

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

MICHAEL J. BOST, et al.,

Plaintiffs,

v.

THE ILLINOIS STATE BOARD OF
ELECTIONS, et al.,

Defendants.

Civil Action No. 1:22-cv-02754

Judge John F. Kness

**STATEMENT OF MATERIAL FACTS IN SUPPORT OF
PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT**

Plaintiffs Michael J. Bost, Laura Pollastrini, and Susan Sweeney ("Plaintiffs"), through counsel, and pursuant to Federal Rules of Civil Procedure 56, hereby move for Partial Summary Judgement on Counts I and II with respect to the November 8, 2022, congressional elections by declaring that 10 ILCS 5/19-8(c) violates federal law. Plaintiffs seek a declaratory judgment that Illinois' Receipt Deadline violates 2 U.S.C. § 7 and Plaintiffs' First and Fourteenth Amendment rights and an order from the Court scheduling remedial proceedings as appropriate.

In support of this Motion, Plaintiffs contemporaneously file their Statement of Material Facts pursuant to Local Rule 56.1, which attached to it is the following:

1. Exhibit 1 - Declaration by Attorney T. Russell Nobile, July 15, 2022;
2. Exhibit 2 – Press Release from Defendant State Board, November 2, 2020;
3. Exhibit 3 – Press Release from Defendant State Board, December 4, 2020;
4. Exhibit 4 – Declaration by Plaintiff Congressman Michael J. Bost, July 15, 2022;
5. Exhibit 5 – Declaration by Plaintiff Laura Pollastrini, July 15, 2022; and

6. Exhibit 6 – Declaration by Plaintiff Susan Sweeny, July 15, 2022.

WHEREFORE, Plaintiffs respectfully request that the Court grant their Motion for Partial Summary Judgment and order appropriate remedial proceedings.

July 15, 2022

s/ Russ Nobile

T. Russell Nobile
JUDICIAL WATCH, INC.
Post Office Box 6592
Gulfport, Mississippi 39506
Phone: (202) 527-9866
rnobile@judicialwatch.org

Christine Svenson, Esq.
(IL Bar No. 6230370)
SVENSON LAW OFFICES
345 N. Eric Drive
Palatine IL 60067
T: 312.467.2900
christine@svensonlawoffices.com

Paul J. Orfanedes (IL Bar No. 6205255)
Robert D. Popper*
Eric W. Lee*
JUDICIAL WATCH, INC.
425 Third Street SW, Suite 800
Washington, DC 20024
Phone: (202) 646-5172
porfanedes@judicialwatch.org
rpopper@judicialwatch.org
elee@judicialwatch.org

* *Application for admission pro hac vice
forthcoming*