

EXHIBIT B - Payment Demand

Email from B. McGivern to M. Cole dated August 21, 2025

(Attempt to resolve payment terms with 5PM deadline - no response received)



Brandon McGivern [REDACTED]

RESPONSE REQUIRED BY 5PM TODAY - Use and Occupancy Payment Default

1 message

Brandon McGivern [REDACTED]

Thu, Aug 21, 2025 at 9:16 AM

To: Mason Cole <mcole@colesadkin.com>

Cc: James Cook <jcook@colesadkin.com>, Rebecca Bach <rbach@colesadkin.com>

Mr. Cole,

On August 14, 2025, Judge McCarthy granted Plaintiff's oral motion for use and occupancy. The entered order contains no payment terms.

Attached are the rental comparables that were also provided to the court showing \$2,500/month is below fair market value, the following amounts are owed:

- June 2025: \$2,500.00
- July 2025: \$2,500.00
- August 1-21, 2025: \$1,750.00 (21 days × \$83.33/day)
- **Total Due Now: \$6,750.00**

August 22-31, 2025: \$833.30 - Due August 31, 2025

September 2025: \$2,500.00 - Due September 1, 2025

Monthly thereafter: \$2,500.00 - Due on the 1st of each month

No payments have been received since the Court granted use and occupancy seven days ago.

Please confirm by 5:00 PM today:


1. When payment will be made for amounts currently due
2. Your client's position on the monthly rate
3. Whether your client intends to comply with the Court's order granting use and occupancy

If no response is received by 5:00 PM today, I will file an Emergency Motion requesting the Court enter specific payment terms.

Brandon McGivern
Pro Se Plaintiff

Brandon McGivern
Web Developer / Graphic Designer

[REDACTED]

 Market_Rate_Rental_Analysis.pdf
145K

FILED DATE: 8/21/2025 5:57 PM 20251707919

EXHIBIT D - Email Exchange

Email thread between B. McGivern and M. Cole dated August 14, 2025

(Counsel refused to agree to retroactive payments, refused to propose alternatives when requested, submitted competing orders claiming parties "could not agree")

Brandon McGivern
Web Developer / Graphic Designer

[Quoted text hidden]

3 attachments

 **McGivern v. Hadley, 2025-M1-707919--August 14, 2025 Agreed Order- McGivern Approved.docx**
26K

 **(redlined)McGivern v. Hadley, 2025-M1-707919--August 14, 2025 Agreed Order- McGivern Approved.docx**
26K

 **Market_Rate_Rental_Analysis.pdf**
145K

Mason Cole <mcole@colesadkin.com>

Thu, Aug 14, 2025 at 5:38 PM

To: Brandon McGivern

Cc: jcook@colesadkin.com

I'll have to review this evening. I am not agreeing to back owed rent. We are agreeing for you to rescind your prior motion barring rent.

Sincerely,

Mason Cole
Cole Sadkin, LLC
www.colesadkin.com
Office: (312) 548-8610
1652 W. Belmont Avenue, Suite 1, Chicago, IL 60657
244 Fifth Avenue, Suite M297, New York, NY 10001

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[Quoted text hidden]

Brandon McGivern

Thu, Aug 14, 2025 at 5:54 PM

To: Mason Cole <mcole@colesadkin.com>

Cc: jcook@colesadkin.com

Mason, today's use and occupancy order is new relief granted by Judge McCarthy to address Kyle's continued occupancy without payment. The Court granted this after learning I'm facing foreclosure while Kyle occupies the property rent-free.

FILED DATE: 8/21/2025 5:57 PM 20251707919

If you cannot agree to retroactive use and occupancy, please propose what you will accept so we can submit an order reflecting at least the prospective payments the Court authorized. Time is of the essence as I need to provide documentation to my mortgage company.

Brandon

Brandon McGivern
Web Developer / Graphic Designer

[REDACTED]

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FILED DATE: 8/21/2025 5:57 PM 20251707919