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MAINER VS. PRITZKER.  
2020-CH-10.  
JUDGE'S RULING ONLY.  
5/22/2020

THE COURT: All right. This court has reviewed the plaintiff's complaint, including attachments, prior to today's hearing. The court has had an opportunity to review the response submitted by the defendant and attachments and case law.

Before I rule, I'm advising everybody in this room, no public outbursts or displays. The court is still in session until you are told otherwise.

Since the inception of this insanity, the following regulations, rules or consequences have occurred: I won't get COVID if I get an abortion but I will get COVID if I get a colonoscopy. Selling pot is essential but selling goods and services at a family-owned business is not. Pot wasn't even legal and pot dispensaries didn't even exist in this state until five months ago and, in that five months, they have become essential but a family-owned business in existence for

1 five generations is not.

2 A family of six can pile in their car and drive  
3 to Carlyle Lake without contracting COVID but, if they  
4 all get in the same boat, they will. We are told that  
5 kids rarely contract the virus and sunlight kills it,  
6 but summer youth programs, sports programs are  
7 cancelled. Four people can drive to the golf course and  
8 not get COVID but, if they play in a foursome, they  
9 will. If I go to Walmart, I won't get COVID but, if I  
10 go to church, I will. Murderers are released from  
11 custody while small business owners are threatened with  
12 arrest if they have the audacity to attempt to feed  
13 their families.

14 These are just a few of examples of rules,  
15 regulations and consequences that are arbitrary,  
16 capricious, and completely devoid of anything even  
17 remotely approaching common sense.

18 State's attorneys in this state, county  
19 sheriffs, mayors, city councils and county boards have  
20 openly and publicly defied these orders followed by  
21 threats to withhold funding and revocation of necessary  
22 licenses and certifications unless you obey.

23 Our economy is shut down because of a flu virus  
24 with a 98 percent plus survival rate. Doctors and  
25 experts say different things weekly. The defendant

1 cites models in his opposition. The only thing experts  
2 will agree on is that all models are wrong and some are  
3 useful. The Centers for Disease Control now says the  
4 virus is not easily spread on surfaces.

5 The defendant in this case orders you to stay  
6 home and pronounces that, if you leave the state, you  
7 are putting people in danger, but his family members  
8 traveled to Florida and Wisconsin because he deems such  
9 travel essential. One initial rationale why the rules  
10 don't apply to him is that his family farm had animals  
11 that needed feed. Try selling that argument to farmers  
12 who have had to slaughter their herds because of  
13 disruption in the supply chain.

14 When laws do not apply to those who make them,  
15 people are not being governed, they are being ruled.  
16 Make no mistake, these executive orders are not laws.  
17 They are royal decrees. Illinois citizens are not being  
18 governed, they are being ruled. The last time I checked  
19 Illinois citizens are also Americans and Americans don't  
20 get ruled. The last time a monarch tried to rule  
21 Americans, a shot was fired that was heard around the  
22 world. That day led to the birth of a nation  
23 consensually governed based upon a document which  
24 ensures that on this day in this, any American courtroom  
25 tyrannical despotism will always lose and liberty,

1 freedom and the constitution will always win.

2 That said, plaintiff, your request for a TRO  
3 with respect to Count I is denied. Your request for the  
4 TRO on behalf of similarly situated individuals is  
5 denied. If you develop some other case law or ability  
6 to convince me that that appellate court opinion you  
7 cite trumps current civil practice rules, I'll be glad  
8 to consider it later. Counts II and III are granted to  
9 your client only.

10 MR. DeVORE: Yes, sir.

11 THE COURT: Do you have an order?

12 MR. DeVORE: I'll prepare it, sir.

13 THE COURT: And please provide it to the  
14 defendant to approve as to form. Any request to stay  
15 will be denied.

16 MR. VERTICCHIO: Your Honor, for the record,  
17 move to stay enforcement pending appeal.

18 THE COURT: I will deny that.

19 MR. VERTICCHIO: I understand that. I know you  
20 know why I made the motion.

21 THE COURT: Sure. I understand.

22 MR. VERTICCHIO: Understood. Thank you, Your  
23 Honor.

24 MR. DeVORE: When do you want to come back, Your  
25 Honor?

1 THE COURT: Next Friday. Is that all right,  
2 defense?

3 MR. VERTICCHIO: What are we coming back for?

4 THE COURT: It's only good for ten days.

5 MR. VERTICCHIO: It's with notice, Your Honor.

6 THE COURT: I made you give notice. Ten days  
7 doesn't apply. You pick, defense.

8 MR. VERTICCHIO: Well, we're going to take an  
9 appeal so why don't we come back after we get a  
10 decision. How about a status?

11 THE COURT: I'll put a date determined between  
12 the counsel and coordinated with the clerk's office.  
13 How is that?

14 MR. VERTICCHIO: That's fine, Your Honor. For  
15 status?

16 THE COURT: Yeah. Right. Madam clerk, I will  
17 hand you the file so you can make sure they get copies,  
18 which they're going to want. All right, ladies and  
19 gentlemen, exit the courtroom as directed by the  
20 sheriff. Court adjourned.

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CERTIFIED SHORTHAND REPORTER'S CERTIFICATION

I, LORI SIMS, Certified Shorthand Reporter for the Circuit Court of Clay County, Fourth Judicial Circuit of Illinois, do hereby certify that I reported in machine shorthand the proceedings had on the hearing in the above entitled cause; that I thereafter caused the foregoing to be transcribed into typewriting, which I hereby certify to be a true and accurate transcript of the proceedings had before the Honorable MICHAEL D. McHANEY, Judge of said Court.

Dated this 23rd day of May, 2020.

\_\_\_\_\_  
Lori Sims  
Official Court Reporter  
CSR #084-003424