

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

ANNABEL K. MELONGO,)	
)	
Plaintiff,)	
)	
v.)	
)	
ASA ROBERT PODLASEK; ASA JULIE)	Case No. 13-C-04924
GUNNIGLE; INVESTIGATOR KATE)	
O’HARA (Star No. 423; INVESTIGATOR)	Hon. John Z. Lee
JAMES DILLON (Star No. 1068;)	
INVESTIGATOR ANTONIO RUBINO (Star)	
No. 5043; INVESTIGATOR RICH LESIAK)	
(Star No. 5000; UNKNOWN COOK COUNTY)	
SHERIFF OFFICERS; DR. MATTHEW S.)	
MARKOS; LAUREL LAUDIN; ASST. ATTY.)	
GENERAL KYLE FRENCH; COOK COUNTY)	
SHERIFF THOMAS DART; COOK COUNTY,)	
Defendants.)	

DEFENDANT LISA MADIGAN’S MOTION TO QUASH SUMMONS

LISA MADIGAN, Attorney General for the State of Illinois, by and through her counsel, respectfully requests this Court to quash the summons issued against her.

1. On June 5, 2014, Plaintiff filed an amended complaint. *Doc # 24.*
2. Lisa Madigan is not referenced in the amended complaint by name, no claims are asserted against her, nor is she included in the caption. *See ibid.*
3. Plaintiff served a summons for Lisa Madigan with the amended complaint on or about June 25, 2014. *Doc # 34.*
4. Per Rule, the summons demands that Lisa Madigan serve an answer to the amended complaint within twenty-one days after service. *See ibid.*
5. Pursuant to Federal Rule of Civil Procedure 4, “a summons must...be directed to the defendants....”

6. As she is not a “defendant” according to the amended complaint, it is inappropriate to serve a summons upon her.
7. Undersigned counsel left a phone message for Plaintiff counsel on July 25, 2014, to avoid the instant motion but, as of the filing of this motion, has not received a response.

WHEREFORE, for the foregoing reasons, LISA MADIGAN respectfully requests this Court to quash the summons issued upon her, and for such other and further relief as the Court deems proper.

Date: July 28, 2014

Respectfully submitted,

\s\ Thor Y. Inouye
Thor Y. Inouye
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Chicago, Illinois 60601
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Defendants.)	

NOTICE OF MOTION

TO: Jennifer A Bonjean, Bonjean Law Group, PLLC, 142 Joralemon St., Suite 5 A, Brooklyn, NY 10004.

Stephen L. Garcia, Cook County State's Attorney, 500 Richard J. Daley Center, Chicago, IL 60602.

PLEASE TAKE NOTICE that on Thursday, July 31, 2014 at 9:00 a.m., or as soon thereafter as I may be heard, I shall appear before the Honorable Judge John Z. Lee, or any judge sitting in his stead in Courtroom 2243 of the U.S. District Court of the Northern District of Illinois, Eastern Division, 219 South Dearborn St., Chicago, Illinois and shall present the following motion attached hereto.

CERTIFICATE OF SERVICE

I hereby certify that on June 28, 2014, I, Thor Inouye, provided service to the attorneys of record via CM/ECF.

Date: July 28, 2014

Respectfully submitted,

 /s/ Thor Y. Inouye
Thor Y. Inouye
Assistant Attorney General
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100 West Randolph Street, 13th Floor
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