

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

Sonja Harrison dba Visible Changes,

Plaintiff,

v.

Governor Jay Robert Pritzker, in his official  
capacity,

Defendant.

No. 3:20-cv-00438

**NOTICE OF REMOVAL**

PLEASE TAKE NOTICE that Defendant Governor JB Pritzker (“Governor”) hereby removes to this Court the State Court Action described below.

1. On May 8, 2020, Plaintiff commenced an action in the Circuit Court for the Fourth Judicial Circuit, Clay County, Illinois, captioned *Sonja Harrison dba Visible Changes v. Governor Jay Robert Pritzker, in his official capacity*, No. 2020 CH 8 (“State Court Action”). Plaintiff’s *Verified Complaint for Declaratory Judgment and Injunctive Relief Against Governor Jay Robert Pritzker* (“Complaint”) filed in the State Court Action on May 8, 2020, is attached as Exhibit 1. Plaintiff’s *Brief in Support of Requested Relief* (“Brief”) filed in the State Court Action on May 8, 2020, is attached as Exhibit 2. A civil cover sheet is attached as Exhibit 3.

2. The Governor is the only defendant named in the State Court Action. The Governor received a copy of the Complaint and Brief on May 11, 2020. The Governor’s Notice of Removal is therefore timely pursuant to 28 U.S.C. § 1446(b)(1) because it is filed in this Court within 30 days of receiving a copy of the Complaint and Brief.

3. The State Court Action is removable pursuant to 28 U.S.C. § 1441(a) because it arises under the Constitution, laws, or treaties of the United States and therefore the Court has

original jurisdiction over it pursuant to 28 U.S.C. § 1331. The State Court Action arises under the Constitution, laws, or treaties of the United States because Plaintiff alleges that Executive Order 2020-32—which she claims has required her to close her hair salon business—violates her “fundamental liberties” and right to “due process” secured by the United States Constitution. Complaint ¶¶ 6, 8–9, 18. Plaintiff further alleges that “any interpretation of [Illinois law that would allow the Governor to issue Executive Order 2020-32] would interfere with a fundamental right [and] would be unconstitutional for failure to provide due process.” *Id.* ¶ 49; *see also* Brief ¶ 57 (“[A]ny grant of authority by the [Illinois] legislature, express or implied, which would impede upon a fundamental liberty interest without any due process of law would be void for violation of United States and Illinois Constitutional principles.”). Consistent with these allegations, Plaintiff seeks a declaration “that any provisions of the [Illinois Emergency Management Agency Act, 20 ILCS 3305] which might be construed to allow for the forceable closure of [Plaintiff’s] business would render that provision unconstitutional for interfering with a fundamental right without due process.” Complaint count I prayer for relief ¶ E; *see also* Brief ¶ 72 (“[The Act] is devoid of any due process, and as such if [the Governor] asks this Court to construe the law in such a way as it infringes on a fundamental right, the [Act] provision would be void for violating constitutional principles of due process.”).

WHEREFORE, for all these reasons, the Governor removes the State Court Action to this Court.

Date: May 11, 2020

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Respectfully submitted,

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#### **CERTIFICATE OF SERVICE**

I certify that on May 11, 2020, I caused a copy of the foregoing *Notice of Removal* to be served on the following counsel of record for Plaintiff in the State Court Action via the email addresses listed below:

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/s/ R. Douglas Rees