

**IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, CHANCERY DIVISION**

JASON HOUSE, BRITTNEY NORWOOD,)	
KIANA BELCHER and TAMMY BROWN, as)	
Trustees of the Village of Dolton,)	
)	
Plaintiffs,)	Case Number 24 CH 8972
)	
v.)	
)	Honorable Judge Thaddeus Wilson
TIFFANY HENYARD, individually and as Mayor)	
of the Village of Dolton, MICHAEL A. SMITH,)	
ANGELA LOCKETT and RONNIE BURGE SR.,)	
)	
Defendants.)	

PLAINTIFFS PETITION FOR RULE TO SHOW CAUSE

NOW COME Plaintiffs, by and through their attorneys, Odelson, Murphey, Frazier & McGrath, LTD. and petition this Honorable Court for a rule to show cause as to why Defendants TIFFANY HENYARD and RONNIE BURGE SR. should not be held in contempt of court, stating as follows in support:

1. This Court entered a temporary restraining order on September 25, 2024. (see attached **Exhibit A: TRO**).
2. Paragraph 8 of the TRO temporarily restrains and enjoins Defendant Ronnie Burge Sr. from holding himself out as the Police Chief of the Village of Dolton or conducting any duties of the same.
3. Ronnie Burge Sr. was present in open court when this Order was given. A copy of the entered order was also provided to his attorney.
4. After entry of the TRO, Ronnie Burge Sr. turned in the Village of Dolton vehicle he had removed from the police station. Inspector Baker of the Village of Dolton Police Department requested Defendant Burge Sr. to turn over his keys to the police department, department issued

uniform and department issued badge. Both the uniform and badge were paid for with Village of Dolton funds. (See **Exhibit B-Affidavit of Inspector Baker**).

5. Ronnie Burge Sr. ignored Inspector Baker and has refused to turn over the keys, uniform and badge. (See **Exhibit B**).

6. On September 26, 2024, the undersigned counsel sent the attached correspondence to Mr. Burge Sr.'s attorney, requesting that Ronnie Burge Sr. return the keys, uniform and badge to the police department by noon the following day. (See **Exhibit C-Attorney Davelle correspondence**)

7. Ronnie Burge Sr. has not turned in the police department keys, police department uniform or police badge to the Dolton Police Department. (See **Exhibit B**)

8. Paragraph 3 of the TRO temporarily restrains and enjoins Mayor Henyard from executing or effectuating any removal of Village Administrator Keith Freeman until such time as proper legal procedures for same are followed.

9. On September 26, 2024, the day after the TRO was entered, Defendant Henyard spoke to a representative of MaintStar, the vendor used for issuing Village building permits and business licenses. Mayor Henyard told this representative that Keith Freeman was not the Village Administrator and had his name removed from the account as an authorized person. (See **Exhibit D-Affidavit of VA Keith Freeman; Exhibit E-Affidavit of Attorney Michael McGrath**)

10. On October 1, 2024 Defendant Henyard interfered with Keith Freeman's duties as Village Administrator when Village Administrator Freeman scheduled the locks to the Village Hall be changed for him to gain access to the Village Hall. The locks were also being changed so that laid off employees would no longer have access to the Village Hall. (See Exhibit D-Affidavit of VA Keith Freeman)

11. Later in the day on October 1, 2024, Mayor Henyard sent a letter to VA Freeman imposing new conditions of employment, namely Mayor Henyard's directive that VA Freeman submit to Mayor Henyard a daily written summary report of the day's activities. Mayor Henyard also directed VA Freeman to immediately provide employee information when this information is readily available from the HR Manager/Director of Village Services. Lastly, Mayor Henyard gave a directive to VA Freeman that he be physically present in the Village Hall between 9am to 5am. All of these conditions are new directives that only come after the TRO was entered on September 25, 2024. (See **Exhibit F-Mayor Henyard October 1, 2024 correspondence to VA Freeman**)

WHEREFORE, for all the foregoing reasons, Plaintiffs respectfully request that this Honorable Court grant their Petition for Rule to Show Cause, issue a Rule to Show Cause against Defendants Ronnie Burge Sr. and Tiffany Henyard, requiring them to appear and explain why they should not be held in contempt of Court, and grant any other relief this Court deems equitable and just.

Respectfully Submitted,

By: /s/ Lauren M. DaValle
One of the Attorneys for Plaintiffs

Lauren M. DaValle, ldavalle@omfmlaw.com
Burton S. Odelson, attyburt@omfmlaw.com
Odelson, Murphey, Frazier & McGrath, Ltd.
3318 W. 95th St.
Evergreen Park, IL 60805
Ph: (708) 424-5678
Attorney No. 100780

EXHIBIT A

- B. The Plaintiffs have established an ascertainable right in need of protection. Namely Plaintiffs and the residents of the Village of Dolton are entitled to having lawful running of the Village and their Mayor following of the applicable laws of the Village without infringing upon the legislative rights of the Plaintiffs as elected officials.
- C. Plaintiffs and the residents of the Village of Dolton have also established that they will suffer irreparable harm without the issuance of a Temporary Restraining Order.
- D. Plaintiffs have also shown likelihood of success on the merits and a lack of adequate remedy at law. Furthermore, if the Court were to balance the equities in this matter, they weigh heavily in favor of Plaintiffs and the residents of the Village of Dolton.
- E. With respect to the removal and replacement of the Village Administrator Keith Freeman, there is no question that the Mayor failed to follow the process and procedure required under the ordinance and applicable state law for the removal of the Village Administrator. Not only did she not follow the appropriate removal process, she did not (and could not) follow the appropriate process for naming an interim or permanent replacement. Accordingly, by operation of law the Village Administrator was reinstated to his position. Among other things, prior to removal or appointments from office, the Mayor must as a prerequisite: (1) at a regular meeting, (2) communicate to Board of Trustees the name of the appointee. The two threshold requirements did not occur in this case and therefore the Mayor's removal of the Village Administrator cannot stand as it did not follow the proper procedure.
- F. Concerning the City Attorney and the Chief of Police, the Mayor failed to properly follow the procedure for filling vacancies. Although the appointments were in relation to vacant position, the Mayor was required by law to follow the appointment process. The Mayor

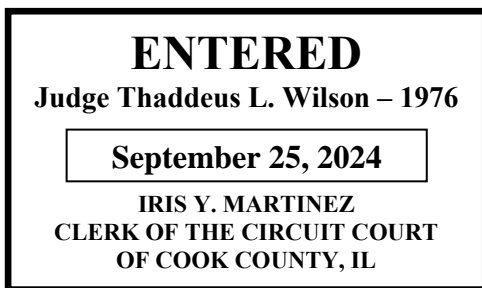
has great authority, but said authority must be wielded openly and at the appropriate public meeting following the appropriate procedure. Again, among other things, prior to removal or appointments from office, the Mayor must as a prerequisite: (1) at a regular meeting, (2) communicate to Board of Trustees the name of the appointee. Again this did not happen for the appointments of the Chief of Police or the City Attorney.

IT IS HEREBY ORDERED:

1. Plaintiffs' Emergency Motion Temporary Restraining Order is **GRANTED**.
2. Keith Freeman is immediately reinstated to his position as Village Administrator and shall remain until such time as the proper procedure is followed for his removal or until he otherwise vacates the position.
3. The Mayor is temporarily restrained and enjoined from executing or effectuating any removal of the Village Administrator Keith Freeman, until such time as proper legal procedures for same are followed.
4. The Mayor is temporarily restrained and enjoined from executing or continuing the appointments of Michael Smith as Village Administrator, Angela Locket as the Village Attorney, and Ronnie Burge, Sr. as Police Chief, until such time as proper legal procedures for same are followed.
5. The Mayor is temporarily enjoined and restrained from making any further appointments without the advice and consent of the Board of Trustees, consistent with applicable law.
6. Defendant Michael A. Smith is temporarily enjoined and restrained from holding himself out as the Village Administrator, interfering with or exercising any duties of the same.
7. Defendant Angela Lockett is temporarily restrained and enjoined from holding herself out as the Village Attorney or conducting any duties of the same.

8. Defendant Ronnie Burge, Sr. is temporarily restrained and enjoined from holding himself out as the Police Chief or conducting any duties of the same.
9. As the Movant is a municipality the concern surrounding requiring a bond are not present and for good cause shown no bond is required.
10. This Temporary Restraining Order is entered on September 25, 2024, at 5:06 p.m. and shall remain in full force and effect until further order of Court.
11. This matter is continued to **October 3, 2024**, at **11:00 a.m.** for **status**. The parties may either appear in-person in Courtroom 2307 or appear remotely via Zoom, unless otherwise ordered by the Court. [Meeting ID: 876 8729 8501 / Passcode: 926987].
12. This matter is also continued to **October 9, 2024**, at **2:00 p.m.** for **evidentiary hearing on Plaintiffs' Motion for Preliminary Injunction, in-person only** in **Courtroom 2307** of the Richard J. Daley Center, unless a continuance thereof is otherwise order or agreed upon by the parties.

ENTERED:



1976

Judge Thaddeus L. Wilson
Circuit Court of Cook County

EXHIBIT B

**IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, CHANCERY DIVISION**

JASON HOUSE, BRITTNEY NORWOOD,)
KIANA BELCHER and TAMMY BROWN, as)
Trustees of the Village of Dolton,)

Plaintiffs,)

v.)

TIFFANY HENYARD, individually and as Mayor)
of the Village of Dolton, MICHAEL A. SMITH,)
ANGELA LOCKETT and RONNIE BURGE SR.,)

Defendants.)

Case Number 24 CH 8972

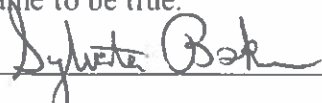
Honorable Judge Thaddeus Wilson

AFFIDAVIT OF SYLVESTER BAKER

1. My name is Sylvester Baker and I am the Inspector General of the Village of Dolton.
2. I am familiar with the temporary restraining order entered in the above captioned case on September 25, 2024.
3. On September 26, 2024, after reading the temporary restraining order, I texted Ronnie Burge Sr. indicating he needed to turn over his badge, uniform and keys to the police station.
4. Ronnie Burge Sr. eventually responded by stating via text: "you notified me".
5. As of October 1, 2024 Ronnie Burge Sr. has not turned over his Village of Dolton Police Chief Badge, uniform or keys to the Dolton police station.

FURTHER AFFIANT SAYETH NAUGHT.

Under penalties 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 and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.



Sylvester Baker

October 1, 2024

EXHIBIT C



LAUREN M. DAVALLE
LDavalle@omflaw.com

September 26, 2024

Via Electronic Mail

Max Solomon
maxlawilin@gmail.com

Re: *House, et. al. v. Henyard, et. al.* 2024 CH 08972: Compliance with
Temporary Restraining Order entered September 25, 2024.

Dear Counsel,

As you are aware, Judge Wilson entered a temporary restraining order yesterday at 5:06 p.m., temporarily restraining and enjoining your client Ronnie Burge, Sr. from holding himself out as the Police Chief or conducting any duties related to same. While Mr. Burge Sr. returned a department vehicle, he has refused to return the keys to the police department, his department issued uniform and his department issued badge. Please have your client return these items to the police department by noon tomorrow or we will be forced to file a Petition for Rule to Show Cause.

Additionally, I have learned that your client Mayor Henyard has represented to at least one member of the Police Department that Ronnie Burge Sr. remains the Chief of Police, despite the issuance of the temporary restraining order. This conduct is in direct violation of the Court order restraining Mayor Henyard from continuing the appointment of Ronnie Burge Sr. as Police Chief. Please advise your client to cease and desist from any further representations to police department members that Ronnie Burge Sr. is the Police Chief. We will file a Petition for Rule to Show Cause against Mayor Henyard should any further similar conduct occur.

Please contact me with any questions or concerns.

Very Truly Yours,

Lauren M. DaValle

EXHIBIT D

**IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, CHANCERY DIVISION**

JASON HOUSE, BRITTNEY NORWOOD,)
KIANA BELCHER and TAMMY BROWN, as)
Trustees of the Village of Dolton,)

Plaintiffs,)

v.)

TIFFANY HENYARD, individually and as Mayor)
of the Village of Dolton, MICHAEL A. SMITH,)
ANGELA LOCKETT and RONNIE BURGE SR.,)

Defendants.)

Case Number 24 CH 8972

Honorable Judge Thaddeus Wilson

AFFIDAVIT OF KEITH FREEMAN

1. My name is Keith Freeman and I am the duly appointed Village Administrator of the Village of Dolton.

2. I am familiar with the Temporary Restraining Order entered in the above captioned case on September 25, 2024.

3. Mainstar is a software program used by the Village of Dolton for the issuance of business licenses and permits. I have had access to Mainstar through a user name and password prior to September 25, 2024.

4. On September 27, 2024 I attempted to login to my Mainstar software account. I could not access my Mainstar account so I called our customer service representative.

5. The Mainstar customer service representative informed me that Mayor Henyard had called Mainstar on September 26, 2024, after the issuance of the Order in this case, and advised Mainstar that I was not the Village Administrator and to remove me as an authorized account holder.

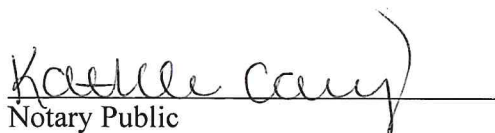
6. On September 27, 2024, I advised Attorney Michael McGrath of my conversation with Mainstar and he advised he would reach out to them to work on regaining my access.
7. On October 1, 2024 I engaged a locksmith to change the locks at the Village Hall. Numerous employees that have been laid off continue to appear at the Village Hall to work despite being laid off. Additionally, the locks were changed so that I could not access the Village Hall or my office.
8. Mayor Henyard appeared at the Village Hall with William Moore, one of the employees that had been laid off and several other laid off employees. A heated conversation ensued. Mr. Moore pushed the locksmith back and snatched the keys out of his hands, and entered the Village Hall.
9. Trustees House and Belcher were present at the Village Hall along with a several police officers.
10. I believe Mayor Henyard and William Moore were there in an effort to interfere with my role as Village Administrator.



Keith Freeman, Village Administrator

Subscribed and sworn before me this

2 day of October 2024.



Notary Public



EXHIBIT E

**IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, CHANCERY DIVISION**

JASON HOUSE, BRITTNEY NORWOOD,)	
KIANA BELCHER and TAMMY BROWN, as)	
Trustees of the Village of Dolton,)	
)	
Plaintiffs,)	No. 2024 CH 08972
)	
v.)	
)	
TIFFANY HENYARD, individually and as Mayor)	
of the Village of Dolton, MICHAEL A. SMITH,)	
ANGELA LOCKETT and RONNIE BURGE SR.,)	
)	
Defendants.)	

AFFIDAVIT OF MICHAEL J. McGRATH

I, Michael J. McGrath, being duly sworn and under oath, deposes and states as follows:

1. I am an attorney and partner at the law firm of Odelson, Murphey, Frazier & McGrath, Ltd.
2. My office has served as Legislative Counsel for the Village of Dolton since September 2021.
3. On September 25, 2024, Honorable Thaddeus L. Wilson granted a temporary restraining order against Mayor Tiffany Henyard, concerning her illegal appointments of Village Attorney Angela Lockett, Village Administrator Michael Smith, and Police Chief Ronnie Burge, Sr.
4. Judge Wilson ordered that the Mayor be temporarily restrained and enjoined from executing or continuing the appointments of the three (3) Defendants named herein, and from making any further appointments without the advice and consent of the Board of Trustees.

5. Judge Wilson also ordered that Keith Freeman be immediately reinstated to his position as Village Administrator and shall remain until such time as the proper procedure for his removal is followed, or until he vacates the position.
6. On Friday, September 27, 2024, I was contacted by Village Administrator Keith Freeman via telephone who advised me that he was removed as an authorized user on the Village's Maintstar account, per the instruction of Mayor Henyard on September 26, 2024, the day after the TRO was entered.
7. Maintstar is a software company the Village has contracted with to facilitate business licenses and building permits. As a result of the removal of Village Administrator's authorization from Maintstar, Village Administrator is unable to facilitate the approval of business licenses and building permits.
8. On September 27, 2024, I contacted Maintstar Project Manager Edward Rought via telephone. In that conversation, Mr. Rought advised that he did not want to get in the middle of litigation and confirmed that he had in fact been contacted by Mayor Henyard who instructed him to remove Keith Freeman as an authorized user as he was not the Village Administrator.
9. On September 27, 2024, I emailed Edward Rought a copy of Judge Wilson's September 25, 2024 Temporary Restraining Order.
10. Later in the day on September 27, 2024, Edward Rought responded to my email as referenced above in No. 9, that he was instructed to send any further communication on this matter to Maintstar's Vice President of Sales, Eric Sabato and provided me Mr. Sabato's contact information.

11. On September 28, 2024, I emailed Eric Sabato advising him that as a result of Keith Freeman being removed as an authorized user on the Village's Maintstar account, business licenses and building permits were not being issued. I also provided that the Temporary Restraining Order left no doubt as to who the appropriately appointed Village Administrator was and requested that this situation be corrected immediately to allow for the issuance of licenses and permits.
12. On today's date, I spoke with Ed Rought about Maintstar's position relative to Village Administrator Freeman's authorization with Maintstar, and he advised me Freeman's authorization has been restored.

Further Affiant Sayeth Naught.


Michael J. McGrath

Subscribed and sworn before me this

15th day of October 2024.

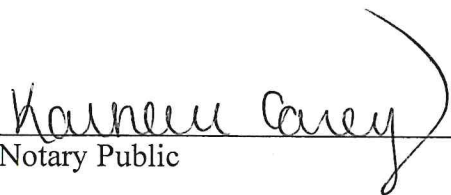

Notary Public



EXHIBIT F



VILLAGE OF DOLTON

Tiffany A. Henyard.....Mayor

Alison Key.....Village Clerk

TRUSTEES

Andrew Holmes
Tammie Brown

Stanley Brown
Brittney Norwood

Kiana L. Belcher
Jason House

Keith Freeman
Village Administrator
Village of Dolton

Dear Mr. Freeman:

As you know, a court order entered on September 25, 2024 reinstated you, pending final resolution, to the office of Village Administrator. It is my understanding that you reported back to work today October 1, 2024. Please accept this letter as my request and directive to you to:

1. Be physically present at the Village Hall daily, on weekdays, from 9am to 5pm in accordance with our Village's employee handbook.
2. Submit a daily written summary report of the day's activities to my office via email or memo to be placed on my desk or handed to me until further instruction.
3. Please compile and submit to my office a list of all the Village's administrative employees as of **October 1, 2024** (today). I understand you may need to coordinate with the HR Manager on this. Please have this report to me by Wednesday, **October 2, 2024** by end of business 5pm.

Please feel free to contact me with any questions or concerns.

Thank you.

Sincerely,

Tiffany Henyard, Mayor