#### No. 130323

## IN THE SUPREME COURT OF ILLINOIS

HABDAB, LLC, an Illinois limited liability company,

Plaintiff-Appellant,

v.

COUNTY OF LAKE, et al

Defendant-Appellee.

Appeal from the Appellate Court of Illinois, Second District No. 2-23-0006

There Heard on Appeal from the Circuit Court of the Nineteenth Judicial Circuit, Lake County

> Hon. Jacquelyn D. Melius, Judge Presiding

## STANDARD OF REVIEW

## **ORAL ARGUMENT REQUESTED**

Robert T. O'Donnell (ARDC No. 3124931) Hayleigh K. Herchenbach (ARDC No. 6327026) O'Donnell Callaghan LLC 28045 N. Ashley Circle, Suite 101 Libertyville, IL 60048 847-367-2750 rodonnell@och-law.com hherchenbach@och-law.com

E-FILED 4/10/2024 10:20 AM CYNTHIA A. GRANT SUPREME COURT CLERK

Counsel for Plaintiff-Appellant Habdab, LLC

#### STANDARD OF REVIEW

Plaintiff-Appellant, Habdab, LLC, by its attorneys, O'Donnell Callaghan LLC, for its statement of the applicable standard of review pursuant to IL S. Ct. Rule 315(h), states as follows:

This is an appeal from the Circuit Court of the Nineteenth Judicial Circuit's grant of defendant-appellee Lake County's motion for summary judgment and denial of plaintiff-appellant Habdab LLC's cross-motion for summary judgment. The standard of review applicable to this Court's review of a trial court's summary judgment ruling is de novo. Mancini Law Group, P.C. v. Schaumburg Police Dep't, 2021 IL 126675, ¶ 15.

HABDAB, LLC

By: Rohut 70" Jonaul One of its attorneys

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Counsel for Plaintiff-Appellant Habdab, LLC

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Pursuant to IL S. Ct. Rule 314(h), a complete copy of the Table of Contents to the Record on Appeal (pages 1-11), complete with page references to the Common Law Record, is attached hereto.

HABDAB, LLC

By: Robert TO "Jenace

One of its attorneys

Robert T. O'Donnell (ARDC No. 3124931) Hayleigh K. Herchenbach (ARDC No. 6327026) O'Donnell Callaghan LLC 28045 N. Ashley Circle, Suite 101 Libertyville, IL 60048 847-367-2750 rodonnell@och-law.com hherchenbach@och-law.com

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HABDAB, LLC

v.

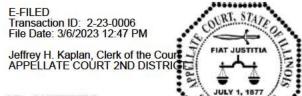
Plaintiff/Petitioner

Reviewing Court No: 2-23-0006 Circuit Court/Agency No: 2020MR000514 Trial Judge/Hearing Officer: JACQUELYN D. MELIUS

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COUNTY OF LAKE AND VILLAGE OF MUNDELEIN

Defendant/Respondent



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ERIN CARTWRIGHT WEINSTEIN, CLERK OF THE 19th JUDICIAL CIRCUIT COURT  $\odot$ 

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	COUNTERCLAIM					
10/25/2022	ORDER	С	3111	V2-C	3112	V2
10/27/2022	PROOF OF SERVICE	С	3113	V2		
11/01/2022	PROOF OF SERVICE	С	3114	V2		
11/01/2022	ORDER	С	3115	V2-C	3116	V2
11/08/2022	NOTICE OF FILING	С	3117	V2-C	3118	V2
11/08/2022	COUNTY OF LAKE'S RESPONSE TO THE	С	3119	V2-C	3186	V2
	VILLAGE OF MUNDELEIN'S MOTION TO AMEND	]				
	ITS ANSWER TO LAKE COUNTY'S ORIGINAL,					
	PREVIOUS COUNTERCLAIM					
11/10/2022	NOTICE OF MOTION	С	3187	V2		
11/10/2022	COUNTY OF LAKE'S MOTION TO EXTEND TIME	C	3188	V2-C	3189	V2
	TO RESPOND TO MUNDELEIN'S THIRD PARTY					
	COMPLAINT FOR DECLARATORY JUDGMENT					
11/14/2022	PROOF OF SERVICE	С	3190	V2-C	3191	V2
11/15/2022	NOTICE OF FILING	С	3192	V2-C	3193	V2
11/15/2022	VILLAGE OF MUNDELEIN'S REPLY TO COUNTY	C	3194	V2-C	3197	V2
	OF LAKE'S RESPONSE TO MOTION FOR LEAVE	]				
	TO AMEND ANSWER, ETC					
11/28/2022	NOTICE OF FILING	С	3198	V2		
11/28/2022	NOTICE OF MOTION	С	3199	V2-C	3201	V2

ERIN CARTWRIGHT WEINSTEIN, CLERK OF THE 19th JUDICIAL CIRCUIT COURT  $\odot$ 

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Date Filed	Title/Description	Page No.
11/28/2022	PLAINTIFF'S MOTION FOR A RULE 304(A)	C 3202 V2-C 3203 V2
	FINDING	
11/30/2022	ORDER	C 3204 V2
12/07/2022	ORDER	C 3205 V2-C 3206 V2
01/03/2023	NOTICE OF FILING	C 3207 V2
01/03/2023	NOTICE OF APPEAL (CIVIL)	C 3208 V2-C 3211 V2
01/17/2023	NOTICE OF FILING	C 3212 V2
01/17/2023	REQUEST FOR PREPARATION OF RECORD ON	C 3213 V2
	APPEAL	
01/17/2023	APPELLATE COURT ORDER	C 3214 V2

#### No. 130323

## IN THE SUPREME COURT OF ILLINOIS

HABDAB, LLC, an Illinois limited liability company,

Plaintiff-Appellant,

v.

COUNTY OF LAKE, et al

Defendant-Appellee.

Appeal from the Appellate Court of Illinois, Second District No. 2-23-0006

There Heard on Appeal from the Circuit Court of the Nineteenth Judicial Circuit, Lake County

> Hon. Jacquelyn D. Melius, Judge Presiding

## NOTICE OF FILING

TO: Michael Smoron Zukowski, Rogers, Flood & McArdle 50 Virginia Street Crystal Lake, IL 60014 <u>msmoron@zrfmlaw.com</u> Gunnar Gunnarsson, Asst. States Attorney John Christensen, Asst. States Attorney 18 N. County Street Waukegan, IL 60085 ggunnarsson@lakecountyil.gov jchristensen2@lakecountyil.gov

PLEASE TAKE NOTICE that on April 10, 2024, the undersigned attorney caused to be electronically filed with the Supreme Court of Illinois, 200 E. Capitol Ave, Springfield, Illinois, this **Standard of Review** and **Table of Contents to the Record on Appeal**, true and correct copies of which are hereby served upon you.

HABDAB, LLC

Bv:

One of its attorneys

Robert T. O'Donnell (ARDC No. 3124931) Hayleigh K. Herchenbach (ARDC No. 6327026) O'Donnell Callaghan LLC 28045 N. Ashley Circle, Suite 101 Libertyville, IL 60048 847-367-2750 rodonnell@och-law.com hherchenbach@och-law.com

## **CERTIFICATE OF SERVICE**

TO: Michael Smoron Zukowski, Rogers, Flood & McArdle 50 Virginia Street Crystal Lake, IL 60014 <u>msmoron@zrfmlaw.com</u> Gunnar Gunnarsson, Asst. States Attorney John Christensen, Asst. States Attorney 18 N. County Street Waukegan, IL 60085 ggunnarsson@lakecountyil.gov jchristensen2@lakecountyil.gov

A copy of the foregoing Notice of Filing, Standard of Review, and Table of Contents to the Record on Appeal were served upon the addressee(s) set forth hereinabove via email transmission on April 10, 2024. Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements in this instrument are true and correct.

Signature: /s/Hayleigh K. Herchenbach