER

¶ 1 The circuit court of Cook County declined to hear a motion entitled "Motion Fraud Upon the Court" filed *pro se* by the defendant-appellant Valery Vinarov, on the basis that the trial court lacked jurisdiction. Mr. Vinarov now appeals.

¶2 We set forth the facts of this case in *CitiMortgage, Inc. v. Vinarov*, 2018 IL App (1st) 170279-U, appeal denied (unpublished order under Illinois Supreme Court Rule 23) and we now repeat only the facts necessary to resolve this matter.

¶3 In 1997, Vinarov acquired property located at 2410 Brockway Street, Palatine, Illinois (the property). In 2003, Vinarov obtained a loan from plaintiff-appellee CitiMortgage, Inc. (Citi) secured by a mortgage on the property (the 2003 mortgage).¹ In 2006, Vinarov obtained a home equity line of credit from Washington Mutual Bank secured by a second mortgage on the property (the 2006 mortgage). Plaintiff-appellee JP Morgan Chase Bank, N.A. (Chase) subsequently assumed the 2006 mortgage.

¶4 On June 29, 2010, Chase filed a complaint against Vinarov to foreclose on the property pursuant to the 2006 mortgage. On September 22, 2010, Citi filed a separate complaint against Vinarov to foreclose on the property pursuant to the 2003 mortgage. The trial court consolidated the two foreclosure actions.

¶5 In May 2013, Citi filed a motion for summary judgment on its foreclosure action. The trial court granted Citi's motion.

¶6 Meanwhile, Vinarov filed six counterclaims against Chase. Chase filed a motion to dismiss the counterclaims, which the trial court granted. However, the court permitted Vinarov to seek leave to file amended counterclaims against Chase.

¶7 Vinarov then filed a motion for leave to file amended counterclaims against Chase. Following a hearing, the trial court denied Vinarov's motion.

¶8 On November 4, 2015, the trial court entered a judgment for foreclosure and sale in favor of Citi, finding that Chase's mortgage was subordinate.

¹The original mortgagee was ABN AMRO Mortgage Group, Inc., which was purchased by and merged with Citi in 2007.

¶ 9 The property was sold at a judicial sale, and on January 5, 2017, the court confirmed the sale of the property.

¶ 10 Vinarov then appealed. He challenged, *inter alia*, the trial court's orders granting Citi's motion for summary judgment and denying his motion for leave to file amended counterclaims against Chase.

¶ 11 This court affirmed both orders of the trial court. *Vinarov*, 2018 IL App (1st) 170279-U, ¶ 29 (*Vinarov I*). We found that there was no genuine issue of material fact in Citi's foreclosure case against Vinarov and so summary judgment was appropriate. *Id.*, ¶ 21. We also held that the trial court did not abuse its discretion by denying Vinarov leave to file amended counterclaims against Chase. *Id.*, ¶ 26.

¶ 12 Following our decision in *Vinarov I*, Vinarov filed a petition for rehearing, which we denied. He subsequently filed a petition for leave to appeal to the Illinois Supreme Court, which was denied. *Citimortgage, Inc. v. Vinarov*, 111 N.E.3d 945 (Nov. 28, 2018). This court's mandate affirming the trial court's judgment was filed with the trial court on April 16, 2019.

¶ 13 On May 6, 2019, Vinarov filed a document in the trial court, entitled; "Motion Fraud Upon the Court." The motion stated that it was brought pursuant to 2-1203 of the Code of Civil Procedure (the Code), which allows parties to file a motion for a rehearing, a retrial, or a modification of judgment within 30 days after the entry of the judgment. 735 ILCS 5/2-1203 (West 2018). The motion argued that this court's decision in *Vinarov I* was "filled with 'erroneous' statements, misconstrued evidence, fabrication of facts and Fraud upon the Court." In his motion filed in the trial court, Vinarov raised the same arguments he raised in *Vinarov I*. The motion requested the trial court to "re-open the case."

¶ 14 The trial court entered an order declining to hear Vinarov's motion, stating: "the court