

**IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
WILL COUNTY, ILLINOIS**

JOHN NORTON,

Plaintiff,

v.

**Leonard McCubbin Jr.,
Connie Hale Forsythe ,
Micheal Esposito,
Cynthia L Brzana, Mary Jones,
Kirk Allen, Becky Becker,
Arlin Fritz**

Defendants.

19L943

COMPLAINT

**NOW COMES Plaintiff, JOHN NORTON, to bring this suit, and,
in support of his Complaint, NORTON states as follows:**

INTRODUCTION

1. Pursuant to the fundamental philosophy of the American Constitutional form of government, it is declared to be the public policy of the State of Illinois that the constitutional rights of citizens and organizations to be involved and participate freely in the process of government must be encouraged and safeguarded with great diligence. The information, reports, opinions, claims, arguments, and other expressions provided by citizens are vital to effective law enforcement, the operation of government, the making of public policy and decisions, and the continuation of representative democracy. The laws, courts, and other agencies of this State must provide the utmost protection for the free exercise of these rights of petition, speech, association, and government participation. Civil actions for money damages have been filed against citizens and organizations of this State as a result of their valid exercise of their constitutional rights to petition, speak freely, associate freely, and otherwise participate in and communicate with government. There has been a disturbing increase in lawsuits termed "Strategic Lawsuits Against Public Participation" in government or "SLAPPs" as they are popularly called.

The threat of SLAPPs significantly chills and diminishes citizen participation in government, voluntary public service, and the exercise of

these important constitutional rights. This abuse of the judicial process can and has been used as a means of intimidating, harassing, or punishing citizens and organizations for involving themselves in public affairs. It is in the public interest and it is the purpose of this Act to strike a balance between the rights of persons to file lawsuits for injury and the constitutional rights of persons to petition, speak freely, associate freely, and otherwise participate in government; to protect and encourage public participation in government to the maximum extent permitted by law; to establish an efficient process for identification and adjudication of SLAPPs; and to provide for attorney's fees and costs to prevailing movants. (735 ILCS 110/5)

2: That Defendant Cynthia L. Brzana was Convicted of Battery against the Plaintiff on April 15, 2019. (2018 OV 003089)

3: That Defendant Allen, a founding member of the Edgar County Watchdogs, finds comfort in public controversy and attention surrounded by the use of unfounded facts and is thus motivated by the financial gain, by and from donations from many of the claimed 4,000 plus followers of his cause, thru his 501(c)4 status.

4: Federal Trade Commission complaint was filed on August 15, 2019 by the Plaintiff against Defendant Allen (FTC Report Number: 110532994).

PARTIES

5. Plaintiff:

i. JOHN NORTON is a citizen of Wesley Township in Will County, Illinois and is a Private Citizen and not in a Position of Authority or an Elected Official as of May 15, 2017 to present.

6. Defendants;

- i. Defendants Leonard McCubbin Jr., Connie Hale Forsythe, Michael Esposito, Cynthia L. Brzana, Mary Jones, Becky Becker and Arlin Fritz are residents of Wesley Township, located in Will County.**
- ii. Defendant Kirk Allen resides in Illinois at an undisclosed location and operates and is in control**

of the organization commonly known as The Edgar County Watchdogs.

FACTS COMMON TO EACH COUNT

7: Upon information and belief, defendants have undertaken a campaign to prevent the Plaintiff from enjoining his granted rights as defined in 735 ILCS 110/1.

8: Upon information and belief that all named defendants have met and agreed to further the idea of such a campaign to discourage and deny the Plaintiff's participation in local government.

9: The Defendants, utilizing social media and cellular text messages, have pursued the Plaintiff to various locations, on numerous occasions, during the last two (2) years, to take photos and make audio/video recordings, as a means of and attempt to, intimidate and harass the Plaintiff, to which was stated in witness testimony, in open Court, by James Spinale.

10: Upon information and belief, each of the defendants directly and indirectly used social media to intimidate and discourage the Plaintiff from attending township meetings and utilize township properties, such as the township park.

COUNT I –

11: On or about 13 June 2019 at 20:29 Hours, Defendant McCubbin committed an Act of Battery against the Plaintiff, resulting in bodily harm that required medical attention at Riverside Hospital located in Kankakee, Illinois, and that such Act was captured on video tape from two camera angles, located in the office spaces of Wesley Township Hall. (Exhibit A)

COUNT II –

12: Defendant Esposito did commit perjury to the effect that he witnessed the events between Plaintiff Norton and Defendant McCubbin on 13 June 2019. Two (2) videos and other evidence were presented in and to the Court, in case number 19OP1200. (Exhibit B)

COUNT III –

13. On August 13, 2019 at 19:15 Hours, that all of the above mentioned Defendants, with the exception of Defendant Esposito, did willingly and knowingly impede the Plaintiff's right to observe and/or participate in local government by standing in front of and blocking the view of the Plaintiff, even after the Plaintiff had moved to different locations located within the meeting hall commonly known as Wesley Township Hall. Exhibit D clearly shows there was adequate seating provided to the audience and therefore no logical reason to stand in front of the Plaintiff. (Exhibits C, D)

COUNT IV-

14: Defendant Allen has a 501 (c) 4 status and had used it for the purposes of personal financial gain, to harass and intimidate the Plaintiff, and, directed others to do same, upon the Plaintiff, thru the use of the Edgar County Watchdog Facebook pages and associated Websites, and during Wesley Township meetings.

COUNT V-

15: That, Defendant Mary Jones, on August 13, 2019, in the presence of witnesses, did knowingly and purposely impede the Plaintiffs granted rights under the Open Meetings Act by forcefully placing a folding chair in directly front of the Plaintiff and sitting down, causing minor injury to the Plaintiff's right foot.

COUNT VI-

16: That on or about the evening of September 11, 2019, one or more of the Defendants placed, or caused to be placed, signage on property owned or maintained by Defendant McCubbin and various other locations in Wesley Township for the purposes of harassing, intimidating and dissuading the Plaintiff's witnesses and potential witnesses from testifying in Open Court. (Exhibits E, F and G)

WHEREFORE, PAINTIFF, NORTON, respectfully asks this Honorable Court to grant the following relief:

- i. Enjoin Defendants from participating in or making further attempts to dissuade, impede or hinder John Norton from his granted rights under the 735 ILCS 110/1;**
- ii. Award John Norton monetary damages in an amount to be determined at trial against each named defendant in an amount of at least \$1,000,000 or such other amount required for jurisdiction of this case;**
- iii. Plaintiff be awarded punitive damages against each named defendant;**
- iv. That John Norton have such other or further relief as this Court deems just, equitable or necessary.**
- iv. Order Defendants to pay civil penalties;**
- v. Award Plaintiff reasonable attorneys' fees if Plaintiff hires an attorney for this cause, and costs;**
- vii. Award such other relief the Court considers appropriate;**
- viii. Award Plaintiff court filing fees.**

RESPECTFULLY SUBMITTED,

JOHN NORTON

Exhibit A
Security Camera Video 1

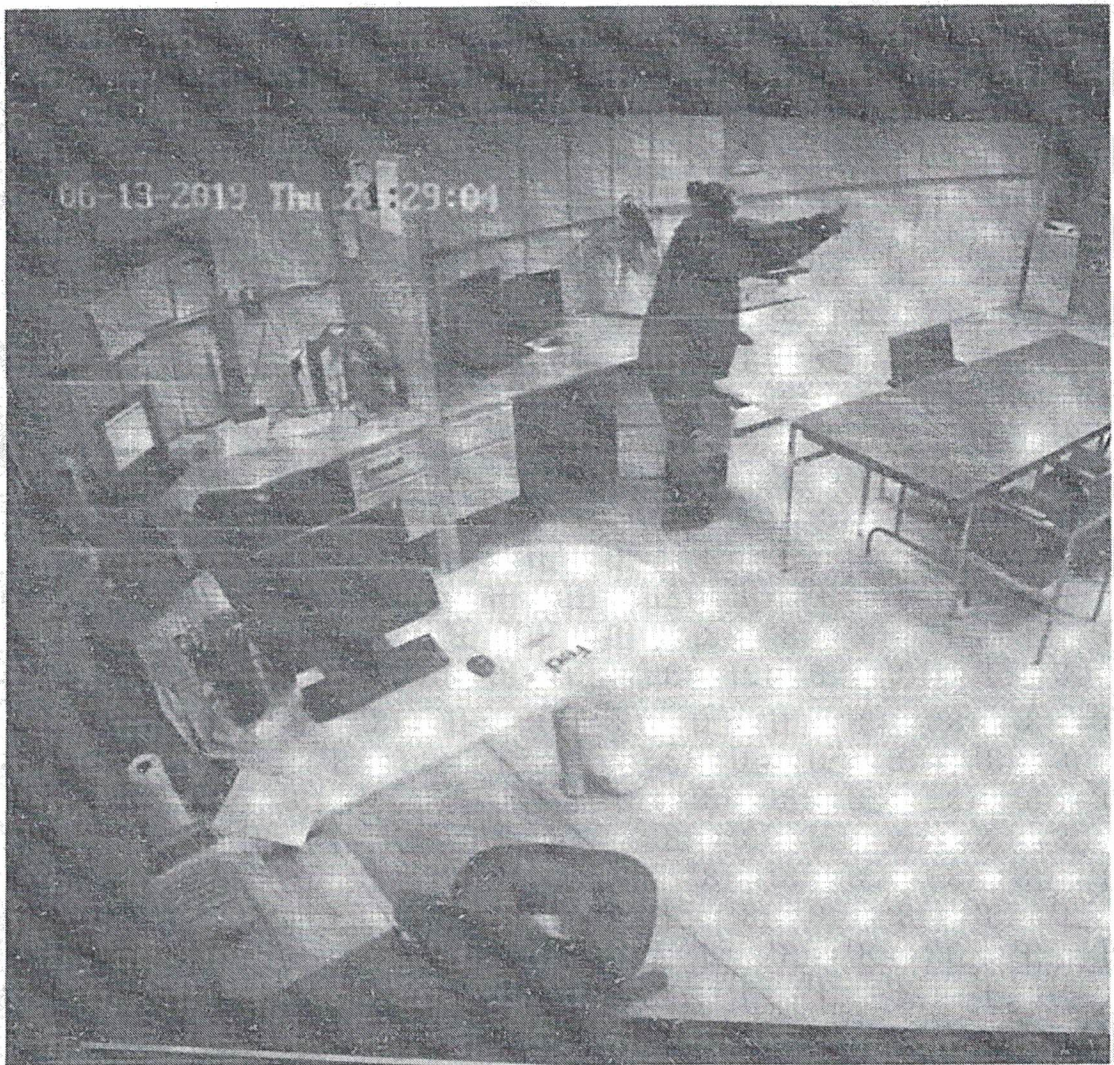


Exhibit B
Security Camera Video 2

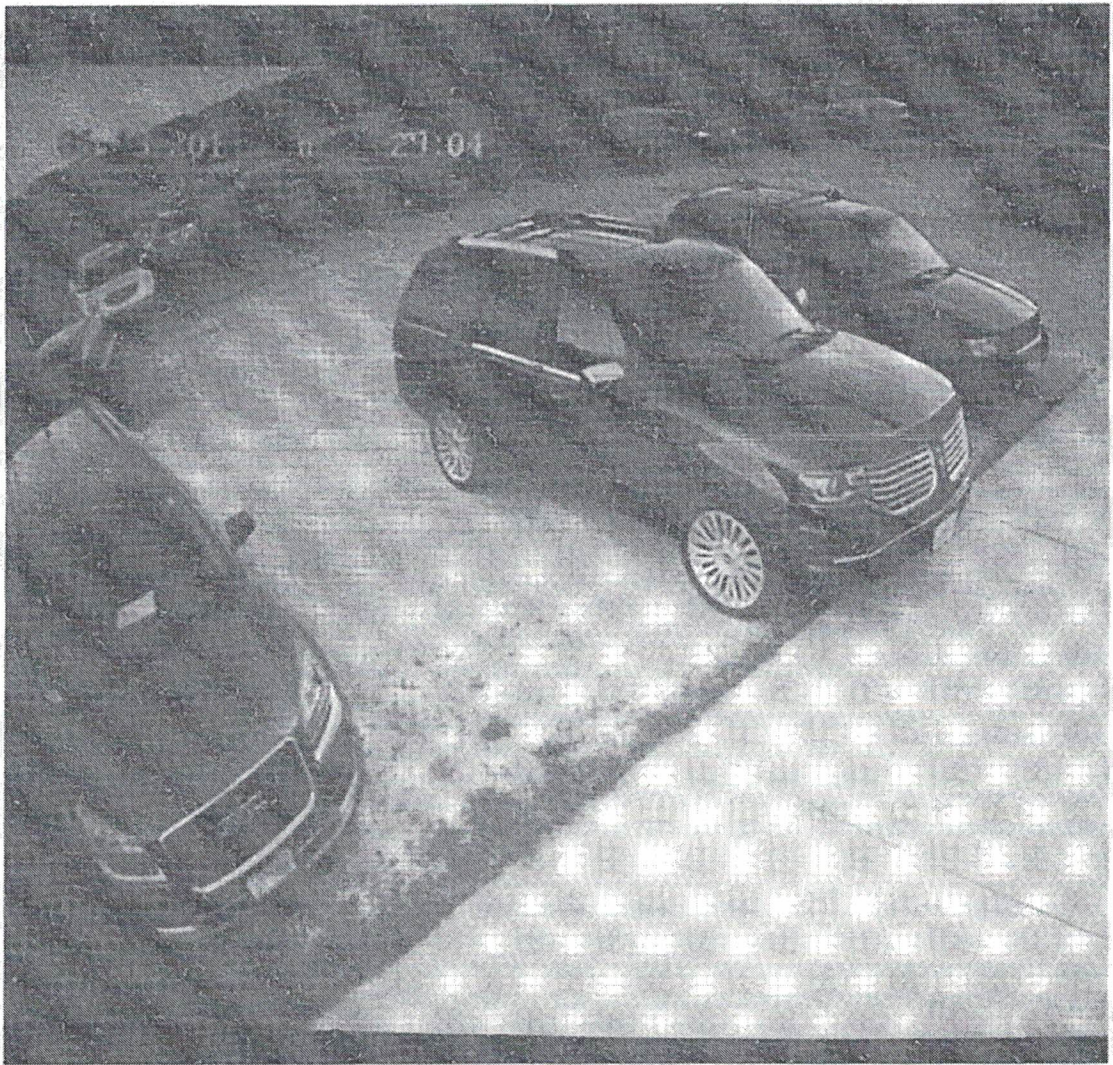


Exhibit C



Exhibit D



Exhibit E

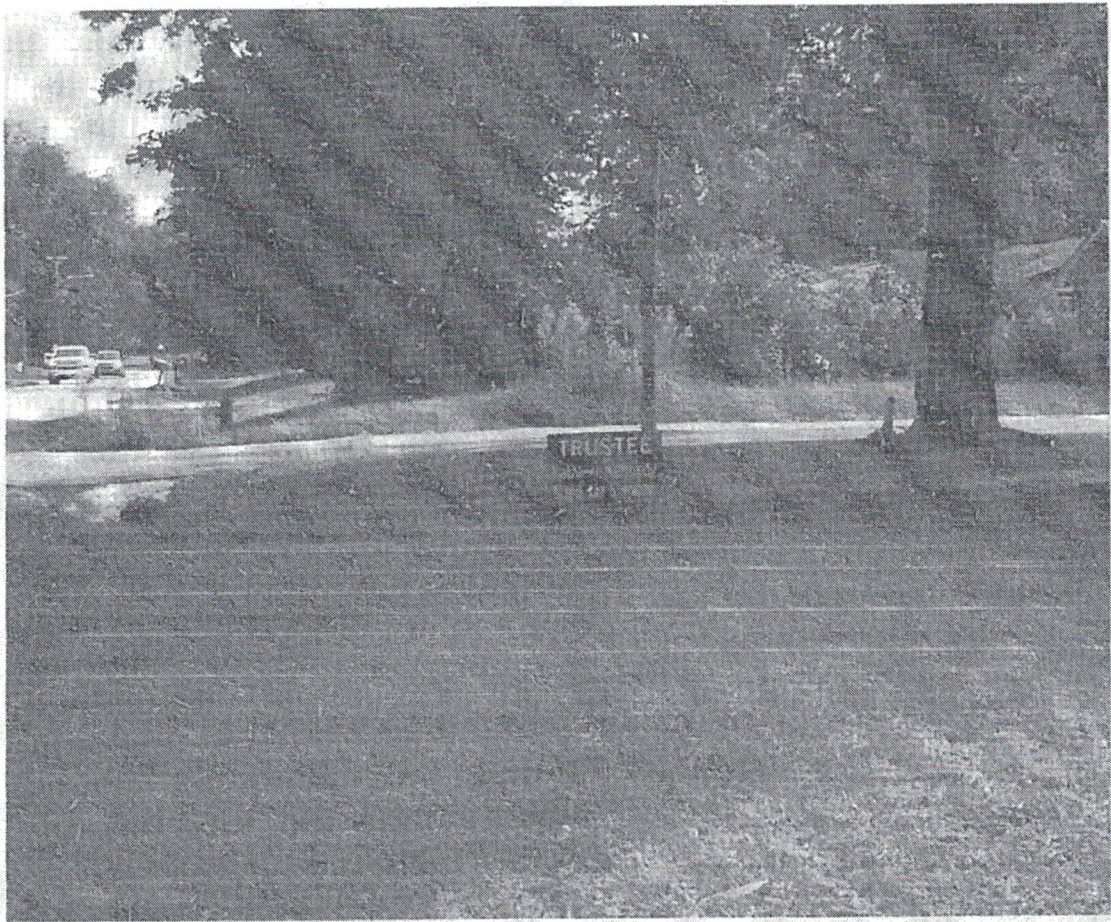


Exhibit F



Exhibit G

