

II. LEGAL BASIS FOR RECORD CORRECTION AND ORDER MODIFICATION

A. Authority to Correct the Record (*Nunc Pro Tunc* Relief) – I.L. S.Ct. Rule 329

Rule 329 (Correction of the Record) provides that material omissions or inaccuracies “may be corrected by stipulation of the parties or by the trial court...either before or after the record is transmitted” so that the record accurately reflects what occurred. This rule authorizes a trial court to enter an order *nunc pro tunc* to conform the record to reality.

B. Authority to Settle the Record Where Transcript is Incomplete – I.L. S.Ct. Rule 323(c)–(d)

When a verbatim transcript is unavailable or incomplete, **as is the case here due to the absence of a courtroom reporter on October 2, 2025**, Rule 323(c)–(d) permits the Court to settle and approve a bystander’s report or agreed statement of facts to memorialize what was actually said or done in court. Plaintiff offers his sworn affidavit (Exhibit 1: Affidavit of Marcellus Long Regarding “at-will” Employment and Other Employment Terms) as the predicate for such settlement as required by the Rule.

C. Authority to Modify (change after the fact) Interlocutory Orders within 30 Days – 735 ILCS § 2-1203

The Court retains inherent jurisdiction to modify or vacate interlocutory orders after they have already been ruled upon. Furthermore, in non-jury matters, any party may, within 30 days after entry of judgment, move for modification or other relief (735 ILCS 5/2-1203), providing an express statutory path to “modify” the order itself, should the Court determine clarification is needed.

D. Timing and Alternative Safety-Valves

Rule 272 clarifies when a judgment is “entered” (the date that controls the 30-day motion practice). If 30 days have elapsed from entry of any written order, the Court still retains authority to correct the record under Rule 329. Where appropriate, the Court may also consider § 2-1401 relief (for final orders after 30 days) or § 2-1301(e) (within 30 days), recognizing that *nunc pro tunc* corrections are limited to making the record speak the truth.

III. Factual Predicate (Affidavit Incorporated)

Plaintiff files and incorporates **Exhibit 1: Affidavit of Marcellus Long**. The Affidavit establishes, under oath, the factual predicate for this correction, including that:

- Plaintiff never stipulated at the October 2, 2025 hearing that he was at-will with CDW Government LLC.
- **No CDWG-specific offer letter, employment contract, or at-will acknowledgment exists for the period at issue.**

- Prior employment paperwork signed in 2021, which included an at-will acknowledgment and compensation overview, pertained to CDW Direct, LLC (as reflected on Plaintiff's W-2), a separate legal entity, and not CDWG.
- Plaintiff repeatedly requested (at least 9 times) CDWG-specific employment terms, and nothing was ever provided.
- Plaintiff was repeatedly assigned duties and tasks that fell outside the scope of his documented job description, supporting the disputed nature of the employment agreement and its terms.
- **The verbatim transcript of the October 2, 2025 hearing is unavailable** because no official court reporter was present, necessitating the use of the sworn Affidavit (Ex. 1) as the substitute record pursuant to Rule 323(c). **(See Exhibit A: Clerk's Certification of No Transcript).**

IV. Conclusion

This is a modest, procedural correction requested pursuant to the Court's inherent power and specific Supreme Court Rules to ensure the integrity of the record.

WHEREFORE, Plaintiff respectfully requests that the Court grant the relief requested herein (or comparable relief under Rules 329/323 and §§ 2-1203/2-1301(e)) and grant such further relief as is just

Dated: November 4, 2025

Respectfully submitted,

Mr. Marcellus Long, MBA

Pro Se Plaintiff

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Exhibit A: Clerk's Certification of No Transcript

From: LAW CALwcc LAW.CALwcc@cookcountyil.gov
Subject: Re: Courtroom Transcript Request Procedure (2025-L-007458)
Date: October 3, 2025 at 10:16 AM
To: Legal Legal@marcelluslong.com
Cc: John O'Connor joconnor@fordharrison.com, Joel M. Zeid jzeid@fordharrison.com, Donna [REDACTED] DSpears@fordharrison.com, Craig R. Thorstenson CThorstenson@fordharrison.com



Dear Mr. Long,
The court does not provide court reporters.
Parties must order their own.

Best,

Christine Marinakis
Case Coordinator

Calendar W Staff
[Hon. Thomas More Donnelly](#)
50 West Washington St
Courtroom 1912
Chicago, IL 60602
[REDACTED]

Meeting ID: 921 0771 7798 Password: 881878

Calendar W Webpage: <https://www.cookcountycourt.org/judge/donnelly-thomas>

From: Legal <Legal@marcelluslong.com>
Sent: Friday, October 3, 2025 10:07 AM
To: LAW CALwcc <LAW.CALwcc@cookcountyil.gov>
Cc: John O'Connor <joconnor@fordharrison.com>; Joel M. Zeid <jzeid@fordharrison.com>; Donna [REDACTED] <DSpears@fordharrison.com>; Craig R. Thorstenson <CThorstenson@fordharrison.com>
Subject: Courtroom Transcript Request Procedure (2025-L-007458)

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Dear Calendar W,

I am a pro se plaintiff in Marcellus Long v. CDWG, Case No. 2025-L-007458, before Judge Donnelly (Room 1912, Law Division).

I am writing to ask about the proper procedure for requesting official hearing transcripts for this matter.

Could someone please advise:

- Who is the official court reporter for Calendar W /Room 1912/Judge Donnelly,
- What the process is for requesting transcripts (including any required forms or contact information),
- And whether requests should be submitted via email or through another system?

Thanks.

Most Respectfully,

Mr. Marcellus Long, MBA
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Chicago, IL 60660