

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

STATE OF ILLINOIS, a sovereign state; and
the CITY OF CHICAGO, an Illinois municipal
corporation,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity
as President of the United States;
DEPARTMENT OF HOMELAND
SECURITY; KRISTI NOEM, in her official
capacity as Secretary of the Department of
Homeland Security; DEPARTMENT OF
DEFENSE; PETER B. HEGSETH, in his
official capacity as Secretary of the
Department of Defense; UNITED STATES
ARMY; DANIEL P. DRISCOLL, in his
official capacity as Secretary of the Army,

Defendants.

Case No. 25-12174

Judge

**PLAINTIFFS' MOTION FOR
TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

Plaintiffs the State of Illinois and the City of Chicago, pursuant to Federal Rule of Civil Procedure 65, hereby move for a temporary restraining order and preliminary injunction enjoining the implementation and enforcement of the memorandum from the Secretary of War on October 4, 2025, calling into federal service 300 members of the Illinois National Guard under 10 U.S.C. § 12406, as well as the undated memorandum from the Secretary of War calling into federal service up to 400 members of the Texas National Guard under 10 U.S.C. § 12406.

Plaintiffs seek a temporary restraining order and preliminary injunction pursuant to Federal Rule of Civil Procedure 65 because each of the requirements for the issuance of a temporary

restraining order and preliminary injunction under Federal Rule of Civil Procedure 65 are met in this case. The grounds for this motion are explained in the accompanying Memorandum in Support of Temporary Restraining Order and Preliminary Injunction, and its supporting declarations and other exhibits.

This morning, October 6, 2025, the undersigned provided a copy of the filed-stamped Complaint, filed today, as well as provided notice of the imminent filing of this motion, by telephone and email to the Civil Chief of U.S. Attorney's Office for the Northern District of Illinois.

WHEREFORE, for the reasons set forth above and in the accompanying memorandum and supporting materials, the Court should grant Plaintiffs' motion for a temporary restraining order and preliminary injunction.

Dated this 6th day of October, 2025

Respectfully submitted,

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Attorney General of Illinois

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