

IN THE CIRCUIT COURT FOR THE FOURTH JUDICIAL CIRCUIT OF ILLINOIS

SHELBY COUNTY, ILLINOIS

FEATHERSTUN, GAUMER, STOCKS,)	
FLYNN & ECK, LLP,)	
)	
Plaintiffs,)	
)	
-vs-)	No. 2020-LM-22
)	
SHELBY COUNTY and ERICA)	
FIRNHABER, Shelby County)	
Treasurer,)	
)	
Defendants.)	

MOTION FOR APPOINTMENT OF COUNSEL

Now comes Gina Vonderheide, State's Attorney of Shelby County, Illinois, and moves this Honorable Court to appoint counsel for the Defendant, Shelby County, in the above-captioned matter, and in support thereof, states as follows:

1. That the positions of the Shelby County Board and the Shelby County Treasurer are adverse in this matter.

2. That the State's Attorney of Shelby County is unable to represent both the County Board and the Treasurer in this litigation.

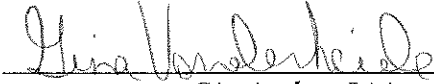
3. That the undersigned has executed an Affidavit in this litigation, making her a potential witness in this case and as such, it would be untenable for her to represent the Shelby County Board.

4. That the Court has previously expressed its willingness to appoint counsel for the Shelby County Treasurer. The Court expressed that it had attempted contact with the Illinois Attorney General's Office and if that office could not provide representation, an inquiry would be made with the State's Attorney's Appellate Prosecutor's Association. If neither of those offices could provide representation, the Court indicated it likely would appoint a State's Attorney from the Fourth Circuit.

5. That the Shelby County Board requests an attorney appointed, following the same process as used with the Shelby County Treasurer. If the Illinois Attorney General's Office, the State's Attorney's Appellate Prosecutor's Office or a different State's Attorney are all not available, the Shelby County Board requests that certain attorneys from the firm of Nixon Peabody be allowed to enter their appearance as special assistant state's attorneys in this litigation.

WHEREFORE, the Shelby County State's Attorney respectfully requests this Court grant her Motion, appoint counsel for the Shelby County Board, and for such other and further relief that the Court deems just and equitable.

Dated: August 21, 2020.

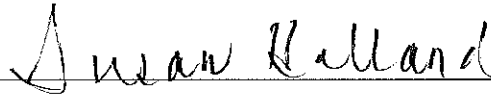


State's Attorney

Gina Vonderheide
Shelby County State's Attorney
Shelby County Courthouse
301 E. Main Street, Suite 11
Shelbyville, Illinois 62565
Telephone: (217) 774-5511

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing instrument was served upon the parties of record in the above-captioned cause by hand delivery and/or e-filing the same on August 21, 2020.

 _____

To: Edward F. Flynn
Attorney at Law
P. O. Box 1760
Decatur, IL 62525

Erica Firnhaber
Shelby County Treasurer
301 E. Main Street
Shelbyville, IL 62565