FILED Effingham Co. Circuit Court 4th Judicial Circuit Date: 1/17/2023 10:43 AM Tammy Kreke

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

ACCURACY FIREARMS, LLC et al.)) - 2023-MR	2023MR4
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.)	

PLAINTIFFS' VERIFIED MOTION FOR A PRELIMINARY INJUNCTION

COMES NOW Plaintiffs, by and through their attorneys, Thomas G. DeVore, and the Silver Lake Group, Ltd., and for the reasons set forth in their Verified Complaint pursuant 735 ILCS 5/11-102, which pleading including its exhibits are adopted and incorporated herein by reference, respectfully request this Court issue a preliminary injunction against Defendants. In support of this Motion, Plaintiffs state as follows:

- 1. Plaintiffs have filed a Verified Complaint including Exhibits which pleadings are incorporated herein as if specifically plead.
- 2. Plaintiffs have a protectable interest in not being subjected to a law impairing their fundamental right to bear arms which was enacted in violation of the Illinois Constitution.
 - 3. Plaintiffs are being immediately and irreparably harmed each and every day in

which they continue to be subjected 720 ILCS 5/24-1.09 *et seq.* and 720 ILCS 5/24-1.10 *et seq.* and these harms are a continuing transgression against their fundamental rights to bear arms.

- 4. Plaintiffs have no adequate remedy at law to prohibit the Defendants from enforcement of 720 ILCS 5/24-1.09 *et seq.* and 720 ILCS 5/24-1.10 *et seq.*, absent an injunction from this Court ordering the same.
- 5. Monetary damages are not sufficient compensation as the complained of transgressions which are infringing upon the fundamental rights of Plaintiffs to bear arms are continuous in nature and no lawful remedy exists.
 - 6. Plaintiff are likely to succeed on the merits as to one or more of the following:
 - Defendants are in violation of the Ill. Const. 1970, art. IV, § 8(d), for failure to comply with the Single Subject Rule.
 - Defendants are in violation of the Ill. Const. 1970, art. IV, § 8(d), for failure to comply with the Three Readings Requirement.
 - Defendants are in violation of the Ill. Const. 1970, art. I, § 2, for failure to comply the Equal Protection Clause.
 - Defendants are in violation of the Ill. Const. 1970, art. I, § 2, for failure to comply the Due Process Clause.
- 7. The balancing of the equities bodes completely in favor of the Plaintiffs for what is being taken away from them is their fundamental right to keep and bear arms, and if in fact the Defendants had a legitimate and compelling state interest which they were seeking to protect, they would not have carved out exceptions for large groups of politically connected organizations.
- 8. Said another way, during the pendency of this matter, the balancing of the equities demands the Plaintiffs be treated the same as all those classes of individuals whose rights to bear

arms are still intact given the legislature arbitrarily chose to exclude them from having to comply

with those provisions of 720 ILCS 5/24-1.09 and 720 ILCS 5/24-1.10 which restrict the Plaintiffs

fundamental rights to bear arms.

WHEREFORE, the Plaintiffs respectfully pray this Court enter an order that provides for:

A. Entry of a Preliminary Injunction enjoining Defendants, or any administrative

agency or law enforcement agency under its control, from exercising any color of

authority to enforce 720 ILCS 5/24-1.09 et seq. and 720 ILCS 5/24-1.10 et seq.

against Plaintiffs, and

B. Setting this matter for a preliminary injunction within 10 days; and

C. Such further relief as this Court deems just and equitable.

Respectfully submitted,

By: /s/ Thomas G. DeVore Plaintiffs' Attorney

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