

No. 1-07-0088

record also includes the November 8, 2005, order granting defendant's motion to dismiss as to counts 7 (negligent infliction of emotional distress) and 8 (intentional infliction of emotional distress), and denying it as to the other counts. The order begins:

"This matter coming before the Court upon Defendant's § 2-615 Motion to Strike and Dismiss Plaintiff's Amended Complaint, [] with all parties given due notice and the Court fully advised in the premises[.]"

There is no mention in the order of an objection by plaintiff to hearing a motion that had previously been disposed of, and there is no transcript of any hearing that may have occurred on this motion. In short, the record before us is piecemeal, the filings are out of order, and this court has spent undue energy unraveling the mess that is this record. It is the appellant's burden to provide a complete record on appeal, and any doubt arising from the incompleteness of the record is resolved against the appellant. Gilmore v. City of Zion, 237 Ill. App. 3d 744, 754 (1992).

Absent evidence to the contrary, we presume the trial court acted according to the law. See Gilmore, 237 Ill. App. 3d at 754.

Fraud Upon the Tribunal

Next, plaintiff contends that the court erred when it granted defendant's section 2-615 motion to strike and dismiss plaintiff's claim for fraud upon a tribunal. We disagree.

In plaintiff's second amended complaint, she alleged that defendant Buick committed fraud upon the tribunal. Specifically, plaintiff alleged, *inter alia*:

"183. In Court proceedings and during arbitration, Defendant and its counsel [Vorberg], willingly and knowingly, misstate the law in outrageous ways; they