

STATE OF ILLINOIS
IN THE FOURTH JUDICIAL CIRCUIT
MONTGOMERY COUNTY

THOMAS DEVORE, as the parent and)
guardian of T.D., M.D., A.D.)

Plaintiff,)

vs.)

HILLSBORO COMMUNITY SCHOOL)
DISTRICT #3 BOARD OF EDUCATION.)
a body politic.)

GOVENOR JAY ROBERT PRITZKER,)
in his official capacity.)

DR. NGOZI EZIKE, in her official capacity)
as Director of the Illinois Department of)
Public Health.)

DR. CARMEN I. AYALA, in her official)
capacity as Director of the Illinois State)
Board of Education.)

Defendants.)

2020MR106

Case No. 2020-MR-____

**VERIFIED MOTION FOR TEMPORARY RESTRAINING
ORDER AND PRELIMINARY INJUNCTION WITH NOTICE**

COMES NOW Plaintiff, Thomas DeVore, as parent and legal guardian for T.D., M.D., A.D.,
and for his Verified Motion for Temporary Restraining and Preliminary Injunction in this matter,
allege as follows:

1. A verified petition and its exhibits (“Petition”), which includes as Count VI a request for an adjudication of injunctive relief, has been filed in this matter which Petition is incorporated herein by reference.
2. The Petition alleges that compulsory regulations and remote learning being thrust upon

Plaintiff's minor children by HUSD#3 are beyond the authority of both promulgation and enforcement by all Defendants in this cause.

3. The implementation of the Compulsory Regulations and Remote Learning as presented in Count IV and Count V of the Petition will cause irreparable damage to DeVore, as among other things, the minor children's right to attend the public school building for an education is being infringed upon by these rules which are beyond HUSD#3's authority and are otherwise arbitrary and capricious.
4. DeVore, and his minor children, have no adequate remedy at law because the minor children's only option is to risk being deprived of their right to access the public school building for an education, or acquiesce to these unlawful, arbitrary and capricious rules.
5. DeVore has shown a likelihood of success on the merits that none of the Defendants wield any lawful authority to require minor children to wear a face-covering to gain access inside a school building for the general purpose of trying to prevent the spread of COVID-19 or any other infectious disease.
6. DeVore has shown a likelihood of success on the merits that none of the Defendants wield any lawful authority to require minor children submit to temperature checks to gain access inside a school building for the general purpose of trying to prevent the spread of COVID-19.

WHEREFORE, the Plaintiff, Thomas DeVore, on behalf of his minor children, respectfully prays that this Court enter an order that provides for:

- A. Entry of a Temporary Restraining Order enjoining HUSD#3 from enforcing the compulsory regulations or remote learning upon Plaintiff's minor children; and
- B. Such further relief as this Court deems just and equitable.

Respectfully submitted,

By: /s/ Thomas Devore
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VERIFICATION

Under penalties of perjury as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct except as to matters therein stated to be on information and belief, if any, and as to such matters the undersigned certifies as aforesaid that the undersigned verily believes the same to be true.

Date: 7/28, 2020

By:  _____

Thomas DeVore