

**IN THE CIRCUIT COURT FOR THE TWENTY-THIRD JUDICIAL CIRCUIT
COUNTY OF DEKALB, ILLINOIS**

MISTY HAJI-SHEIKH,)
)
Plaintiff,)
)
v.)
)
THE BOARD OF TRUSTEES OF)
NORTHERN ILLINOIS UNIVERSITY,)
)
)
Defendant.)

Case No. 17 CH 103
Hon. Bradley J. Waller

Maureen A. Josh
Electronically Filed
DeKalb County, Illinois
Transaction ID : 1703715134
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FILEDATE : 09/15/2017

PLAINTIFF’S MOTION FOR SUMMARY JUDGMENT

Plaintiff Misty Haji-Sheikh respectfully moves this Court for the entry of summary judgment in her favor and against defendant Board of Trustees of Northern Illinois University (the “Board”) as to Counts I and II of her Amended Complaint, which awards the follow relief: (1) declaring that the Board’s “pubic notice” associated with its consideration of and approval of a severance agreement with outgoing President Dr. Douglas Baker violated the Open Meetings Act, 5 ILCS 120/2.02 and The Northern Illinois University Act, 110 ILCS 685/30-195(6)(7) and (8) and 110 ILCS 685/30-200; (2) declaring that the “final action” taken by the Board on June 15, 2017 with regard to the severance contract with Dr. Baker was null and void; (3) enjoining the Board from violating the Open Meetings Act in a similar fashion in the future; and (4) awarding Ms. Haji-Sheikh her reasonable attorney’s fees.

In support of her motion, Ms. Haji-Sheikh submits for the Court’s consideration the following:

- Her Memorandum of Law;
- Proposed Order;
- The Affidavit of Misty Haji-Sheikh;

- A summary of the Board's past agendas and the actions taken in association with those agendas (attached hereto as Mot. Ex. 1);
- The "Presidential Transition Agreement" executed by Dr. Douglas Baker and the Board on June 15, 2017 (attached hereto as Mot. Ex. 2); and
- A transcript of the post-closed session portion of the June 15, 2017 meeting (attached hereto as Mot. Ex. 3).

WHEREFORE, for the reasons set forth herein, plaintiff Misty Haji-Sheikh respectfully moves this Court for the entry of summary judgment against the defendant the Board of Trustees of Northern Illinois University with respect to Counts I and II of her Verified Amended Complaint and orders the following relief:

- finding that the Board violated 5 ILCS 120/2.02(c), 110 ILCS 685/30-195(6)(7) and (8), and 110 ILCS 685/30-200;
- declaring that the Board's final action with respect to Item 13 of its June 15, 2017 meeting was null and void;
- enjoining the Board from future violations of the Open Meetings Act or the Employment Contract Limitations and/or the Executive Accountability Limitations amendments;
- awarding Ms. Haji-Sheikh her reasonable attorneys' fees; and
- such other relief as this Court deems just and proper.

Dated: September 15, 2017

Respectfully submitted,

/s/Charles L. Philbrick
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Attorneys for Plaintiff Misty Haji-Sheikh

CERTIFICATE OF SERVICE

I, Charles L. Philbrick, an attorney, certify that on September 15, 2017, I served a true and correct copy of the foregoing Plaintiff's Motion for Summary Judgment via electronic transmission and regular U.S. Mail upon:

Gregory A. Brady
Sara M. Cliffe
Acting Vice President and General Counsel
Northern Illinois University
Altgeld Hall 330
DeKalb, IL 60115

/s/ Charles L. Philbrick
Charles L. Philbrick