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

BLAKE LEITCH, SHERI LASH, BETH)
POLLO, HEIDI PARENT, JIM SODARO,)
TONI HEAD, CONNIE AMETER,)
TAIRANCE McGEE, and JACK DEHEVE,)
Plaintiffs,) No. 1:19-cv-02921))
v.) Honorable Judge Jorge L. Alonso
AMERICAN FEDERATION OF STATE,)
COUNTY AND MUNICIPAL)
EMPLOYEES, COUNCIL 31, AFL-CIO,)
Defendant.)

PLAINTIFFS' DOCKETING STATEMENT

Plaintiffs, Blake Leitch, Sheri Lash, Beth Pollo, Heidi Parent, Jim Sodaro, Toni Head,

Connie Ameter, Tairance McGee, and Jack Deheve hereby submit this docketing statement

pursuant to Seventh Circuit Court of Appeals Rule of Appellate Procedure 3(c).

Jurisdictional Statement: The United States District Court for the Northern District of

Illinois had jurisdiction over this case pursuant to: 28 U.S.C. § 1331, because it arises under the

First and Fourteenth Amendments to the United States Constitution; and 28 U.S.C. § 1343,

because relief is sought under 42 U.S.C. § 1983.

On March 5, 2020, Plaintiffs-Appellants filed a timely notice of appeal of the District

Court's order granting Defendant's motion to dismiss (ECF No. 23), entered February 5, 2020.¹

¹ Although the Record indicates that the order was *filed* January 30, 2020, the Clerk did not *enter* the order until February 5, 2020, which is when Plaintiffs first received it. Fed. R. App. P. 4 requires that the notice of appeal be "filed with the district clerk within 30 days after *entry* of the judgment." (emphasis added).

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The United States Court of Appeals for the Seventh Circuit has appellate jurisdiction over this case pursuant to 28 U.S.C. § 1291.

Prior or Related Appellate Proceedings: The Seventh Circuit adjudicated an appeal raising a

similar issue to this case in Janus v. AFSCME Council 31, No. 19-1553.

Counsel of Record: Plaintiffs' counsel of record in this matter is Jeffrey M. Schwab.

Respectfully submitted,

<u>/s/ Jeffrey M. Schwab</u> Jeffrey M. Schwab James J. McQuaid Liberty Justice Center 190 South LaSalle Street Suite 1500 Chicago, Illinois 60603 Phone: 312-263-7668 Fax: 312-263-7668 jschwab@libertyjusticecenter.org jmcquaid@libertyjusticecenter.org

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Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I, Jeffrey M. Schwab, an attorney, certify that I served the foregoing Docketing Statement on all counsel of record by filing it electronically on March 5, 2020. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system. I further certify that as of March 5, 2020, there are no nonregistered participants upon whom service by U.S. Mail is required.

> <u>/s/ Jeffrey Schwab</u> Jeffrey M. Schwab