

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT

COLES COUNTY, ILLINOIS

KARA CHUMBLEY,
Plaintiff,

Vs.

BRADY ALLEN, in his individual capacity,)
JESSE DANLEY, in his individual capacity.)
And, RONDA PARKER, in her individual)
Capacity,)

No. 2025-LA-3

FILED
OCT 22 2025

Melissa Hurst
Circuit Clerk COLES COUNTY, ILLINOIS

OPINION AND ORDER

This case was called for hearing on September 9, 2025, pursuant to Motions to Dismiss Plaintiff's First Amended Complaint filed June 30, 2025.

The Court heard oral argument on Defendant Brady Allen's Combined Motion to Dismiss Counts III, IV, VII, and VIII, of the First Amended Complaint. The Court also heard oral argument on Defendant Jesse Danley's and Rhonda Parker's Combined Motion to Dismiss Counts I, II, V, VI, VII, and IX, of the First Amended Complaint.

Attorneys Todd Reardon Senior and Todd Reardon Junior appeared on behalf of Plaintiff, Kara Chumbley; and, Attorney Brian Smith appeared on behalf of Defendants Jesse Danley and Ronda Parker. Attorney John F. Watson appeared on behalf of Defendant Brady Allen. In this opinion and order the Court will address Allen's Combined Motion to Dismiss Counts III, IV, VII, and VIII, pursuant to 735 ILCS 5/2-615 and 2-619.

(Defendant Allen's 2-615 Motion)

(Count III)

Plaintiff alleges defamation in Count III against Brady Allen.

In support of her defamation claim Plaintiff relies on the “resignation letter” of Allen which was turned over to the Illinois State Police pursuant to a lawfully issued search warrant on or about September 22, 2022. Plaintiff alleges turning the letter over to the State Police constituted a publication of the letter to a third party.

To state a cause of action for defamation plaintiff must alleged with specific ultimate facts the following:

1. Defendant made a false statement about plaintiff;
2. There was an unprivileged publication to a third party by defendant;
- and,
3. The statement damaged the plaintiff.

Defamatory statements are actionable either per se or per quod. Statements are defamatory per se if the statements that form the basis of the action falsely charge the plaintiff with misconduct or incapacity in words so obviously and naturally harmful that they are actionable without proof of special damages. The category of statements relied upon by plaintiff in the instant case are words that impute a person has committed a crime. No showing of special damages of a pecuniary nature is required if the alleged wrongful statements are defamatory per se. *Hardiman v. Aslam*, 2019 IL App (1st) 173196 at ¶ 4, 125 N.E. 3d 1185, 1188.

In support of her defamation claims Plaintiff alleges the “resignation letter” turned over to the State Police on September 22, 2022, falsely stated or implied Plaintiff had knowingly committed perjury concerning Defendant Allen’s criminal conduct, including allegations of sexual extortion, as well as Plaintiff’s own promiscuity as to purportedly agreeing to being extorted by Allen.

In his Motion to Dismiss pursuant to 2-615, Allen argues Plaintiff has failed to alleged any form of defamation against him in Count III. Defendant argues Plaintiff’s factual allegations to support defamation rely entirely on the confidential provisions of Allen’s “resignation letter” obtained by the Illinois State Police pursuant to a search warrant served on the Coles County State’s Attorney’s Office on September 22, 2022.

Defendant contends no part of the “resignation letter” relied on by Plaintiff contains allegations of perjury; and, on its face the letter does not mention perjury or promiscuity by Plaintiff.

To sustain a cause of action for defamation plaintiff must plead sufficient specific ultimate facts to enable the court to determine whether the allegations, if proven, establish a false statement made by Defendant which is then published to

a third party resulting in damages suffered by the Plaintiff. Illinois courts follow the rule that the elements required to plead defamation are not factually set forth unless the defamatory words of the defendant are included. The words alleged to be defamatory must be set forth clearly and with particularity. *O'Donnell v. Field Enters.*, 145 Ill. App. 3d 1032, 1042 (1st Dist. 1986).

The "resignation letter" relied upon by Plaintiff in Count III does not clearly state or imply Plaintiff had knowingly committed perjury concerning Allen's criminal conduct; and, it does not set forth facts alleging sexual extortion nor does it contain statements of Plaintiff's own promiscuity. Plaintiff has failed to adequately identify what specific words constitute the alleged defamation.

The Court holds that Count III against Allen should be dismissed pursuant to 2-615.

(Count IV)

Plaintiff alleges Intentional Infliction of Emotional Distress against Brady Allen in Count IV.

To state a cause of action for intentional infliction of emotional distress the courts have relied on the requirements set forth in Restatement (Second) of Torts, Section 46 (1965). *Schweihs v. Chase Home Finance, LLC*, 2016 IL 120041, ¶¶49-52. Those requirements provide that a party must allege facts to establish:

1. The defendant's conduct was extreme and outrageous;
2. The defendant either intended that his conduct should inflict severe emotional distress or knew that there was a high probability that his conduct would cause severe emotional distress; and,
3. The defendant's conduct in fact caused severe emotional distress. *Doe v. Calumet City*, 161 Ill. 2d 374, 392 (1994).

In Count IV, Plaintiff alleges in part Allen committed the following acts to harm Plaintiff:

- A. Engaging in a sustained pattern of soliciting and extorting women, including Plaintiff, to engage in sexual acts in exchange for purported prosecutorial lenience, while serving as an Assistant State's Attorney for Coles County;
- B. Causing Plaintiff to be the subject of a false and retaliatory public narrative, drafted in part by Ronda Parker and disseminated by or in

coordination with Allen, which portrayed Plaintiff as fabricating allegations for political purposes;

- C. Maintaining ongoing secret communications with Ronda Parker and Jesse Danley during the Illinois State Police investigation of his misconduct, in furtherance of a coordinated scheme to delay or prevent prosecution and publicly discredit Plaintiff; and,
- D. Participating in the creation and dissemination of documents secretly drafted by Ronda Parker that falsely identified Plaintiff's allegations as part of a political stunt, further humiliating and isolating Plaintiff.

Plaintiff further alleges Allen knew or should have known that his conduct, especially in light of his authority as a prosecutor, would cause Plaintiff severe emotional distress, including fear, shame, humiliation and reputational damage.

Plaintiff alleges as a direct and proximate result of Allen's conduct, Plaintiff was in a vulnerable state as a Defendant facing criminal charges from the very person extorting her and Plaintiff suffered severe emotional distress, including but not limited to anxiety, depression, sexual degradation, emotional manipulation, reputational harm, and loss of trust in public institutions.

Several factors have been identified that should be considered in determining whether a defendant's conduct may be deemed outrageous. *Kolegas v. Heftel Broadcasting Corp.*, 154 Ill. 2d 1, 21 (1992). The extreme and outrageous nature of the conduct may arise from the Defendant's abuse of some position that gives him authority over the plaintiff or the power to affect the plaintiff's interests. *Mcgrath v. Fahey*, 126 Ill. 2d 78, 86-87 (1998). Another factor to be considered is the reasonableness of a defendant's belief that his objective is legitimate. *Mcgrath, supra*, 89. The outrageousness of a defendant's conduct must be determined in view of all the facts and circumstances pled and proved in a particular case. *Mcgrath, supra*, 90.

The Court should not grant a 2-615 Motion to Dismiss unless it is clear, from the factual allegations and the reasonably permissible inferences therefrom, that no set of facts could be proved that would entitle the plaintiff to recover under the law. The Court finds that Plaintiff has alleged sufficient ultimate facts to support the required elements to state a cause of action for intentional infliction of emotional distress in Count IV.

This Court holds Allen's Motion to Dismiss Count IV, pursuant to 2-615, should be denied.

(Count VII)

In Count VII, Plaintiff alleges civil conspiracy against all defendants. A civil conspiracy involves two or more persons combining to accomplish either a lawful purpose by unlawful means or an unlawful purpose by lawful means. *Smith v. Eli Lilly & Co.*, 137 Ill. 2d 222, 235 (1990). The elements required to state a cause of action for civil conspiracy include:

1. An agreement between two or more persons;
2. To participate in an unlawful act, or a lawful act in an unlawful manner;
3. An injury caused by an unlawful overt act performed by one of the parties; and,
4. The overt act was done pursuant to and in furtherance of the common scheme. *Vance v. Chandler*, 231 Ill. App. 3d 747, 750 (3rd Dist. 1992).

In Count VII, Plaintiff alleges, in part:

- A. Defendants engaged in coordinated actions including, but not limited to, engaging in, encouraging, or failing to prevent an ongoing pattern of sexual extortion committed by Brady Allen while he was an Assistant State's Attorney, including against Plaintiff;
- B. Defendants met together on August 23, 2020, to reach an agreement that Allen would resign in order to protect Jesse Danley's political ambitions and allow Danley to suppress Allen's criminal investigation;
- C. Defendants crafted and disseminated a false public narrative that allegations against Allen were politically motivated, including secretly drafting materials under Allen's name to discredit Plaintiff and deflect scrutiny;
- D. Defendants assisted Allen in communicating with the Illinois State Police and public while he was represented by counsel, in violation of Illinois Rule of Professional Conduct 4.2;
- E. Defendants knowingly delayed the appointment of a special prosecutor for nearly two years, despite an admitted conflict of interest, and falsely claimed the Illinois State Police investigation had concluded without action;

- F. Defendants drafted and filed pleadings minimizing Allen's misconduct as mere ethical issues, despite contemporaneous knowledge of multiple criminal complaints and an ongoing investigation;
- G. Defendants suppressed or omitted key facts from official disclosure to the Illinois Attorney General and the public, including concealing the frequency and nature of their communications; and,
- H. Defendants encouraged or allowed Allen to contact and attempt to intimidate victims and witnesses, including facilitating such contact post-resignation.

Defendants alleged the foregoing acts were undertaken in concert to shield Allen from criminal liability, discredit Plaintiff, and prevent public exposure of misconduct.

This Court holds under the analysis required in deciding Defendants 2-615 Motion to Dismiss, Plaintiff has stated a cause of action for civil conspiracy against Defendant Brady Allen, Ronda Parker, and Jesse Danley. This Court holds Defendant's Motion to Dismiss Count VII pursuant to 2-615 should be denied.

(Count VIII)

In Count VIII, Plaintiff alleges violations of the Gender Violence Act, under 740 ILCS 82/1, et seq. against Brady Allen.

Plaintiff alleges in part that between approximately December 2018 and August 2020, Allen, while employed as an Assistant State's Attorney for Coles County, engaged in acts of gender-related violence toward Plaintiff, including but not limited to coercing and extorting Plaintiff into sending nude photographs and engaging in sexual acts in exchange for lenience in the prosecution of her criminal case.

Plaintiff further alleges Allen's acts referred to above constituted:

- A. Battery committed at least in part on the basis of Plaintiff's sex, under 740 ILCS 82/5(1);
- B. Physical intrusions and invasions of a sexual nature under coercive conditions, satisfying 740 ILCS 82/5(2); and,
- C. Retaliatory threats causing Plaintiff to reasonably fear that Allen would commit further acts of sexual violence under 740 ILCS 82/5(3).

Plaintiff alleges Allen's position as a prosecutor gave him access to Plaintiff's private information and authority over her pending charges, which he exploited to

subject Plaintiff to unwanted sexual advances and coercion. Allen's threats and demands were made under color of legal authority and his actions were taken with intent to exploit Plaintiff's vulnerability and exact compliance through fear and duress.

Plaintiff alleges the forgoing acts were committed personally by Allen and constitute "perpetration" under 740 ILCS 82/10; and, as a direct and proximate result of Allen's gender-related violence, Plaintiff has suffered and continues to suffer physical, emotional, and psychological harm, including but not limited to anxiety, depression, humiliation, and post-traumatic stress.

The Court finds that Plaintiff has alleged sufficient ultimate facts to state a cause of action under the Gender Violence Act against Brady Allen. This Court holds Allen's Motion to Dismiss Count VIII pursuant to 735 ILCS 5/2-615 should be denied.

(Allen's 2-619 Motion)

Defendant contends that Plaintiff's Intentional Infliction of Emotional Distress claim (Counts IV) and Conspiracy Claim (Count VII) are barred by Illinois' two-year statute of limitations for personal injury torts.

Defendant argues Plaintiff does not provide any dates that could comprise an alleged accrual date for the claims in Counts IV and VII of her Amended Complaint. Regarding Count VII, Defendant argues the latest date in the civil conspiracy claim is August 23, 2020. Defendant contends no acts or omissions alleged in Counts IV and VII, occurred within the two-year limitation period using the accrual date of August 23, 2020 and therefore those claims are time barred.

Defendant Allen, in addition to the statute of limitation defense, raises the additional defenses of absolute litigation privilege and res judicata.

The purpose of a section 2-619 motion is to dispose of issues of law and easily proved issues of fact early in the litigation.

A 2-619 motion admits the legal sufficiency of the complaint and presumes a valid cause of action exists but raises defects, defenses or other affirmative matters which appear on the face of the complaint or are established by external submissions which negate the plaintiff's cause of action.

After careful consideration of the pleadings, motions and arguments, at this stage of the proceeding the Court concludes material facts exist which preclude

the Court from determining whether Defendant's 2-619 defenses apply or whether Plaintiff's fraudulent concealment argument is viable.

This Court holds that Defendant Allen's Motion to Dismiss Counts IV, VII and VIII pursuant to 2-619 should be denied.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Defendant Allen's 2-615 Motion to Dismiss Count III for defamation be, and the same is hereby, granted. Plaintiff shall have thirty (30) days to file an amended Count III.

IT IS FURTHER ORDERED that Defendant Allen's 2-615 and 2-619 Motions to Dismiss Count IV, alleging Intentional Infliction of Emotional Distress be, and the same are hereby, denied. Defendant shall have thirty (30) days to answer or otherwise plead.

IT IS FURTHER ORDERED that Defendant Allen's 2-615 and 2-619 Motions to Dismiss Count VII, for civil conspiracy be, and the same are hereby, denied. Defendant shall have thirty (30) days to answer or otherwise plead.

IT IS FURTHER ORDERED that Defendant Allen's 2-615 and 2-619 Motions to Dismiss Count VIII, for violations of the Gender Violence Act be, and the same are hereby, denied. Defendant shall have thirty (30) days to answer or otherwise plead.

Entered: October 22, 2025


Circuit Judge