

**IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT
EFFINGHAM COUNTY, ILLINOIS**

2023MR4

~~2023-MR-~~ _____

ACCURACY FIREARMS, LLC, AARON
CARTER, AARON WERNZ, ABIGAIL
GUZMAN, ADAM DAVIS, ADAM DIEPHOLZ,
ADAM FORTNER, ADAM GRAY, ADAM
ROTH, ADAM STONE, ADRIAN ZGAMA,
ALAN CAZZATO, ALAN RICHARDSON,
ALBERT BARKER, ALEX CHAMBERS,
ALFREDO DIAZ, ALICE OLIVER, ALISON
ROCK, AMANDA MOLL, AMANDA PROPST,
AMANDA STOTTS, AMBER BAILEYGAINES,
AMBER BAUMAN, AMOS KAFFENBARGER,
ANDREW BOWMAN, ANDREW CRAIG,
ANDREW STEINBACH, ANDREW ZASADNY,
ANDY SHAW, ANGEL CARDONA, ANGIE
KNAPP, ANN MARIE SUTER, ANTHONY
CONIGLIO, ANTHONY COOK, ANTHONY
CRAVEN, ANTHONY GALLES, ANTHONY
KANIK, APRIL PETERSON, APRIL
SCHWEITZER, ARTHUR DUBIEL, ASHLEY
ESSLINGER, ASHLEY FLUECHTLING,
ASHLEY STRYKER, BARBARA STEIN, BEN
HAMILTON, BENJAMIN BANGERT,
BENJAMIN BEHRENS, BENJAMIN DILLARD,
BENJAMIN KOWALSKI, BETH NORWICK,
BEVERLY BERBERET, BILL LALEZAS,
BLAKE CALLAWAY, BLAKE KUHL,
BOGUSLAW SOJKA, BRAD BUYSSE, BRAD
LEMAN, BRAD PETERSON, BRADICK
YOUNG, BRADLEY SCHWARZ, BRADLEY
SHEMLUCK, BRANDI SCHLIEPER, BRANDON
DURBIN, BRANDON HANKS, BRANDON
PRESTIN, BRANDON VANDER MEERSCH,
BRANDON WADDELL, BRENDA STOETZER,
BRENT WIETTING, BRETT CLARK, BRIAN
BAHR, BRIAN BOLLEGAR, BRIAN EAKER,
BRIAN INGRAM, BRIAN LASKEY, BRIAN
MCQUEEN, BRIAN ROBBINS, BRIAN
SCHULTZ, BRIAN SULLIVAN, BRUCE
GRAFTON, BRUCE KARSTEN, BRYAN
ALFORD, BRYNT MONTGOMERY, CALEB
ANDREATTA, CALLIE CAULK, CARRIE RICE,
CATHERINE A. O'SHEA, CHAD CARPENTER,

CHAD FORMAN, CHAD JEWETT, CHAD LANPHIERD, CHAD MAYNARD, CHAD MCGINNIS, CHAD MCNAUGHTON, CHAD RUOT, CHADRICK LAWRENCE, CHARLES ATWATER, CHARLES BARBOUR, CHARLES CLINE, CHARLES JOHNSON, CHERYL KOZLOV, CHRIS DILULLO, CHRIS METCALFE, CHRIS OLIVER, CHRIS ROSE, CHRIS W COX, CHRISTINA BASTILLA, CHRISTINA CLAUSEN, CHRISTINE WATSON, CHRISTOPHER BACHMAN, CHRISTOPHER DOHERTY, CHRISTOPHER HUGHES, CHRISTOPHER JOHNSON, CHRISTOPHER KINDRED, CHRISTOPHER KORGER, CHRISTOPHER REICH, CHRISTOPHER SOUKUP, CHRISTOPHER UZELLA, CHRISTOPHER VIEBACH, CHRISTOPHER VOSS, CHRISTY FOSTER, CINDI KLENKE, CINDY BRAGG, CLAUDIA GRUBER, CLAY SIDWELL, CLAYTON WELLS, CLINTON TULL, CODY ROSE, COLIN PATTON, CONNIE LARGE, COREY DASENBROCK, CORINNE NANCE, COURTNEY PERIDORE, CRAIG FOSTER, CRAIG HAMRICK, CRAIG MACHUGA, CRAIG NUNNALLY, CRAIG PETERSEN, CRYSTAL KINDER, CRYSTAL MEEKS, CURT HENDERSON, CURTIS JACOBS, CURTIS WAGENBACH, CYNTHIA MULLER, CYNTHIA WILLIAMS, DALE VOSS, DALLAS CARON, DAN ALBERTI, DAN GILMORE, DAN SCOTT, DANA M BOYER, DANIEL BALOUN, DANIEL BOHNENSTIEHL, DANIEL COLE, DANIEL GLOMB, DANIEL GUSTAFSON, DANIEL HERDA, DANIEL IHRKE, DANIEL JEWETT, DANIEL STAAB, DANIEL WOLSEY, DANIELLE PENMAN, DARIN BAZZELL, DARIN MILLER, DARIN PETERSON, DARRELL JOHNSON, DARRYL WHITMORE, DAVE ECKERTY, DAVID ACCATHARA, DAVID CAULK, DAVID CLARK, DAVID DIPRIMA, DAVID EARP, DAVID GRIMESTAD, DAVID GUSS, DAVID JANSEN, DAVID KOSTERS JR, DAVID MARTIN, DAVID MCKEIGHEN, DAVID MOTHKOVICH, DAVID PAUL BLUMENSHINE, DAVID SCHLIEPER, DAVID

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SCHUUR, DEANE GEIKEN, DEBBIE SMITH,
DEBORAH BRYANT, DEBORAH LEMKE,
DEBRA PERRY, DEBRA WOLSEY, DEBRA
WOMBLES, DEENA KRIEGER, DENNIS
CARLOCK, DENNIS MEIER, DENNIS
SCHULTZ, DENZEL JINES, DEVIN KURFMAN,
DILLON DARBYSHIRE, DILLON FORTNER,
DOMINIC SABATINA, DONALD BAYLES,
DONALD FOSTER, DONALD GILBERT,
DONALD KALINA, DONALD RIENTS, DONNA
BUSS, DONNA WESTER, DOUGLAS
ECKROTE, DOUGLAS J MORRISSEY,
DOUGLAS ROOSEVELT, DOUGLAS RYAN,
DUANE CERRITO, DUSTIN PRATHER,
DUSTIN RIGHTNOWAR, ED RODRIGUEZ,
EDVIN KUMI, EDWARD MUSIAL, EDWIN
ROLDAN, ELAINE LORINCZI, ELIZABETH
LUBBEN, ERIC BREEZE, ERIC CINNAMON,
ERIC DIEDRICK, ERIC DUBIEL, ERIC
SHIRLEY, ERIC WEBER, ERIK
BAILEYGAINES, ERIK FINKLE, ERIK
SHELDON, EVERETT MCCULLEY,
FRANCISCO LOPEZ, FRANK SMITH, FRANK
WILLIAMS, FRANK WILSON, FRANKLIN
STONER, FRED SNODGRASS, GARY AMES,
GARY ELLIS, GARY FRY, GARY
MCCULLOUGH, GARY PHELPS, GARY
SMITH, GEOFFERY BEATTY, GEOFFREY
CRABTREE, GEOFFREY MONARI, GEOFFREY
PRESTON, GEOFFREY STARR, GEORGE
IHRKE, GEORGENA OTTOLINI, GERARD
AVELLONE, GILBERT JIMENEZ, GLENDA
GARRETT, GLENN MULLALLY, GLENN
REED, GORDON GULLEY JR, GRACE GRAY,
GREG BUBAN, GREG CHEAURE, GREG HALE
JR, GREG REBMAN, GREG RICHARDSON,
GREG SANTAY, GREG SCHMIDT, GREG
WICINSKI, GREGORY GIPSON, GREGORY
ICENOGLA, GREGORY MOFFITT, GREGORY
SHUFF, GRZEGORZ GANCARZ, GUY
MERKER II, GWYNNE ANDERSON-BECK,
HAL LANGHAM, HASSEN DRISSI, HAYDEN
NORRIS, HEIDIJO ELYEA, HUNTER FLORES,
IAN GEBBIA, ILENE BRINER, JACEK SEK,
JACK LOMBARDI II, JACOB ALLEN, JACOB
HODEL, JACOB JOHNSON, JACOB

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KRUPOWICZ, JACOB MANNING, JACOB MURPHY, JACOB PEIPER, JACOB SMITH, JACQUELINE GARRETSON, JADE HAMER, JAIMIE BAKER, JAKE GLASNOVICH, JAMES BUNCH, JAMES C SELLERS, JAMES CARROLL, JAMES CLINTON, JAMES COOK, JAMES COX, JAMES GRIFFIN, JAMES HASKETT, JAMES JODISON, JAMES JONES, JAMES LEE, JAMES LEIPART, JAMES LOGSDON, JAMES LOLAN, JAMES MUHICH, JAMES PARKER, JAMES RATZ, JAMES WALKER, JAMIE HARRIS, JAMIE KOCH, JAMIE MILTON, JAN JAREK, JANET BLADE, JANET GESELL, JANET MEYER, JARED BARKER, JARED HARRIS, JARED HELLER, JARED MCCAMMON, JAROSLAW WORWA, JASON BANGERT, JASON DODD, JASON DONOVAN, JASON DZIEDZIC, JASON FLOYD, JASON GOODWIN, JASON HAAG, JASON HODEL, JASON KERR, JASON LANGSTON, JASON MARQUES, JASON MERRILL, JASON NOE, JASON SHARP, JASON SORENSEN, JASON TRYBOM, JAY ANDERSON, JEFF REHKEMPER, JEFF BROWN, JEFF WRIGHT, JEFFERSON PERKINS, JEFFERY RANDECKER, JEFFREY FURTEK, JEFFREY GOETZEN, JEFFREY HODEL, JEFFREY KEITHLEY, JEFFREY KINDGREN, JEN MARTIN, JENNIFER CENTOLA, JENNIFER CHROSTOWSKI, JENNIFER HERDA, JENNIFER PERHAM, JENNIFER PETERSON, JEREMIAH SIMMONS, JEREMY ALLEN, JEREMY RAKERS, JERRY BONEY, JERRY LUTKER, JERRY STONEBURNER, JERRY WOKER, JIM KRUTA JR, JIM MCILROY, JODY BENSON, JOEL HOHBEIN, JOHN ARMSTRONG, JOHN BARHAM, JOHN BELL, JOHN BOONE, JOHN CARON, JOHN FOWLER, JOHN FRANZEN, JOHN FREEMAN, JOHN GALLAGHER, JOHN HARMON, JOHN KIESLAR, JOHN KRENZ, JOHN M ODLE, JOHN MCLAUGHLIN, JOHN MILLER, JOHN REYNOLDS, JOHN SCHACKMANN, JOHN SIEMENS, JOHN STRAIN JR, JOHN THOMAS HOWES, JOHN WALTERS, JOHN WEAVER, JOHNATHAN SEIDEL, JON BECKER, JON

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BLY, JONATHAN BEHRENS, JONATHAN LYONS, JONATHAN METCALF, JONATHAN PARDO, JONATHON HOLLAND, JORDAN CREEK FIREARMS, LLC , JORDAN CUNNINGHAM, JOSEPH BAUER, JOSEPH MEYERS, JOSEPH O'KEEFE, JOSEPH ROSSI, JOSH RICKEY, JOSHUA EVANS, JOSHUA FULK, JOSHUA MAURER, JOSHUA MCDOWELL, JOSHUA WHITE, JR MAY, JULIE ARMSTRONG, JULIE LYONS, JUSTIN BROOKS, JUSTIN BUERSTER, JUSTIN COUCH, JUSTIN NORRIS, JUSTIN WEISS, JUSTIN ZELKOWSKI, JUSTYNA WRONKA, K. DUSTIN COOPER, KAREN KELLEHER, KAREN LALAGOS, KAREN TIRIO, KARL ZAWADZKI, KATHLEEN LEAF, KATHLEEN RAMSEY, KAZIMIERZ MISIASZEK, KEITH HAMANN, KEITH KUHL, KELLY HARMS, KELLY STICH, KELLY WOLAK, KEN HALL, KENDALL TUCKER, KENNETH BRYANT, KENNETH HOUSTON, KENNETH KLENKE, KENNETH NEILSEN, KENNETH SMITH, KENNETH STROPNIK, KENNETH WALTHER, KENNY BRAGG, KENT KARWOSKI, KENT WILLIAMS, KEVIN BROUK, KEVIN CARTWRIGHT, KEVIN HALEMEYER, KEVIN HARPER, KEVIN KOTH, KEVIN KOUTSKY, KEVIN MCKITTRICK, KEVIN MOUNTJOY, KEVIN SAWATZKY, KEVIN SENNOTT, KEVIN STOLL, KHAALIS ALEXANDER, KIM IAFFALDANO, KIM RIGOR, KIMBERLEY SZALKUS, KIMBERLY ABATANGELO, KIMBERLY ADKINSON, KIMBERLY NORWOOD, KIRK ALLEN, KIRK ORELUP, KORI DUNCAN, KRISTI HICKAM, KRISTIN OTTOLINO, KRISTIN PLINER, KRISTIN STROM, KRZYSZTOF BARTOSZEK, KURT DUEHR, KURT PEPPERELL, KYLE NEMETH, KYLE SCHROEDER, KYLE SCHULTZ, KYRA DAVENPORT, LANCE BRISTOW, LANCE MARCZAK, LARRY AGERS, LARRY NATTIER, LARRY WILLIAM STAMMER JR, LAURA BECKMANN, LAURA DEYOUNG, LAURA DIAZ, LAURA HOIS, LAURA HUGHES, LAURA PACKWOOD, LAURA REECE, LAURA RUSSELL, LAUREN MILLER,

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LAURIE ECKERTY, LAWRENCE AUMILLER,
LAWRENCE MCKENNA, LEE TANNER, LES
HESS, LEWIS BLEVINS, LINDA BROCKMAN,
LINDA FUHR, LINDA SABO, LISA
CICHONSKI, LISA L. BOWMAN, LISA PECK,
LLOYD WOLFORD, LOGAN FIFER, LUKE
MAYNARD, LYLE PROSSER, LYNDELL
WAGGENER, LYNDLE WEDDING, LYNETTE
DECKER, MANDY CULVER-LUCAS, MARC
JACOBS, MARCELLO VALLE, MARGARET
HEDLUND, MARIUSZ PYCZ, MARK
BILLHARTZ, MARK HANUSIN, MARK
JAKOB, MARK LEJA, MARK MAZMAN,
MARK OLAUGHLIN, MARK PEARSON, MARK
PINGSTERHAUS, MARK STEEN, MARSHALL
HALE, MARTIN HENDERSON, MARTIN
MAGGIO, MARTIN MOHR, MARVIN
HAYDEN, MARY KOSTERS, MATT CRAIG,
MATT HOXTELL, MATT LISNICH, MATT
SUTTON, MATTHEW BARRICK, MATTHEW
BOWMAN, MATTHEW DUBIEL, MATTHEW
HAMANN, MATTHEW HUBER, MATTHEW
KERN, MATTHEW MEYER, MATTHEW
NEWTON, MATTHEW PALMER, MATTHEW
PETERSON, MATTHEW SCHLACHTER,
MATTHEW SINNOKRAK, MATTHEW
WHITCOMB, MATTHEW WIEG AND,
MELISSA HINKAMPER, MELODY SEIDEL,
MICHAEL BAKER, MICHAEL BALL,
MICHAEL CLAUSEN, MICHAEL CUMMINGS,
MICHAEL DANIELSON, MICHAEL E.
KACKERT, MICHAEL ESPOSITO, MICHAEL
FOLSOM, MICHAEL HARLA, MICHAEL
JENNINGS, MICHAEL JORDAN, MICHAEL
KELLY, MICHAEL KESSLER, MICHAEL
KRAEMER, MICHAEL KRUSE, MICHAEL
LAWRENCE, MICHAEL LAYNE, MICHAEL
MCKENNA, MICHAEL MEYER, MICHAEL
MITCHELL, MICHAEL MOODY, MICHAEL
MORLEY, MICHAEL MOSSMAN, MICHAEL
MUFF, MICHAEL NICOSON, MICHAEL
NIELSEN, MICHAEL PETRUCCI, MICHAEL
SCHIEK, MICHAEL SHUFF, MICHAEL STARE,
MICHAEL STIERN, MICHAEL THOMPSON,
MICHELE BRANNAN, MICHELE KESSLER,
MICHELLE FESI, MICHELLE TRCKA, MIKE

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CICHONSKI, MOLLY KREMPSKI,
MOLLYANN HESSER, MONIKA CASEY, N
JILL JAY, NATALIE ENGELBRECHT,
NATASHA MALDONADO, NATHAN
CAMPBELL, NATHAN GRISSOM, NATHAN
PRASUN, NATHAN STEWART, NATHEN
BEASLEY, NEAL STOLLER, NEIL LUAllen,
NICHOLAS BYERS, NICHOLAS
STIPANOVICH, NICOLE DONOVAN,
NORMAN ROSE, ORVILLE BRETTMAN,
OSCAR CASEY, OSCAR WORWA, PATRICIA
EDMONDS, PATRICIA IMHOFF, PATRICIA
MAYO-KATSION, PATRICIA POTOCKI,
PATRICK GANNON, PATRICK HARDIEK,
PATRICK MCDUGAL, PATRICK SENORSKI,
PATRICK SMITH, PAUL ESTELL, PAUL J.
RUIZ, PAUL JENSEN, PAUL MULLER, PAUL
SANDERS, PAUL SLOCUM, PAWEL LESNIAK,
PAWEL SZUBA, PEGGY BRANDON, PENNY
MARKS, PETER DINKLAGE, PETER
TRENKENSCHUH, PHILIP J HEPP, PHILLIP
HUSTON, PIOTR CISON, PIOTR DOROSZ,
PRECISION PRODUCTS LLC, PRESTON
PETERSEN, QUENTIN MYERS, RANDY
BLANKENSHIP, RANDY HARVEY, RANDY
KOHNERT, RANDY RHEINECKER, RAUL
LARACUENTE, RAYMOND BLADE,
RAYMOND CROMPTON, RAYMOND DUBIEL,
RAYMOND LUEBBERT, REBECCA LAPORTA,
REBECCA VANT, REGAN DEERING, RICH
MARTIN, RICHARD GOODWIN, RICHARD
KLIBER, RICHARD KORALLUS, RICHARD
MILLER, RICHARD MIX, RICHARD MORTON,
RICHARD PESLAK, RICHARD POWERS,
RICHARD PROSSER, RICHARD SIMMERT,
RICKY BOXX JR, RICKY SCHNETZLER,
RICKY WILLIAMS, ROB SPENCER, ROBBIE
STOUT, ROBERT BEVIS, ROBERT
BIANCHETTA, ROBERT BUNNELL, ROBERT
CARLTON, ROBERT CARPENTER, ROBERT
CRIPPEN, ROBERT FIENE, ROBERT JENSEN,
ROBERT KING, ROBERT LESSER, ROBERT
PIERPOINT, ROBERT PITCHFORD, ROBERT
RADO, ROBERT ROY, ROBERT RYMSZA,
ROBERT STEVENSON, ROBERT WAGNER,
ROBERT WALTERS, ROBERT WEBB, ROBERT

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WILLIAMS, ROBIN MARTIN, ROBIN
OTTOLINI, RODNEY JUDY, RODNEY
WASHAUSEN SR, ROGER RICHARDSON,
ROGER ROBERTS, ROLAND LISCHALK, RON
PROMISSON, RONALD HESSER JR, RONALD
KASKOVICH JR., RONALD LEMKE, ROSS
PARLAPIANO, RUBEN PAZMINO, RYAN
ASHLEY, RYAN HILL, RYAN LOGSDON,
RYAN MOONEY, RYAN RUPPEL, RYNE
SCOTT, S RYAN GANNAWAY, SALVATORE A
CIANFLONE, SAMUEL DERRICKSON,
SANDRA BACHAR, SANDRA EARP, SARAH
ZIEGLER, SCOT DECKER, SCOTT COLLINS,
SCOTT CORLEY, SCOTT FITZGERALD,
SCOTT FOSTER, SCOTT HARPER, SCOTT
HUNT, SCOTT KASPAR, SCOTT KOCHANNEY,
SCOTT MALONE, SCOTT MCCORD, SCOTT
MEINHARDT, SCOTT SHAFFER, SCOTT
SHOUP, SCOTT STANOWSKI, SCOTT
SWIDLER, SHANE MCDERMOTT, SHANE
MENNINGA, SHANE YEARIAN, SHAWN
GOODWIN, SHERI TUCKER, SHERRI AKERS,
SHERRY RAMEY, SHON BAKER, SONNY
ROSS, STACEY HAGAN, STACY SEVERINS,
STANISLAW WRONKA, STANISLAW ZEGLIN,
STAVEN HOWARD, STEPHAN BJELKE,
STEPHANIE DOOLEY, STEPHANIE NENN,
STEPHEN AUSTIN, STEPHEN BRUNET,
STEPHEN HARNEY, STEPHEN HASSEMAN,
STEPHEN LANGHEIM, STEPHEN
RICHARDSON, STEPHEN SENNOTT, STEVE
ATWOOD, STEVE BENTLAGE, STEVE
BOSNIACK, STEVE DURBIN, STEVE GARITE,
STEVE GLASCOCK, STEVE PLOCHER,
STEVEN ABBA, STEVEN ACRED, STEVEN
BRUNS, STEVEN CROSSLEY, STEVEN
EDENBURN, STEVEN ELLER, STEVEN
GREENE, STEVEN MAY, STEVEN
SAWATZKY, STEVEN SMITH, STEVEN
WASHBURN, SUSAN DEMMA, SUSAN
ELLSWORTH, SUSAN FRY, SUSAN HEAVIN,
SUSAN MORRISSEY, SUSAN WILKEN, TAD
PUTRICH, TAMARA ALLEN, TAMARA
EFSEN, TAMMY BURNHAM, TANNER
THOELE, TARA BANGERT, TARA BROWN,
TED AHNER, TERRENCE J RONCZKOWSKI,

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TERRY MOORE, TERRY WILKEN, JASON BRAGG, THOMAS COSTELLO, THOMAS DILLON, THOMAS E SPARENBERG, THOMAS JONES, THOMAS KOCH, THOMAS SENNOTT, THOMAS TUCKER, TIFFANY SABATINA, TIM BRUCE, TIM HOESLI, TIM MILLER, TIM WEISS, TIMOTHY BALL, TIMOTHY BURLINGAME, TIMOTHY SCHROEDER, TIMOTHY SIEKMANN, TIMOTHY TAYLOR, TIMOTHY WOOD, TINA SUSAN, TODD APATO, TODD DEEDRICK, TODD GREEN, TOM KOPACZ, TOM LENTZ, TOM WOMBLES, TOMASZ SMALEC, TONY RHODES, TRACI GOLDSCHMIDT, TRACI WOOD, TRACY MANN, TRACY PLEIN, TRAVIS BECK, TRAVIS LINGAFELTER, TRAVIS PHELPS, TRAVIS UTTERBACK, TRAVIS WILHITE, TRENT ARVIN, TRENT ROBINSON, TRISHA BRAGG, TROY HARMS, TROY KRIGBAUM, TROY SMITH, TRUMAN SELLERS, TYLER ROYSE, TYLER SIMS, VALERIE NICOSON, VICKI PASKERT, VICTORIA LOPEZ, VINCE HAMER, VINCENT ROMANO, VIRGINIA BARNARD, VITO LIROSI, VODOO FIREARMS LLC, WALDEMAR SARAT, WALLACE MCDUFFEY, WENDI ARLIS, WENDIE LUDWIG, WENDY MENIGOZ, WENDY MILLER, WESLEY KEMPER, WILLIAM ALBRECHT, WILLIAM B GRAY, WILLIAM CURRAN, WILLIAM HAMPTON, WILLIAM HARDY, WILLIAM HEFFERNAN, WILLIAM KERTH, WILLIAM KEYES, WILLIAM KLINOWSKI, WILLIAM LAPP, WILLIAM REED, WILLIAM SWANSON, WILLIAM WEINMAN, WILLIAM WONCH, WOJCIECH RECZEK, WOJCIECH TARCHALA, WYATT ROGERS, ZACH ROSE, ZACHARY KALVE, ZACHARY ROBERTS, ZACHARY SARVER, ZACHARY SCHEETZ, RYAN CUNNINGHAM, CHRIS STEVENS

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Plaintiffs,

vs.

Governor JAY ROBERT PRITZKER, in his
official capacity.

EMANUEL CHRISTOPHER WELCH, in his
capacity as Speaker of the House.

DONALD F. HARMON, in his capacity as Senate
President.

KWAME RAOUL, in his capacity as Attorney
General.

Defendants.

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**COMPLAINT FOR DECLARATORY
JUDGMENT AND INJUNCTIVE RELIEF**

NOW COMES, Plaintiffs, (See Exhibit A), by and through their attorneys Thomas G. DeVore, and the Silver Lake Group, Ltd., and for their Verified Complaint for Declaratory Judgment and Injunctive Relief against Defendants, hereby allege as follows:

PARTY PLAINTIFFS

1. ACCURACY FIREARMS, LLC, JORDAN CREEK FIREARMS, LLC , PRECISION PRODUCTS LLC, VOODOO FIREARMS LLC are Illinois Limited Liability Companies which, *inter alia*, desire to deliver, sell, import, or purchase an assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge and/or manufacture, deliver, sell, or purchase large capacity ammunition feeding devices as defined in 720 ILCS 5/24-1.9(a) and/or 720 ILCS 5/24-1.10(a).¹
2. AARON CARTER, AARON WERNZ, ABIGAIL GUZMAN, ADAM DAVIS, ADAM DIEPHOLZ, ADAM FORTNER, ADAM GRAY, ADAM ROTH, ADAM STONE,

¹ Throughout this complaint, Plaintiffs use the phrase “assault weapon” solely due to the fact that Defendants have created an arbitrary definition of the term within HB5471. Plaintiffs contend the weapons, and other attachments, of which Defendants attempt to create a blanket ban are in fact not assault weapons in the sense that none of them are in fact equivalent to weapons of war which the military has access. For all intents and purposes, the weapons defined in the statute are merely some of the most commonly owned semi-automatic weapons.

ADRIAN ZGAMA, ALAN CAZZATO, ALAN RICHARDSON, ALBERT BARKER,
ALEX CHAMBERS, ALFREDO DIAZ, ALICE OLIVER, ALISON ROCK, AMANDA
MOLL, AMANDA PROPST, AMANDA STOTTS, AMBER BAILEYGAINES, AMBER
BAUMAN, AMOS KAFFENBARGER, ANDREW BOWMAN, ANDREW CRAIG,
ANDREW STEINBACH, ANDREW ZASADNY, ANDY SHAW, ANGEL CARDONA,
ANGIE KNAPP, ANN MARIE SUTER, ANTHONY CONIGLIO, ANTHONY COOK,
ANTHONY CRAVEN, ANTHONY GALLES, ANTHONY KANIK, APRIL PETERSON,
APRIL SCHWEITZER, ARTHUR DUBIEL, ASHLEY ESSLINGER, ASHLEY
FLUECHTLING, ASHLEY STRYKER, BARBARA STEIN, BEN HAMILTON,
BENJAMIN BANGERT, BENJAMIN BEHRENS, BENJAMIN DILLARD, BENJAMIN
KOWALSKI, BETH NORWICK, BEVERLY BERBERET, BILL LALEZAS, BLAKE
CALLAWAY, BLAKE KUHL, BOGUSLAW SOJKA, BRAD BUYSSE, BRAD LEMAN,
BRAD PETERSON, BRADICK YOUNG, BRADLEY SCHWARZ, BRADLEY
SHEMLUCK, BRANDI SCHLIEPER, BRANDON DURBIN, BRANDON HANKS,
BRANDON PRESTIN, BRANDON VANDER MEERSCH, BRANDON WADDELL,
BRENDA STOETZER, BRENT WIETTING, BRETT CLARK, BRIAN BAHR, BRIAN
BOLLEGAR, BRIAN EAKER, BRIAN INGRAM, BRIAN LASKEY, BRIAN MCQUEEN,
BRIAN ROBBINS, BRIAN SCHULTZ, BRIAN SULLIVAN, BRUCE GRAFTON,
BRUCE KARSTEN, BRYAN ALFORD, BRYNT MONTGOMERY, CALEB
ANDREATA, CALLIE CAULK, CARRIE RICE, CATHERINE A. O'SHEA, CHAD
CARPENTER, CHAD FORMAN, CHAD JEWETT, CHAD LANPHIERD, CHAD
MAYNARD, CHAD MCGINNIS, CHAD MCNAUGHTON, CHAD RUOT, CHADRICK
LAWRENCE, CHARLES ATWATER, CHARLES BARBOUR, CHARLES CLINE,

CHARLES JOHNSON, CHERYL KOZLOV, CHRIS DILULLO, CHRIS METCALFE,
CHRIS OLIVER, CHRIS ROSE, CHRIS W COX, CHRISTINA BASTILLA, CHRISTINA
CLAUSEN, CHRISTINE WATSON, CHRISTOPHER BACHMAN, CHRISTOPHER
DOHERTY, CHRISTOPHER HUGHES, CHRISTOPHER JOHNSON, CHRISTOPHER
KINDRED, CHRISTOPHER KORGER, CHRISTOPHER REICH, CHRISTOPHER
SOUKUP, CHRISTOPHER UZELLA, CHRISTOPHER VIEBACH, CHRISTOPHER
VOSS, CHRISTY FOSTER, CINDI KLENKE, CINDY BRAGG, CLAUDIA GRUBER,
CLAY SIDWELL, CLAYTON WELLS, CLINTON TULL, CODY ROSE, COLIN
PATTON, CONNIE LARGE, COREY DASENBROCK, CORINNE NANCE, COURTNEY
PERIDORE, CRAIG FOSTER, CRAIG HAMRICK, CRAIG MACHUGA, CRAIG
NUNNALLY, CRAIG PETERSEN, CRYSTAL KINDER, CRYSTAL MEEKS, CURT
HENDERSON, CURTIS JACOBS, CURTIS WAGENBACH, CYNTHIA MULLER,
CYNTHIA WILLIAMS, DALE VOSS, DALLAS CARON, DAN ALBERTI, DAN
GILMORE, DAN SCOTT, DANA M BOYER, DANIEL BALOUN, DANIEL
BOHNENSTIEHL, DANIEL COLE, DANIEL GLOMB, DANIEL GUSTAFSON, DANIEL
HERDA, DANIEL IHRKE, DANIEL JEWETT, DANIEL STAAB, DANIEL WOLSEY,
DANIELLE PENMAN, DARIN BAZZELL, DARIN MILLER, DARIN PETERSON,
DARRELL JOHNSON, DARRYL WHITMORE, DAVE ECKERTY, DAVID
ACCATHARA, DAVID CAULK, DAVID CLARK, DAVID DIPRIMA, DAVID EARP,
DAVID GRIMESTAD, DAVID GUSS, DAVID JANSEN, DAVID KOSTERS JR, DAVID
MARTIN, DAVID MCKEIGHEN, DAVID MOTHKOVICH, DAVID PAUL
BLUMENSHINE, DAVID SCHLIEPER, DAVID SCHUUR, DEANE GEIKEN, DEBBIE
SMITH, DEBORAH BRYANT, DEBORAH LEMKE, DEBRA PERRY, DEBRA

WOLSEY, DEBRA WOMBLES, DEENA KRIEGER, DENNIS CARLOCK, DENNIS
MEIER, DENNIS SCHULTZ, DENZEL JINES, DEVIN KURFMAN, DILLON
DARBYSHIRE, DILLON FORTNER, DOMINIC SABATINA, DONALD BAYLES,
DONALD FOSTER, DONALD GILBERT, DONALD KALINA, DONALD RIENTS,
DONNA BUSS, DONNA WESTER, DOUGLAS ECKROTE, DOUGLAS J MORRISSEY,
DOUGLAS ROOSEVELT, DOUGLAS RYAN, DUANE CERRITO, DUSTIN PRATHER,
DUSTIN RIGHTNOWAR, ED RODRIGUEZ, EDVIN KUMI, EDWARD MUSIAL,
EDWIN ROLDAN, ELAINE LORINCZI, ELIZABETH LUBBEN, ERIC BREEZE, ERIC
CINNAMON, ERIC DIEDRICK, ERIC DUBIEL, ERIC SHIRLEY, ERIC WEBER, ERIK
BAILEYGAINES, ERIK FINKLE, ERIK SHELDON, EVERETT MCCULLEY,
FRANCISCO LOPEZ, FRANK SMITH, FRANK WILLIAMS, FRANK WILSON,
FRANKLIN STONER, FRED SNODGRASS, GARY AMES, GARY ELLIS, GARY FRY,
GARY MCCULLOUGH, GARY PHELPS, GARY SMITH, GEOFFERY BEATTY,
GEOFFREY CRABTREE, GEOFFREY MONARI, GEOFFREY PRESTON, GEOFFREY
STARR, GEORGE IHRKE, GEORGENA OTTOLINI, GERARD AVELLONE, GILBERT
JIMENEZ, GLENDA GARRETT, GLENN MULLALLY, GLENN REED, GORDON
GULLEY JR, GRACE GRAY, GREG BUBAN, GREG CHEAURE, GREG HALE JR,
GREG REBMAN, GREG RICHARDSON, GREG SANTAY, GREG SCHMIDT, GREG
WICINSKI, GREGORY GIPSON, GREGORY ICENOGLE, GREGORY MOFFITT,
GREGORY SHUFF, GRZEGORZ GANCARZ, GUY MERKER II, GWYNNE
ANDERSON-BECK, HAL LANGHAM, HASSEN DRISSI, HAYDEN NORRIS, HEIDIJO
ELYEA, HUNTER FLORES, IAN GEBBIA, ILENE BRINER, JACEK SEK, JACK
LOMBARDI II, JACOB ALLEN, JACOB HODEL, JACOB JOHNSON, JACOB

KRUPOWICZ, JACOB MANNING, JACOB MURPHY, JACOB PEIPER, JACOB SMITH,
JACQUELINE GARRETSON, JADE HAMER, JAIMIE BAKER, JAKE GLASNOVICH,
JAMES BUNCH, JAMES C SELLERS, JAMES CARROLL, JAMES CLINTON, JAMES
COOK, JAMES COX, JAMES GRIFFIN, JAMES HASKETT, JAMES JODISON, JAMES
JONES, JAMES LEE, JAMES LEIPART, JAMES LOGSDON, JAMES LOLAN, JAMES
MUHICH, JAMES PARKER, JAMES RATZ, JAMES WALKER, JAMIE HARRIS, JAMIE
KOCH, JAMIE MILTON, JAN JAREK, JANET BLADE, JANET GESELL, JANET
MEYER, JARED BARKER, JARED HARRIS, JARED HELLER, JARED MCCAMMON,
JAROSLAW WORWA, JASON BANGERT, JASON DODD, JASON DONOVAN, JASON
DZIEDZIC, JASON FLOYD, JASON GOODWIN, JASON HAAG, JASON HODEL,
JASON KERR, JASON LANGSTON, JASON MARQUES, JASON MERRILL, JASON
NOE, JASON SHARP, JASON SORENSEN, JASON TRYBOM, JAY ANDERSON, JEFF
REHKEMPER, JEFF BROWN, JEFF WRIGHT, JEFFERSON PERKINS, JEFFERY
RANDECKER, JEFFREY FURTEK, JEFFREY GOETZEN, JEFFREY HODEL, JEFFREY
KEITHLEY, JEFFREY KINDGREN, JEN MARTIN, JENNIFER CENTOLA, JENNIFER
CHROSTOWSKI, JENNIFER HERDA, JENNIFER PERHAM, JENNIFER PETERSON,
JEREMIAH SIMMONS, JEREMY ALLEN, JEREMY RAKERS, JERRY BONEY, JERRY
LUTKER, JERRY STONEBURNER, JERRY WOKER, JIM KRUTA JR, JIM MCILROY,
JODY BENSON, JOEL HOHBEIN, JOHN ARMSTRONG, JOHN BARHAM, JOHN
BELL, JOHN BOONE, JOHN CARON, JOHN FOWLER, JOHN FRANZEN, JOHN
FREEMAN, JOHN GALLAGHER, JOHN HARMON, JOHN KIESLAR, JOHN KRENZ,
JOHN M ODLE, JOHN MCLAUGHLIN, JOHN MILLER, JOHN REYNOLDS, JOHN
SCHACKMANN, JOHN SIEMENS, JOHN STRAIN JR, JOHN THOMAS HOWES, JOHN

WALTERS, JOHN WEAVER, JOHNATHAN SEIDEL, JON BECKER, JON BLY,
JONATHAN BEHRENS, JONATHAN LYONS, JONATHAN METCALF, JONATHAN
PARDO, JONATHON HOLLAND, JORDAN CUNNINGHAM, JOSEPH BAUER,
JOSEPH MEYERS, JOSEPH O'KEEFE, JOSEPH ROSSI, JOSH RICKEY, JOSHUA
EVANS, JOSHUA FULK, JOSHUA MAURER, JOSHUA MCDOWELL, JOSHUA
WHITE, JR MAY, JULIE ARMSTRONG, JULIE LYONS, JUSTIN BROOKS, JUSTIN
BUERSTER, JUSTIN COUCH, JUSTIN NORRIS, JUSTIN WEISS, JUSTIN
ZELKOWSKI, JUSTYNA WRONKA, K. DUSTIN COOPER, KAREN KELLEHER,
KAREN LALAGOS, KAREN TIRIO, KARL ZAWADZKI, KATHLEEN LEAF,
KATHLEEN RAMSEY, KAZIMIERZ MISIASZEK, KEITH HAMANN, KEITH KUHL,
KELLY HARMS, KELLY STICH, KELLY WOLAK, KEN HALL, KENDALL TUCKER,
KENNETH BRYANT, KENNETH HOUSTON, KENNETH KLENKE, KENNETH
NEILSEN, KENNETH SMITH, KENNETH STROPNIK, KENNETH WALTHER, KENNY
BRAGG, KENT KARWOSKI, KENT WILLIAMS, KEVIN BROUK, KEVIN
CARTWRIGHT, KEVIN HALEMEYER, KEVIN HARPER, KEVIN KOTH, KEVIN
KOUTSKY, KEVIN MCKITTRICK, KEVIN MOUNTJOY, KEVIN SAWATZKY, KEVIN
SENNOTT, KEVIN STOLL, KHAALIS ALEXANDER, KIM IAFFALDANO, KIM
RIGOR, KIMBERLEY SZALKUS, KIMBERLY ABATANGELO, KIMBERLY
ADKINSON, KIMBERLY NORWOOD, KIRK ALLEN, KIRK ORELUP, KORI
DUNCAN, KRISTI HICKAM, KRISTIN OTTOLINO, KRISTIN PLINER, KRISTIN
STROM, KRZYSZTOF BARTOSZEK, KURT DUEHR, KURT PEPPERELL, KYLE
NEMETH, KYLE SCHROEDER, KYLE SCHULTZ, KYRA DAVENPORT, LANCE
BRISTOW, LANCE MARCZAK, LARRY AGERS, LARRY NATTIER, LARRY

WILLIAM STAMMER JR, LAURA BECKMANN, LAURA DEYOUNG, LAURA DIAZ,
LAURA HOIS, LAURA HUGHES, LAURA PACKWOOD, LAURA REECE, LAURA
RUSSELL, LAUREN MILLER, LAURIE ECKERTY, LAWRENCE AUMILLER,
LAWRENCE MCKENNA, LEE TANNER, LES HESS, LEWIS BLEVINS, LINDA
BROCKMAN, LINDA FUHR, LINDA SABO, LISA CICHONSKI, LISA L. BOWMAN,
LISA PECK, LLOYD WOLFORD, LOGAN FIFER, LUKE MAYNARD, LYLE
PROSSER, LYNDELL WAGGENER, LYNDLE WEDDING, LYNETTE DECKER,
MANDY CULVER-LUCAS, MARC JACOBS, MARCELLO VALLE, MARGARET
HEDLUND, MARIUSZ PYCZ, MARK BILLHARTZ, MARK HANUSIN, MARK JAKOB,
MARK LEJA, MARK MAZMAN, MARK OLAUGHLIN, MARK PEARSON, MARK
PINGSTERHAUS, MARK STEEN, MARSHALL HALE, MARTIN HENDERSON,
MARTIN MAGGIO, MARTIN MOHR, MARVIN HAYDEN, MARY KOSTERS, MATT
CRAIG, MATT HOXTELL, MATT LISNICH, MATT SUTTON, MATTHEW BARRICK,
MATTHEW BOWMAN, MATTHEW DUBIEL, MATTHEW HAMANN, MATTHEW
HUBER, MATTHEW KERN, MATTHEW MEYER, MATTHEW NEWTON, MATTHEW
PALMER, MATTHEW PETERSON, MATTHEW SCHLACHTER, MATTHEW
SINNOKRAK, MATTHEW WHITCOMB, MATTHEW WIEG AND, MELISSA
HINKAMPER, MELODY SEIDEL, MICHAEL BAKER, MICHAEL BALL, MICHAEL
CLAUSEN, MICHAEL CUMMINGS, MICHAEL DANIELSON, MICHAEL E.
KACKERT, MICHAEL ESPOSITO, MICHAEL FOLSOM, MICHAEL HARLA,
MICHAEL JENNINGS, MICHAEL JORDAN, MICHAEL KELLY, MICHAEL KESSLER,
MICHAEL KRAEMER, MICHAEL KRUSE, MICHAEL LAWRENCE, MICHAEL
LAYNE, MICHAEL MCKENNA, MICHAEL MEYER, MICHAEL MITCHELL,

MICHAEL MOODY, MICHAEL MORLEY, MICHAEL MOSSMAN, MICHAEL MUFF,
MICHAEL NICOSON, MICHAEL NIELSEN, MICHAEL PETRUCCI, MICHAEL
SCHIEK, MICHAEL SHUFF, MICHAEL STARE, MICHAEL STIERN, MICHAEL
THOMPSON, MICHELE BRANNAN, MICHELE KESSLER, MICHELLE FESI,
MICHELLE TRCKA, MIKE CICHONSKI, MOLLY KREMPSKI, MOLLYANN HESSER,
MONIKA CASEY, N JILL JAY, NATALIE ENGELBRECHT, NATASHA
MALDONADO, NATHAN CAMPBELL, NATHAN GRISSOM, NATHAN PRASUN,
NATHAN STEWART, NATHEN BEASLEY, NEAL STOLLER, NEIL LUALLEN,
NICHOLAS BYERS, NICHOLAS STIPANOVICH, NICOLE DONOVAN, NORMAN
ROSE, ORVILLE BRETTMAN, OSCAR CASEY, OSCAR WORWA, PATRICIA
EDMONDS, PATRICIA IMHOFF, PATRICIA MAYO-KATSION, PATRICIA POTOCKI,
PATRICK GANNON, PATRICK HARDIEK, PATRICK MCDUGAL, PATRICK
SENORSKI, PATRICK SMITH, PAUL ESTELL, PAUL J.' RUIZ, PAUL JENSEN, PAUL
MULLER, PAUL SANDERS, PAUL SLOCUM, PAWEL LESNIAK, PAWEL SZUBA,
PEGGY BRANDON, PENNY MARKS, PETER DINKLAGE, PETER TRENKENSCHUH,
PHILIP J HEPP, PHILLIP HUSTON, PIOTR CISON, PIOTR DOROSZ, PRESTON
PETERSEN, QUENTIN MYERS, RANDY BLANKENSHIP, RANDY HARVEY, RANDY
KOHNER, RANDY RHEINECKER, RAUL LARACUENTE, RAYMOND BLADE,
RAYMOND CROMPTON, RAYMOND DUBIEL, RAYMOND LUEBBERT, REBECCA
LAPORTA, REBECCA VANT, REGAN DEERING, RICH MARTIN, RICHARD
GOODWIN, RICHARD KLIBER, RICHARD KORALLUS, RICHARD MILLER,
RICHARD MIX, RICHARD MORTON, RICHARD PESLAK, RICHARD POWERS,
RICHARD PROSSER, RICHARD SIMMERT, RICKY BOXX JR, RICKY SCHNETZLER,

RICKY WILLIAMS, ROB SPENCER, ROBBIE STOUT, ROBERT BEVIS, ROBERT BIANCHETTA, ROBERT BUNNELL, ROBERT CARLTON, ROBERT CARPENTER, ROBERT CRIPPEN, ROBERT FIENE, ROBERT JENSEN, ROBERT KING, ROBERT LESSER, ROBERT PIERPOINT, ROBERT PITCHFORD, ROBERT RADO, ROBERT ROY, ROBERT RYMSZA, ROBERT STEVENSON, ROBERT WAGNER, ROBERT WALTERS, ROBERT WEBB, ROBERT WILLIAMS, ROBIN MARTIN, ROBIN OTTOLINI, RODNEY JUDY, RODNEY WASHAUSEN SR, ROGER RICHARDSON, ROGER ROBERTS, ROLAND LISCHALK, RON PROMISSON, RONALD HESSER JR, RONALD KASKOVICH JR., RONALD LEMKE, ROSS PARLAPIANO, RUBEN PAZMINO, RYAN ASHLEY, RYAN HILL, RYAN LOGSDON, RYAN MOONEY, RYAN RUPPEL, RYNE SCOTT, S RYAN GANNAWAY, SALVATORE A CIANFLONE, SAMUEL DERRICKSON, SANDRA BACHAR, SANDRA EARP, SARAH ZIEGLER, SCOT DECKER, SCOTT COLLINS, SCOTT CORLEY, SCOTT FITZGERALD, SCOTT FOSTER, SCOTT HARPER, SCOTT HUNT, SCOTT KASPAR, SCOTT KOCHANAY, SCOTT MALONE, SCOTT MCCORD, SCOTT MEINHARDT, SCOTT SHAFFER, SCOTT SHOUP, SCOTT STANOWSKI, SCOTT SWIDLER, SHANE MCDERMOTT, SHANE MENNINGA, SHANE YEARIAN, SHAWN GOODWIN, SHERI TUCKER, SHERRI AKERS, SHERRY RAMEY, SHON BAKER, SONNY ROSS, STACEY HAGAN, STACY SEVERINS, STANISLAW WRONKA, STANISLAW ZEGLIN, STAVEN HOWARD, STEPHAN BJELKE, STEPHANIE DOOLEY, STEPHANIE NENN, STEPHEN AUSTIN, STEPHEN BRUNET, STEPHEN HARNEY, STEPHEN HASSEMAN, STEPHEN LANGHEIM, STEPHEN RICHARDSON, STEPHEN SENNOTT, STEVE ATWOOD, STEVE BENTLAGE, STEVE BOSNIACK, STEVE

DURBIN, STEVE GARITE, STEVE GLASCOCK, STEVE PLOCHER, STEVEN ABBA,
STEVEN ACRED, STEVEN BRUNS, STEVEN CROSSLEY, STEVEN EDENBURN,
STEVEN ELLER, STEVEN GREENE, STEVEN MAY, STEVEN SAWATZKY, STEVEN
SMITH, STEVEN WASHBURN, SUSAN DEMMA, SUSAN ELLSWORTH, SUSAN
FRY, SUSAN HEAVIN, SUSAN MORRISSEY, SUSAN WILKEN, TAD PUTRICH,
TAMARA ALLEN, TAMARA EFSEN, TAMMY BURNHAM, TANNER THOELE,
TARA BANGERT, TARA BROWN, TED AHNER, TERRENCE J RONCZKOWSKI,
TERRY MOORE, TERRY WILKEN, JASON BRAGG, THOMAS COSTELLO, THOMAS
DILLON, THOMAS E SPARENBERG, THOMAS JONES, THOMAS KOCH, THOMAS
SENNOTT, THOMAS TUCKER, TIFFANY SABATINA, TIM BRUCE, TIM HOESLI,
TIM MILLER, TIM WEISS, TIMOTHY BALL, TIMOTHY BURLINGAME, TIMOTHY
SCHROEDER, TIMOTHY SIEKMANN, TIMOTHY TAYLOR, TIMOTHY WOOD, TINA
SUSA, TODD APATO, TODD DEEDRICK, TODD GREEN, TOM KOPACZ, TOM
LENTZ, TOM WOMBLES, TOMASZ SMALEC, TONY RHODES, TRACI
GOLDSCHMIDT, TRACI WOOD, TRACY MANNS, TRACY PLEIN, TRAVIS BECK,
TRAVIS LINGAFELTER, TRAVIS PHELPS, TRAVIS UTTERBACK, TRAVIS
WILHITE, TRENT ARVIN, TRENT ROBINSON, TRISHA BRAGG, TROY HARMS,
TROY KRIGBAUM, TROY SMITH, TRUMAN SELLERS, TYLER ROYSE, TYLER
SIMS, VALERIE NICOSON, VICKI PASKERT, VICTORIA LOPEZ, VINCE HAMER,
VINCENT ROMANO, VIRGINIA BARNARD, VITO LIROSI, WALDEMAR SARAT,
WALLACE MCDUFFEY, WENDI ARLIS, WENDIE LUDWIG, WENDY MENIGOZ,
WENDY MILLER, WESLEY KEMPER, WILLIAM ALBRECHT, WILLIAM B GRAY,
WILLIAM CURRAN, WILLIAM HAMPTON, WILLIAM HARDY, WILLIAM

HEFFERNAN, WILLIAM KERTH, WILLIAM KEYES, WILLIAM KLINOWSKI, WILLIAM LAPP, WILLIAM REED, WILLIAM SWANSON, WILLIAM WEINMAN, WILLIAM WONCH, WOJCIECH RECZEK, WOJCIECH TARCHALA, WYATT ROGERS, ZACH ROSE, ZACHARY KALVE, ZACHARY ROBERTS, ZACHARY SARVER, ZACHARY SCHEETZ, RYAN CUNNINGHAM, CHRIS STEVENS are residents and citizens of the State of Illinois who, *inter alia*, possess or otherwise desire to deliver, sell, import, or purchase an assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge and/or manufacture, deliver, sell, or purchase large capacity ammunition feeding devices as defined in 720 ILCS 5/24-1.9(a) and/or 720 ILCS 5/24-1.10(a).

PARTY DEFENDANTS

3. Defendant Jay Robert Pritzker is the duly elected Governor of the State of Illinois. Under Article V, Section 8 of the Illinois Constitution, the Governor “shall have the supreme executive power and shall be responsible for the faithful execution of the laws.” Ill. Const. 1970, art. V, § 8.
4. Defendant Emmanuel Christopher Welch is the duly elected Speaker of the Illinois House of Representatives.
5. As Speaker of the House, Defendant Welch certified that all procedural requirements for the passage of HB 5471 were met.
6. Defendant Don Harmon is the duly elected president of the Illinois Senate.
7. As president of the Senate, Defendant Harmon certified that all procedural requirements for the passage of HB 5471 were met.
8. Defendant Kwame Raoul is the duly elected Attorney General of the State of Illinois.

9. As Attorney General, he has publicly proclaimed he will enforce the provisions of HB 5471 against the citizens of Illinois. (See https://www.thecentersquare.com/illinois/attorney-general-says-if-sheriffs-wont-enforce-gun-ban-there-are-other-people-there-to/article_8b6d435c-938f-11ed-bf51-3b89f7f861d3.html)
- <https://www.mystateline.com/news/illinois-ag-echoes-pritzkers-threat-to-fire-police-for-not-enforcing-gun-ban/>

FACTUAL BASIS

10. House Bill 5471, referred to as the “INS CODE-PUBLIC ADJUSTERS” (hereinafter “HB 5471” or “Public Act 102–116”) was originally introduced in the Illinois House of Representatives by Representative Dagmara Avelar on January 28, 2022. (See Exhibit B)
11. The title of the bill a introduced is “An Act concerning Regulation”. (See Exhibit C)
12. The act of regulating; a rule or order prescribed for management or government; a regulating principle; a precept. (See <https://thelawdictionary.org/regulation/>)
13. As introduced, HB 5471 consisted of approximately nine (9) pages and sought to amend very modestly provisions of Illinois Insurance Code regarding insurance contracts. *Id.*
14. The synopsis for HB 5471 as introduced indicated that, the subject of the bill was focused on providing the e-mail address of the adjuster as well as other provisions regarding an insurance contract. *Id.*
15. HB5471 received three (3) readings in the House and was passed on March 04, 2022. (See Exhibit B)
16. HB 5471 arrived in the Senate March 07, 2022. *Id.*
17. The first reading of HB 5471 in the Senate occurred on March 07, 2022, where it was referred to the Assignments Committee. *Id.*

18. The second reading of HB5471 in the Senate occurred on November 30, 2022 wherein it was placed on the calendar for a third reading on December 01, 2022. *Id.*
19. On or about January 08, 2023, which was a Sunday afternoon at 3:00 P.M., before the third reading occurred in the Senate, Senator Don Harmon filed Senate Floor Amendment No.1 which completely stripped the insurance provisions of the bill, which were being considered by the legislature all the way up until this time, and completely replaced them with new substantive proposed changes governing weapons, human and drug trafficking. (See Exhibit D)²
20. The next day on January 9, 2023, Amendments 2,3,4,5 were presented in the Senate which amendments did not significantly deviate from the first amendment. (See Exhibit B)
21. On January 9, 2023, the amendments passed the Senate and the matter was sent back to the House on January 10, 2023. *Id.*
22. The final version of HB 5471 as amended by the Senate is attached hereto as Exhibit E.
23. According to the Senate amendment's synopsis, the bill now dealt with various topics such as Amends the Illinois State Police Law of the Civil Administrative Code of Illinois. Provides that the Division of Criminal Investigation of the Illinois State Police shall conduct other investigations as provided by law, including, but not limited to, investigations of human trafficking, illegal drug trafficking, and illegal firearms trafficking. Provides that the Division of Criminal Investigation shall provide statewide coordination and strategy pertaining to firearm-related intelligence, firearms trafficking interdiction, and investigations. Amends the

² The Court might ask itself why the Defendants chose HB 5471 to engage in this gamesmanship. Luck of the draw perhaps? Or could it be when they searched the record for an otherwise innocuous bill to "gut and replace" they found one which just happen to have as co-sponsors the new incoming Republican House Minority Leader as well as the incoming Republican House Deputy Minority Leader? Were the Defendants seeking out opportunity to create political fodder against these new minority leaders of the House? Assuredly, the People's representatives don't engage in such behavior!

Firearm Owners Identification Card Act. Provides that a petitioner may request a plenary firearms restraining order of up to one-year, but not less than 6 months (rather than 6 months). Provides that the order may be renewed for an additional period of up to one year. Amends the Criminal Code of 2012. Provides that beginning January 1, 2024, it is unlawful for any person within the State to knowingly possess an assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge, with exemptions, and provides penalties. Provides that it is unlawful for any person within the State to knowingly manufacture, deliver, sell, purchase, or cause to be manufactured, delivered, sold, or purchased a large capacity ammunition feeding device, with specified exemptions, and provides penalties. Contains a severability provision. Amends the Freedom of Information Act. Exempts from disclosure under the Act certain information concerning endorsements received by the Illinois State Police. (See Exhibit B)

24. After these voluminous amendments were made by the Senate, the subject of HB 5471 no longer addressed the issue of insurance adjusters and their contracts, as its new subject was now modifying completely different laws regarding weapons, human and drug trafficking.

25. After returning to the House, HB 5471 was not three times before voting to pass it.

26. On January 10, 2023, within a few hours after the House merely voted to concur with the Senate amendments Governor Pritzker signed Public Act 102-1116, which ironically is titled Insurance Code Public Adjusters, into law. (See Exhibit B)

COUNT I
DECLARATORY JUDGMENT
THE ACT VIOLATES THE SINGLE ISSUE RULE OF
THE ILLINOIS CONSTITUTION

27. Plaintiffs incorporate paragraphs 1 through 26 as if each had been specifically plead herein.

28. Plaintiffs have a right to insist their fundamental rights are not impaired by the Defendants due to their engaging in lawmaking which violates Article IV, Section 8 of the Illinois Constitution.
29. Article IV, Section 8 of the Illinois Constitution provides in pertinent part: "Bills, except bills for appropriations and for the codification, revision or rearrangement of laws, shall be confined to one subject." (See Ill. Const. 1970, art. IV, § 8(d)).
30. Because the single subject rule is a substantive rather than procedural requirement for the passage of bills, an alleged violation of the rule is subject to judicial review. *Johnson v. Edgar*, 176 Ill. 2d 499, 514 (1997) (citing, *People v. Dunigan*, 165 Ill.2d 235 (1995)).
31. The single subject rule ensures the structured and well-informed debate and passage of bills by "limiting each bill to a single subject, so each legislator can better understand and more intelligently debate the issues presented by a bill." *People v. Cervantes*, 189 Ill. 2d 80, 83-84 (1999) (citing *People v. Reedy*, 295 Ill. App. 3d 34 (2d Dist. 1999)).
32. The single subject requirement, therefore, "ensures that the legislature addresses the difficult decisions it faces directly and subject to public scrutiny" *Cervantes* 189 Ill.2d at 84 (citing, *Johnson v. Edgar*, 176 Ill.2d 499 (1997)).
33. In addition to preventing logrolling, the single subject rule also facilitates the enactment of bills through an orderly and informed legislative process. *People v. Olender*, 222 Ill.2d 123 (Ill. 2005) ³
34. A public act that violates the single subject rule is not severable; rather, the entire public act is unconstitutional and thus void. *Reedy*, 295 Ill. App. 3d at 42.
35. The subject may be as broad as the legislature chooses. *People v. Boclair*, 202 Ill.2d 89, 109,

³ Now is as a good a time as any to point out to the Court that nothing about the way HB 5471 was passed into law was orderly or informed as required by constitutional precept.

273 Ill.Dec. 560, 789 N.E.2d 734 (2002); *Johnson*, 176 Ill.2d at 515, 224 Ill.Dec. 1, 680 N.E.2d 1372.

36. However, “while the legislature is free to choose subjects comprehensive in scope, the single subject requirement may not be circumvented by selecting a topic so broad that the rule is evaded as ‘a meaningful constitutional check on the legislature's actions.’” (Emphasis Added) *Boclair*, 202 Ill.2d at 109, 273 Ill.Dec. 560, 789 N.E.2d 734 (quoting *Johnson*, 176 Ill.2d at 515–18, 224 Ill.Dec. 1, 680 N.E.2d 1372).

37. Here HB 5471 originated with a subject called “an act regarding regulation.”

38. By definition, the subject of regulation is so broad it could encompass any subject matter for which the Defendants might consider passage.

39. HB 5471 originated as an act making very modest changes Illinois Insurance Code regarding contracts.

40. From its origination until two days before its passage, the nature and character of the act remained the same as it made its way through the public and deliberative process of the legislature.

41. The amendments made just two days before its passage had no logical or natural connection to the original act as they vitiated the original insurance provisions as presented on January 28, 2022 and replaced them with numerous unrelated subjects as compared to the original act.

42. Moreover, the subjects for which the amendments modified HB 5471 included, but were not limited to;

- a) Ordered the criminal investigations unit to conduct investigations regarding human trafficking, illegal drug trafficking and illegal firearms tracking;
- b) Amended the law regarding the procurement of bids for certain services related to

purchases of certain technology by the Illinois State Police;

c) Modifies the provision of firearms restraining orders;

d) Created new provisions in the law regarding the ban on certain semi-automatic weapons

43. First, the Court should declare the single subject of “an act regarding regulation” is so broad that it renders meaningless the constitutionally mandated check on the legislature as required by Article IV, Section 8 of the Illinois Constitution.

44. The subject of regulation is so broad that allows the legislature to “gut and replace” bills without limitation on any subject they choose. ⁴

45. Secondly, the Court should declare the act as it originated and the amendments have no logical relation to one another and as such HB 5471 is violative of Article IV, Section 8 of the Illinois Constitution.

46. The Defendants cannot ignore the fact that the original subject of HB 5471 has no logical relation to the amendments merely because they chose to redact the original subject in its totality.

47. Even comparing the provision of the Amendments to one another would be a futile act for the Court as the generic term regulation means nothing of substance for which it might compare specific provisions within the amendments. .

48. By engaging in such gamesmanship in violation of the single subject rule, the Defendants rendered the single subject rule meaningless which forecloses the Plaintiffs elected representatives, or themselves for that matter, the opportunity to scrutinize legislation and

⁴ The phrase “gut and replace” is commonly used by those involved in Illinois politics in referring to the unfortunate practice of the legislature waiting until the last minute of grabbing ahold of a bill which has almost completed the procedural requirement of becoming a law and vitiating all the bills content which existed up until that point and wholly replacing it with a confrontational subject which the legislature desires to pass at the last minute without any meaningful public debate or scrutiny. It’s an abhorrent method of excluding the public from participating in lawmaking so they might have a meaningful opportunity to make their voices heard to representatives.

materially participate in the legislative process.

49. An actual controversy exists between the Parties which would be terminated in whole or in part by a declaratory judgment.

50. An immediate and definitive determination is necessary to clarify the rights and interests of all parties affected.

WHEREFORE, Plaintiffs, herein request that this court enter an Order:

A. Plaintiffs pray this Honorable Court declare Public Act 102-116 unconstitutional as violative of the single subject rule given the subject is so broad that it has rendered meaningless the constitutionally mandated check on the legislature as required by Article IV, Section 8 of the Illinois Constitution;

B. Plaintiffs pray this Honorable Court declare Public Act 102-116 unconstitutional as violative of the single subject rule given the subject of the act as introduced as a modification of the Illinois Insurance Code bears no logical relation to the subjects of the amendments;

C. That the Court grant such other and further relief as is just and proper.

COUNT II
DECLARATORY JUDGMENT
THE ACT VIOLATES THE THREE READINGS CLAUSE
OF THE ILLINOIS CONSTITUTION

51. Plaintiffs incorporate paragraphs 1 through 50 as if each had been specifically plead herein.

52. Plaintiffs have a right to insist their fundamental rights are not impaired by the Defendants due to their engaging in lawmaking which violates Article IV, Section 8 of the Illinois Constitution.

53. Article IV, Section 8 of the Illinois Constitution provides, in pertinent part, that “a bill shall be read by title on three different days in each house.” Ill. Const. 1970, art. IV, § 8(d).

54. The Three Readings rule applies not only to the original bill, but to amendments when they

represent a substantial departure from the original bill.

55. “In *Giebelhausen v. Daley*, 407 Ill. 25, 48 (1950), our supreme court held that the "complete substitution of a new bill under the original number, dealing with a subject which was not akin or closely allied to the original bill, and which was not read three times in each House, after it has been so altered, [was a] clear violation of a similar three-readings rule in the 1870 Constitution. See Ill. Const. 1870, art. IV, § 13 (“Every bill shall be read at large on three different days, in each house***.”).” *Doe v. Lyft, Inc.*, 2020 IL App (1st) 191328, ¶ 53 (1st Dist. 2021).

56. As more fully laid out in this matter, the amendments made to HB 5471 by the Senate represented an absolute departure from the original bill which originated in the House.

57. The Senate amendments constituted a total substitution of the original HB 5471, which subjects the amendments to the Three Readings rule in the Senate as well as the House.

58. In essence, HB 5471 was only read one time in the Senate after the amendments, and it was not read at all in the House.

59. Plaintiffs acknowledge that a challenge to legislation under the Three Readings rule provided in Art. IV, Section 8(d) implicates the Enrolled Bill doctrine, which provides that, once the Speaker of the House and President of the Senate certify that the procedural requirements for passing legislation have been met, there is a presumption the procedural requirements have been satisfied.

60. However, Plaintiffs do not concede this ends the inquiry and affirmatively assert that the Enrolled Bill Doctrine must fall as it cannot be reconciled with Art. IV, Section 8(d) and our Illinois Court made it clear continued abuses of this constitutional requirement would result in the Courts stepping in.

61. Any further deference under the Enrolled Bill Doctrine by the Courts allows the General Assembly to blatantly and systematically continue its subversion of this unambiguous constitutional mandate by certifying, with no discernable standards, penalty, or review, that it has complied with Art. IV, Section 8 when unequivocal violations are in plain sight. ⁵
62. The Enrolled Bill Doctrine has been subject to significant abuse by the General Assembly, which has not escaped the notice of the Supreme Court. In *Geja's Cafe v. Metro. Pier & Exposition Auth.*, 153 Ill. 2d 239, 260 (1992), the Supreme Court explained that, “if the General Assembly continues its poor record of policing itself, we reserve the right to revisit this issue on another day to decide the continued propriety of ignoring this constitutional violation.” In *Friends of Parks v. Chicago Park Dist.*, 203 Ill. 2d 312, 329 (2003), the Illinois Supreme Court reiterated this concern, citing previous instances where it “noted . . . that the legislature had shown remarkably poor self-discipline in policing itself in regard to the three-readings requirement.” ⁶
63. The passage of HB 5471 provides the perfect example of why the Court must abandon the Enrolled Bill doctrine. A simple and likely uncontroversial insurance regulation bill was gutted and replaced by the Senate at the last moment into a final product that bore no resemblance to the original material, thereby creating a new bill that contains significant impairments to a fundamental constitutional right, and then it simply passed in the House by concurrence without any opportunity for any meaningful public debate or deliberation of any sort.

⁵ How much longer are the Courts of this State going to sit idly by and allow the legislature to violate the Constitution? What more is it going to take before the Court puts an end to this abuse? Is it time now given the legislature is attacking fundamental constitutional rights by engaging in such blatant abuse of Constitutional safeguards?

⁶ The Illinois Supreme Court has left the door wide open for the Courts to intervene with the legislatures continued abuse of the clear disregard for the Illinois Constitution. It is time for the Court to step up and put an end to this practice which is now being used to invade the most sacred of fundamental rights held by its citizens.

64. The record of proceedings reflects not only did the Senate amendments receive one (1) reading in the Senate, but upon return to the House it received no readings on the amended bill and was simply called for a vote on the concurrence.
65. Therefore, it will be beyond contest in this matter that a Three Readings violation has occurred.
66. Given the General Assembly's demonstrated inability, which has lasted decades, to police themselves on the matter, and given fundamental constitutional rights are now being infringed upon by this abuse, the Enrolled Bill Doctrine must be abrogated in the public interest and in furtherance of the original purpose of the Three Readings clause.
67. An actual controversy exists between the Parties which would be terminated in whole or in part by a declaratory judgment.
68. An immediate and definitive determination is necessary to clarify the rights and interests of all parties affected.

WHEREFORE, Plaintiffs, herein request that this court enter an Order:

- A. Plaintiffs pray this Honorable Court declare Public Act 102-116 unconstitutional as violative of the Three Readings Rule as required by Article IV, Section 8 of the Illinois Constitution;
- B. That the Court grant such other and further relief as is just and proper.

COUNT III
DECLARATORY JUDGMENT
HB 5471 VIOLATES THE DUE PROCESS CLAUSE
OF THE ILLINOIS CONSTITUTION

69. Plaintiffs incorporate paragraphs 1 through 68 as if each had been specifically plead herein.
70. Plaintiffs have a right to insist their fundamental rights are not impaired by the Defendants due to their engaging in lawmaking which violates Article I, Section 2 of the Illinois Constitution.

71. Article I, Section 2 of the Illinois Constitution provides in pertinent part: " No person shall be deprived of life, liberty or property without due process of law of the laws. " Ill. Const. 1970, art. I, § 2.
72. When government action depriving a person of life, liberty, or property survives substantive due process scrutiny, it must still be implemented in a fair manner. *People v. Barker*, 2021 IL App (1st) 192588, 188 N.E.3d 21, 453 Ill.Dec. 549.
73. The due process clause protects fundamental fairness and justice. *Lyon v. Department of Children & Family Services*, 209 Ill.2d 264, 282 Ill.Dec. 799, 807 N.E.2d 423 (2004).
74. The guarantee of due process of law extends to every governmental proceeding which may interfere with personal or property rights, whether the process be legislative, judicial, administrative, or executive. *People ex rel. Harris v. Parrish Oil Production, Inc.*, 249 Ill.App.3d 664, 622 N.E.2d 810, 190 Ill.Dec. 780
75. Due process of law is a conception of fundamental justice and is not satisfied by merely formal procedural correctness. *People v. Dugan*, 401 Ill. 442, 82 N.E.2d 482 (1948)
76. The proposition that a person shall not be deprived of life, liberty, or property without due process of law is as old as any principle of civilized government and is found in the Magna Charta and in substance, if not in form, in nearly all constitutions adopted by the several States. *Id.*
77. "Procedural due process claims challenge the constitutionality of the specific procedures used to deny a person's life, liberty, or property." *People v. Cardona*, 2013 IL 114076, ¶ 15, 369 Ill.Dec. 117, 986 N.E.2d 66

78. Due process requires, at minimum, a meaningful opportunity to be heard. *Colquitt v. Rich Township High School District No. 227*, 298 Ill. App. 3d 856, 863, 232 Ill.Dec. 924, 699 N.E.2d 1109 (1998).
79. Classification of the right affected dictates the level of scrutiny to be applied by a reviewing court in determining whether the statute in question is in accordance with the constitution. *Napleton v. Village of Hinsdale*, 229 Ill. 2d 296, 307, 322 Ill.Dec. 548, 891 N.E.2d 839 (2008).
80. When determining whether a statute violates constitutional guarantees of due process, a reviewing court must first determine the nature of the right upon which the statute allegedly infringes. *People v. Beard*, 366 Ill. App. 3d 197, 200, 303 Ill.Dec. 243, 851 N.E.2d 141 (2006)
81. Where the right infringed upon is a fundamental right, the statute is subject to strict scrutiny analysis. *Id.*
82. In order to survive strict scrutiny, the measures employed by the government body must be necessary to serve a compelling state interest and must be narrowly tailored to it. *Napleton*, 229 Ill. 2d at 307, 322 Ill.Dec. 548, 891 N.E.2d 839.
83. In this case, Plaintiffs were denied any meaningful opportunity to participate in the passage of HB 5471 which attempts to materially impair their fundamental rights to bear arms.
84. As a result of these due process violations, Plaintiff's fundamental rights to bear arms have been impaired as guaranteed by Ill. Const. 1970, art. I, § 22.
85. Plaintiffs have due process rights which demand orderly proceedings based upon clearly established constitutional safeguards before their fundamental rights might be impaired.
86. The due process violation being complained of herein is the complete and total failure of the Defendants to comply with express constitutional procedural guarantees afforded the Plaintiffs

under Ill. Const. 1970, art. IV, § 8(d).

87. The subversive procedures engaged in by the Defendants were completely calculated to be a workaround to these constitutional procedural guarantees.
88. First, the Defendants have completely ignored the constitutional procedural rights of Plaintiffs in regard to the single issue rule of the Illinois Constitution.
89. On or about January 28, 2022, HB 5471 began as a subject of an innocuous insurance regulation which as a result passed through the Illinois House of Representatives, and almost all the way through the Senate, bearing no semblance to any potential impairment of Plaintiffs fundamental rights to bear arms guaranteed under Ill. Const. 1970, art. I, § 22.
90. Without warning or notice, the Defendants struck with their amendments which completely altered the subject of HB 5471 from an innocuous insurance regulation into a significant weapons ban bill which cut at the heart of Plaintiffs fundamental and inalienable rights to bear arms.
91. Then less than 48 hours later on January 10, 2022, HB 5471 was signed by Governor Pritzker into law.
92. From its origination on January 28, 2022, until its passage on January 10, 2023, HB 5471 was in the public eye for 347 days.
93. For 345 days of its existence, its subject was one of insurance regulation that had no logical connection or relevance to any sort of impairment on fundamental rights to bear arms.
94. Just two days before its passage, the amendments wholly changed the subject and character of HB 5471.

95. By utilizing a subject of “regulation” the Defendants subdued the Plaintiffs as to what might lie ahead within this bill, and thereby rendered the single subject requirement of the Illinois Constitution a meaningless safeguard of Plaintiff’s due process rights.
96. Secondly, notwithstanding the abuses engaged in by Defendants regarding the use of the generic subject of regulation, there is no meaningful or logical connection between insurance regulation and regulations on weapons, drugs and human trafficking. ⁷
97. As required by the Illinois Constitution, HB 5471 was read three times in the House of Representatives when its subject was that of insurance regulation; it was also read twice in the Senate as an insurance regulation.
98. After the “gut and replace” on January 08, 2022, the new subject of the HB 5471, being that in regard to weapons, drugs and human trafficking, was only read one time.
99. While the enrolled bill doctrine has until now been a shield for the Defendants to engage in this practice against attacks brought under Ill. Const. 1970, art. IV, § 8(d) such as in Count II, the Defendants are not protected by such precedent for claims brought under the due process clause as provided in Ill. Const. 1970, art. I, § 2.⁸
100. The complete disregard of the single subject rule and the three readings rule by the Defendants evidence violations of the due process safeguards afforded Plaintiff’s under Ill.

⁷ The use of the word “regulation” as the subject for a bill is clearly for the purpose of the Defendants to alter the substance of a bill to whatever they choose at the last moment. This abuse of process allows Defendants to quietly present a “shell bill” up to the point to the end of the legislative process without any concern being taken for months by the citizens of the state and then at the last moment the Defendants gut and replace the subject to something wholly unrelated to the originating subject. Due process of law must demand more of the Defendants or otherwise the legislative process of providing the citizens notice and to materially participate in government as guaranteed by the constitution is rendered meaningless.

⁸ A challenge to the Three Readings Rule under Article IV, Section 8(d) is separate and apart from any claim brought under due process, as this claim alleges a separate and independent constitutional violation as guaranteed under Article I, Section 2. Furthermore, as argued herein, it is far past time the Court put an end to the abuses of the Three Readings Rule and no longer allow the Enrolled Bill Doctrine to be blanket cover for these egregious violations.

Const. 1970, art. I, § 2.

101. Separate and apart from the claims raised by Plaintiffs under Ill. Const. 1970, art. IV, § 8(d) are independent violations of the due process guarantees afforded Plaintiffs under Ill. Const. 1970, art. I, § 2.

102. An actual controversy exists between the Parties which would be terminated in whole or in part by a declaratory judgment.

103. An immediate and definitive determination is necessary to clarify the rights and interests of all parties affected.

WHEREFORE, Plaintiffs, herein request that this court enter an Order:

A. Plaintiffs pray this Honorable Court declare Public Act 102-116 unconstitutional as violative of Due Process as required by Article I, Section 2 of the Illinois Constitution;

B. That the Court grant such other and further relief as is just and proper.

COUNT IV
DECLARATORY JUDGMENT
720 ILCS 5/24-1.9 AND 720 ILCS 5/24-1.10 OF HB 5471 VIOLATE THE
EQUAL PROTECTION CLAUSE OF THE ILLINOIS CONSTITUTION

104. Plaintiffs incorporate paragraphs 1 through 103 as if each had been specifically plead herein.

105. Plaintiffs have a right to insist their fundamental rights are not impaired by the Defendants due to their engaging in lawmaking which violates Article I, Section 2 of the Illinois Constitution.

106. Article I, Section 2 of the Illinois Constitution provides in pertinent part: " No person shall be deprived of life, liberty or property without equal protection of the laws. " Ill. Const. 1970, art. I, § 2.

107. HB 5471 added the following provision to the Illinois Criminal Code.

Sec. 24-1. Unlawful use of weapons. (a) A person commits the offense of unlawful use of weapons when he knowingly:

- (15) Carries or possesses any assault weapon or .50 caliber rifle in violation of Section 24-1.9; or
- (16) Manufactures, sells, delivers, imports, or purchases any assault weapon or .50 caliber rifle in violation of Section 24-1.9.

(See 720 ILCS 5/24-1(15) and 720 ILCS 5/24-1(16))

- 108. A person convicted of 720 ILCS 5/24-1(15) commits a Class A misdemeanor on their first offense and a Class 3 felony on any subsequent offense.
- 109. A person convicted of 720 ILCS 5/24-1(16) commits a Class 3 felony.
- 110. The definition of what constitutes an assault weapon is defined in the statute at 720 ILCS 5/24-1.9(a).
- 111. Except as provided in subsections (c), (d), (e), on or after the effective date of the amendatory act, it is unlawful for any person within this state to knowingly manufacture, deliver, sell, import, or purchase or cause to be manufactured, delivered, sold, imported, or purchased by another, an assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge. (See 720 ILCS 5/24-1.9(b)).
- 112. Except as provided in subsection (d), beginning January 01, 2024, it is unlawful for any person in this state to knowingly possess an assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge. (See 720 ILCS 5/24-1.9(c)).
- 113. As of January 01, 2024, a person may possess assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge only if the person has by January 01, 2024 provided the Illinois State Police an endorsement affidavit as prescribed by the law. (See 720 ILCS 5/24-1.9(d)).

114. The endorsement affidavit requires the person to attest they either owned the assault weapon prior to the passage effective date of this act or otherwise inherited it from an authorized person. *Id.*

115. The endorsement affidavit must include the make, model and serial number of the assault weapon. *Id.*

116. Furthermore, beginning 90 days from the effective date of this amendatory Act of the 102nd General Assembly, a person may only possess an assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge, at the following locations:

- a) on private property owned or immediately controlled by the person;
- b) on private property that is not open to the public with the express permission of the person who owns or immediately controls such property;
- c) while on the premises of a licensed firearms dealer or gunsmith for the purpose of lawful repair;
- d) while engaged in the legal use of the assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge at a properly licensed firing range or sport shooting competition venue; or
- e) while traveling to or from these locations, provided that the assault weapon, assault weapon attachment, or .50 caliber rifle is unloaded and the assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge is enclosed in a case, firearm carrying box, shipping box, or other container.

(See 720 ILCS 5/24-1.9(d)).

117. Beginning January 01, 2024, a person with the endorsement affidavit for an assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge, can only transfer to the following:

- a) persons authorized under subdivisions (1) through (5) of subsection (e);
- b) to an heir;
- c) an individual residing in another state;

d) a licensed firearms dealer.

(See 720 ILCS 5/24-1.9(d)).

118. The provision of this Section regarding the purchase or possession of assault weapons, assault weapons attachments, .50 caliber rifles, and .50 caliber cartridges, as well as those provisions of this Section that prohibit causing those items to be purchased or possessed, do not apply to:

- 1) peace officers as defined by Section 2-13 of this Code.
- 2) Qualified law enforcement officers and qualified retired law enforcement officers as defined in the Law Enforcement Officers Safety Act of 2004 (18 U.S.C. 926B and 926C) and as recognized under Illinois law.
- 3) Acquisition and possession by a federal, State, or local law enforcement agency for the purpose of equipping the agency's peace officers as defined in paragraph (1) or (2) of this subsection (e).
- 4) Wardens, superintendents, and keepers of prisons, penitentiaries, jails, and other institutions for the detention of persons accused or convicted of an offense.
- 5) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while performing their official duties or while traveling to or from their places of duty. ⁹
- 6) Any company that employs armed security officers in this State at a nuclear energy, storage, weapons, or development site or facility regulated by the federal Nuclear

⁹ As the Court considers these exceptions, all of which violate equal protections, the ridiculousness of some of them will become apparent. A member of our military is exempt as long as he or she is in the service but must seemingly give up their rights after being discharged. However, a retired law enforcement officer can continue to exercise their rights their whole life. One can't even begin to appreciate the absurdity of these types of distinguishing provisions until considering the possibility that one class of persons might have a better lobbying group than the other.

Regulatory Commission and any person employed as an armed security force member at a nuclear energy, storage, weapons, or development site or facility regulated by the federal Nuclear Regulatory Commission who has completed the background screening and training mandated by the rules and regulations of the federal Nuclear Regulatory Commission and while performing official duties.

- 7) Any private security contractor agency licensed under the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 that employs private security contractors and any private security contractor who is licensed and has been issued a firearm control card under the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 while performing official duties.

(See 720 ILCS 5/24-1.9(e)).

119. The provisions of this Section do not apply to the manufacture, delivery, sale, import, purchase, or possession of an assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge or causing the manufacture, delivery, sale, importation, purchase, or possession of those items:

- (A) for sale or transfer to persons authorized under subdivisions (1) through (7) of this subsection (e) to possess those items;
- (B) for sale or transfer to the United States or any department or agency thereof; or
- (C) for sale or transfer in another state or for export.

(See 720 ILCS 5/24-1.9(e)).

120. The definition of what constitutes large capacity ammunition feeding device is defined in the statute at 720 ILCS 5/24-1.10(a).

121. Except as provided in subsections (e) and (f), it is unlawful for any person within this State to knowingly manufacture, deliver, sell, purchase, or cause to be manufactured, delivered, sold, or purchased a large capacity ammunition feeding device. (See 720ILCS 5/24-1.10(b)).

122. Except as provided in subsections (d), (e), and (f), and beginning 90 days after the effective date of this amendatory Act of the 102nd General Assembly, it is unlawful to knowingly possess a large capacity ammunition feeding device. (See 720ILCS 5/24-1.10(c)).

123. Subsection (c) does not apply to a person's possession of a large capacity ammunition feeding device if the person lawfully possessed that large capacity ammunition feeding device before the effective date of this amendatory Act of the 102nd General Assembly, provided that the person shall possess such device only:

- a) on private property owned or immediately controlled by the person;
- b) on private property that is not open to the public with the express permission of the person who owns or immediately controls such property;
- c) while on the premises of a licensed firearms dealer or gunsmith for the purpose of lawful repair;
- d) while engaged in the legal use of the large capacity ammunition feeding device at a properly licensed firing range or sport shooting competition venue; or
- e) while traveling to or from these locations, provided that the large capacity ammunition feeding device is enclosed in a case, firearm carrying box, shipping box, or other container.

(See 720ILCS 5/24-1.10(d)).

124. A person authorized under this Section to possess a large capacity ammunition feeding device may transfer the large capacity ammunition feeding device only:

- a) to an heir;
- b) an individual residing in another state maintaining it in another state;
- c) or a dealer licensed as a federal firearms dealer.

(See 720ILCS 5/24-1.10(d)).

125. The provision of this Section regarding the purchase or possession of large capacity ammunition feeding devices, do not apply to:

- 1) peace officers as defined by Section 2-13 of this Code.
- 2) Qualified law enforcement officers and qualified retired law enforcement officers as defined in the Law Enforcement Officers Safety Act of 2004 (18 U.S.C. 926B and 926C) and as recognized under Illinois law.
- 3) Acquisition and possession by a federal, State, or local law enforcement agency for the purpose of equipping the agency's peace officers as defined in paragraph (1) or (2) of this subsection (e).
- 4) Wardens, superintendents, and keepers of prisons, penitentiaries, jails, and other institutions for the detention of persons accused or convicted of an offense.
- 5) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while performing their official duties or while traveling to or from their places of duty.
- 6) Any company that employs armed security officers in this State at a nuclear energy, storage, weapons, or development site or facility regulated by the federal Nuclear Regulatory Commission and any person employed as an armed security force member at a nuclear energy, storage, weapons, or development site or facility regulated by the federal Nuclear Regulatory Commission who has completed the background screening and training mandated by the rules and regulations of the federal Nuclear Regulatory Commission and while performing official duties.

7) Any private security contractor agency licensed under the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 that employs private security contractors and any private security contractor who is licensed and has been issued a firearm control card under the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 while performing official duties.

(See 720 ILCS 5/24-1.10(e)).

126. The provisions of this Section do not apply to the manufacture, delivery, sale, importation, purchase, or possession of large capacity ammunition feeding device:

A) for sale or transfer to persons authorized under subdivisions (1) through (7) of this subsection (e) to possess those items;

B) for sale or transfer to the United States or any department or agency thereof; or

C) for sale or transfer in another state or for export.

(See 720 ILCS 5/24-1.10(f)).

127. Sentence. A person who knowingly manufactures, delivers, sells, purchases, possesses, or causes to be manufactured, delivered, sold, possessed, or purchased in violation of this Section a large capacity ammunition feeding device capable of holding more than 10 rounds of ammunition for long guns or more than 15 rounds of ammunition for handguns commits a petty offense with a fine of \$1,000 for each violation. (See 720 ILCS 5/24-1.10(g)).

128. At issue is the infringement of a right to bear arms as guaranteed by the Illinois constitution.

Ill. Const. 1970, art. I, § 22.

129. The constitutional guarantee of equal protection requires that the government treat similarly situated individuals in a similar manner. *People v. Warren*, 173 Ill.2d 348, 361, 219 Ill.Dec. 533, 671 N.E.2d 700 (1996).

130. The analysis applied in assessing equal protection claims is the same under both the United States and Illinois Constitutions. *Nevitt v. Langfelder*, 157 Ill.2d 116, 124, 191 Ill.Dec. 36, 623 N.E.2d 281 (1993).
131. It does not preclude the State from enacting legislation that draws distinctions between different categories of people, but it does prohibit the government from according different treatment to persons who have been placed by a statute into different classes on the basis of criteria wholly unrelated to the purpose of the legislation. *Id.*
132. In reviewing a claim that a statute violates equal protection, the court applies different levels of scrutiny depending on the nature of the statutory classification involved. *Jacobson v. Department of Public Aid*, 171 Ill.2d 314 (1996)
133. Classifications based on race or national origin or affecting fundamental rights are strictly scrutinized. *Id.*
134. A fundamental right for the purpose of equal protection analysis consists of a right that lies “at the heart of the relationship between the individual and a republican form of nationally integrated government.” *People v. Shephard*, 152 Ill. 2d 489, (Ill. 1992).
135. In other words, a fundamental right is simply a right that is explicitly or implicitly guaranteed by either the Federal or State Constitution. *Id.*
136. The right to bear arms is a fundamental right. *McDonald v. City of Chicago, IL*, 561 U.S. 742 (2010).
137. To survive strict scrutiny in the equal protection context, as in due process analysis, the means employed by the legislature must be necessary to advance a compelling state interest, and the statute must be narrowly tailored to the attainment of the legislative goal. *In re R.C.*, 195 Ill.2d 291 (2001).

138. Under the strict scrutiny standard of review, a statute is not entitled to a presumption of constitutionality. *Estate of Hicks*, 174 Ill.2d 433 (1996).
139. Rather, the statute may be upheld only if the means employed by the legislature to achieve the stated goal were necessary to advance a compelling state interest. *Id.*
140. In addition, the statute must be narrowly tailored; that is, a statute incorporating a suspect classification will be upheld only if the legislature employed the least restrictive means consistent with attainment of the legislative goal. *Id.*
141. Here, the Defendants have chosen to create different categories of citizens who are subjected to the requirements of 720 ILCS 5/24-1.09 *et seq.* and 720 ILCS 5/24-1.10 *et seq.*
142. Within 720 ILCS 5/24-1.09(e) and 720 ILCS 5/24-1.10(e) are (7) seven enumerated classifications of persons who are exempt from compliance with restrictive provisions in those Sections regarding the assault weapon, assault weapon attachment, .50 caliber rifle, .50 caliber cartridge and large capacity ammunition feeding devices.
143. These exempt citizens are seemingly a protected class based upon their occupations.
144. These occupations include but are not limited to peace officers, current and retired law enforcement, prison guards, jailers, prison wardens, and prison superintendents.
145. Citizens who are employed in these professions do not have the statutory restrictions placed upon their individual rights in regard to assault weapons, assault weapons attachment, .50 caliber rifle, .50 caliber cartridge and large capacity magazine feeding devices.
146. It defies comprehension as to how Defendants could classify the Plaintiffs as a category of persons whose individual rights to bear arms must be restrained, but yet carve out a large class of persons who are wholly exempt based on their employment status. ¹⁰

¹⁰ There is much to be said at some point regarding any alleged compelling public purpose which the Defendants may be seeking to further; however, given the complete abandonment of the legislative process the public record of

147. Plaintiffs rights to purchase, transfer, possess, deliver, sell and import assault weapons, assault weapon attachments, .50 caliber rifles, and .50 caliber cartridges have been all but eliminated by HB5471.
148. As for their continued possession of assault weapons owned at the time of passage of HB 5471, only if a Plaintiff chooses to register their firearm, may he or she lawfully possess it.
149. Even if registry does occur, he or she may only possess the firearm on certain private property or at a firing range or shooting competition.
150. However, if a person falls within those categories enumerated within 720 ILCS 5/24-1.09(e) and 720 ILCS 5/24-1.10(e), he or she is free as an individual to purchase, transfer, possess, deliver, sell and import assault weapons, assault weapon attachments, .50 caliber rifles, and .50 caliber cartridges at their pleasure, and further has no obligation to register them.
151. Creating an exempt status for those persons is not only irrational and completely lacking anything approaching common sense, there are no set of facts wherein it can survive a constitutional attack based upon equal protection regardless of the standard of review.¹¹
152. Given the Defendants as laid out herein shoved this bill through the legislature in only two days, the Court will not find in the public record any information regarding the compelling public purpose for HB5471; however, what is certain is that regardless of the purpose of the

HB 5471 is devoid of any evidence of what public purpose was being furthered. Quite simply this Court will be left to speculate on what that compelling purpose might be. Regardless, there is no rational basis, let alone reasoning which might withstand strict scrutiny, which justifies carving out large categories of citizens who are free to buy and possess without limitation based upon their employment status. How on earth can a citizens fundamental right to bear arms in furtherance of self-defense be categorized based upon where they work at a given moment in their life. For example, if a citizen is a jailer, he or she retains their rights, but at the moment he or she is no longer employed in that position, their rights expire. It's an absolute absurdity.

¹¹ Why understanding the reasoning of the Defendants in providing for such an exemption is wholly irrelevant, the Court should note the overwhelming connection of many of those exempt persons is their status as belonging to a particular public union. One can't help but consider their very powerful lobbies were responsible for successfully carving out their members from being subjected to this law. What legitimate purpose can be gleaned from allowing for example a county jailer to be able to purchase, transfer, etc. a .50 caliber rifle at will when the rest of the citizens of the state are prohibited. It defies common sense and reeks of political patronage, but all that really matters is that it violates equal protection.

law which the Defendants might self-servingly try and create, there is no way the purpose is furthered by exempting those persons enumerated within 720 ILCS 5/24-1.09(e) and 720 ILCS 5/24-1.10(e) from being subjected to the law.

153. Such actions by the Defendants are indisputably in violation of the Plaintiffs equal rights to be treated the same as their fellow citizens who are similarly situated in regard to their individual and fundamental constitutional rights to bear arms for self-defense.

WHEREFORE, Plaintiffs, herein request that this court enter an Order:

- A. Plaintiffs pray this Honorable Court declare 720 ILCS 5/24-1.09 *et seq.* and 720 ILCS 5/24-1.10 *et seq.* unconstitutional as violative of the Equal Protection Clause of Article I, Section 2 of the Illinois Constitution;
- B. That the Court grant such other and further relief as is just and proper.

COUNT V
REQUEST FOR AN INJUNCTION
ENJOINING ENFORCEMENT OF
720 ILCS 5/24-1.9 AND 720 ILCS 5/24-1.10

154. Plaintiffs incorporate paragraphs 1 through 153 as if each had been specifically plead herein.

155. Plaintiffs have a right to insist their fundamental rights are not impaired by the Defendants due to their engaging in lawmaking which violates the Illinois Constitution.

156. There can be no doubt the Defendants are attempting to constrain the rights of Plaintiffs to keep and bear arms within the provisions of 720 ILCS 5/24-1.09 *et seq.* and 720 ILCS 5/24-1.10 *et seq.*

157. Effective immediately, if the Plaintiffs do not comply with specific provisions of 720 ILCS 5/24-1.9(b), 720 ILCS 5/24-1.10(b), they are subjected to criminal prosecution pursuant to 720 ILCS 5/24-1(15), 720 ILCS 5/24-1(16) and 720 ILCS 5/24-1.10(g).

158. Effective in 90 days, the Plaintiffs are limited to where they might possess their firearms or be subjecting themselves to criminal penalty. (See 720 ILCS 5/24-1.9(d)).

159. Quite simply, the Defendants are infringing upon the lawful right of the Plaintiffs to keep and bear arms.

160. The Plaintiffs have no adequate remedy at law in which to seek relief from the irreparable harm caused by the Defendants, for every day the Plaintiffs are subjected to these unconstitutional provisions, their freedoms and liberties regarding their rights to bear arms are being constrained and they are further being subjected to criminal prosecution.

161. The Plaintiffs have proven the Defendants have engaged in unconstitutional conduct for one or more of the four independent reasons, with any one of the four being sufficient on its own to warrant granting injunctive relief:

- a) Defendants have violated Ill. Const. 1970, art. IV, § 8(d) for failure to comply with the Single Subject Rule.
- b) Defendants have violated Ill. Const. 1970, art. IV, § 8(d) for failure to comply with the Three Readings Requirement.
- c) Defendants have violated Ill. Const. 1970, art. I, § 2 for failure to comply the Equal Protection Clause.
- d) Defendants have violated Ill. Const. 1970, art. I, § 2 for failure to comply the Due Process Clause.

WHEREFORE, PLAINTIFFS herein request that this court enter an Order:

A. Finding the Plaintiffs have a right to expect Defendants pass legislation in compliance with the procedural and substantive provisions of the Illinois Constitution;

162. Finding the Defendants, under the facts presented herein, have violated one or more of the

following as it relates to the passage of HB 5471, including the particular provisions of 720 ILCS 5/24-1.09 *et seq.* and 720 ILCS 5/24-1.10 *et seq.*:

- i) Ill. Const. 1970, art. IV, § 8(d) for failure to comply with the Single Subject Rule.
- ii) Ill. Const. 1970, art. IV, § 8(d) for failure to comply with the Three Readings Requirement.
- iii) Ill. Const. 1970, art. I, § 2 for failure to comply the Due Process Clause.
- iv) Ill. Const. 1970, art. I, § 2 for failure to comply the Equal Protection Clause.

B. Enter an injunction permanently enjoining the Defendants, or anyone under their direction or control from enforcing 720 ILCS 5/24-1.09 *et seq.* and 720 ILCS 5/24-1.10 *et seq.* against Plaintiffs.

C. For such other relief as this Court deems just and proper.

Respectfully submitted,

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