

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JOHN MATTHEW CHANCEY, FAIR COURTS
AMERICA, and RESTORATION PAC

Plaintiffs,

v.

IAN LINNABARY, *in his official capacity
as Chair of the Illinois State Board of
Elections*; CASANDRA B. WATSON,
WILLIAM J. CADIGAN, LAURA K.
DONAHUE, TONYA L. GENOVESE,
CATHERINE S. MCCRORY; WILLIAM M.
MCGUFFAGE, *and* RICK S. TERVEN, SR.,
*in their official capacities as members of
the Illinois State Board of Elections*;
KWAME RAOUL, *in his official capacity
as Illinois Attorney General*,

Defendants.

Case No. 22-04043

Honorable John J. Tharp, Jr.

**Plaintiffs' Unopposed Motion for
Permanent Injunction**

MOTION

Plaintiffs, John Matthew Chancey, Fair Courts America, and Restoration PAC, move the Court to enter a permanent injunction preventing Defendant members of the Illinois State Board of Elections and Defendant Attorney General Kwame Raoul from enforcing subsections 10 ILCS 5/9-8.5(b-5)(1)(B) and 10 ILCS 5/9-8.5(b-5)(1.2) of the Illinois Election Code. Defendants have informed Plaintiffs that they do not oppose to this Motion.

This Court already ruled that Plaintiffs had a likelihood of success on the merits of their claims that the out-of-state contribution ban and the \$500,000 limit on donations to independent expenditure groups supporting judicial candidates violates the First Amendment. *See* Dkt. 21. Plaintiffs now ask the Court to make that preliminary injunction permanent. Defendants did not appeal this Court's ruling. Defendants have agreed to resolve the case by not opposing the entry of a permanent injunction equivalent in its scope to the existing preliminary injunction, and Plaintiffs have agreed in return not to seek an award of attorney's fees and costs as the prevailing party.

Plaintiffs ask this Court to grant the injunction because it has already ruled on the merits of Plaintiffs' claims, and Defendants do not contest that ruling. Plaintiffs therefore move this Court to permanently enjoin two recently enacted provisions of the Illinois Election Code: 1) a provision prohibiting contributions to judicial candidates by "out-of-state person[s]," 10 ILCS 5/9-8.5(b-5)(1)(B), and 2) a

provision capping contributions to independent expenditure committees supporting judicial candidates at \$500,000, 10 ILCS 5/9-8.5(b-5)(1.2).

Plaintiffs will submit a proposed order for said permanent injunction.

Dated: May 17, 2023

Respectfully Submitted,

John Matthew Chancey, Fair Courts
America, and Restoration PAC

By: /s/ Jeffrey M. Schwab
One of their Attorneys

Jeffrey M. Schwab
Reilly Stephens
Liberty Justice Center
440 N. Wells Street, Suite 200
Chicago, Illinois 60654
312-637-2280
jschwab@libertyjusticecenter.org
rstephens@libertyjusticecenter.org

Certificate of Service

I, Jeffrey M. Schwab, an attorney, certify that on May 17, 2023, I filed Plaintiffs' Unopposed Motion for Permanent Injunction on Defendants' counsel through the Court's electronic case filing system.

/s/ Jeffrey M. Schwab