



UNITED COUNTIES COUNCIL OF ILLINOIS

SUBJECT: Summary of Cases Against the Governor
DATE: May 7, 2020

A summary of cases against the Governor, prepared by UCCI legal counsel, is provided for your review and information.

As many of you know, Representative Darren Bailey filed suit in Clay County and received a temporary restraining order (TRO) prohibiting Governor Pritzker, or anyone at his direction, from enforcing the stay-at-home order against him. The Governor appealed to the Fifth District Court of Appeals, and also filed a motion in the Illinois Supreme Court to allow a direct appeal to the Illinois Supreme Court. Representative Bailey asked the appellate court to dissolve the TRO, purportedly so that he can amend his complaint. The Fifth District dissolved the TRO. The Attorney General responded by asking the Supreme Court to exercise its supervisory authority under Supreme Court Rule 383 and to stay the circuit court proceedings pending its decision and reverse the circuit court's holding that Bailey was entitled to a TRO.

Representative John Cabello filed a similar lawsuit in Winnebago County on behalf of himself and all similarly situated Illinoisans. The Governor filed a motion to transfer venue to Sangamon County. That motion is scheduled to be heard on May 14, 2020. If the Supreme Court takes up Representative Bailey's case pursuant to its supervisory authority, it is possible Representative Cabello's case will be stayed pending the Supreme Court's decision since any decision by the Court on the merits of Representative Bailey's claims would likely impact the viability of Representative Cabello's claims.

As of May 6, 2020, there is currently no court ruling or order that limits the Governor's Emergency Proclamation or Executive Orders or exempts any person from their effects.