

IN THE CIRCUIT COURT FOR THE FIFTH JUDICIAL CIRCUIT
CLARK COUNTY, ILLINOIS

KIRK ALLEN and JOHN KRAFT,)
Plaintiffs,)
v.)
CLARK COUNTY PARK DISTRICT)
BOARD OF COMMISSIONERS,)
Defendant.)

Case No. 2015-MR-4

MOTION FOR RULE 137 SANCTIONS

The Defendant, CLARK COUNTY PARK DISTRICT BOARD OF COMMISSIONERS, by its attorneys, Meyer Capel, A Professional Corporation, moves for imposition of sanctions against Plaintiffs Kirk Allen and John Kraft, pursuant to Illinois Supreme Court Rule 137, and states as follows:

1. On February 18, 2015, Plaintiffs Kirk Allen and John Kraft filed a pro se complaint against the Clark County Park District Board of Commissioners, alleging violations of the Open Meetings Act.
2. Plaintiffs' complaint fails to state a cause of action under any existing or reasonable interpretation of the Open Meetings Act.
3. On information and belief, Plaintiffs are pursuing this litigation in order to delay or prevent development of property owned by the Clark County Park District, and to interfere with the upcoming contested election to fill four seats on the Clark County Park District Board of Commissioners.
4. Pursuant to Illinois Supreme Court Rule 137, sanctions are appropriate where a party files a pleading that "is well grounded in fact and is warranted by existing law or a good-faith argument for the extension, modification, or reversal of existing law, and that it is not

interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation”

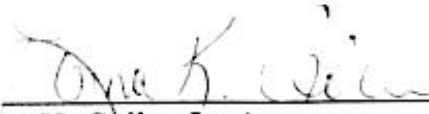
5. Plaintiffs’ complaint is not well-grounded in fact, it is not warranted by existing law, and it was filed for improper purposes.

For the foregoing reasons, Defendant Clark County Park District Board of Commissioners respectfully requests that this Court sanction Plaintiffs’ abusive litigation conduct under Rule 137, deny Plaintiffs the right to refile their Complaint, and award the Board attorney’s fees, costs, and other relief that this Court deems fair.

Respectfully Submitted:

CLARK COUNTY PARK DISTRICT
BOARD OF COMMISSIONER, Defendant

By: Meyer Capel, A Professional Corporation

By: 
Lorna K. Geiler, Its Attorney

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