2021MR000070D 001
STODDEN, CHARLES DEVORE, THOMAS
VS.
COLES COUNTY BOARD ET AL DANLEY, JESSE

ENTERED	USER	JDG CR	TEXT		CHANGED	USER
4/22/2022	MH	NSF ALB	Case called for motion. Attorney Devore present with the plaintiff,		5/04/2022	MH
			Attorney Danley is present with the defendant. Arguments heard on		5/04/2022	MH
			defendant's motion to dismiss. Court takes case under advisement.		5/04/2022	MH
4/25/2022	MH	NSF NCR	The Court on its own Motion amends the Complaint to reflect the	Chg	5/04/2022	MH
			Plaintiff's correct name as Charles Stodden; not Charles Stoddard.	Chg	5/04/2022	MH
			Defendants Motion to Dismiss Count I of the "Verified" Complaint for	Chg	5/04/2022	MH
			Declaratory Judgment filed March 1, 2021, is denied. Plaintiff has	Chg	5/04/2022	MH
			standing to bring Count I. In addition, the pleadings and	Chg	5/04/2022	MH
			attachments do state a cause of action and a factual controversy.	Chg	5/04/2022	MH
			Defendants Motion to Dismiss Count II is allowed pursuant to 735 ILCS	Chg	5/04/2022	MH
			5/2-615 as Plaintiff has failed to state a cause of action on which	Chg	5/04/2022	MH
			relief can be granted. Plaintiff attempts to use 55 ILCS 5/4-10001	Chg	5/04/2022	MH
			as a basis for the Court to ignore 55 ILCS 5/5-1069. 55 ILCS	Chg	5/04/2022	MH
			5/5-10001 deals with compensation a county board member receives	Chg	5/04/2022	MH
			pursuant to resolution. If the Legislators intended for insurance to	Chg	5/04/2022	MH
			be part of this resolution, they would not have enacted 55 ILCS	Chg	5/04/2022	MH
			5/5-1069, which specifically deals with insurance for county	Chg	5/04/2022	MH
			employees, including county board members, and does not require a	Chg	5/04/2022	MH
			resolution to pay the insurance.	Chg	5/04/2022	MH
			This docket stands as the Order of the Court and a copy is to be	Chg	5/04/2022	MH
			given to Counsel of record.	Chg	5/04/2022	MH
5/04/2022	MH		Docket entry forwarded to Attys Devore and Danley			MH