

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

ERICH MANDEL,)	
)	
Plaintiff,)	No. 18 CV 8385
)	
v.)	Hon. Judge John Robert Blakey
)	
SEIU LOCAL 73 and COMMUNITY)	
CONSOLIDATED SCHOOL DISTRICT)	
15,)	
)	
Defendants)	
)	

PLAINTIFF’S MOTION FOR SUMMARY JUDGMENT

Plaintiff, Erich Mandel, hereby moves this Court for Summary Judgment on his Complaint, (Doc. 1) pursuant to Federal Rule of Civil Procedure 56, and submits concurrently a memorandum of law in support of this motion. On April 16, 2019, the parties filed a Joint Statement of Stipulated Facts for purposes of the parties’ cross-motions for summary judgment, on which this motion and its supporting memorandum of law rely.

For the reasons provided in the memorandum of law in support of this motion, Plaintiff requests that the Court grant Plaintiff’s Motion for Summary Judgment and enter a declaratory judgment that Plaintiff’s signing of the union membership/union deduction card before the *Janus* decision does not constitute affirmative consent to waive Plaintiff’s First Amendment rights under *Janus*, a declaratory judgment that the union dues withheld from his wages were taken unconstitutionally because Plaintiff did not provide affirmative consent, and attorneys’ fees and costs under 42 U.S.C. § 1988.

Dated: June 11, 2019

Respectfully Submitted,

/s/ Jeffrey M. Schwab

Jeffrey M. Schwab (#6290710)
James J. McQuaid (#6321108)
Liberty Justice Center
190 S. LaSalle St., Ste. 1500
Chicago, Illinois 60603
Telephone (312) 263-7668
Facsimile (312) 263-7702
jschwab@libertyjusticecenter.org
jmcquaid@libertyjusticecenter.org

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I, Jeffrey M. Schwab, an attorney, hereby certify that on June 11, 2019, I served Plaintiff's Motion for Summary Judgment on Defendants' counsel by filing it through the Court's electronic case filing system.

/s/ Jeffrey M. Schwab