

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTH DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:)	Chapter 7
)	
John A. Popadiuk,)	Adversary No.: 20-00024
)	
Debtor,)	Hon. Carol P. Doyle
)	
<hr style="width: 45%; margin-left: 0;"/>		
Kim Mitchell, Rommy Henley,)	
Raphael Zilch; Edward Storozuk,)	Bankruptcy Case No. 19-33336
Brian Sherman; and Joe Newhart)	
)	
Plaintiffs,)	
)	
v.)	
)	
John A Popadiuk, individually and d/b/a,)	
Zidware, Inc.,)	
)	
Defendant.)	

Notice of Motion

TO: See attached list

PLEASE TAKE NOTICE that on October 13, 2022, at 10:00 a.m., I will appear before the Honorable Carol A. Doyle, or any judge sitting in that judge's place, and present the Motion of the Plaintiffs to Dismiss Case, a copy of which is attached.

This motion will be presented and heard electronically using Zoom for Government. No personal appearance in court is necessary or permitted. To appear and be heard on the motion, you must do the following:

To appear by video, use this link: <https://www.zoomgov.com/>. Then enter the meeting ID and password.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828- 7666. Then enter the meeting ID and password.

Meeting ID and password. The meeting ID for this hearing is **161 155 8289** and the password is **Doyle742**. The meeting ID and password can also be found on the judge's page on the court's web site. If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a

Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

**Kim Mitchell, Rommy Henley, Raphael Zilch,
Edward Storozuk, Brian Sherman, and Joe
Newhart**

By: /s/Bert Zaczek
One of Plaintiffs' attorneys
T: 312-527-1090
E: bert@bzlegal.net

Certificate of Service

I, Bert Zaczek, certify that I served a copy of this notice and the attached motion on each entity shown on the attached list at the address shown on September 22, 2022. CM/ECF indicates it was sent via the Clerk's Electronic Case Filing. All other notices were sent via first-class mail.

Bert Zaczek/Amy Pikarsky
311 N. Aberdeen St.
Suite 200-D
Chicago, IL 60607
T: 312-527-1090
bert@bzlegal.net
amy@bzlegal.net

Zane D. Smith & Associates, Ltd.
221 N. LaSalle St., Suite 1320
Chicago, IL 60601
T: 312-245-0031
Zane@zanesmith.com

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Plaintiffs' Motion to Dismiss Case

The Plaintiffs, Kim Mitchell, Rommy Henley, Raphael Zilch, Edward Storozuk, Brian Sherman, and Joe Newhart ("Plaintiffs"), by their attorneys, Bert Zaczek, Amy, Pikarsky, and Zane D. Smith & Associates, Ltd. state for their Motion to Dismiss Case:

Argument

1. The Plaintiffs filed their Adversary Complaint seeking relief under both 11 U.S.C. §§ 523 and 727 on January 14, 2020.

2. The parties have settled the case. Accordingly, the Plaintiffs wish to dismiss their case.

Wherefore, the Plaintiffs, Kim Mitchell, Rommy Henley, Raphael Zilch, Edward Storozuk, Brian Sherman, and Joe Newhart, request that the Court dismiss the case.

Respectfully submitted,

**Kim Mitchell, Rommy Henley, Raphael Zilch,
Edward Storozuk, Brian Sherman, and Joe
Newhart**

By: /s/Bert Zaczek
One of Plaintiffs' attorneys

Bert Zaczek/Amy Pikarsky
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Suite 200-D
Chicago, IL 60607
T: 312-527-1090
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