

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION

Countrywide Home Loans, Inc.,

Plaintiff,

v.

David Clark, Robin Clark a/k/a Robin D. Clark,

Defendants.

No. 08 CH 19406

ORDER

The defendants filed a joint motion requesting this court to enter a bystanders' report for the September 23, 2013 proceedings. The defendants indicate that on September 24, 2013 they filed their notice of appeal.

The Illinois Supreme Court Rules provide that a proposed bystander's report "shall be served on all parties within 28 days after the notice of appeal is filed." Ill. S. Ct. R. 323(c). An opposing party then has 14 days to serve its proposed report, after which the moving party has seven days to present all of the proposed reports to the trial court for consideration. *Id.*

Given this schedule, by October 22, 2013 the Clarks were to have served their proposed bystanders' report on Countrywide, by November 5, 2013 Countrywide was to have served its proposed report on the Clarks, and by November 12, 2013 the Clarks were to have presented the proposed reports to the court.

Rule 323(c) gives no discretion to the circuit court to alter its schedule. Since the Clarks' joint motion is untimely filed, this court has no discretion to hear it. For that reason,

IT IS ORDERED THAT:

1. The joint motion to enter a bystanders' report is denied; and
2. Plaintiff's counsel is to provide a copy of this order to all other counsel by February 12, 2014.

Judge John H. Ehrlich

FEB 03 2014

Circuit Court 2075


John H. Ehrlich, Circuit Court Judge