

Thank you for your patience as I have been to working to review the status of the LaSalle County controversy that has been designated for transfer to Sangamon County. I am aware that Judge Grischow has been in contact with counsel for the parties as she would likely be the judge assigned to hear the LaSalle County case if it were permitted to be docketed in our jurisdiction.

However, for multiple reasons, including that fact that our judicial circuit is situated significantly differently than the county that is most impacted by the lawsuit and the resolution that would follow the litigation of the issues, Sangamon County will be declining jurisdiction of this case and referring it back to LaSalle county for further proceedings. Of particular concern to this court, as Chief Judge for the Seventh Judicial Circuit, is the potential for forum and judge shopping that results from the transfer of this case. ***While Sangamon County has been selected to preside over several COVID-related disputes over the last several months, the cases were almost exclusively consolidated and assigned under the authority of the Supreme Court and ordered by the Court to be heard in Sangamon County, and have resulted in favorable rulings for the State of Illinois in a majority, if not the entirety of the rulings. Because Sangamon County courts have consistently made rulings that are favorable to the State of Illinois, in previous litigation challenging governmental restrictions imposed to control the spread of COVID-19, concern has been sufficiently established for this court to believe that Defendant's motion to change venue to Sangamon County is a not-so-veiled disguise to shop for a friendly forum to decide another COVID dispute involving State of Illinois activity restrictions that have been implemented in response to the continued spread of the coronavirus.***

Had Defendant's in the instant LaSalle County case sought for the case to be transferred through the Supreme Court, then this court would not be in a position to make this determination. However, Defendant circumvented the Supreme Court authority to consolidate the lawsuit into established Sangamon County proceedings, and opted to establish jurisdiction through *forum non conveniens*, pursuant to Illinois Supreme Court Rule 187, which permits this court to refuse to accept jurisdiction. ***If this court were to accept jurisdiction as requested, Sangamon County would be deciding a controversy for residents of another county who are not closely related or similarly situated under the specific circumstances of this ruling, especially when Sangamon County is located in a totally different Region involving totally different restrictions. Additionally, the method for establishing jurisdiction in Sangamon County, and the consequences of establishing jurisdiction as Defendant has done, invites cause for concern that the transfer is largely designed to provide a strategical advantage to the moving party based upon prior rulings of the court.***

Pursuant to Supreme Court 187, Madam clerk is directed to refuse to accept jurisdiction of the case transferred from LaSalle County. The parties shall consider this correspondence as an "order" refusing to accept jurisdiction within the meaning of Supreme Court Rule 187 and the clerk of LaSalle County and counsel for all case participants shall be provided a copy of this order upon its receipt.

Judge Grischow, in addition to notice provided by the clerk, please relay this decision to the parties impacted by it so that they may plan the next stage of their litigation as timely as possible

as I am aware that you have had some preliminary conversations with them in advance of this order.

Judge John M. Madonia  
Chief Circuit Judge  
Seventh Judicial Circuit for the State of Illinois