

Senator Richard J. Durbin
Chair, Senate Judiciary Committee
Written Questions for Judge Nancy Maldonado
Nominee to be United States Circuit Judge for the Seventh Circuit
March 27, 2024

1. Since joining the bench, you have presided over a number of naturalization ceremonies. In your speeches, you share your family’s story, noting that both of your grandfathers and many uncles have served in the military, some as parts of regiments based in Puerto Rico and some from the mainland.

a. Could you share more about your experience of presiding over naturalization ceremonies and what it has meant to you?

Response: Presiding over naturalization ceremonies is an inspiring occasion where I have the opportunity to speak about our shared values as Americans. Typically, there are scores of countries of origin (40-50) represented in the courtroom, and the ceremonies celebrate the diversity of our citizens and the dream of America to be a country made up of the world. There are typically smiles and tears and family members of all ages there to celebrate the new citizens. For me, it is a repeated affirmation of my love for my country and its ideals.

b. At your naturalization ceremonies, you laud the virtues of serving on a jury, which you have said is “performing the highest service a citizen can perform other than military service.” In your experience as a litigator and on the bench, why is it important for citizens to serve on juries?

Response: We have enshrined the right to a jury trial in our Bill of Rights and the jury system is a cornerstone of our democracy. I have deep respect for jurors – they give up time and make sacrifices to participate in our justice system. I speak to new citizens about jury service because I want them to look forward to serving and being a part of our constitutional system. The jury system also brings together Americans from all walks of life united in a common purpose and it is refreshing to see the camaraderie that builds among them.

2. Prior to your appointment to the federal bench, you served as a member of the Illinois State Police Merit Board. The Board was established to provide a merit process for the selection and promotion of Illinois State Police officers.

a. Can you provide an overview of how the Board accomplishes its mission and the work that you did as a member?

Response: As a Board member, I participated in the process of selecting officers for the Illinois State Police (ISP). I reviewed extensive background files on each candidate and, along with a partner from the Illinois State Police, applied

objective criteria to evaluate and choose candidates to continue to the next step of interviewing. I also interviewed hundreds of applicants over the course of several years. This multi-step review process is meant to be objective and arms-length and to remove any favoritism from the hiring process. I believe the Merit Board's review process has led to the hiring of officers who embody the values of the Illinois State Police – integrity, service, and pride.

b. What have you learned through your service on the Board and your work with law enforcement that you think have been helpful since joining the bench?

Response: My work as a Board member increased my knowledge and appreciation of the difficulty of the law enforcement job. I had many informal conversations with ISP leadership about policing that broadened my knowledge, and many of the applicants I interviewed were current law enforcement officers. In those interviews, we oftentimes discussed many difficult topics – including the dangers of alcohol and substance abuse due to the stress of the job and sometimes incidents they wish they had handled differently – and those conversations deepened my understanding of the challenges of the job. My Board experience also gave me a very concrete understanding of the decisions officers face and make on a daily basis.

Senator Lindsey Graham, Ranking Member
Questions for the Record
Judge Nancy L. Maldonado
Nominee to be United States Circuit Judge for the Seventh Circuit

1. **Are you a citizen of the United States?**

Response: Yes.

2. **Are you currently, or have you ever been, a citizen of another country?**

Response: No.

- a. **If yes, list all countries of citizenship and dates of citizenship.**
- b. **If you are currently a citizen of a country besides the United States, do you have any plans to renounce your citizenship?**
 - i. **If not, please explain why.**

3. **Is it appropriate for a federal judge to consider an immutable characteristic of an attorney (such as race or sex) when deciding whether to grant oral argument? If yes, please describe in which circumstances such consideration would be appropriate.**

Response: No.

4. **Is it appropriate for a federal judge to consider an immutable characteristic of an attorney (such as race or sex) when deciding whether to grant additional oral argument time? If yes, please describe in which circumstances such consideration would be appropriate.**

Response: No.

5. **Please explain whether you agree or disagree with the following statement: “The judgments about the Constitution are value judgments. Judges exercise their own independent value judgments. You reach the answer that essentially your values tell you to reach.”**

Response: I disagree with the statement, which suggests that judges should make decisions based on their personal beliefs and opinions. Judges should make decisions based on applying precedent and the law to the facts in the record.

6. **When asked why he wrote opinions that he knew the Supreme Court would reverse, Judge Stephen Reinhardt’s response was: “They can’t catch ’em all.” Is this an appropriate approach for a federal judge to take?**

Response: No, this approach is contrary to my judicial oath. See also my response to Question 5.

7. **Do you consider a law student’s public endorsement of or praise for an organization listed as a “Foreign Terrorist Organization,” such as Hamas or the Popular Front for the Liberation of Palestine, to be disqualifying for a potential clerkship in your chambers? Please provide a yes or no answer. If you would like to include an additional narrative response, you may do so, but only after a yes or no answer. Failure to provide a yes or no answer will be construed as a “no.”**

Response: Yes.

8. **In the aftermath of the brutal terrorist attack on Israel on October 7, 2023 the president of New York University’s student bar association wrote “Israel bears full responsibility for this tremendous loss of life. This regime of state-sanctioned violence created the conditions that made resistance necessary.” Do you consider such a statement, publicly made by a law student, to be disqualifying with regards to a potential clerkship in your chambers? Please provide a yes or no answer. If you would like to include an additional narrative response, you may do so, but only after a yes or no answer. Failure to provide a yes or no answer will be construed as a “no.”**

Response: Yes, the statement would be disqualifying for anyone who wanted to work in my chambers.

9. **Please describe the relevant law governing how a prisoner in custody under sentence of a federal court may seek and receive relief from the sentence.**

Response: Prisoners in custody under the sentence of a federal court may file a motion pursuant to 28 U.S.C. § 2255 in the district where the prisoner was sentenced challenging their conviction and sentence. The Seventh Circuit has explained that § 2255 relief is warranted “only for ‘an error of law that is jurisdictional, constitutional, or constitutes a fundamental defect which inherently results in a complete miscarriage of justice.’” *Harris v. United States*, 366 F.3d 593, 594 (7th Cir. 2004) (quoting *Borre v. United States*, 940 F.2d 215, 217 (7th Cir. 1991) (internal quotation omitted)). Prisoners may also file post-conviction habeas corpus petitions under 28 U.S.C. § 2241 to challenge the manner in which a sentence is being administered or executed, for example, raising complaints about sentencing credit computations by the Bureau of Prisons or about prison disciplinary procedures. A prisoner may also challenge the imposition of their sentence under § 2241 in certain exceptional circumstances if they can show that remedy under § 2255 would be inadequate or ineffective to test the legality of his detention. 28. U.S.C. § 2255(e). Prisoners may also seek compassionate release or a reduction of their sentence in certain narrow circumstances by filing a motion under 28. U.S.C. 3582(c).

10. **Please explain the facts and holding of the Supreme Court decisions in *Students for Fair Admissions, Inc. v. University of North Carolina* and *Students for Fair Admissions Inc. v. President & Fellows of Harvard College*.**

Response: Students for Fair Admissions (SFFA) filed separate lawsuits against Harvard University and the University of North Carolina (UNC) arguing that their admissions programs violated, respectively, Title VI of the Civil Rights Act of 1964 and the Equal Protection Clause of the Fourteenth Amendment, by using race as a factor in admissions. The Supreme Court generally observed that “[a]ny exception to the Constitution's demand for equal protection must survive a daunting two-step examination known [as] ‘strict scrutiny, which asks first whether the racial classification is used to ‘further compelling government interests,’ and second whether the government’s use of race is ‘narrowly tailored,’ *i.e.*, ‘necessary,’ to achieve that interest.’” *Students for Fair Admissions v. Pres. & Fellows of Harv. Coll.*, 600 U.S. 181, 206–07, (2023) (citations omitted). The Court held that the admissions programs at UNC and Harvard violated the Equal Protection Clause of the Fourteenth Amendment (and Title VI) because they failed to pass strict scrutiny; specifically, the Court held that the universities’ programs “lack sufficiently focused and measurable objectives warranting the use of race, unavoidably employ race in a negative manner, involve racial stereotyping, and lack meaningful end points.” *Id.* at 230.

11. **Have you ever participated in a decision, either individually or as a member of a group, to hire someone or to solicit applications for employment?**

Response: Yes.

If yes, please list each job or role where you participated in hiring decisions.

Law clerk, Judge Rubén Castillo
Associate and Partner, Miner, Barnhill & Galland, P.C.
District judge

12. **Have you ever given preference to a candidate for employment or for another benefit (such as a scholarship, internship, bonus, promotion, or award) on account of that candidate’s race, ethnicity, religion, sex, sexuality, or gender identity?**

Response: No.

13. **Have you ever solicited applications for employment on the basis of race, ethnicity, religion, sex, sexuality, or gender identity?**

Response: No.

14. **Have you ever worked for an employer (such as a law firm) that gave preference to a candidate for employment or for another benefit (such as a scholarship, internship, bonus, promotion, or award) on account of that candidate’s race, ethnicity, religion, sex, sexuality, or gender identity?**

Response: No.

If yes, please list each responsive employer and your role at that employer. Please also describe, with respect to each employer, the preference given. Please state whether you played any part in the employer’s decision to grant the preference.

- 15. Under current Supreme Court and Seventh Circuit precedent, are government classifications on the basis of race subject to strict scrutiny?**

Response: Yes. *See, e.g., Students for Fair Admissions v. Pres. & Fellows of Harv. Coll.*, 600 U.S. 181, 206–07, (2023); *Midwest Fence Corp. v. United States Dep’t of Transportation*, 840 F.3d 932, 941 (7th Cir. 2016).

- 16. Please explain the holding of the Supreme Court’s decision in *303 Creative LLC v. Elenis*.**

Response: The Supreme Court held that the First Amendment prohibited Colorado from enforcing its state anti-discrimination law to compel a website designer to create a website design that spoke messages with which the designer disagreed. The Court concluded that the wedding websites that the petitioner sought to create qualified as pure speech from the petitioner herself that was protected by the First Amendment, and therefore Colorado could not enforce its non-discrimination law to compel the petitioner to create custom wedding websites to convey messages with which she disagreed.

- 17. In *West Virginia State Board of Education v. Barnette*, 319 U.S. 624, 642 (1943), Justice Jackson, writing for the Court, said: “If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein.”**

Is this a correct statement of the law?

Response: The Supreme Court has cited to or directly quoted this language from Justice Jackson in more recent opinions under the First Amendment, including *303 Creative LLC v. Elenis*, 600 U.S. 570 (2023), and *Janus v. Am. Fed’n of State, Cnty., & Mun. Emps., Council 31*, 585 U.S. 878, 892 (2018). As a sitting district judge and, if confirmed, a circuit judge, I would follow binding Supreme Court and Seventh Circuit precedent in deciding any issue under the First Amendment.

- 18. How would you determine whether a law that regulates speech is “content-based” or “content-neutral”? What are some of the key questions that would inform your analysis?**

Response: In *Reed v. Town of Gilbert, Ariz.*, 576 U.S. 155, 163 (2015), the Supreme Court explained that “[g]overnment regulation of speech is content based if a law applies to particular speech because of the topic discussed or the idea or message expressed.” In determining whether a law is content-based or content-neutral, courts will “consider

whether a regulation of speech 'on its face' draws distinctions based on the message a speaker conveys." *Id.* 163. The Supreme Court also recognized a "separate and additional category of laws that, though facially content neutral, will be considered content-based regulations of speech: laws that cannot be 'justified without reference to the content of the regulated speech,' or that were adopted by the government 'because of disagreement with the message [the speech] conveys.'" *Id.* at 164 (quoting *Ward v. Rock Against Racism*, 491 U.S. 781, 791 (1989)). On the other hand, a law or regulation that "serves purposes unrelated to the content of expression is deemed neutral, even if it has an incidental effect on some speakers or messages but not others." *Ward*, 491 U.S. at 791. The Supreme Court further explained that "[g]overnment regulation of expressive activity is content neutral so long as it is 'justified without reference to the content of the regulated speech.'" *Id.* (quoting *Community for Creative Non-Violence*, 468 U.S. 288, 293 (1989)).

19. What is the standard for determining whether a statement is not protected speech under the true threats doctrine?

Response: The Supreme Court has explained that "[t]rue threats are 'serious expression[s]' conveying that a speaker means to 'commit an act of unlawful violence.'" See *Counterman v. Colorado*, 600 U.S. 66, 74 (2023) (quoting *Virginia v. Black*, 538 U.S. 343, 359 (2003)). In *Counterman*, the Court held that for true threats cases, the First Amendment requires proof that the defendant subjectively understood the threatening nature of his statements, and that he made the statement with a mental state of recklessness. *Id.* at 69, 77, 82. ("The State must show that the defendant consciously disregarded a substantial risk that his communications would be viewed as threatening violence. The State need not prove any more demanding form of subjective intent to threaten another.")

20. Under Supreme Court and Seventh Circuit precedent, what is a "fact" and what sources do courts consider in determining whether something is a question of fact or a question of law?

Response: The Supreme Court and the Seventh Circuit have long observed that there is "no rule or principle that will unerringly distinguish a factual finding from a legal conclusion." *Cooter & Gell v. Hartmarx Corp.*, 496 U.S. 384, 401 (1990) (citing *Pullman-Standard v. Swint*, 456 U.S. 273, 288 (1982)); see also *Gekas v. Att'y Registration & Disciplinary Comm'n of Supreme Ct. of Illinois*, 793 F.2d 846, 849-50 (7th Cir. 1986). The Supreme Court has further observed that the determination of whether to label an issue as one of fact, law, or a mixed question of fact and law, is "sometimes as much a matter of allocation [of authority between the primary and the secondary decision-makers] as it is of analysis." *Gekas*, 793 F.2d at 850 (quoting *Miller v. Fenton*, 474 U.S. 104, 113-14 (1985)). In determining where an issue falls, the Supreme Court instructed in *Miller* that, "[a]t least in those instances in which Congress has not spoken and in which the issue falls somewhere between a pristine legal standard and a simple historical fact, the fact/law distinction at times has turned on a determination that, as a matter of the sound administration of justice, one judicial actor is better

positioned than another to decide the issue in question.” *Miller*, 474 U.S. at 113–114. Judges therefore should consider whether an issue has been identified in a prior case as one of fact or law, and if there is no controlling precedent from a similar case, should make a practical consideration of the allocation of decision-making authority.

21. Which of the four primary purposes of sentencing—retribution, deterrence, incapacitation, and rehabilitation—do you personally believe is the most important?

Response: Congress has directed in 18 U.S.C. §3553(a) that I consider all of these purposes in every sentence I impose. There is no one-size-fits-all approach to sentencing, and I weigh all these purposes in every sentence I impose.

22. Please identify a Supreme Court decision from the last 50 years that you think is particularly well-reasoned and explain why.

Response: As a district judge, and, should I be confirmed, as a circuit judge, I will follow all the precedent of the Supreme Court; I am duty-bound to follow precedent and it is contrary to the Code of Conduct for United States Judges for me to express my personal opinions on the quality of the Supreme Court’s reasoning in any particular case.

23. Please identify a Seventh Circuit judicial opinion from the last 50 years that you think is particularly well-reasoned and explain why.

Response: As a district judge, and, should I be confirmed, as a circuit judge, I will follow the precedent of the Seventh Circuit; I am duty-bound to follow precedent and it is contrary to the Code of Conduct for United States Judges for me to express my personal opinions on the quality of the Seventh Circuit’s reasoning in any particular case.

24. Please explain your understanding of 18 USC § 1507 and what conduct it prohibits.

Response: 18 USC § 1507 is titled “Picketing or parading,” and states that “[w]hoever, with the intent of interfering with, obstructing, or impeding the administration of justice, or with the intent of influencing any judge, juror, witness, or court officer, in the discharge of his duty, pickets or parades in or near a building housing a court of the United States, or in or near a building or residence occupied or used by such judge, juror, witness, or court officer, or with such intent uses any sound-truck or similar device or resorts to any other demonstration in or near any such building or residence, shall be fined under this title or imprisoned not more than one year, or both.”

25. Is 18 U.S.C. § 1507 constitutional?

Response: I am not aware of any Supreme Court or Seventh Circuit precedent directly addressing the constitutionality of § 1507, though I understand that the Supreme Court rejected a constitutional challenge to a state law modeled after § 1507 in the case of *Cox v. State of La.*, 379 U.S. 559 (1965). Canon 3 of the Code of Conduct for United States Judges requires that I refrain from any public comment on issues that might come before

me, and it therefore would be inappropriate for me to offer an opinion on the constitutionality of this statute. If a case before me were to present this question, I would decide the case based upon the text of the statute, Supreme Court and Seventh Circuit precedent, and the facts before me.

26. Please answer the following questions yes or no. If you would like to include an additional narrative response, you may do so, but only after a yes or no answer:

- a. Was *Brown v. Board of Education* correctly decided?
- b. Was *Loving v. Virginia* correctly decided?
- c. Was *Griswold v. Connecticut* correctly decided?
- d. Was *Roe v. Wade* correctly decided?
- e. Was *Planned Parenthood v. Casey* correctly decided?
- f. Was *Gonzales v. Carhart* correctly decided?
- g. Was *District of Columbia v. Heller* correctly decided?
- h. Was *McDonald v. City of Chicago* correctly decided?
- i. Was *Hosanna-Tabor Evangelical Lutheran Church and School v. EEOC* correctly decided?
- j. Was *New York State Rifle & Pistol Association v. Bruen* correctly decided?
- k. Was *Dobbs v. Jackson Women's Health* correctly decided?
- l. Were *Students for Fair Admissions, Inc. v. University of North Carolina* and *Students for Fair Admissions Inc. v. President & Fellows of Harvard College* correctly decided?
- m. Was *303 Creative LLC v. Elenis* correctly decided?

Response: As a district judge, and, should I be confirmed, as a circuit judge, I will follow all the precedent of the Supreme Court; I am duty-bound to follow precedent and my personal opinions on the correctness (or not) of the Supreme Court's reasoning is not relevant. I will note that *Roe* and *Casey* listed above are no longer good law. Beyond this, Canon 3 of the Code of Conduct for United States Judges requires that I refrain from any public comment on issues that might come before me, and given that abortion access, the scope of the Second Amendment, the scope of the ministerial exception, and the legality of affirmative action programs are currently being litigated in our courts, it would be highly inappropriate for me to offer my opinions. That being said, following the lead of other nominees, it is unlikely that laws providing for racial segregation and prohibiting inter-racial marriage will come before me, such that I am comfortable stating that *Brown v. Board of Education* and *Loving v. Virginia* were correctly decided.

27. What legal standard would you apply in evaluating whether or not a regulation or statutory provision infringes on Second Amendment rights?

Response: I would apply the standards as articulated in controlling Supreme Court and Seventh Circuit precedent. In *New York State Rifle & Pistol Association v. Bruen*, the Supreme Court articulated the standard as follows: "when the Second Amendment's plain

text covers an individual’s conduct, the Constitution presumptively protects that conduct. To justify its regulation, the government may not simply posit that the regulation promotes an important interest. Rather, the government must demonstrate that the regulation is consistent with this Nation’s historical tradition of firearm regulation.” *New York State Rifle & Pistol Ass’n v. Bruen*, 142 S. Ct. 2111, 2126 (2022); *see also Atkinson v. Garland*, 70 F.4th 1018, 1020 (7th Cir. 2023) (“when the Second Amendment’s ‘plain text’ covers the regulated conduct, the government has only one way to defend the regulation—by proving that it is ‘consistent with this Nation’s historical tradition of firearm regulation.’”).

28. Demand Justice is a progressive organization dedicated to “restor[ing] ideological balance and legitimacy to our nation’s courts.”

- a. **Has anyone associated with Demand Justice, including Brian Fallon, Christopher Kang, Tamara Brummer, Jen Dansereau, and/or Becky Bond, requested that you provide any services, including but not limited to research, advice, analysis, writing or giving speeches, or appearing at events or on panels?**

Response: No.

- b. **Are you currently in contact with anyone associated with Demand Justice, including, but not limited to: Brian Fallon, Christopher Kang, Tamara Brummer, Jen Dansereau, and/or Becky Bond,? If so, who?**

Response: No

- c. **Have you ever been in contact with anyone associated with Demand Justice, including, but not limited to: Brian Fallon, Christopher Kang, Tamara Brummer, Jen Dansereau, and/or Becky Bond,? If so, who?**

Response: I spoke to Christopher Kang on a couple occasions about the judicial nominations process as part of my interest in a vacancy on the Northern District of Illinois, but have not communicated with him in relation to my current nomination, other than receiving a congratulatory email from him.

- d. **In the course of your prior confirmation, you testified that you spoke to Christopher Kang “about the judicial nominations process.”**

- i. **What precisely did you discuss with Mr. Kang about the nominations process?**

Response: Mr. Kang outlined the numerous steps in the judicial nominations process from the home state Senators’ recommendation through the full Senate vote. As prior White House Counsel’s Office staff who worked on nominations, he was very familiar with the process and the information was helpful to my understanding. We also discussed my qualifications for a judgeship.

- ii. Did Mr. Kang or anyone associated with Demand Justice offer to support your prior or current nomination in any way, to include organizing letters of support or any other effort?**

Response: No.

- iii. When was your last date of contact with Mr. Kang?**

Response: Mr. Kang sent me the congratulatory email on February 21, 2024.

- iv. When was your last date of contact with anyone associated with Demand Justice?**

Response: See my response to Question 28(d)(iii).

- 29. The Alliance for Justice is a “national association of over 120 organizations, representing a broad array of groups committed to progressive values and the creation of an equitable, just, and free society.”**

- a. In the course of your prior confirmation, you testified that you were “in contact” with former Alliance for Justice President Nan Aron “on one occasion.”**
- i. Please describe that occasion.**

Response: In 2021 (I cannot recall exactly when or by whom), I was contacted by someone who worked with Ms. Aron asking whether I would speak with Ms. Aron. I agreed to and we had a short video call. I do not recall many of the details other than she said she had heard positive things about me from my law partner and others, and that she was in the midst of transitioning away from her leadership role. I do not recall the call as particularly long or substantive; I recall it as a “meet and greet.”

- ii. Did Ms. Aron or anyone associated with the Alliance for Justice offer to support your prior or current nomination in any way, to include organizing letters of support or any other effort?**

Response: No.

- iii. When was your last date of contact with Ms. Aron?**

Response: The video call in 2021.

iv. When was your last date of contact with anyone associated with the Alliance for Justice?

Response: My only contact with anyone from the Alliance for Justice was the 2021 video call with Ms. Aron.

- b. Has anyone associated with Alliance for Justice, including, but not limited to, Rakim Brooks, Betsy Miller Kittredge, Nan Aron, Jake Faleschini, and/or Zachery Morris, requested that you provide any services, including but not limited to research, advice, analysis, writing or giving speeches, or appearing at events or on panels?**

Response: No.

- c. Are you currently in contact with anyone associated with the Alliance for Justice including, but not limited to: Rakim Brooks, Betsy Miller Kittredge, Nan Aron, Jake Faleschini, and/or Zachery Morris? If so, who?**

Response: No.

- d. Have you ever been in contact with anyone associated with Alliance for Justice, including, but not limited to: Rakim Brooks, Betsy Miller Kittredge, Nan Aron, Jake Faleschini, and/or Zachery Morris? If so, who?**

Response: I was in contact with former Alliance for Justice president Nan Aron on one occasion. See my response to Question 29(a)(iv).

30. Arabella Advisors is a progressive organization founded “to provide strategic guidance for effective philanthropy” that has evolved into a “mission-driven, Certified B Corporation” to “increase their philanthropic impact.”

- a. Has anyone associated with Arabella Advisors requested that you provide any services, including but not limited to research, advice, analysis, writing or giving speeches, or appearing at events or on panels?**
- i. Please include in this answer anyone associated with Arabella’s subsidiaries, including the Sixteen Thirty Fund, the New Venture Fund, the Hopewell Fund, the Windward Fund, the North Fund, or any other such Arabella dark-money fund.**

Response: No.

- b. Are you currently in contact with anyone associated with Arabella Advisors, including, but not limited to: Eric Kessler, Himesh Bhise, Joseph Brooks, Isaiah Castilla, and/or Saurabh Gupta?**

- i. **Please include in this answer anyone associated with Arabella’s subsidiaries, including the Sixteen Thirty Fund, the New Venture Fund, the Hopewell Fund, the Windward Fund, the North Fund, or any other such Arabella dark-money fund that is still shrouded.**

Response: No.

- c. **Have you ever been in contact with anyone associated with Arabella Advisors, including, but not limited to: Eric Kessler, Himesh Bhise, Joseph Brooks, Isaiah Castilla, and/or Saurabh Gupta?**
 - i. **Please include in this answer anyone associated with Arabella’s subsidiaries, such as the Sixteen Thirty Fund, the New Venture Fund, the Hopewell Fund, the Windward Fund, the North Fund, or any other such Arabella dark-money fund that is still shrouded.**

Response: No.

31. The Open Society Foundations is a progressive organization that “work[s] to build vibrant and inclusive democracies whose governments are accountable to their citizens.”

- a. **Has anyone associated with Open Society Fund requested that you provide any services, including but not limited to research, advice, analysis, writing or giving speeches, or appearing at events or on panels?**

Response: No.

- b. **Are you currently in contact with anyone associated with the Open Society Foundations, including but not limited to: George Soros, Alexander Soros, Mark Malloch-Brown, and/or Binaifer Nowrojee?**

Response: No.

- c. **Have you ever been in contact with anyone associated with the Open Society Foundations including but not limited to: George Soros, Alexander Soros, Mark Malloch-Brown, and/or Binaifer Nowrojee?**

Response: No.

- d. **Have you ever received any funding, or participated in any fellowship or similar program affiliated with the Open Society network?**

Response: No.

32. Fix the Court is a “non-partisan, 501(C)(3) organization that advocates for non-ideological ‘fixes’ that would make the federal courts, and primarily the U.S. Supreme Court, more open and more accountable to the American people.”

- a. **Has anyone associated with Fix the Court requested that you provide any services, including but not limited to research, advice, analysis, writing or giving speeches, or appearing at events or on panels?**

Response: No.

- b. **Are you currently in contact with anyone associated with Fix the Court, including, but not limited to: Gabe Roth, and/or Josh Cohen? If so, who?**

Response: No.

- c. **Have you ever been in contact with anyone associated with Fix the Court including, but not limited to: Gabe Roth, and/or Josh Cohen? If so, who?**

Response: No.

33. **The Raben Group is a lobbying group that “champions diversity, equity, and justice as core values that ignite our mission for impactful change in corporate, nonprofit, government and foundation work.” The group prioritizes judicial nominations and its list of clients have included the Open Society Foundations, the American Civil Liberties Union, the New Venture Fund, the Sixteen Thirty Fund, and the Hopewell Fund. It staffs the Committee for a Fair Judiciary.**

- a. **In the course of your prior nomination, you testified that you had “spoken to Robert Raben and perhaps another staff member of the Raben Group on a couple of occasions.” You also testified that you spoke with “person associated with the Raben Group.”**

- i. **Please describe the nature of these interactions, including what was discussed.**

Response: In the course of my prior nomination, I spoke with Mr. Raben by telephone about my interest in a judgeship and seeking an endorsement from the Hispanic National Bar Association (HNBA). A staff person (I cannot recall who) from the Raben Group communicated with me about the HNBA questionnaire I would have to fill out and coordinated the panel interview by Zoom for seeking the endorsement.

- ii. **Did Mr. Raben or anyone associated with the Raben Group offer to support your prior or current nomination in any way, to include organizing letters of support, endorsements, or any other effort?**

Response: Other than the HNBA endorsement for my district court nomination, no.

- iii. **When was your last date of contact with Mr. Raben?**

Response: On January 25, 2024, Mr. Raben emailed me about the Seventh Circuit vacancy after I had accepted Senator Durbin's invitation to interview with White House Counsel's Office.

iv. When was your last date of contact with anyone associated with the Raben Group?

Response: January 25, 2024.

b. Has anyone associated with The Raben Group requested that you provide any services, including but not limited to research, advice, analysis, writing or giving speeches, or appearing at events or on panels?

Response: No.

c. Are you currently in contact with anyone associated with The Raben Group, including but not limited to: Robert Raben, Donald Walker, Patty First, Joe Onek, Gara LaMarche, Steve Sereno, Dylan Tureff and/or Katherine Huffman? If so, who?

Response: No.

d. Have you ever been in contact with anyone associated with The Raben Group including but not limited to: Robert Raben, Donald Walker, Patty First, Joe Onek, Gara LaMarche, Steve Sereno, Dylan Tureff, and/or Katherine Huffman? If so, who?

Response: I spoke to Robert Raben and another staff member of the Raben Group on a couple of occasions regarding an endorsement from the Hispanic National Bar Association for my current district court judgeship. See response to Question 33(a).

e. Has anyone associated with the Raben Group offered to assist you with your nomination, including but not limited to organizing letters of support?

Response: Other than the HNBA endorsement for the district court nomination, no.

34. The Committee for a Fair Judiciary “fights to confirm diverse and progressive federal judges to counter illegitimate right-wing dominated courts” and is staffed by founder Robert Raben.

a. Has anyone associated with the Committee for a Fair Judiciary requested that you provide services, including but not limited to research, advice, analysis, writing or giving speeches, or appearing at events or on panels?

Response: No.

- b. **Are you currently in contact with anyone associated with the Committee for a Fair Judiciary, including, but not limited to: Jeremy Paris, Erika West, Elliot Williams, Nancy Zirkin, and/or Joe Onek? If so, who?**

Response: No.

- c. **Have you ever been in contact with anyone associated with the Committee for a Fair Judiciary, including, but not limited to: Jeremy Paris, Erika West, Elliot Williams, Nancy Zirkin, and/or Joe Onek? If so, who?**

Response: No.

- d. **Has anyone associated with the Committee for a Fair Judiciary offered to support your prior or current nomination in any way, to include organizing letters of support, endorsements, or any other effort?**

Response: No.

35. **The American Constitution Society is “the nation’s foremost progressive legal organization” that seeks to “support and advocate for laws and legal systems that redress the founding failures of our Constitution, strengthen our democratic legitimacy, uphold the role of law, and realize the promise of equality for all, including people of color, women, LGBTQ+ people, people with disabilities, and other historically excluded communities.”**

- a. **Has anyone associated with the American Constitution Society, requested that you provide any services, including but not limited to research, advice, analysis, writing or giving speeches, or appearing at events or on panels?**

Response: No.

- b. **Are you currently in contact with anyone associated with the American Constitution Society including, but not limited to Russ Feingold? If so, who?**

Response: No.

- c. **Have you ever been in contact with anyone associated with the American Constitution Society including, but not limited to Russ Feingold? If so, who?**

Response: I recall attending an ACS webinar on the judicial nominations process in 2021.

36. **Please describe the selection process that led to your nomination to be a United States Circuit Judge, from beginning to end (including the circumstances that led to your nomination and the interviews in which you participated).**

Response: On January 25, 2024, I received a phone call from Senator Durbin's office inquiring about my interest in the Seventh Circuit vacancy. This was the first conversation I had about a possible nomination. I agreed to interview with the White House Counsel's Office the following day. On January 26, 2024, I interviewed with attorneys from the White House Counsel's Office. Since January 29, 2024, I have been in contact with officials from the Office of Legal Policy at the Department of Justice. On February 21, 2024, the President announced his intent to nominate me for the Seventh Circuit vacancy.

- 37. During or leading up to your selection process did you talk with any officials from or anyone directly associated with the organization Demand Justice, or did anyone do so on your behalf? If so, what was the nature of those discussions?**

Response: No.

- 38. During your selection process, did you talk with any officials from or anyone directly associated with Alliance for Justice, or did anyone do so on your behalf? If so, what was the nature of those discussions?**

Response: No.

- 39. During or leading up to your selection process, did you talk with any officials from or anyone directly associated with Arabella Advisors, or did anyone do so on your behalf? If so, what was the nature of those discussions? Please include in this answer anyone associated with Arabella's known subsidiaries the Sixteen Thirty Fund, the New Venture Fund, or any other such Arabella dark-money fund that is still shrouded.**

Response: No.

- 40. During or leading up to your selection process did you talk with any officials from or anyone directly associated with the Open Society Foundations, or did anyone do so on your behalf? If so, what was the nature of those discussions?**

Response: No.

- 41. During or leading up to your selection process did you talk with any officials from or anyone directly associated with Fix the Court, or did anyone do so on your behalf? If so, what was the nature of those discussions?**

Response: No.

- 42. During or leading up to your selection process, did you talk with any officials from or anyone directly associated with the Raben Group or the Committee for a Fair Judiciary, or did anyone do so on your behalf? If so, what was the nature of those discussions?**

Response: No. See response to Question 33(a)(iii).

- 43. During or leading up to your selection process did you talk with any officials from or anyone directly associated with the American Constitution Society, or did anyone do so on your behalf? If so, what was the nature of those discussions?**

Response: No.

- 44. Exactly how many cases did you inherit from other judges once you were sworn in as a District Judge for the Northern District of Illinois?**

Response: Based on a review of my records, I was reassigned 287 cases from other district judges when I was sworn in on October 3, 2022. In addition to this initial batch, I was quickly assigned an additional 12 cases on October 6, 2022 and 11 cases on October 11, 2022 from retiring judges, bringing my initial total to 310 cases.

- a. How many of those were civil cases?**

Response: Of the initial 287 cases (310 including the additional reassignments within my first week on the bench), all were civil cases and none were criminal cases. It is the general procedure in the Northern District of Illinois that new judges are not assigned criminal cases for a period of 90 days from the entry of their initial calendar.

- b. How many of those were criminal cases?**

Response: See answer to Question 44(a) above.

- c. How many outstanding motions did this batch of cases have?**

Response: The CM/ECF system, as far as I am aware, does not allow me to look back in time to provide an exact number of pending motions at the time I was sworn in on October 3, 2022. Based on a review of my records, approximately 120 of the 287 civil cases initially reassigned to me for my initial calendar had outstanding motions, many of those with multiple motions pending. I would therefore estimate I had at least 150 pending motions in my initial batch of cases (this is a conservative estimate).

- 45. Was there any delay between your swearing in and the beginning of your random assignment of new cases?**

Response: There was no delay between my swearing in and the time I began receiving new civil cases on random assignment. There was a delay of 90 days before I received new criminal cases on random assignment.

- a. **If so, how long was that delay?**

Response: See my response to Question 45.

- b. **If there was a delay, how many motions did you resolve between receiving cases that were originally before other judges and when you started receiving new randomly assigned case?**

Response: See my response to Question 45.

46. **Please describe in detail your court’s policy for assigning cases to new judges once they join the bench including, but not limited to, how cases are referred to a judge, when a new judge begins to receive random assignments, and what dates each of these occur on.**

Response: The Northern District of Illinois local rules and procedures provide that the District Court’s Executive Committee oversees the preparation of the initial calendar for newly appointed district court judges, which involves the use of a computerized assignment system to generate an initial calendar of cases equal to the average number of civil cases pending on the calendars. See N.D. Ill. Local Rule 40.1(g). A new judge’s initial calendar consists of civil cases only, and the new judge then also immediately goes “on the wheel” and begins receiving new civil cases on random assignment after they are sworn in. There is generally a 90-day delay from the date of swearing in before a new judge will begin receiving criminal cases on random assignment. All new cases are assigned randomly by a computerized system.

47. **In multiple instances, litigants before you have had to file status reports requesting an update in their case. In *Montoya v. Mitchell et al.*, 17-cv-01796, you stated that you would “endeavor to rule on both in the near future.” That entry was over a year ago. What justifies this extraordinary delay?**

Response: I issued an opinion granting the defendant’s motion for summary judgment and denying the plaintiff’s motion to strike on March 28, 2024. With 968 cases having been assigned to me since my swearing in and having decided thousands of motions, I endeavor to rule as quickly as possible on all motions.

48. **Please provide a CM/ECF generated report of your entire docket, both open and closed cases.**

Response: A copy of an CM/ECF generated report showing my entire docket is attached.

49. **At your most recent nomination hearing, you attributed your significant motions backlog to hundreds of cases being assigned to you upon joining the bench. In reviewing the dockets of other judges in your district, however, Judge Lindsay C. Jenkins—who joined the bench just a few months after you did—has only 5 motions pending longer than 6 months.**

- a. **What explains your 125 motions backlog compared to Judge Jenkins 5 motions despite joining the bench about 4 months apart?**

Response: I cannot speak to the differences in our reported motions count other than to note a few differences that could explain the disparity. First, I came onto the bench in fall 2022 when COVID restrictions were still in place (*e.g.*, remote hearings and remote work were the norm; the court operated on a divided trial calendar and had a protocol to limit trials). When those restrictions lifted in December 2022 and we could set cases for trial without restrictions, cases (including ones with pending motions) started to resolve more quickly. When Judge Jenkins joined the district court at the end of February 2023 (five months after me), operations were back to “normal.” Second, three judges left the district court between October and December 2022, so I received additional reassigned cases, many with pending motions, on top of my initial batch of reassigned cases, which was highly-unusual. Third, the District was down three judges for several months around this time, so my newly-assigned case count, which I also had to devote attention to, increased more quickly than usual. Fourth, Judge Jenkins hired three experienced law clerks, including a former career law clerk, from one of the recently-departed judges, whereas two of my three law clerks had no prior clerking experience (despite my seeking it). Fifth, while I do not know the full scope of Judge Jenkins’ initial calendar, the cases that were reassigned from me to her were only new cases with very few pending motions (I recall one). The district court reassignment rules preclude two reassignments in a 12-month period, which meant that Judge Jenkins (as well later nominees Judge Hunt and Judge Daniel) received only new “baby” cases from me, not the old ones with stale motions which are mine to resolve. Finally, since I was the first district judge nominated in my district (indeed, in the entire Seventh Circuit) by the current administration, better comparators might be the judges confirmed at the end of the prior administration, who reported 96, 85, and 59 pending motions.

50. **Since you were first approached about the possibility of being nominated, did anyone associated with the Biden administration or Senate Democrats give you advice about which cases to list on your committee questionnaire?**

Response: No.

- a. **If yes,**
- i. **Who?**
 - ii. **What advice did they give?**
 - iii. **Did they suggest that you omit or include any particular case or type of case in your questionnaire?**

51. **List the dates of all interviews or communications you had with the White House staff or the Justice Department regarding your nomination.**

Response: January 25, 2024; January 26, 2024; January 29, 2024; February 6, 2024; February 20, 2024; February 22, 2024; February 29, 2024; March 6, 2024; March 13, 2024; March 18, 2024.

52. Please explain, with particularity, the process whereby you answered these questions.

Response: I reviewed my records, emails, calendar, phone logs, CM/ECF, conducted legal research, and endeavored to draft answers as complete as possible.

**Senator Mazie K. Hirono
Senate Judiciary Committee**

**Nominations Hearing | March 20, 2024
Questions for the Record for Nancy L. Maldonado**

Sexual Harassment

As part of my responsibility as a member of this committee to ensure the fitness of nominees, I ask each nominee to answer two questions:

QUESTIONS:

- 1. Since you became a legal adult, have you ever made unwanted requests for sexual favors, or committed any verbal or physical harassment or assault of a sexual nature?**

Response: No.

- 2. Have you ever faced discipline or entered into a settlement related to this kind of conduct?**

Response: No.

Senator Jon Ossoff
Questions for the Record for Judge Nancy Maldonado
March 20, 2024

- 1. Will you pledge to faithfully apply the law without bias and without regard for your personal policy or political preferences?**

Response: Yes.

- 2. How will you approach First Amendment cases?**

Response: Jurisprudence on the First Amendment is abundant, and I would approach any case implicating the First Amendment by doing the same thing I do in all cases that come before me -- applying Supreme Court and Seventh Circuit precedent to the case at hand.

- a. In your view, why are First Amendment protections of freedom of speech, publication, assembly, and exercise of religion vital in our society?**

Response: The First Amendment is the bedrock of our constitutional system. The freedoms set forth there are a model for the world that we must be vigilant in protecting. In my naturalization ceremonies, I always laud our ability as Americans to petition our government. As I leave the courthouse many days, there are assemblies in federal plaza that remind me of how proud I am to live in a country that has enshrined freedom of speech as a fundamental right.

- 3. In your experience, why is it critical that indigent defendants have access to public defense under the Sixth Amendment right to counsel and precedent set in *Gideon v. Wainwright*?**

Response: In my experience as a sitting judge, I am continually impressed by the efforts of the Federal Defender's Office and panel attorneys to provide a vigorous defense to indigent clients. Our Constitution requires this, and our adversarial system is only just when there is capable counsel on both sides.

- 4. In your experience, what are the challenges faced by parties in civil or criminal proceedings for whom English is not their first language?**

Response: In criminal proceedings, court-provided interpreters ease the comprehension challenge. In civil proceedings, if warranted, I recruit counsel with the language capability to communicate with pro se filers. With pro se litigants of limited English speaking ability, I am always mindful of being abundantly clear in oral and written communication.

- a. What do you see as the role of language access in courts in protecting due process rights and ensuring access to justice?**

Response: In my district, access to justice is protected through a conscientious interpreters' office and a robust pro bono pool of attorneys with language capabilities.

Senator Mike Lee
Questions for the Record
Nancy Lee Maldonado, Nominee for United States Circuit Court Judge for the Seventh Circuit

1. How would you describe your judicial philosophy?

Response: My judicial philosophy is to fairly and impartially apply the law to the record before me. As a sitting district judge and, if confirmed, circuit judge, I aim to be transparent and consistent in my application of the law, mindful of my oath to “administer justice without respect to persons, and do equal right to the poor and to the rich.” 28 U.S.C. §453.

2. What sources would you consult when deciding a case that turned on the interpretation of a federal statute?

Response: After first examining the statutory text itself, I would research whether there were any Supreme Court or Seventh Circuit decisions interpreting the statute. That would end the inquiry if there were binding precedent.

If there was no binding precedent interpreting the provision at issue and the plain meaning of the text was evident, I would end the inquiry after surveying persuasive authority from other circuits and other district courts as a gut check on my interpretation. In the presence of ambiguity of the meaning, I would delve deeper, for instance, researching the statutory scheme overall, the interpretation of similar statutory provisions, and which tools of statutory construction would be appropriate to use and employ them.

3. What sources would you consult when deciding a case that turned on the interpretation of a constitutional provision?

Response: I would first consult the text of the constitutional provision itself and research whether there was any Supreme Court or Seventh Circuit precedent interpreting the provision, employing the original public meaning of the text when directed to do so. *See, e.g., District of Columbia v. Heller*, 554 U.S. 570 (2008).

4. What role do the text and original meaning of a constitutional provision play when interpreting the Constitution?

Response: Please see answer to Question 3.

5. How would you describe your approach to reading statutes? Specifically, how much weight do you give to the plain meaning of the text?

Response: Please see answer to Question 2.

6. **Does the “plain meaning” of a statute or constitutional provision refer to the public understanding of the relevant language at the time of enactment, or does the meaning change as social norms and linguistic conventions evolve?**

Response: Plain meaning refers to meaning at the time of enactment. For example, in interpreting the Second Amendment, I would follow the Supreme Court’s guidance in *District of Columbia v. Heller*, 554 U.S. 570, 576-77 (2008) to look at the “normal and ordinary” meaning of words and not “secret or technical meanings that would not have been known to ordinary citizens in the founding generation.” *Id.*

7. **What are the constitutional requirements for standing?**

Response: *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560-61 (1992) established that a plaintiff must show an injury in fact, traceable to the defendant’s conduct, that is likely to be redressed by a favorable decision. The Supreme Court has refined the first element of this test in recent years by reiterating that a plaintiff must show an injury that is both concrete and particularized. *Spokeo v. Robins*, 578 U.S. 330, 340-43 (2016)

8. **Do you believe Congress has implied powers beyond those enumerated in the Constitution? If so, what are those implied powers?**

Response: Yes, the seminal case of *McCullough v. Maryland*, 17 U.S. 316, 421 (1819) held that under the Necessary and Proper Clause of Article 1, Section 8, Congress has implied powers beyond those enumerated in the Constitution, in that case to set up a national bank.

9. **Where Congress enacts a law without reference to a specific Constitutional enumerated power, how would you evaluate the constitutionality of that law?**

Response: Regardless of whether the law specifically references an enumerated power, the analysis would turn on whether the law falls within Congress’ powers to legislate as articulated by Supreme Court and Seventh Circuit precedent. *See, e.g., Nat’l Fed’n. of Indep. Bus. v. Sebelius*, 567 U.S. 519 (2012)

10. **Does the Constitution protect rights that are not expressly enumerated in the Constitution? Which rights?**

Response: Yes, in *Washington v. Glucksberg*, 521 U.S. 702, 721 (1997), the Supreme Court held that the due process clauses of the Fifth and Fourteenth Amendments protect “fundamental rights and liberties, which are, objectively, deeply rooted in this Nation’s history and tradition,” and “implicit in the concept of ordered liberty, such that neither liberty nor justice would exist if they were sacrificed[.]” *Id.* (internal quotations omitted).

The Supreme Court has found unenumerated rights to marry, *Loving v. Virginia*, 388 U.S. 1 (1967); *Obergefell v. Hodges*, 576 U.S. 644 (2015); to marital privacy and contraception, *Griswold v. Connecticut*, 381 U.S. 479 (1965); to have children, *Skinner v. Oklahoma ex rel. Williamson*, 316 U.S. 535 (1942); and to direct the education and upbringing of one's children, *Meyer v. Nebraska*, 262 U.S. 390 (1923); *Pierce v. Soc. of Sisters*, 268 U.S. 510 (1925).

11. What rights are protected under substantive due process?

Response: Please see answer to question 10.

12. If you believe substantive due process protects some personal rights such as a right to contraceptives, but not economic rights such as those at stake in *Lochner v. New York*, on what basis do you distinguish these types of rights for constitutional purposes?

Response: Please see answer to question 10. I will faithfully follow the precedent of the Supreme Court and Seventh Circuit. The Supreme Court in 1963 noted that the *Lochner* doctrine “ha[d] long since been discarded.” *Ferguson v. Skrupa*, 372 U.S. 726, 730 (1963).

13. What are the limits on Congress's power under the Commerce Clause?

Response: In *United States v. Lopez*, 514 U.S. 549, 558-59 (1995), the Supreme Court ruled that Congress has power under the Commerce Clause to regulate: (i) the use of channels of interstate commerce; (ii) the instrumentalities of interstate commerce or persons or things in interstate commerce; and (iii) the activities that substantially affect interstate commerce. *Id.*

14. What qualifies a particular group as a “suspect class,” such that laws affecting that group must survive strict scrutiny?

Response: The Supreme Court has identified race, national origin, religion and alienage as suspect classifications. *Graham v. Richardson*, 403 U.S. 365, 371-72 (1971) (citation omitted); *City of New Orleans v. Dukes*, 427 U.S. 297, 303 (1976).

15. How would you describe the role that checks and balances and separation of powers play in the Constitution's structure?

Response: Separation of powers and checks and balances are the cornerstone of our Constitution. Articles I, II, and III grant separate powers to the legislative, executive, and judicial branches – to make, enforce, and interpret the law, respectively. This purposeful structure is to avoid concentration of power in any one branch.

- 16. How would you go about deciding a case in which one branch assumed an authority not granted it by the text of the Constitution?**

Response: I would follow Supreme Court and Seventh Circuit precedent evaluating whether any branch exceeded the powers granted to it by the Constitution. *See e.g., Youngstown Sheet & Tube Co. v. Sawyer*, 343 U.S. 579 (1952).

- 17. What role should empathy play in a judge's consideration of a case?**

Response: None.

- 18. Which is worse; invalidating a law that is, in fact, constitutional, or upholding a law that is, in fact, unconstitutional?**

Response: Both are improper and should be avoided.

- 19. From 1789 to 1857, the Supreme Court exercised its power of judicial review to strike down federal statutes as unconstitutional only twice. Since then, the invalidation of federal statutes by the Supreme Court has become significantly more common. What do you believe accounts for this change? What are the downsides to the aggressive exercise of judicial review? What are the downsides to judicial passivity?**

Response: I have not had an opportunity to survey and evaluate the Supreme Court's record of invalidating federal statutes. Our country has grown significantly since its infant years thus it is not unexpected that both legislation and judicial review would have increased as well. However, our system is premised on a balance of power among branches, and I would be wary of either extreme being indicative of either the judiciary abdicating its power of judicial review or encroaching on the powers of the legislative and executive branches.

- 20. How would you explain the difference between judicial review and judicial supremacy?**

Response: Judicial review generally refers to the courts' power to review legislative and executive acts, as established in *Marbury v. Madison*, 5 U.S. 137 (1803). Judicial supremacy refers to the binding nature of the United States Supreme Court's decisions interpreting the Constitution on both the legislative and executive branches and the states.

- 21. Abraham Lincoln explained his refusal to honor the Dred Scott decision by asserting that "If the policy of the Government upon vital questions affecting the whole people is to be irrevocably fixed by decisions of the Supreme Court . . . the people will have ceased to be their own rulers, having to that extent practically resigned their Government into the hands of that eminent tribunal." How do you think elected officials should balance their independent obligation to follow the Constitution with the need to respect duly rendered judicial decisions?**

Response: All members of the executive, legislative, and judicial branches are “bound by Oath or Affirmation, to support this Constitution,” Article VI of the Constitution. In an ideal world, if all members are abiding by their oaths, such conflicts would be rare or non-existent. Elected officials must respect the structure of our system, including judicial supremacy.

- 22. In Federalist 78, Hamilton says that the courts are the least dangerous branch because they have neither force nor will, but only judgment. Explain why that’s important to keep in mind when judging.**

Response: This is a reminder that judges neither make the laws (or hold the purse), nor enforce the laws (or hold the sword). A judge’s job is to judiciously apply and interpret the law in relation to the particular case or controversy before her.

- 23. As a federal judge, you would be bound by both Supreme Court precedent and prior circuit court precedent. What is the duty of a federal judge when confronted with a case where the precedent in question does not seem to be rooted in constitutional text, history, or tradition and also does not appear to speak directly to the issue at hand? In applying a precedent that has questionable constitutional underpinnings, should a federal judge extend the precedent to cover new cases, or limit its application where appropriate and reasonably possible?**

Response: As a sitting district judge, I apply all Supreme Court and Seventh Circuit precedent. The job is one of restraint and I do not seek to extend or limit precedent where it does not apply. I decide the case before me based on precedent.

- 24. When sentencing an individual defendant in a criminal case, what role, if any, should the defendant’s group identity(ies) (e.g., race, gender, nationality, sexual orientation or gender identity) play in the judges’ sentencing analysis?**

Response: None.

- 25. The Biden Administration has defined “equity” as: “the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.” Do you agree with that definition? If not, how would you define equity?**

Response: I am not familiar with this quotation or definition and do not have a personal definition of “equity.” It is also inappropriate as a judicial nominee for me to opine on a political statement of the executive branch. According to Black’s Law

Dictionary, “equity” is defined as “[f]airness; impartiality; evenhanded dealing.” *Equity*, Black’s Law Dictionary (11th ed. 2019). Should I be confirmed, I would aim to be fair, impartial, and evenhanded as the canons dictate I should be.

26. Without citing Black’s Law Dictionary, do you believe there is a difference between “equity” and “equality?” If so, what is it?

Response: See my answer to Question 25. The Merriam-Webster Dictionary defines “equality” as the “quality or state of being equal: as a: sameness or equivalence in number, quantity, or measure; b: likeness or sameness in quality, power, status, or degree.” “Equality.” Merriam-Webster.com Dictionary, Merriam-Webster, <https://www.merriam-webster.com/dictionary/equality>. As a sitting district judge, I swore an oath to “do equal right” to all persons who come before me. 28 U.S.C. §453.

27. Does the 14th Amendment’s equal protection clause guarantee “equity” as defined by the Biden Administration (listed above in question 25)?

Response: The word “equity” does not appear in the text of the 14th Amendment, which states that persons should not be denied “the equal protection of the laws.” Please see my answer to Question 25.

28. Without citing Black’s Law Dictionary, how do you define “systemic racism?”

Response: I have not previously articulated a personal definition of “systemic racism” and have not studied this issue. I generally understand it to be the idea that institutions that were formed during times where there was *de jure* or *de facto* discrimination may carry remnants of that history into the present. Should I be confirmed, I will follow all Supreme Court and Seventh Circuit precedent on matters of race.

29. Without citing Black’s Law Dictionary, how do you define “Critical Race Theory?”

Response: I have not previously articulated a personal definition of “critical race theory” and have not studied the theory. I generally understand it to be an academic legal theory that views the law through the lens of race. Should I be confirmed, I will follow all Supreme Court and Seventh Circuit precedent on matters of race.

30. Do you distinguish “Critical Race Theory” from “systemic racism,” and if so, how?

Response: Not having studied either “critical race theory” or “systemic racism,” I cannot offer a meaningful response. Should I be confirmed, I will follow all Supreme Court and Seventh Circuit precedent on matters of race.

- 31. On average, how many hours per week do you spend attending to your duties on the Diversity, Equity, and Inclusion Committee, and the Information Technology Committee in your District?**

Response: I do not spend time on a weekly basis tending to my Committee duties, which were assigned by the Chief Judge in 2022 and 2024. I have attended approximately three one-hour Committee meetings, exchanged a handful of emails, and attended two events commemorating Martin Luther King, Jr.'s birthday and Asian American Pacific Islander month, both in conjunction with the Federal Bar Association. I expect that averages out to one hour per quarter.

- 32. According to your public SJQ, since your confirmation as a District Court Judge you have been a panelist on at least three separate panels, have spoken to groups at a minimum of six different speaking events, have given at least one interview to a news organization, and have guest-lectured at an area university. On average, how many hours per week do you dedicate to extrajudicial academic activities?**

Response: I do not regularly dedicate weekly time to extrajudicial academic activities, and I regularly decline speaking engagements due to time constraints. My SJQ lists all my public speaking engagements in their totality, which I expect average out to 30 minutes a month since I was sworn in. Since my swearing in, I have participated in eight total speaking engagements (three panels, one keynote at a university, accepted 2 awards, and participated in one alumni event and one Hispanic Lawyers' Association event). These have typically occurred during the lunch hour, in the evenings, or on the weekends (for example, I gave the keynote on a Saturday morning (April 1, 2023)). For some of the panel discussions, there is a local custom to attend (e.g., the Federal Bar Association's "Meet the New Northern District Judges" event) and I felt it my obligation to attend. Overall, I have declined many more invitations than I have accepted. At the same time, I take my role modeling function seriously and I have been involved in mentoring students for decades. I think it is important that I engage with the community through speaking engagements, especially aspiring law students and lawyers, in what little spare time I have on evenings and weekends.

- 33. During the hearing, I asked you about a specific case involving a prisoner seeking relief for "extreme" chronic pain due to poor dental care he received while in custody. Specifically, there are motions for summary judgment and a motion to strike. The name of that case is *Montoya v. Mitchell et al.* The case has been fully briefed since November 4, 2021, and on February 16, 2023, the plaintiff wrote you a letter requesting a status update. You have yet to act on either motion, but did tell the plaintiff that you "will endeavor to rule on both in the near future." How soon can the parties in this case expect to receive your ruling on their motions?**

Response: I issued a Memorandum Opinion and Order ruling on these motions on March 28, 2024.

34. **There are several other pending motions that involve matters of prisoner health and safety. Examples include *Shuhaiber v. Dart et al.*, and *Montano v. Obaisi*. In some of those cases, litigants have expressed concern that your nomination to the Seventh Circuit will cause further unnecessary delays before their matters are resolved. Do you expect to rule on the motions before any change to your position as a Federal Judge?**

Response: Should I be confirmed, I expect that I will have ruled on most of Mr. Shuhaiber's motions and Mr. Montano's motion, as I have been working on drafts of opinions ruling on some of those motions. To set some context, Mr. Shuhaiber, a deported alien who currently resides in the United Arab Emirates and was previously incarcerated at Cook County Jail and the Illinois Department of Corrections, has six pending cases that were reassigned to me as part of my initial calendar (with five pending motions for summary judgment, two of which were pending at the time of reassignment). I have held several video hearings with Mr. Shuhaiber, usually when his recruited counsel (a privilege in a civil case) has sought to withdraw from representation. All of his cases are now at the summary judgment stage and, as we discussed at my hearing, if I take Mr. Shuhaiber's trial rights away or send any of his claims to trial (a logistical challenge due to his immigration status), my reasoning must be sound either way. Because discovery is closed, while the defendants wait for a decision, there is no expense to them and previous efforts to pursue a global settlement (before my swearing in) failed. I also expect that Mr. Shuhaiber, who is representing himself in some cases, will likely appeal any ruling against him. These are damages case (not cases involving injunctive relief) so in my view, other cases with more immediate needs take precedent. For additional context, this district includes Cook County Jail, one of the largest pre-detention facilities in the nation, which means that this court sees many prisoner cases. Approximately 14% of my cases are prisoner cases, which accounts for their significant presence on my CJRA Report.

35. **In *Alarm Detection Systems, Inc. et al v. Village of Schaumburg et al.*, a case that was fully briefed prior to its reassignment to your court, the plaintiffs filed an unopposed motion for ruling on cross-motions for summary judgment on February 24, 2024. Can these parties expect you to rule on this matter?**

Response: Yes, I expect to rule later this spring.

36. **In a brief you signed as local counsel for the Brady Center, the brief states that "assault weapons may be banned, because they are extraordinarily dangerous and not appropriate for legitimate self-defense purposes." What is your definition of an assault weapon? Which weapons are appropriate for legitimate self-defense purposes?**

Response: In the ordinance at issue, Cook County Ordinance No. 06-O-50, "assault weapon" is defined by a lengthy definition at Section 54-211, which includes specific

features (or combination of features) and specific models. As to your second question, as a sitting judge and nominee to the circuit court, I am precluded from opining on an issue that could come before me, and the constitutionality of assault weapons bans under *Bruen* are currently being litigated in the federal courts. I will apply all Supreme Court and Seventh Circuit precedent to any Second Amendment challenge before me. *See District of Columbia v. Heller*, 554 U.S. 570 (2008); *McDonald v. City of Chicago*, 561 U.S. 742 (2010); *New York State Rifle & Pistol Ass’n v. Bruen*, 597 U.S. 1 (2022).

- 37. The brief states that “assault weapons” are “uniquely dangerous” because of “military features,” like “protruding grips.” It argues that “protruding pistol grips . . . help stabilize the weapon during rapid fire.” However, the brief then goes on to say that “there is no reason to believe that such grips improve a firearm’s performance in the overwhelming majority of self-defense encounters.” If a so-called “protruding grip” improves stability, why would your brief argue that there is “no reason to believe” that improved stability would benefit an individual using a firearm with a “protruding grip” to defend themselves?**

Response: As I have repeatedly testified, I signed the brief as local counsel for an advocacy organization and do not have any particular expertise in the use or design of assault weapons. I will apply all Supreme Court and Seventh Circuit precedent to any Second Amendment challenge before me. *See District of Columbia v. Heller*, 554 U.S. 570 (2008); *McDonald v. City of Chicago*, 561 U.S. 742 (2010); *New York State Rifle & Pistol Ass’n v. Bruen*, 597 U.S. 1 (2022).

- 38. Is the ability to own a firearm an individual constitutional right?**

Response: Yes. *District of Columbia v. Heller*, 554 U.S. 570 (2008).

SENATOR TED CRUZ
U.S. Senate Committee on the Judiciary

Questions for the Record for Nancy Lee Maldonado, nominated to be United States Circuit Judge for the Seventh Circuit

I. Directions

Please provide a wholly contained answer to each question. A question's answer should not cross-reference answers provided in other questions. Because a previous nominee declined to provide any response to discrete subparts of previous questions, they are listed here separately, even when one continues or expands upon the topic in the immediately previous question or relies on facts or context previously provided.

If a question asks for a yes or no answer, please provide a yes or no answer first and then provide subsequent explanation. If the answer to a yes or no question is sometimes yes and sometimes no, please state such first and then describe the circumstances giving rise to each answer.

If a question asks for a choice between two options, please begin by stating which option applies, or both, or neither, followed by any subsequent explanation.

If you disagree with the premise of a question, please answer the question as-written and then articulate both the premise about which you disagree and the basis for that disagreement.

If you lack a basis for knowing the answer to a question, please first describe what efforts you have taken to ascertain an answer to the question and then provide your tentative answer as a consequence of its reasonable investigation. If even a tentative answer is impossible at this time, please state why such an answer is impossible and what efforts you, if confirmed, or the administration or the Department, intend to take to provide an answer in the future. Please further give an estimate as to when the Committee will receive that answer.

To the extent that an answer depends on an ambiguity in the question asked, please state the ambiguity you perceive in the question, and provide multiple answers which articulate each possible reasonable interpretation of the question in light of the ambiguity.

II. Questions

1. Is racial discrimination wrong?

Response: Yes, Congress has said as much in enacting legislation prohibiting race discrimination in, for example, public accommodations, employment, and housing.

2. Are there any unenumerated rights in the Constitution, as yet unarticulated by the Supreme Court that you believe can or should be identified in the future?

Response: In *Washington v. Glucksberg*, 521 U.S. 702, 720-21 (1997), the Supreme Court set forth the test for finding an unenumerated right in the Constitution—those rights and liberties which are “objectively, deeply rooted in this Nation's history and tradition and implicit in the concept of ordered liberty, such that neither liberty nor justice would exist if they were sacrificed.” *Washington v. Glucksberg*, 521 U.S. 702, 720–21 (1997) (citations and quotations omitted). As a sitting judge and nominee to the circuit court, the Code of Conduct for United States Judges precludes me from pre-judging a constitutional issue that could come before me, such as the existence of unenumerated rights.

3. How would you characterize your judicial philosophy? Identify which U.S. Supreme Court Justice’s philosophy out of the Warren, Burger, Rehnquist, and Roberts Courts is most analogous with yours.

Response: As a sitting district judge, my judicial philosophy is to fairly and impartially apply the law, including all precedent of the Supreme Court and Seventh Circuit, to the record before me. As a sitting district judge and, if confirmed, a circuit judge, I aim to be transparent and consistent in my application of the law, mindful of my oath to “administer justice without respect to persons, and do equal right to the poor and to the rich.” 28 U.S.C. §453. I have not had an opportunity to perform an in-depth study of the jurisprudence of the above-named justices or opine on any of their philosophies, if any. Should I be confirmed, I would be duty-bound to follow all the precedent of the United States Supreme Court.

4. Please briefly describe the interpretative method known as originalism. Would you characterize yourself as an “originalist”?

Response: Black’s Law Dictionary defines “originalism” as “[t]he doctrine that words of a legal instrument are to be given the meanings they had when they were adopted.” *Originalism*, Black’s Law Dictionary (11th ed. 2019). As a sitting district judge and, if confirmed, a circuit judge, I would follow binding Supreme Court and Seventh Circuit precedent regarding the meaning of any specific constitutional provision, as well as the method of constitutional interpretation they used. For that reason, I do not ascribe to any particular label. For example, in interpreting the Second Amendment, I would follow the Supreme Court’s guidance in *District of Columbia v. Heller*, 554 U.S. 570 (2008) and *New*

York State Rifle & Pistol Association v. Bruen, 597 U.S. 1 (2022) to look at the “normal and ordinary” meaning of words, as well as the relevant historical sources from the time of enactment, to interpret the scope of the right to be what it was “understood to have when the people adopted [it].” *New York State Rifle & Pistol Ass’n, Inc. v. Bruen*, 597 U.S. 1, 20, 34, (2022).

5. **Please briefly describe the interpretive method often referred to as living constitutionalism. Would you characterize yourself as a ‘living constitutionalist’?**

Response: Black’s Law Dictionary defines “living constitutionalism” as “[t]he doctrine that the Constitution should be interpreted and applied in accordance with changing circumstances and, in particular, with changes in social values.” *Living Constitutionalism*, Black’s Law Dictionary (11th ed. 2019). As a sitting district judge and, if confirmed, a circuit judge, I would follow binding Supreme Court and Seventh Circuit precedent regarding the meaning of any specific constitutional provision, as well as the method of constitutional interpretation used. For that reason, I do not ascribe to any particular label.

6. **If you were to be presented with a constitutional issue of first impression— that is, an issue whose resolution is not controlled by binding precedent—and the original public meaning of the Constitution were clear and resolved the issue, would you be bound by that meaning?**

Response: Yes.

7. **Is the public’s current understanding of the Constitution or of a statute ever relevant when determining the meaning of the Constitution or a statute? If so, when?**

Response: In interpreting the Second Amendment, the Supreme Court in *District of Columbia v. Heller*, 554 U.S. 570, 576-77 (2008), looked at the “normal and ordinary” meaning of words and not “secret or technical meanings that would not have been known to ordinary citizens in the *founding generation*.” *Id.* (emphasis added). Similarly, in interpreting 42 U.S.C. § 1981’s bar on race discrimination in the making and enforcing of contracts, the Supreme Court looked at the 19th-century understanding of race in holding that the statute protected “identifiable classes of persons who are subjected to intentional discrimination solely because of their ancestry or ethnic characteristics.” *St. Francis Coll. v. Al-Khazraji*, 581 U.S. 604, 613 (1987). Notwithstanding this precedent, in the Fourth Amendment context, the Supreme Court has rejected a “mechanical interpretation” of the Fourth Amendment in the face of technological advances that could not have been contemplated at the time of its passage. *Carpenter v. U.S.*, 585 U.S. 296, 305 (2018) (holding that Fourth Amendment applied to cell-site records). As a sitting district judge and, if confirmed, a circuit judge, I would be duty-bound to follow the precedent of the United States Supreme Court and the Seventh Circuit Court of Appeals in determining the meaning of the Constitution or a statute.

8. **Do you believe the meaning of the Constitution changes over time absent changes through the Article V amendment process?**

Response: The Constitution can only be amended through the Article V amendment process. As a sitting district judge and, if confirmed, a circuit judge, I would be duty-bound to follow the precedent of the United States Supreme Court and the Seventh Circuit Court of Appeals in interpreting the Constitution.

9. **Is the Supreme Court’s ruling in *Dobbs v. Jackson Women’s Health Organization* settled law?**

Response: *Dobbs* is precedent of the Supreme Court, and therefore lower courts must follow it.

a. **Was it correctly decided?**

Response: As a district judge, and, should I be confirmed, as a circuit judge, I will follow all the precedent of the Supreme Court, including the precedent set by *Dobbs*; as a district judge and, if confirmed, a circuit judge, I am duty-bound to follow precedent and my personal opinions on the correctness (or not) of the Supreme Court’s reasoning is not relevant. Moreover, Canon 3 of the Code of Conduct for United States Judges requires that I refrain from any public comment on issues that might come before me, and given that abortion access is currently being litigated in our courts, it would be highly inappropriate for me to offer my opinions.

10. **Is the Supreme Court’s ruling in *New York Rifle & Pistol Association v. Bruen* settled law?**

Response: *Bruen* is precedent of the Supreme Court, and therefore lower courts must follow it.

a. **Was it correctly decided?**

Response: As a district judge, and, should I be confirmed, as a circuit judge, I will follow all the precedent of the Supreme Court, including the precedent set by *Bruen*; as a district judge and, if confirmed, a circuit judge, I am duty-bound to follow precedent and my personal opinions on the correctness (or not) of the Supreme Court’s reasoning is not relevant. Moreover, Canon 3 of the Code of Conduct for United States Judges requires that I refrain from any public comment on issues that are or might come before me, and given that I currently have a Second Amendment challenge to the felon-in-possession statute pending before me, it would be highly inappropriate for me to offer my opinions.

11. **Is the Supreme Court’s ruling in *Brown v. Board of Education* settled law?**

Response: *Brown* is precedent of the Supreme Court, and therefore lower courts must follow it.

a. **Was it correctly decided?**

Response: As a district judge, and, should I be confirmed, as a circuit judge, I will follow all the precedent of the Supreme Court, including the precedent set by *Brown*; as a district judge and, if confirmed, a circuit judge, I am duty-bound to follow precedent and my personal opinions on the correctness (or not) of the Supreme Court’s reasoning is not relevant. Moreover, Canon 3 of the Code of Conduct for United States Judges requires that I refrain from any public comment on issues that might come before me. That being said, following the lead of other nominees, it is unlikely that laws providing for racial segregation will come before me, such that I am comfortable stating that *Brown v. Board of Education* was correctly decided.

12. **Is the Supreme Court’s ruling in *Students for Fair Admissions v. Harvard* settled law?**

Response: *Students for Fair Admissions* is precedent of the Supreme Court, and therefore lower courts must follow it.

a. **Was it correctly decided?**

Response: As a district judge, and, should I be confirmed, as a circuit judge, I will follow all the precedent of the Supreme Court, including the precedent set by *Students for Fair Admissions*; as a district judge and, if confirmed, a circuit judge, I am duty-bound to follow precedent and my personal opinions on the correctness (or not) of the Supreme Court’s reasoning is not relevant. Moreover, Canon 3 of the Code of Conduct for United States Judges requires that I refrain from any public comment on issues that might come before me, and given that affirmative action cases are currently being litigated in our courts, it would be highly inappropriate for me to offer my opinions.

13. **Is the Supreme Court’s ruling in *Gibbons v. Ogden* settled law?**

Response: *Gibbons* is precedent of the Supreme Court, and therefore lower courts must follow it.

a. **Was it correctly decided?**

Response: As a district judge, and, should I be confirmed, as a circuit judge, I will follow all the precedent of the Supreme Court, including the precedent set by *Gibbons*; as a district judge and, if confirmed, a circuit judge, I am duty-bound to follow precedent and my personal opinions on the correctness (or not) of the Supreme Court’s reasoning is not relevant. Moreover, Canon 3 of the Code of Conduct for United States

Judges requires that I refrain from any public comment on issues that might come before me, and given that the scope of the Commerce Clause is currently being litigated in our courts, it would be highly inappropriate for me to offer my opinions.

14. What sort of offenses trigger a presumption in favor of pretrial detention in the federal criminal system?

Response: 18 U.S.C. § 3142(e) establishes the different types of offenses that trigger a rebuttable presumption in favor of pretrial detention, including, for example: an offense with a maximum term of imprisonment of ten years or more under the Controlled Substances Act or Controlled Substances Import and Export Act; certain firearms offenses; acts of terrorism; certain offenses involving minor victims; and offenses involving human slavery or trafficking.

a. What are the policy rationales underlying such a presumption?

Response: The Senate Judiciary Report on the 1983 Bail Reform Act sheds light on the policy rationales underlying the presumptions included in 18 U.S.C. § 3142(e)(2). S.Rep. No. 225, 98th Cong., 1st Sess. 19-20 (1983). The Senate Judiciary Report observes that “a history of pretrial criminality is, absent mitigating information, a rational basis for concluding that a defendant poses a significant threat to community safety and that he cannot be trusted to conform to the requirements of law while on release.” *Id.* at 19. With regard to the included drug and firearm offenses, the Senate Report states that a presumption is warranted given the seriousness and danger involved in these federal offenses. *Id.* at 19-20. As the Report states, “[i]t is well known that drug trafficking is carried on to an unusual degree by persons engaged in continuing patterns of criminal activity. . . . Furthermore, the Committee received testimony that flight to avoid prosecution is particularly high among persons charged with major drug offenses.” *Id.* Likewise, the Report found “[s]imilar obvious considerations based upon the inherent dangers in committing a felony using a firearm support a rebuttable presumption for detention.” *Id.*

15. Are there identifiable limits to what government may impose—or may require—of private institutions, whether it be a religious organization like Little Sisters of the Poor or small businesses operated by observant owners?

Response: The Religion Clauses of the First Amendment, as interpreted most recently by *Tandon v. Newsom*, 593 U.S. 61 (2021) and *Our Lady of Guadalupe School v. Morrissey-Berru*, 140 S. Ct. 2049 (2020), limit government imposition on private institutions. *See also 303 Creative LLC v. Elenis*, 600 U.S. 570 (2023) (holding that the Free Speech Clause of the First Amendment prohibited the state from compelling a website designer to speak a message that went against her sincerely-held beliefs); *Masterpiece Cakeshop, Ltd. v. Colorado Civil Rights Comm’n*, 584 U.S. 617, 634–638 (2018) (application of public accommodations law failed strict scrutiny in light of Commissioners’ hostility to baker’s religious belief); *Fulton v. City of Phila.*, 593 U.S. 522, 533, 1877 (2021) (contractual non-discrimination clause was not neutral or

generally applicable and failed strict scrutiny where the Commissioner was permitted to make exceptions at his discretion). In addition, federal government actions are governed by the Religious Freedom Restoration Act. Further, the Religious Land Use and Institutionalized Persons Act limits government action in those two spheres.

16. **Is it ever permissible for the government to discriminate against religious organizations or religious people?**

Response: No.

17. **In *Roman Catholic Diocese of Brooklyn v. Cuomo*, the Roman Catholic Diocese of Brooklyn and two Orthodox Jewish synagogues sued to block enforcement of an executive order restricting capacity at worship services within certain zones, while certain secular businesses were permitted to remain open and subjected to different restrictions in those same zones. The religious organizations claimed that this order violated their First Amendment right to free exercise of religion. Explain the U.S. Supreme Court’s holding on whether the religious entity-applicants were entitled to a preliminary injunction.**

Response: In *Roman Catholic Diocese of Brooklyn v. Cuomo*, 592 U.S. 14 (2020), the Supreme Court held that the petitioner religious entities were entitled to a preliminary injunction because: (1) they were likely to prevail on their First Amendment claims because the regulations singled out houses of worship (*i.e.*, not neutral) and failed to satisfy strict scrutiny; (2) “[t]he loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury,” *id.* at 18–19 (citing *Elrod v. Burns*, 427 U.S. 347, 373 (1976)); and (3) enjoining the enforcement of the executive order would not harm the public interest because the State did not claim that attendance at petitioners’ services spread disease or that lesser restrictions would negatively impact public health. *Id.* at 19.

18. **Please explain the U.S. Supreme Court’s holding and rationale in *Tandon v. Newsom*.**

Response: In *Tandon v. Newsom*, 593 U.S. 61 (2021), the Supreme Court held that the Ninth Circuit erred in denying plaintiff an injunction against restrictions on at-home religious gatherings. The regulations in that instance were not neutral because they treated comparable secular activity (*e.g.*, hair salons, movie theaters) more favorably than religious exercise and therefore failed strict scrutiny review.

19. **Do Americans have the right to their religious beliefs outside the walls of their houses of worship and homes?**

Response: Yes.

20. **Explain your understanding of the U.S. Supreme Court’s holding in *Masterpiece Cakeshop v. Colorado Civil Rights Commission*.**

Response: In *Masterpiece Cakeshop v. Colorado Civil Rights Commission*, 584 U.S. 617 (2019), the Supreme Court held that the Colorado Civil Rights Commission’s cease and desist order against a bakery that refused to make a wedding cake for a same-sex couple violated the Free Exercise Clause’s requirement of religious neutrality in light of the Commission’s “clear and impermissible hostility toward sincere religious beliefs that motivated [the baker’s] objection.” *Id.* at 634.

21. **Under existing doctrine, are an individual’s religious beliefs protected if they are contrary to the teaching of the faith tradition to which they belong?**

Response: Supreme Court precedent instructs that sincerely-held religious beliefs are protected irrespective of whether they derive from a particular religious organization or are in agreement with the mainstream of their religious membership. *Frazee v. Ill. Dep’t of Emp. Sec.*, 489 U.S. 829, 833-34 (1989).

a. **Are there unlimited interpretations of religious and/or church doctrine that can be legally recognized by courts?**

Response: Only sincerely-held religious but not secular beliefs are protected by the Free Exercise Clause. In *Frazee v. Ill. Dep’t of Emp. Sec.*, 489 U.S. 829, 833 (1989), the Supreme Court acknowledged that it did not “underestimate the difficulty of distinguishing between religious and secular convictions and in determining whether a professed belief is sincerely held.” *Id.* The Seventh Circuit has further clarified (in the prison context) that “although sincerity rather than orthodoxy is the touchstone, a prison still is entitled to give *some* consideration to an organization’s tenets. For the more a given person’s professed beliefs differ from the orthodox beliefs of his faith, the less likely they are to be sincerely held.” *Vinning-El v. Evans*, 657 F.3d 591, 594 (7th Cir. 2011) (emphasis in original).

b. **Can courts decide that anything could constitute an acceptable “view” or “interpretation” of religious and/or church doctrine?**

Response: Please see my answers to Questions 21 and 21(a).

c. **Is it the official position of the Catholic Church that abortion is acceptable and morally righteous?**

Response: No.

22. **In *Our Lady of Guadalupe School v. Morrissey-Berru*, the U.S. Supreme Court reversed the Ninth Circuit and held that the First Amendment’s Religion Clauses foreclose the adjudication of employment-discrimination claims for the Catholic school teachers in the case. Explain your understanding of the Court’s holding and reasoning in the case.**

Response: In *Our Lady of Guadalupe School v. Morrissey-Berru*, 140 S. Ct. 2049 (2020), the Supreme Court further clarified that the “ministerial exception” recognized in *Hosanna-Tabor Evangelical Lutheran Church and School v. EEOC*, 565 U.S. 171 (2012) applies to lay teachers employed at schools whose religious teaching responsibilities “lie at the very core of the mission of a private religious school.” *Morrissey-Berru*, 140 S. Ct. at 2064.

23. **In *Fulton v. City of Philadelphia*, the U.S. Supreme Court was asked to decide whether Philadelphia’s refusal to contract with Catholic Social Services to provide foster care, unless it agrees to certify same-sex couples as foster parents, violates the Free Exercise Clause of the First Amendment. Explain the Court’s holding in the case.**

Response: In *Fulton v. City of Philadelphia*, 593 U.S. 522 (2021), the Supreme Court held that Philadelphia’s refusal to contract with Catholic Social Services (CSS) pursuant to its non-discrimination policy unless CSS agreed to certify same-sex couples as foster parents violated the Free Exercise Clause of the First Amendment. The non-discrimination policy was not neutral or generally applicable because the Commissioner was permitted to make exceptions at his discretion, and it failed strict scrutiny.

24. **In *Carson v. Makin*, the U.S. Supreme Court struck down Maine’s tuition assistance program because it discriminated against religious schools and thus undermined Mainers’ Free Exercise rights. Explain your understanding of the Court’s holding and reasoning in the case.**

Response: In *Carson v. Makin*, 596 U.S. 767 (2022), the Supreme Court held that Maine’s “nonsectarian” requirement for otherwise generally available tuition assistance payments violated the Free Exercise Clause of the First Amendment. The Court applied the reasoning of its prior holdings in *Trinity Lutheran Church of Columbia, Inc. v. Comer* and *Espinoza v. Montana Department of Revenue* and held that Maine violated the Free Exercise Clause by offering a benefit to the public but excluding religious schools solely because of their religious character.

25. **Please explain your understanding of the U.S. Supreme Court’s holding and reasoning in *Kennedy v. Bremerton School District*.**

Response: In *Kennedy v. Bremerton Sch. Dist.*, 597 U.S. 507 (2022), the Supreme Court held that the Free Speech and Free Exercise Clauses of the First Amendment protect a school employee engaging in personal religious observance. The Court found that the Bremerton School District violated Kennedy’s First Amendment rights by disciplining him for his prayer after football games, and that the School District could not rely on illusory Establishment Clause concerns to justify violating Kennedy’s First Amendment rights.

26. **Explain your understanding of Justice Gorsuch’s concurrence in the U.S. Supreme Court’s decision to grant certiorari and vacate the lower court’s decision in *Mast***

v. Fillmore County.

Response: *Mast v. Fillmore County*, 141 S. Ct. 2430 (2021) involved an Amish community's challenge to a county's ordinance requiring a modern septic system; the County denied the petitioners' request to be exempt from the ordinance based on their religious beliefs. The Amish sued under the Religious Land Use and Institutionalized Persons Act (RLUIPA). The state trial court ruled for the County, and that decision was affirmed by the Minnesota Court of Appeals; the Minnesota Supreme Court denied review. The United States Supreme Court granted certiorari and vacated the lower court's decision citing its recent decision in *Fulton v. City of Philadelphia*, 593 U.S. 522 (2021). The lower court erred because it did not apply its strict scrutiny analysis specifically to the Amish community and consider the specific harms to the Amish in denying them an exemption to the ordinance when flexibility was shown in granting exemptions to campers and rustic property owners, for example. *Mast*, 141 S. Ct. at 2432-33 (Gorsuch, J. concurring).

27. **Some people claim that Title 18, Section 1507 of the U.S. Code should not be interpreted broadly so that it does not infringe upon a person's First Amendment right to peaceably assemble. How would you interpret the statute in the context of the protests in front the homes of U.S. Supreme Court Justices following the *Dobbs* leak?**

Response: As a district judge, and, should I be confirmed, as a circuit judge, I will follow all the precedent of the Supreme Court and Seventh Circuit in interpreting the law, including with respect to the interpretation of Title 18, Section 1507 of the U.S. Code, such as that precedent exists. To the extent this question asks for how I would interpret the statute in a hypothetical situation, as a sitting judge and a nominee for the circuit court, it would be inappropriate for me to opine on a hypothetical regarding an issue that could come before me. Should I be confirmed, I will faithfully apply Supreme Court and Seventh Circuit precedent to all cases before me.

28. **Would it be appropriate for the court to provide its employees trainings which include the following:**

- a. **One race or sex is inherently superior to another race or sex;**

Response: No.

- b. **An individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive;**

Response: No.

- c. **An individual should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex; or**

Response: No.

d. Meritocracy or related values such as work ethic are racist or sexist?

Response: No.

29. **Will you commit that your court, so far as you have a say, will not provide trainings that teach that meritocracy, or related values such as work ethic and self-reliance, are racist or sexist?**

Response: While I do not have a role now as a sitting district judge in overseeing such training or know what role, if any, circuit judges play in planning such training, I am comfortable making this commitment.

30. **Will you commit that you will not engage in racial discrimination when selecting and hiring law clerks and other staff, should you be confirmed?**

Response: Yes.

31. **Is it appropriate to consider skin color or sex when making a political appointment? Is it constitutional?**

Response: As a sitting district judge and, if confirmed, a circuit judge, if the issue of race, color, or sex discrimination in a political appointment came before me, I would apply the precedent of the United States Supreme Court and the Seventh Circuit Court of Appeals to the facts before me.

32. **If a program or policy has a racially disparate outcome, is this evidence of either purposeful or subconscious racial discrimination?**

Response: As a sitting district judge and, if confirmed, a circuit judge, if the issue of a program or policy with a racially disparate impact came before me, I would apply the precedent of the United States Supreme Court and the Seventh Circuit Court of Appeals to the facts before me to determine if the racially disparate outcome was evidence of illegal race discrimination.

33. **Do you believe that Congress should increase, or decrease, the number of justices on the U.S. Supreme Court? Please explain.**

Response: This is a matter for Congress to decide. As a sitting judge and a nominee for the Seventh Circuit, it would be contrary to the judicial canons for me to opine on this issue of policy.

34. **In your opinion, are any currently sitting members of the U.S. Supreme Court illegitimate?**

Response: No.

35. What do you understand to be the original public meaning of the Second Amendment?

Response: In *District of Columbia v. Heller*, the Supreme Court held that the Second Amendment protects an individual right to keep and bear arms for self-defense. See *District of Columbia v. Heller*, 554 U.S. 570 (2008).

36. What kinds of restrictions on the Right to Bear Arms do you understand to be prohibited by the U.S. Supreme Court’s decisions in *United States v. Heller*, *McDonald v. Chicago*, and *New York State Rifle & Pistol Association v. Bruen*?

Response: In *Heller*, the Supreme Court held that a District of Columbia law prohibiting the possession of firearms in the home for purposes of self-defense violated the Second Amendment. In *McDonald*, the Supreme Court invalidated a similar handgun possession ban in Chicago, holding that the Second Amendment was incorporated by the Fourteenth Amendment’s Due Process Clause and made applicable to the States. In *Bruen*, the Supreme Court invalidated New York’s requirement that an individual who wants a license to carry a concealed firearm outside their home must prove they have “proper cause” to do so.

37. Is the ability to own a firearm a personal civil right?

Response: Yes. In *District of Columbia v. Heller*, the Supreme Court held that the Second Amendment protects an individual right to keep and bear arms for self-defense. See *District of Columbia v. Heller*, 554 U.S. 50 (2008); *McDonald v. Chicago*, 561 U.S. 742 (2010); *New York State Rifle & Pistol Ass’n v. Bruen*, 142 S. Ct. 2111 (2022).

38. Why did you not answer this question during your previous nomination?

Response: I believe it was a scrivener’s error based on my identical responses to the immediately preceding questions.

39. What individuals at the White House and Department of Justice assisted in preparing your responses to my questions?

Response: Attorneys from the Department of Justice Office of Legal Policy (OLP) reviewed my responses and provided feedback for my consideration.

a. Please list the individuals who assisted during your district court nomination.

Response: Staff from the Department of Justice Office of Legal Policy (OLP) and White House Counsel’s Office assisted during my nomination.

b. Please list the individuals who assisted during your current nomination.

Response: Staff from the Department of Justice Office of Legal Policy (OLP) and White House Counsel's Office assisted during my nomination.

40. **Does the right to own a firearm receive less protection than the other individual rights specifically enumerated in the Constitution?**

Response: No.

41. **Does the right to own a firearm receive less protection than the right to vote under the Constitution?**

Response: No.

42. **Is it appropriate for the executive under the Constitution to refuse to enforce a law, absent constitutional concerns? Please explain.**

Response: As a sitting district judge and, if confirmed, a circuit judge, if a challenge to prosecutorial discretion came before me, I would apply the precedent of the United States Supreme Court and the Seventh Circuit Court of Appeals to the facts before me. *See, e.g., U.S. v. Scott*, 631 F.3d 401, 407 (7th Cir. 2011) (“our case law embodies the long-settled principle that we safeguard prosecutorial discretion by shielding it from judicial review that either forces the prosecutor to act in a prescribed manner or penalizes the prosecutor for acting in his preferred manner.”). I am precluded from opining further on this hypothetical by the Code of Conduct for United States Judges.

43. **Explain your understanding of what distinguishes an act of mere ‘prosecutorial discretion’ from that of a substantive administrative rule change.**

Response: My understanding is that prosecutors have discretion to decide whether to prosecute a particular offense in any particular instance based on a number of factors, including the facts of the case and the applicable law. In contrast, a substantive administrative rule change is the act of an agency subject to notice and comment and other rulemaking provisions.

44. **Does the President have the authority to abolish the death penalty?**

Response: No, only Congress may do so.

45. **Explain the U.S. Supreme Court’s holding on the application to vacate stay in *Alabama Association of Realtors v. HHS*.**

Response: In *Alabama Association of Realtors v. HHS*, 141 S. Ct. 2485 (2021), the United States Supreme Court vacated a stay pending appeal of a court order enjoining the Center for Disease Control (CDC) COVID-19 eviction moratorium. The plaintiffs were likely to succeed on their appeal because the CDC exceeded its statutory authority

in issuing the eviction moratorium.

46. **Is it appropriate for a prosecutor to publicly announce that they are going to prosecute a member of the community before they even start an investigation as to that person’s conduct?**

Response: No.

47. **As of the September 30, 2023, Civil Justice Reform Act (CJRA) Six Month Report, you have accrued 125 motions awaiting an order or opinion—the highest of any district judge in the Seventh Circuit and seventh highest in the nation overall. For your various defenses, you frequently cited “heavy criminal and civil caseload,” “voluminous briefs/transcripts to be read,” or “complexity of case.”**

- a. **Does the Seventh Circuit have “heavy criminal and civil caseloads?”**

Response: As a district judge, I have had 968 civil and criminal cases assigned to me. My current case load is 317, a number that fluctuates daily due to the resolution of cases and the addition of newly-filed cases (historically one a day). For context, this means I have resolved 651 cases since October 2022. The case statistics of the Seventh Circuit are lower by the simple fact that they are a court of review. Data shows that 2,481 cases were filed in the Seventh Circuit in 2023, compared to 8,533 cases filed in the Northern District of Illinois in 2023. See Federal Judicial Caseload Statistics 2023 Tables, available at <https://www.uscourts.gov/statistics-reports/federal-judicial-caseload-statistics-2023-tables>. This is common sense as the vast majority of civil cases settle and therefore are not reviewed. So, while the work on the appellate court might be qualitatively different, the volume of cases is far less.

- b. **Does the Seventh Circuit have “voluminous briefs/transcripts to be read?”**

Response: Yes, I understand a primary task of an appellate judge to be review of briefs and transcripts (as well as conferencing with other judges, participating in oral argument, and drafting opinions); it is a court of review. I expect that some trial court records are voluminous. One difference between my current position as a district judge and the position of appellate judge is that in addition to opinion drafting, I often spend a large part of my day on the bench. I typically hold hearings three mornings a week and oftentimes afternoons are filled with criminal hearings, pre-trial conferences, and sentencings; when I am presiding over a trial, my full day is generally occupied. I understand that circuit judges sit for oral argument a few times a month.

- c. **Does the Seventh Circuit have “complex cases?”**

Response: Yes, I expect that the cases that are appealed are some of the more complex ones. I know this as a judge in a feeder court. Currently, for example, I

have a large complex anti-trust case pending, in which the prior judge's decision on summary judgment was reversed and remanded by the Seventh Circuit.

48. Why should you be considered for a promotion to the Seventh Circuit when you have the highest number of pending motions for a district court judge in the Seventh Circuit and the seventh highest nationally?

Response: In my time as a district judge, I have presided over nearly 1,000 cases of all types, decided thousands of motions, issued approximately 300 substantive decisions, and have never been reversed by a reviewing court. My reputation as a hard-working, smart, collegial judge is sound, and my unanimous "Well-Qualified" rating from the American Bar Association's Standing Committee on the Federal Judiciary is a testament to that reputation. As a reminder, that ABA process, which involves interviews with fellow judges and attorneys who have appeared before me (on both sides at trial, in pre-trial proceedings, and criminal proceedings) is confidential. I trust that interviewees shared their honest assessments of my capabilities as a judge, which led to the unanimous highest rating. As I repeated ad nauseum at my hearing, I am confident in the quality of my decision-making as a judge. This experience on the bench combined with nearly 20 years of experience as an attorney litigating a wide variety of cases, including appeals before the Seventh Circuit, gives me a broad and deep foundation to serve as an appellate judge.

As for the statistics from the September 30, 2023, Civil Justice Reform Act (CJRA) Six Month Report, some context is important. To start, in my first three months on the bench, three judges left our District, which meant many more existing cases (with existing motions) reassigned to me (on top of the initial 287). The additional departures also meant more newly-filed cases were randomly assigned to me, as there were three fewer judges "on the wheel." Second, of this administration's five nominees in this district, three did not report in the September 30, 2023 CJRA due to the recency of their appointments. New judges generally are known to have higher CJRA numbers if their district reassigns existing cases (some districts do not reassign cases and only put new judges "on the wheel" for new case assignments). This is confirmed by my recent review of the CJRA Report, in which I see my fellow newer judges (from the prior administration) close behind me in the motions count. It is common knowledge among district judges that it can take 3-5 years to "control" one's docket, and I am in that process of working through reassigned cases while being an active case manager on newly-filed cases.

Finally, each judge has to decide what metric they will use to measure their success. Fast does not always mean right, one experienced judge once told me. Anecdotes abound that there are more reversals in the Seventh Circuit of decisions issued close to CJRA Report deadlines. I decided that my metric will be well-reasoned, thorough decisions that both sides accept and respect, and my ABA rating, lack of appeals and reversals, and the dearth of any substantive critique of my judicial record tells me I have succeeded. While the CJRA Reports are a useful tool to keep judges accountable, I am mindful that I maintain the quality of my decision-making as I work through the

backlog I inherited and manage my new cases.

This nomination is an honor and an opportunity for further service to our country that has been bestowed upon me. I have the experience, intellect, skills, and temperament (as evidenced at my hearing) to serve on the Seventh Circuit Court of Appeals.

Senator Josh Hawley
Questions for the Record

Nancy Maldonado
Nominee, U.S. Circuit Judge for the Seventh Circuit

1. Have you ever worked on a legal case or representation in which you opposed a party's religious liberty claim?

Response: I cannot recall any such case or representation.

- a. If so, please describe the nature of the representation and the extent of your involvement. Please also include citations or reference to the cases, as appropriate.**

Response: I cannot recall any such case or representation.

2. What role should the original public meaning of the Constitution's text play in the courts' interpretation of its provisions?

Response: The original public meaning of the Constitution's text governs when precedent dictates that it should. For example, in interpreting the Second Amendment, I would follow the Supreme Court's guidance in *District of Columbia v. Heller*, 554 U.S. 570, 576-77 (2008) to look at the "normal and ordinary" meaning of words and not "secret or technical meanings that would not have been known to ordinary citizens in the founding generation."

3. Do you consider legislative history when interpreting legal texts?

Response: When a text is ambiguous and there is no binding precedent interpreting the text, a court may look at legislative history as an interpretive tool of last resort. *Exxon Mobil Corp. v. Allapattah Servs., Inc.*, 545 U.S. 546, 568 (2005).

- a. If so, do you treat all legislative history the same or do you believe some legislative history is more probative of legislative intent than others?**

Response: The Supreme Court has instructed that Committee Reports are the most reliable form of legislative history and floor statements the least. *Garcia v. U.S.*, 469 U.S. 70, 76 (1984) (quoting *Zuber v. Allen*, 396 U.S. 168, 186 (1969)); *NLRB v. SW Gen. Inc.*, 137 S. Ct. 929, 943 (2017).

- b. When, if ever, is it appropriate to consult the laws of foreign nations when interpreting the provisions of the U.S. Constitution?**

Response: Federal courts should not rely on foreign laws in interpreting the provisions of the U.S. Constitution. The Supreme Court, however, has looked to English common law as a historical reference when interpreting the Second Amendment. *District of Columbia v. Heller*, 554 U.S. 570, 591-594 (2008).

4. Under the precedents of the Supreme Court and U.S. Court of Appeals for the Circuit to which you have been nominated, what is the legal standard that applies to a claim that an execution protocol violates the Eighth Amendment’s prohibition on cruel and unusual punishment?

Response: To prove a violation of the Eighth Amendment’s prohibition on cruel and unusual punishment, a plaintiff challenging an execution protocol must show: (1) a feasible, readily implemented alternative method of execution that significantly reduces a substantial risk of severe pain; and (2) the State’s refusal to adopt the alternative method without a legitimate penological reason. *Bucklew v. Precythe*, 587 U.S. 119, 134 (2019). *Lambert v. Buss*, 498 F.3d 446, 45152 (7th Cir. 2007) (plaintiff’s execution by lethal injection not stayed where the execution protocol “both as written and as it will be applied...does not create a significant and unnecessary risk that Lambert will suffer unnecessary pain during the execution process...[and] the defendant has negated the existence of the equally necessary subjective element of an Eighth Amendment violation-the requirement of deliberate indifference.”).

5. Under the Supreme Court’s holding in *Glossip v. Gross*, 135 S. Ct. 824 (2015), is a petitioner required to establish the availability of a “known and available alternative method” that has a lower risk of pain in order to succeed on a claim against an execution protocol under the Eighth Amendment?

Response: Yes, please see answer to Question 4.

6. Has the Supreme Court or the U.S. Court of Appeals for the Circuit to which you have been nominated ever recognized a constitutional right to DNA analysis for habeas corpus petitioners in order to prove their innocence of their convicted crime?

Response: The Supreme Court rejected a petitioner’s argument that he had a substantive due process right to post-conviction access to the State’s evidence for DNA testing in *District Attorney’s Office for Third Judicial Dist. v. Osborne*, 557 U.S. 52, 61-62 (2009). While the Seventh Circuit has noted that “[s]ubstantive due process or a right to prove actual innocence might also support a post-conviction right of access to physical evidence,” it reserved that question given the plaintiff’s claims were not timely in that case. *Savory v. Lyons*, 469 F.3d at 667, 675 (7th Cir. 2006).

7. Do you have any doubt about your ability to consider cases in which the government seeks the death penalty, or habeas corpus petitions for relief from a sentence of death, fairly and objectively?

Response: No.

8. Under Supreme Court and U.S. Court of Appeals for the Circuit to which you have been nominated, what is the legal standard used to evaluate a claim that a facially neutral state governmental action is a substantial burden on the free exercise of religion? Please cite any cases you believe would be binding precedent.

Response: Assuming facial neutrality, an analysis of whether a state government action violates the Free Exercise Clause examines the government's motivation. If the government was motivated by religious animus or any hostility to religion, the government action is subject to strict scrutiny. *Church of the Lukumi Babalu Aye, Inc., v. City of Hialeah*, 508 U.S. 520, 534-42 (1993) (ordinance targeting Santeria failed strict scrutiny); *Masterpiece Cakeshop, Ltd. v. Colorado Civil Rights Comm'n*, 138 S. Ct. 1719, 1729-31 (2018) (application of public accommodations law failed strict scrutiny in light of Commissioners' hostility to baker's religious belief); *see also Vision Church v. Vill. of Long Grove*, 468 F.3d 975, 996 (7th Cir. 2006) ("[A] regulation neutral on its face may, in its application, nonetheless offend the constitutional requirement for governmental neutrality if it unduly burdens the free exercise of religion,' in which case there must be 'a compelling governmental interest justif[ying] the burden.'" (citation omitted).

In several more recent cases, the Supreme Court has further clarified the standards of neutrality and general applicability that apply to Free Exercise cases: *Fulton v. City of Philadelphia*, 539 U.S. 522, 533-37 (2021) (non-discrimination clause was not neutral or generally applicable and failed strict scrutiny where the Commissioner was permitted to make exceptions at his discretion); *Tandon v. Newsom*, 593 U.S. 61, 62, 1296 (2021) ("[G]overnment regulations are not neutral and generally applicable, and therefore trigger strict scrutiny under the Free Exercise Clause, whenever they treat any comparable secular activity more favorably than religious exercise."); *Roman Catholic Diocese of Brooklyn v. Cuomo*, 592 U.S. 14, 15-17 (2020) (finding that regulations imposing restrictions on attendance at religious services in certain classified areas "cannot be viewed as neutral because they single out houses of worship for especially harsh treatment").

9. Under Supreme Court and U.S. Court of Appeals for the Circuit to which you have been nominated, what is the legal standard used to evaluate a claim that a state governmental action discriminates against a religious group or religious belief? Please cite any cases you believe would be binding precedent.

Response: Please see my response to Question 8.

10. What is the standard in the U.S. Court of Appeals for the Circuit to which you have been nominated for evaluating whether a person's religious belief is held sincerely?

Response: Supreme Court precedent instructs that sincerely held religious beliefs are protected irrespective of whether they derive from a particular religious organization or are in agreement with the mainstream of their religious membership. *Frazee v. Ill. Dep't of Emp. Sec.*, 489 U.S. 829, 833-34 (1989). The Seventh Circuit has further clarified (in the prison context) that “although sincerity rather than orthodoxy is the touchstone, a prison still is entitled to give *some* consideration to an organization's tenets. For the more a given person's professed beliefs differ from the orthodox beliefs of his faith, the less likely they are to be sincerely held.” *Vinning-El v. Evans*, 657 F.3d 591, 594 (7th Cir. 2011) (emphasis in original).

11. The Second Amendment provides that, “A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.”

a. What is your understanding of the Supreme Court’s holding in *District of Columbia v. Heller*, 554 U.S. 570 (2008)?

Response: The Second Amendment protects an individual’s right to keep and bear arms.

b. Have you ever issued a judicial opinion, order, or other decision adjudicating a claim under the Second Amendment or any analogous state law? If yes, please provide citations to or copies of those decisions.

Response: No.

12. Dissenting in *Lochner v. New York*, Justice Oliver Wendell Holmes, Jr. wrote that, “The 14th Amendment does not enact Mr. Herbert Spencer’s Social Statics.” 198 U.S. 45, 75 (1905).

a. What do you believe Justice Holmes meant by that statement, and do you agree with it?

Response: I understand Justice Holmes’ statement to indicate that the Fourteenth Amendment does not enact or endorse any particular economic theory.

b. Do you believe that *Lochner v. New York*, 198 U.S. 45 (1905), was correctly decided? Why or why not?

Response: As a district court judge, and if confirmed, a circuit judge, I would apply controlling Supreme Court and Seventh Circuit precedent. I would therefore not apply *Lochner* as the Supreme Court explicitly stated in *Ferguson v. Skrupa*, 372 U.S. 726, 730 (1963) that the “doctrine that prevailed in *Lochner*...and like cases—that due process authorizes courts to hold laws unconstitutional when they believe the legislature has acted unwisely—has long since been discarded.”

- 13. In *Trump v. Hawaii*, the Supreme Court overruled *Korematsu v. United States*, 323 U.S. 214 (1944), saying that the decision—which had not been followed in over 50 years—had “been overruled in the court of history.” 138 S. Ct. 2392, 2423 (2018). What is your understanding of that phrase?**

Respond: I understand the Supreme Court to mean that while *Korematsu* was not expressly overruled until 2018, it was wrongly decided and had been thought of as wrongly decided for many years.

- 14. Are there any Supreme Court opinions that have not been formally overruled by the Supreme Court that you believe are no longer good law?**

Response: As a district judge and, if confirmed, a circuit judge, I am duty-bound to follow all Supreme Court precedent.

- a. If so, what are they?**

Response: Not applicable.

- b. With those exceptions noted, do you commit to faithfully applying all other Supreme Court precedents as decided?**

Response: Yes, please see answer to Question 14.

- 15. Judge Learned Hand famously said 90% of market share “is enough to constitute a monopoly; it is doubtful whether sixty or sixty-four percent would be enough; and certainly thirty-three per cent is not.” *United States v. Aluminum Co. of America*, 148 F.2d 416, 424 (2d Cir. 1945).**

- a. Do you agree with Judge Learned Hand?**

Response: As a district judge and, if confirmed, a circuit judge, I will follow all Supreme Court and Seventh Circuit precedent as to whether a particular market share constitutes a monopoly.

- b. If not, please explain why you disagree with Judge Learned Hand.**

Response: Please see answer to Question 15(a).

- c. What, in your understanding, is in the minimum percentage of market share for a company to constitute a monopoly? Please provide a numerical answer or appropriate legal citation.**

Response: As a district judge and, if confirmed, a circuit judge, I will follow all Supreme Court and Seventh Circuit precedent as to whether a particular market share constitutes a monopoly. *See Am. Tobacco Co. v. United States*, 328 U.S.

781, 797 (1946) (holding two-thirds of the market amounted to “substantial monopoly”); *United States v. Grinnell Corp.*, 384 U.S. 563, 571 (1966) (finding 87% market share was sufficient for demonstrating monopoly power); *Eastman Kodak Co. v. Image Tech. Servs. Inc.*, 504 U.S. 451, 481 (1992) (“80% to 95% of the service market, with no readily available substitutes, is...sufficient to survive summary judgment under the more stringent monopoly standard of §2.”); *MCI Commc'ns Corp. v. Am. Tel. & Tel. Co.*, 708 F.2d 1081, 1107 (7th Cir. 1983) (“Where that data reveals a market share of more than seventy to eighty percent, the courts have inferred the existence of monopoly power.”).

16. Please describe your understanding of the “federal common law.”

Response: Black’s Law Dictionary defines “federal common law” as “[t]he body of decisional law derived from federal courts when adjudicating federal questions and other matters of federal concern, such as disputes between the states and foreign relations, but excluding all cases governed by state law.” *Common Law*, Black’s Law Dictionary (11th ed. 2019). There is “no federal general common law.” *Erie R. Co. v. Tompkins*, 304 U.S. 64, 78 (1938) (federal courts sitting in diversity must apply state substantive law and federal procedural law).

17. If a state constitution contains a provision protecting a civil right and is phrased identically with a provision in the federal constitution, how would you determine the scope of the state constitutional right?

Response: As a district judge and, if confirmed, a circuit judge, I would defer to the highest state court’s interpretation of its own constitution. *Erie R. Co. v. Tompkins*, 304 U.S. 64, 78 (1938).

a. Do you believe that identical texts should be interpreted identically?

Response: See my answer to Question 17.

b. Do you believe that the federal provision provides a floor but that the state provision provides greater protections?

Response: Consistent with our federalist system, generally speaking, a state constitutional provision can provide greater protections than a federal provision if the state so decides to provide greater protection.

18. Do you believe that *Brown v. Board of Education*, 347 U.S. 483 (1954) was correctly decided?

Response: As a district judge, and, should I be confirmed, a circuit judge, I will follow all the precedent of the Supreme Court, including the precedent set by *Brown*; I am duty-bound to follow precedent and my personal opinions on the correctness (or not) of the Supreme Court’s reasoning is not relevant. Moreover, Canon 3 of the Code of

Conduct for United States Judges requires that I refrain from any public comment on issues that might come before me. That being said, following the lead of other nominees, it is unlikely that laws providing for racial segregation will come before me, such that I am comfortable stating that *Brown v. Board of Education* was correctly decided.

19. Do federal courts have the legal authority to issue nationwide injunctions?

Response: Yes, Federal Rule of Civil Procedure 65 governs injunctions. An “injunction is a drastic and extraordinary remedy, which should not be granted as a matter of course.” *Monsanto Co. v. Geertson Seed Farms*, 561 U.S. 139, 165 (2010). A nationwide injunction is permissible if needed to provide complete relief to the plaintiffs. *Callano v. Yamasaki*, 442 U.S. 682, 702 (1979). *See also City of Chicago v. Barr*, 961 F.3d 882, 916-17 (7th Cir. 2020).

a. If so, what is the source of that authority?

Response: Please see my answer to Question 19.

b. In what circumstances, if any, is it appropriate for courts to exercise this authority?

Response: Please see my answer to Question 19.

20. Under what circumstances do you believe it is appropriate for a federal district judge to issue a nationwide injunction against the implementation of a federal law, administrative agency decision, executive order, or similar federal policy?

Response: Please see my answer to Question 19.

21. What is your understanding of the role of federalism in our constitutional system?

Response: Our constitutional system is premised on the concept of federalism, or the distribution of power among state and federal governments. In *Gregory v. Ashcroft*, 501 U.S. 452, 458 (1991), the Supreme Court recognized that “a healthy balance of power between the States and the Federal Government...reduce[s] the risk of tyranny and abuse from either front.” *Id.*

22. Under what circumstances should a federal court abstain from resolving a pending legal question in deference to adjudication by a state court?

Response: Federal courts are courts of limited jurisdiction and federalism dictates that they defer to state courts in certain circumstances. A federal district court should abstain from exercising jurisdiction over a case when:

(a) State court proceedings can resolve the issues in the case. *Railroad Comm. of Tex. v. Pullman Co.*, 312 U.S. 496 (1941). “Under Pullman abstention, a court abstains in order to avoid unnecessary constitutional adjudication.” *Int’l. Coll. of Surgeons v. City of Chicago*, 153 F.3d 356, 361 (7th Cir. 1998).

(b) A state court criminal prosecution brought in good faith is pending. *Younger v. Harris*, 401 U.S. 37 (1971). “Younger and its progeny “require federal courts to abstain from enjoining ongoing state proceedings that are (1) judicial in nature, (2) implicate important state interests, and (3) offer an adequate opportunity for review of constitutional claims, (4) so long as no extraordinary circumstances—like bias or harassment—exist which auger against abstention.” *FreeEats.com, Inc. v. Indiana*, 502 F.3d 590, 596 (7th Cir. 2007) (citations and quotations omitted).

(c) A state agency action is being challenged. *Burford v. Sun Oil Co.*, 319 U.S. 315 (1943). “[F]ederal courts will abstain from deciding unsettled questions of state law that relate to a complex state regulatory scheme.” *Int’l. Coll. of Surgeons v. City of Chicago*, 153 F.3d 356, 361 (7th Cir. 1998). This can occur when: (1) there are “difficult questions of state law bearing on policy problems of substantial public import whose importance transcends the result in the case then at bar”; or (2) exercising federal jurisdiction “would be disruptive of state efforts to establish a coherent policy with respect to a matter of substantial public concern.” *Id.* at 362 (quotations and citations omitted). With respect to (2), Burford abstention is only justified if the state offers a specialized forum to litigate the claims. *Id.*

(d) A party challenges the constitutionality of a final state court judgment – these matters are reserved to the United States Supreme Court. *Rooker v. Fidelity Trust*, 263 U.S. 413 (1923); and *Dist. of Columbia Ct. of Appeals v. Feldman*, 460 U.S. 462 (1983). A court must determine whether a plaintiff is seeking to set aside a state court judgment or presenting an independent claim – only the latter should be litigated in federal court. *Taylor v. Fed. Nat. Morg. Ass’n.*, 374 F.3d 529, 532-33 (7th Cir. 2004). Nor should claims that are inextricably intertwined with the state court judgment be litigated, unless a plaintiff can show that he was prevented from raising his federal claim during state court proceedings. *Id.* at 533.

(e) There are concurrent federal and state court cases pending and “exceptional circumstances” exist. *Colorado River Water Conservation Dist. v. U.S.*, 424 U.S. 800 (1976)). The court first examines whether the two actions are parallel or whether there is a substantial likelihood that the state litigation will dispose of all the claims presented in the federal case; if not, the analysis ends. *Freed v. J.P. Morgan Chase Bank, N.A.*, 756 F.3d 1013, 1018-19 (7th Cir. 2014). If the actions are parallel, the court must weigh the following ten factors, no one of which is dispositive:

- (1) whether the state has assumed jurisdiction over property;
- (2) the inconvenience of the federal forum;
- (3) the desirability of avoiding piecemeal litigation;
- (4) the order in which jurisdiction was obtained by the concurrent forums;

- (5) the source of governing law, state or federal;
- (6) the adequacy of state-court action to protect the federal plaintiff's rights;
- (7) the relative progress of state and federal proceedings;
- (8) the presence or absence of concurrent jurisdiction;
- (9) the availability of removal; and
- (10) the vexatious or contrived nature of the federal claim.

Id. at 1018.

23. What in your view are the relative advantages and disadvantages of awarding damages versus injunctive relief?

Response: Whether damages or injunctive relief should be awarded in any particular case is specific to the facts of the case and the remedies available under law. Injunctive relief is typically awarded when money damages will not suffice, but should not be granted as a matter of course. *Monsanto Co. v. Geertson Seed Farms*, 561 U.S. 139, 165 (2010).

24. What is your understanding of the Supreme Court's precedents on substantive due process?

Response: The Fifth and Fourteenth Amendments' prohibition on the deprivation of "life, liberty or property, without due process of law" contains a substantive component. In *Washington v. Glucksberg*, 521 U.S. 702, 721 (1997), the Supreme Court held that due process protects "fundamental rights and liberties, which are, objectively, deeply rooted in this Nation's history and tradition," and "implicit in the concept of ordered liberty, such that neither liberty nor justice would exist if they were sacrificed[.]" *Id.* (internal quotations omitted).

25. The First Amendment provides "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

a. What is your view of the scope of the First Amendment's right to free exercise of religion?

Response: Please see my answer to Question 8.

b. Is the right to free exercise of religion synonymous and coextensive with freedom of worship? If not, what else does it include?

Response: The Supreme Court has articulated that the free exercise of religion is broader than the freedom to worship and protects not just the freedom to worship but "the individual's freedom to believe...and to express himself in accordance

with the dictates of his own conscience.” *Wallace v. Jaffree*, 472 U.S. 38, 49 (1985).

- c. What standard or test would you apply when determining whether a governmental action is a substantial burden on the free exercise of religion?**

Response: *Burwell v. Hobby Lobby Stores, Inc.*, 573 U.S. 682, 720 (2014) provides the substantial burden standard: whether the government “mandate demands that [the respondents] engage in conduct that seriously violates their religious beliefs,” and whether the failure to comply with the mandate would subject them to “severe” economic consequences. *Id.*

- d. Under what circumstances and using what standard is it appropriate for a federal court to question the sincerity of a religiously held belief?**

Response: Please see my response to Question 10.

- e. Describe your understanding of the relationship between the Religious Freedom Restoration Act and other federal laws, such as those governing areas like employment and education?**

Response: The Religious Freedom Restoration Act (“RFRA”) “applies to all Federal law, and the implementation of that law, whether statutory or otherwise.” 42 U.S.C. §2000bb-3(a).

- f. Have you ever issued a judicial opinion, order, or other decision adjudicating a claim under the Religious Freedom Restoration Act, the Religious Land use and Institutionalized Person Act, the Establishment Clause, the Free Exercise Clause, or any analogous state law? If yes, please provide citations to or copies of those decisions.**

Response: Yes, in *Walker v. Illinois Department of Human Services*, No. 22 CV 00627, I dismissed without prejudice the Religious Land Use and Institutionalized Persons Act claim of a pro se litigant who failed to plead that he resided in a correctional facility. Copy of dismissal order attached.

- 26. Under American law, a criminal defendant cannot be convicted unless found to be guilty “beyond a reasonable doubt.” On a scale of 0% to 100%, what is your understanding of the confidence threshold necessary for you to say that you believe something “beyond a reasonable doubt.” Please provide a numerical answer.**

Response: The Seventh Circuit has advised that as a trial court judge, I should not attempt to define reasonable doubt as a percentage for the jury and it would be inappropriate for me to do so here. See *United States v. Bruce*, 109 F.3d 323, 329 (7th Cir. 1997) (“It is well established in this Circuit, however, that neither trial courts nor

counsel should attempt to define ‘reasonable doubt’ for the jury.”); *United States v. Langer*, 962 F.2d 592, 600 (7th Cir. 1992) (“It has been, and continues to be, ‘our opinion that any use of an instruction defining reasonable doubt presents a situation equivalent to playing with fire.’”) (citation omitted).

27. The Supreme Court has held that a state prisoner may only show that a state decision applied federal law erroneously for the purposes of obtaining a writ of habeas corpus under 28 U.S.C. § 2254(d) if “there is no possibility fairminded jurists could disagree that the state court’s decision conflicts with th[e Supreme] Court’s precedents.” *Harrington v. Richter*, 562 U.S. 86, 102 (2011).

a. Do you agree that if there is a circuit split on the underlying issue of federal law, that by definition “fairminded jurists could disagree that the state court’s decision conflicts with the Supreme Court’s precedents”?

Response: Yes.

b. In light of the importance of federalism, do you agree that if a state court has issued an opinion on the underlying question of federal law, that by definition “fairminded jurists could disagree that the state court’s decision conflicts if the Supreme Court’s precedents”?

Response: Most likely.

c. If you disagree with either of these statements, please explain why and provide examples.

Response: In the second example, I am mindful that federal courts, not state courts, issue precedential decisions on federal law. If a state court issued a decision on the underlying question of federal law and I found the reasoning persuasive and well-supported, it could be an indicator of the disagreement of “fairminded jurists.”

28. U.S. Courts of Appeals sometimes issue “unpublished” decisions and suggest that these decisions are not precedential. Cf. Rule 32.1 for the U.S. Court of Appeals for the Tenth Circuit.

a. Do you believe it is appropriate for courts to issue “unpublished” decisions?

Response: As a sitting district judge and, if confirmed, a circuit judge, I will follow all applicable Supreme Court and Seventh Circuit rules and procedure for determining the weight, if any, to be given to an unpublished decision in any particular case. *See* Federal Rule of Appellate Procedure 32.1; Rule 32.1 for the U.S. Court of Appeals for the Seventh Circuit. I understand the concern with potentially having two sets of decisions, one precedential and one not. The law should be consistent and non-precedential decisions might be contrary to the consistent articulation and development of precedent.

- b. If yes, please explain if and how you believe this practice is consistent with the rule of law.**

Response: See answer to Question 28(a).

- c. If confirmed, would you treat unpublished decisions as precedential?**

Response: See answer to Question 28(a). If confirmed, I would follow Rule 32.1 for the U.S. Court of Appeals for the Seventh Circuit.

- d. If not, how is this consistent with the rule of law?**

Response: See answer to Question 28(a).

- e. If confirmed, would you consider unpublished decisions cited by litigants when hearing cases?**

Response: See answer to Question 28(a). If confirmed, I would follow Federal Rule of Appellate Procedure 32.1 and Rule 32.1 for the U.S. Court of Appeals for the Seventh Circuit.

- f. Would you take steps to discourage any litigants from citing unpublished opinions? Cf. Rule 32.1A for the U.S. Court of Appeals for the Eighth Circuit.**

Response: See answer to Question 28(a). If confirmed, I would follow Federal Rule of Appellate Procedure 32.1 and Rule 32.1 for the U.S. Court of Appeals for the Seventh Circuit.

- g. Would you prohibit litigants from citing unpublished opinions? Cf. Rule 32.1 for the U.S. Court of Appeals for the District of Columbia.**

Response: See answer to Question 28(a). If confirmed, I would follow Federal Rule of Appellate Procedure 32.1 (which bars courts from prohibiting the citation of unpublished opinions) and Rule 32.1 for the U.S. Court of Appeals for the Seventh Circuit.

29. In your legal career:

- a. How many cases have you tried as first chair?**

Response: Two.

- b. How many have you tried as second chair?**

Response: Two.

c. How many depositions have you taken?

Response: Over 100.

d. How many depositions have you defended?

Response: Approximately 75-100.

e. How many cases have you argued before a federal appellate court?

Response: None though I have been on the briefs on four federal appeals.

f. How many cases have you argued before a state appellate court?

Response: None though I have been on the briefs in three state appeals.

g. How many times have you appeared before a federal agency, and in what capacity?

Response: As an attorney, I regularly appeared before the Equal Employment Opportunity Commission as counsel for the charging party or respondent. I estimate I appeared in such a capacity 50-75 times. I also appeared before the U.S. Department of Housing and Urban Development as counsel for complainant.

h. How many dispositive motions have you argued before trial courts?

Response: I estimate that I have argued 20 dispositive motions (in the courts in which I have practiced, these motions have typically been decided on the papers).

i. How many evidentiary motions have you argued before trial courts?

Response: I typically argued motions in limine in the trials that I participated in, meaning I have argued tens of motions raising evidentiary issues.

30. If any of your previous jobs required you to track billable hours:

a. What is the maximum number of hours that you billed in a single year?

Response: Approximately 1800-1900.

b. What portion of these were dedicated to pro bono work?

Response: Approximately 100.

31. Justice Scalia said, "The judge who always likes the result he reaches is a bad judge."

a. What do you understand this statement to mean?

Response: Judges must set aside their personal opinions and any sympathies and decide cases on the facts and the law. Judicial decisionmaking should not be driven by an outcome that the judge wants or likes, but by application of precedent to the facts of each case.

32. Chief Justice Roberts said, “Judges are like umpires. Umpires don’t make the rules, they apply them.”

a. What do you understand this statement to mean?

Response: See my answer to Question 31(a).

b. Do you agree or disagree with this statement?

Response: As a district judge and, if confirmed, a circuit judge, I will apply controlling Supreme Court and Seventh Circuit precedent to the facts before me.

33. When encouraged to “do justice,” Justice Holmes is said to have replied, “That is not my job. It is my job to apply the law.”

a. What do you think Justice Holmes meant by this?

Response: See my answer to Question 31(a).

b. Do you agree or disagree with Justice Holmes? Please explain.

Response: As a district judge and, if confirmed, a circuit judge, I will apply controlling Supreme Court and Seventh Circuit precedent to the facts before me.

34. Have you ever taken the position in litigation or a publication that a federal or state statute was unconstitutional?

Response: I cannot recall taking any position on the unconstitutionality of a federal or state statute.

a. If yes, please provide appropriate citations.

Response: Not applicable.

35. Since you were first contacted about being under consideration for this nomination, have you deleted or attempted to delete any content from your social media? If so, please produce copies of the originals.

Response: No, I have not deleted any social media since being contacted about this nomination though I deactivated my social media accounts in early 2024, which had been advised by the U.S. Marshals for judicial security concerns. The accounts were personal

alone and I had not posted any content since I became a judge in 2022 due to security concerns. I do not have access to the accounts anymore.

36. What were the last three books you read?

Response: *This Other Eden* by Paul Harding; *Americanah* by Chimamanda Ngozi Adiche; and *Don't Stop the Carnival* by Herman Wouk.

37. Do you believe America is a systemically racist country?

Response: I have never personally or professionally professed such a sweeping belief. To the extent racial discrimination may exist in any particular area, this is a question for policymakers to address based on data and research. As a district judge and, if confirmed, a circuit judge, I am duty-bound to follow the precedent of the United States Supreme Court and the Seventh Circuit Court of Appeals, including in any cases alleging racial discrimination.

38. What case or legal representation are you most proud of?

Response: During my litigation career, I developed a niche practice representing women, including minors, in sexual harassment cases in the service industry. These cases typically settled during administrative proceedings due to the strength of the allegations. For the women, especially my teenage clients, I am proud that I gave them a voice to advocate for themselves. As a sitting judge, I do not think it appropriate to opine on existing or past cases over which I have presided.

39. Have you ever taken a position in litigation that conflicted with your personal views?

Response: Yes, as an advocate, at times I have not personally agreed with arguments grounded in the facts and the law that were in the best interest of my client. However, I took my oath to represent my clients zealously and set aside my personal beliefs to advocate for the best arguments for my clients. Likewise, as a sitting district judge, I adhere to my judicial oath and decide cases fairly and impartially.

a. How did you handle the situation?

Response: See answer to Question 39.

b. If confirmed, do you commit to applying the law written, regardless of your personal beliefs concerning the policies embodied in legislation?

Response: Yes.

40. What three law professors' works do you read most often?

Response: I may on occasion read a law review article of interest, but there is no particular law professor that I follow.

41. Which of the Federalist Papers has most shaped your views of the law?

Response: My study of the Federalist Papers dates back to the 1990s and at this time, I cannot say which, if any, has shaped my views of the law.

42. What is a judicial opinion, law review article, or other legal opinion that made you change your mind?

Response: At this moment, I cannot recall an opinion or article that “changed my mind.” As a sitting judge, I must approach every case with an open mind and must apply precedent to the case before me. If I come to a case or issue with a fixed mindset, I am not adhering to my oath to judge faithfully and impartially.

43. Do you believe that an unborn child is a human being?

Response: As a sitting judge and nominee for the circuit court, it would be inappropriate for me to share my personal belief on the question of when human life begins, a question that our Supreme Court has recently declined to answer in the legal context. *Dobbs v. Jackson Women’s Health Org.*, 597 U.S. 215, 263 (2022) (“Our opinion is not based on any view about if and when prenatal life is entitled to any of the rights enjoyed after birth.”). As a district court judge and, if confirmed, a circuit judge, I will fairly and impartially apply Supreme Court and Seventh Circuit precedent to any case before me.

44. Other than at your hearing before the Senate Judiciary Committee, have you ever testified under oath? Under what circumstances? If this testimony is available online or as a record, please include the reference below or as an attachment.

Response: Other than my hearings in relation to both my prior and instant nomination, I may have testified under oath in connection with my divorce proceedings. I do not believe that any testimony is available online or as a record.

45. In the course of considering your candidacy for this position, has anyone at the White House or Department of Justice asked for you to provide your views on:

- a. *Roe v. Wade*, 410 U.S. 113 (1973)?

Response: No.

- b. The Supreme Court’s substantive due process precedents?

Response: No.

- c. Systemic racism?

Response: No.

d. Critical race theory?

Response: No.

46. Do you currently hold any shares in the following companies:

a. Apple?

Response: No.

b. Amazon?

Response: No.

c. Google?

Response: No.

d. Facebook?

Response: No.

e. Twitter?

Response: No.

47. Have you ever authored or edited a brief that was filed in court without your name on the brief?

Response: To the best of my recollection, I have not authored a brief or substantively edited a brief that was filed in court without my name. Over my 20 years of practice, it was commonplace at my small collegial firm for colleagues to request that I read and proof briefs in their cases; I do not recall with any specificity the occasions on which I assisted in this capacity.

a. If so, please identify those cases with appropriate citation.

Response: Please see response to question 47.

48. Have you ever confessed error to a court?

Response: I do not recall such an instance.

a. If so, please describe the circumstances.

Response: Not applicable.

49. Please describe your understanding of the duty of candor, if any, that nominees have to state their views on their judicial philosophy and be forthcoming when testifying before the Senate Judiciary Committee. *See* U.S. Const. art. II, § 2, cl. 2.

Response: I understand that nominees must answer all questions truthfully and to the best of their ability, while adhering to the Code of Conduct for United States Judges. I have endeavored to be as candid as ethics permit.

**Senator John Kennedy
Questions for the Record**

Nancy Maldonado

- 1. Are there any circumstances under which it is justifiable to sentence a criminal defendant to death? Please explain.**

Response: Yes, in imposing the death penalty, I would follow the requirements and procedures set forth under the Federal Death Penalty Act, 18 U.S.C. § 3591 *et seq.*, and the controlling precedent of the United States Supreme Court and Seventh Circuit. Section 3591 establishes the offenses that are eligible for the death penalty; § 3592 sets forth the mitigating and aggravating factors to be considered in determining whether a sentence of death is justified; and § 3593 sets forth the applicable procedures for the government to seek the death penalty and for a hearing to determine whether the sentence of death is justified. Section 3593 further provides that the determination to impose a death sentence shall generally be made by either by the jury that determined the defendant's guilt, or by a special jury empaneled for the purposes of determining the sentence if: (1) the defendant pled guilty; (2) the defendant was convicted after a bench trial; (3) the original jury that convicted the defendant was discharged; or (4) reconsideration of the original sentence is ordered after the initial imposition of the sentence. *See* § 18 U.S.C. § 3593(b)(1), (2). A court, as opposed to a jury, may determine whether the sentence of death is appropriate only upon motion from the defendant and with the approval of the government. *Id.* § 3593(b)(3). If presiding over a case where the government sought the death penalty, I would follow these statutory requirements as well as the applicable Supreme Court and Seventh Circuit precedent interpreting and applying the Federal Death Penalty Act.

- 2. Should a judge's opinions on the morality of the death penalty factor into the judge's decision to sentence a criminal defendant to death in accordance with the laws prescribed by Congress and the Eighth Amendment?**

Response: No.

- 3. Is the U.S. Supreme Court a legitimate institution?**

Response: Yes.

- 4. Is the current composition of the U.S. Supreme Court legitimate?**

Response: Yes.

- 5. Please describe your judicial philosophy, including your approach to constitutional and statutory interpretation. Be as specific as possible.**

Response: My judicial philosophy is to fairly and impartially apply the law to the record before me. As a sitting district judge and, should I be confirmed, a circuit judge, I aim to be transparent and consistent in my application of the law, mindful of my oath to “administer justice without respect to persons, and do equal right to the poor and to the rich.” 28 U.S.C. §453.

My approach to constitutional interpretation starts with an examination of the text of the constitutional provision along with the application of any Supreme Court or Seventh Circuit decisions interpreting the provision, employing the original public meaning when directed to do so. *See, e.g., District of Columbia v. Heller*, 554 U.S. 570 (2008).

My approach to statutory interpretation starts with an examination of the statutory text and the application of any Supreme Court or Seventh Circuit decisions interpreting the statute. That would end the inquiry if there were binding precedent. If there were no binding precedent interpreting the provision at issue, I would look to other circuits, and then other district courts, as persuasive authority. I would also delve deeper, for instance, researching the statutory scheme overall, the interpretation of similar statutory provisions, and precedent on which tools of statutory construction would be appropriate to use and employ them.

6. Is originalism a legitimate method of constitutional interpretation?

Response: Yes. *See, e.g., District of Columbia v. Heller*, 554 U.S. 570 (2008).

7. If called on to resolve a constitutional question of first impression with no applicable precedents from either the U.S. Supreme Court or the U.S. Courts of Appeals, to what sources of law would you look for guidance?

Response: I would look to: the text; persuasive authority from lower courts and state courts, including decisions on analogous provisions in state constitutions; historical sources about the original public meaning of the words used in the provision at issue; and academic writings on the provision at issue to the extent they might be helpful.

8. Is textualism a legitimate method of statutory interpretation?

Response: Yes, *see e.g., Bostock v. Clayton County, Georgia*, 590 U.S. 644 (2020).

9. When is it appropriate for a judge to look beyond textual sources when determining the meaning of a statute or provision?

Response: See my answers to Questions 5 and 7. In addition, when a statute is ambiguous and there is no binding precedent interpreting it, a court may look at legislative history as an interpretive tool of last resort. *Exxon Mobil Corp. v. Allapattah Servs., Inc.*, 545 U.S. 546, 568 (2005).

- 10. Does the meaning (rather than the applications) of the U.S. Constitution change over time? If yes, please explain the circumstances under which the U.S. Constitution's meaning changes over time and the relevant constitutional provisions.**

Response: No. For example, in the Fourth Amendment context, the Supreme Court has made clear that the amendment's meaning is static but its application to advancing technologies is not. *Carpenter v. U.S.*, 585 U.S. 296 (2018).

- 11. Please describe the legal rule employed in *Rivas-Villegas v. Cortesluna*, 595 U.S. 1 (2021), and explain why the U.S. Supreme Court sided with the Petitioner.**

Response: In *Rivas-Villegas v. Cortesluna*, 595 U.S. 1 (2021), the Supreme Court held that the petitioner Rivas-Villegas was entitled to qualified immunity in an excessive force action brought under 42 U.S.C. § 1983. The Supreme Court found that the existing § 1983 precedent, even if clearly established, did not put Rivas-Villegas on fair notice that his conduct constituted excessive force.

- 12. Is there ever a circumstance in which a circuit judge may seek to circumvent, evade, or undermine a precedent of the U.S. Supreme Court?**

Response: No.

- 13. Will you fully and faithfully apply all precedents of the U.S. Supreme Court?**

Response: Yes.

- 14. If confirmed, please describe what role U.S. Supreme Court dicta would play in your decisions.**

Response: I would carefully consider dicta, especially Supreme Court dicta, but not consider it binding. *See e.g., Wilder v. Apfel*, 153 F.3d 799, 803 (7th Cir. 1998) (dicta are nonbinding because "they may not express the judges' most careful, focused thinking" and "to give the inessential parts of an opinion the force of law would give judges too much power, and of an essentially legislative character.").

- 15. Have you ever considered an applicant's race, sex, or religion when making a hiring decision? If so, please provide full details.**

Response: No.

- 16. When reviewing applications from persons seeking to serve as an intern, extern, or law clerk in your chambers, what role would the race, sex, or religion of the applicants play in your consideration?**

Response: None.

**Senate Judiciary Committee Hearing
“Nominations”
Questions for the Record for Nancy Maldonado
to be United States Circuit Judge for the Seventh Circuit**

QUESTIONS FROM SENATOR BLACKBURN

1. At your confirmation hearing, you acknowledged your communication with Christopher Kang, the co-founder of Demand Justice—the far-left group that has described the Supreme Court as “unethical, unaccountable, and out-of-control.” When I asked you about this, you stated that your conversations with Mr. Kang were “limited to getting advice and guidance on how the nomination process worked” and you did not answer my questions as to whether your beliefs on the Supreme Court align with those of Demand Justice. Given these answers were not responsive to my questions, please provide conclusive answers to the following:

a. Do you agree with Demand Justice’s description of the Supreme Court as “unethical, unaccountable, and out-of-control”?

Response: I do not agree that the Supreme Court is “unethical, unaccountable, and out-of-control.”

b. Do you believe the Supreme Court should be expanded beyond its current nine-seat structure?

Response: I have never advocated to expand the Supreme Court beyond its current size. This is an issue for Congress to decide.

i. If so, by how many justices?

Response: Not applicable.

Select A Case

Nancy L. Maldonado is a judge in 968 cases.

1:00-cv-07309	NW Univ v. Cty of Evanston	filed 11/20/00	closed 02/17/04
1:02-cv-03310	USA v. Rogan, et al	filed 05/08/02	closed 10/02/12
1:03-cv-04407	USA v. Mohedano	filed 06/25/03	closed 01/29/04
1:04-cr-00182- 1	DaJuan R Booker	filed 02/02/05	closed 11/10/08
1:05-cr-00557- 1	Roger Wayne Robinson	filed 06/16/05	closed 08/31/06
1:05-cr-00557- 2	Duane Dawkins	filed 06/16/05	closed 01/25/23
1:05-cr-00557- 3	Laila Lapham	filed 06/16/05	closed 08/31/06
1:07-cv-00985	United States Securities and Exchange Commission v. Platinum Capital Advocates, Inc. et al	filed 02/21/07	closed 04/08/10
1:09-cr-00697- 1	Michael Veysada	filed 09/10/09	closed 05/05/10
1:10-cr-01003- 1	Christopher J. Olsen	filed 12/16/10	closed 04/21/11
1:10-cv-06331	United States of America v. Mikos	filed 10/04/10	
1:12-cr-00713- 1	Justin R Davila	filed 11/15/12	closed 02/25/14
1:12-cr-00713- 2	Jason J Davila	filed 11/15/12	closed 07/02/14
1:12-cr-00713- 3	Nieko E Hadley	filed 11/15/12	closed 06/22/18
1:12-cv-01848	Gatto v. IL Department of Employment Security	filed 03/13/12	closed 05/11/12

1:13-cr-00156-1	Jose Silva	filed 03/21/13	closed 03/11/14
1:13-cr-00583-1	Walter Thompson	filed 07/18/13	closed 07/12/19
1:13-cr-00744-1	Daniel Vazquez	filed 09/18/13	closed 09/20/17
1:13-cr-00744-2	Francisco Mireles	filed 09/18/13	closed 10/02/17
1:13-cr-00744-3	Anwer Shahbaz	filed 09/18/13	closed 11/27/17
1:13-cr-00744-4	Angel Perez	filed 09/18/13	closed 07/14/15
1:13-cv-09339	Feit Electric Company, Inc. v. CFL Technologies LLC	filed 12/31/13	
1:14-cr-00736-1	Jason Benjamin	filed 12/22/14	closed 02/28/19
1:14-cv-00051	Ayoubi v. Przybylo et al	filed 01/03/14	closed 02/20/20
1:14-cv-10408	Cutler v. Wasson et al	filed 12/29/14	closed 07/25/23
1:15-cr-00671-1	Antoine Dandridge	filed 11/10/15	closed 11/10/15
1:15-cv-06869	Coe v. Atkins, et al.	filed 08/05/15	
1:15-cv-09323	Breuder v. Board of Trustees of Community College District No. 502, DuPage County, Illinois et al	filed 10/21/15	closed 12/06/22
1:15-cv-09986	Baxter International, Inc. v. CareFusion Corporation et al	filed 11/05/15	closed 12/27/23
1:15-cv-10610	Palladino v. Wells Fargo Bank, N. A. et al	filed 11/24/15	closed 03/21/24
1:15-cv-11746	Miller v. Lake County Jail et al	filed 12/28/15	
1:16-cv-01086	Gavin/Solmonese LLC v. Kunkel	filed 01/25/16	closed 04/05/23
1:16-cv-05486	Viamedia, Inc. v. Comcast Corporation et al	filed 05/23/16	

1:16-cv-06418	Daddono v. United States of America et al	filed 06/20/16
1:16-cv-06947	Sullivan v. Melvin et al	filed 07/01/16
1:17-cr-00070- 1	Rashiem Malik Holloway	filed 03/02/17 closed 06/01/18
1:17-cr-00615- 1	Christopher Finley	filed 09/18/17 closed 10/31/17
1:17-cr-00650- 1	Thomas Weathers	filed 10/04/17 closed 10/04/17
1:17-cv-01796	Montoya v. Mitchell et al	filed 03/06/17 closed 03/28/24
1:17-cv-02120	Walgreen Co. v. Panasonic Healthcare Corporation of North America	filed 03/17/17
1:17-cv-02153	Alarm Detection Systems, Inc. et al v. Village of Schaumburg et al	filed 03/20/17
1:17-cv-02328	Gruenstein v. Browning	filed 03/27/17 closed 12/11/23
1:17-cv-02877	White v. City Of Chicago et al	filed 04/17/17
1:17-cv-03078	Shure Incorporated v. ClearOne, Inc.	filed 04/24/17 closed 12/29/22
1:17-cv-04699	Hill v. City of Harvey et al	filed 06/22/17 closed 07/05/23
1:17-cv-05291	Lietzow v. Village of Huntley et al	filed 07/18/17 closed 04/14/23
1:17-cv-07095	Dukes et al v. Cook County, et al	filed 10/02/17 closed 09/29/23
1:17-cv-07216	Medline Industries, Inc. v. C.R. Bard, Inc.	filed 10/05/17
1:17-cv-07241	Carter v. City Of Chicago et al	filed 10/06/17
1:17-cv-07991	Doe v. Board of Trustees of Northern Illinois University	filed 11/03/17

1:18-cr-00228-1	Antion Payton	filed 05/10/18	closed 01/12/21
1:18-cr-00717-1	Omar Rodriguez Perez	filed 10/19/18	closed 10/23/18
1:18-cv-00076	3Cloud, LLC v. Concurrency, Inc. et al	filed 01/04/18	
1:18-cv-00264	Mims v. The Boeing Company	filed 01/12/18	closed 03/16/23
1:18-cv-00316	Phillips v. City Of Chicago et al	filed 01/16/18	closed 08/07/23
1:18-cv-00349	D.A.N. Joint Venture III, L.P. et al v. Touris et al	filed 01/17/18	closed 01/18/24
1:18-cv-01264	DeVine v. XPO Logistics Freight, Inc.	filed 02/20/18	closed 12/29/23
1:18-cv-01301	Shuhaiber v. Dart et al	filed 02/20/18	
1:18-cv-01305	Shuhaiber v. Illinois Department of Corrections et al	filed 02/20/18	
1:18-cv-01306	Shuhaiber v. Dart et al	filed 02/20/18	
1:18-cv-01370	Shuhaiber v. Dr. Sood	filed 02/22/18	
1:18-cv-01371	Shuhaiber v. Cook County Jail et al	filed 02/22/18	
1:18-cv-01733	Tyson v. Cook County Jail et al	filed 03/09/18	
1:18-cv-02014	White, Jr. v. Pfister et al	filed 03/20/18	closed 11/01/22
1:18-cv-02447	Perry v. Pfister et al	filed 04/05/18	
1:18-cv-02678	Gonzalez v. Dorethy	filed 04/13/18	closed 09/20/23
1:18-cv-02679	Mays v. Pfister et al	filed 04/13/18	
1:18-cv-03290	Shuhaiber v. Shulda et al	filed 05/07/18	
1:18-cv-03492	Richter v. Orenstein et al	filed 05/16/18	closed 03/20/23

1:18-cv-03733	Brinson v. Eagle Express Lines, Inc.,	filed 05/29/18
1:18-cv-04871	Dietrich v. C. H. Robinson Worldwide, Inc.	filed 07/17/18 closed 05/31/23
1:18-cv-05122	Sanders v. City Of Chicago et al	filed 07/27/18
1:18-cv-05381	Alicea et al v. County Of Cook et al	filed 08/08/18 closed 09/30/22
1:18-cv-06064	Boyd v. Loper et al	filed 09/05/18 closed 10/25/22
1:18-cv-06244	McVay v. Obaisi et al	filed 09/12/18 closed 03/27/23
1:18-cv-06288	Davis v. Wexford Health Source, Inc et al	filed 09/14/18 closed 01/10/23
1:18-cv-06576	Pittsfield Development LLC et al v. The Travelers Indemnity Company	filed 09/27/18
1:18-cv-07330	United States of America v. Oehler et al	filed 11/02/18
1:19-cv-00129	Henderson v. City Of Chicago et al	filed 01/07/19
1:19-cv-00176	Hytera Communications Corporations LTD. et al v. Motorola Solutions Inc.	filed 01/09/19
1:19-cv-00831	Zhang v. Organization for Bodywork Therapies of Asia, LLC et al	filed 02/08/19 closed 09/16/21
1:19-cv-01203	Collins Engineers, Inc. v. Travelers Property Casualty Company of America	filed 02/15/19
1:19-cv-01374	Howe v. Speedway LLC et al	filed 02/25/19
1:19-cv-01468	Kibbons v. Board of Education of Taft School District 90 et al	filed 02/28/19
1:19-cv-01502	Tyner v. Nowakoski et al	filed 03/01/19
1:19-cv-01732	Laborers' Pension Fund et al v. JLL Construction Services, Inc. et al	filed 03/12/19 closed 10/07/22
1:19-cv-01761	Taylor v. Willis	filed 03/13/19

1:19-cv-01844	Kleronomos v. AIM Transfer & Storage, Inc. et al	filed 03/15/19
1:19-cv-02321	Richardson v. Kharbouch	filed 04/05/19 closed 01/04/24
1:19-cv-02394	Seeks v. The Boeing Company	filed 04/09/19
1:19-cv-02421	ClearOne, Inc. v. Shure Incorporated	filed 04/10/19 closed 12/29/22
1:19-cv-02564	Montano v. Obaisi	filed 04/16/19
1:19-cv-03718	Marshall v. Grubhub Inc.	filed 06/04/19 closed 05/03/23
1:19-cv-04377	McBride v. Maryville Academy	filed 06/28/19 closed 05/10/22
1:19-cv-04597	Sachell v. Dart et al	filed 07/09/19 closed 03/07/23
1:19-cv-04639	Nelson v. Generations at Applewood, LLC et al	filed 07/10/19 closed 05/23/23
1:19-cv-04652	Santiago v. City Of Chicago	filed 07/10/19
1:19-cv-04937	Woods v. Lee et al	filed 07/23/19 closed 06/22/23
1:19-cv-05287	Consolidated Chassis Management LLC et al v. Northland Insurance Company	filed 08/05/19
1:19-cv-06439	Diamond Residential Mortgage Corporation v. Liberty Surplus Insurance Corporation	filed 09/27/19 closed 03/25/24
1:19-cv-06646	Saulsberry v. Baldwin et al	filed 10/07/19 closed 01/03/23
1:19-cv-06836	Benson et al v. Newell Brands Inc., et al.,	filed 10/16/19
1:19-cv-07280	McNease et al v. Laldee et al	filed 11/04/19
1:19-cv-07606	Marsh et al v. CSL Plasma Inc.	filed 11/18/19 closed 12/08/22
1:19-cv-07868	Pable v. Chicago Transit Authority et al	filed 12/02/19
1:19-cv-07888	Freeland v. Lorenzini & Associates, Ltd. et al	filed 12/02/19

1:19-cv-08112	Arkeyo LLC v. Saggezza, Inc.	filed 12/11/19
1:19-cv-08129	Laurent v. Takeda Pharmaceuticals America Inc. et al	filed 12/12/19 closed 07/13/23
1:19-cv-08225	Nestle Healthcare Nutrition, Inc v. Xcel Med, LLC	filed 12/17/19 closed 12/07/22
1:19-cv-08348	Bordelais v. Kuhn et al	filed 12/20/19 closed 09/12/23
1:19-cv-08437	Gomez v. Rihani et al	filed 12/26/19
1:19-cv-08507	Joliet Avionics v. Lumanair, Inc. et al	filed 12/30/19
1:20-cr-00398-1	Shawn Hudson	filed 07/23/20 closed 04/28/22
1:20-cr-00479-1	Kijuan M Brown	filed 08/06/20 closed 07/05/22
1:20-cr-00750-1	Maja Nikolic	filed 10/19/22
1:20-cr-00750-2	Marko Nikolic	filed 10/19/22 closed 01/24/24
1:20-cr-00750-3	Nebojsa Simeunovic	filed 10/19/22
1:20-cr-00750-4	Mijajlo Stanisic	filed 10/19/22
1:20-cr-00750-5	Branko Aleksic	filed 10/19/22 closed 11/08/23
1:20-cr-00750-6	Milica Sumakovic	filed 10/19/22
1:20-cr-00750-7	Dorde Todorovic	filed 10/19/22
1:20-cv-00067	Grigsby v. La Rabida Children's Hospita. et al	filed 01/03/20
1:20-cv-00522	Koerner v. Santander Bank, N.A. et al	filed 01/22/20 closed 03/27/24
1:20-cv-00577	Vance v. International Business Machines Corporation	filed 01/24/20 closed 05/11/23

1:20-cv-00739	Bure v. Village of Round Lake Beach et al	filed 01/31/20	closed 06/27/23
1:20-cv-00744	Scanlon v. Life Insurance Company of North America	filed 01/31/20	closed 12/29/21
1:20-cv-00755	Williams v. Wolf	filed 02/01/20	
1:20-cv-00764	Advanta-STAR Automotive Research Corporation of America v. Joe Cotton Ford, Inc. et al	filed 02/03/20	closed 01/25/23
1:20-cv-00783	Janecyk v. International Business Machines Corporation	filed 02/03/20	closed 08/09/23
1:20-cv-00803	Kelly et al v. Tally et al	filed 02/03/20	
1:20-cv-01010	United States of America v. Wilson et al	filed 02/12/20	closed 03/22/24
1:20-cv-01023	PLB Investments LLC et al v. Heartland Bank & Trust , Company et al	filed 02/12/20	closed 04/18/23
1:20-cv-01191	Thompson v. Wexford Health Sources Inc. et al	filed 02/19/20	
1:20-cv-01355	Line Construction Benefit Fund et al v. WPS, Inc.	filed 02/25/20	closed 12/26/23
1:20-cv-01597	Billups-Dryer v. Sheehan et al	filed 03/04/20	closed 02/21/24
1:20-cv-01668	Woods v. City of Markham	filed 03/09/20	
1:20-cv-01745	Silberman v. Scalia	filed 03/12/20	
1:20-cv-01940	Kohl v. Davis et al	filed 03/23/20	
1:20-cv-02118	Miller v. O'Malley	filed 03/23/20	
1:20-cv-02128	Shivaraju v. Advocate Health Care	filed 04/03/20	closed 06/15/23
1:20-cv-02133	Fidelity Brokerage Services, LLC. v. Taylor	filed 04/03/20	closed 02/17/23
1:20-cv-02262	Laborers' Pension Fund et al v. Proven Contractors, Inc.	filed 04/10/20	
1:20-cv-02433	Stephens v. Collins et al	filed 04/20/20	

1:20-cv-02523	Sha-Poppin Gourmet Popcorn LLC v. JPMorgan Chase Bank, N.A et al	filed 04/24/20
1:20-cv-03014	Wagner v. Speedway, LLC	filed 05/20/20 closed 01/30/24
1:20-cv-03112	Petties v. McGruder et al	filed 05/26/20
1:20-cv-03366	Calvente v. Ghanem et al	filed 06/08/20 closed 04/14/23
1:20-cv-03375	Inventus Power, Inc. et al v. Shenzhen Ace Battery Co., Ltd.	filed 06/08/20 closed 01/04/23
1:20-cv-03653	Haney v. Pritzker et al.	filed 06/23/20 closed 12/08/22
1:20-cv-03993	Sims et al v. United States Of America(FTCA)	filed 07/08/20 closed 08/11/23
1:20-cv-04015	Allied Insurance Company et al v. The United States Post Office	filed 07/09/20 closed 12/06/22
1:20-cv-04245	Jackson v. The City of Chicago et al	filed 07/17/20 closed 12/23/22
1:20-cv-04428	Ajir AI LLC v. JPMorgan Chase Bank, N.A.	filed 07/29/20 closed 12/15/22
1:20-cv-04595	Kelley-Lomax v. City Of Chicago et al	filed 08/05/20
1:20-cv-04741	Kaur v. Lakuzi Foods., Inc. et al	filed 08/12/20 closed 05/10/23
1:20-cv-04791	Nunzino Pizza et al v. Hop Head Farms LLC et al	filed 08/14/20
1:20-cv-04864	Marhaba Wholesale LLC v. Ohio Security Insurance Company	filed 08/19/20 closed 07/11/23
1:20-cv-04882	Richardson v. Blessing et al	filed 08/20/20
1:20-cv-04889	Dupree v. Dr. Patricia Burke	filed 08/20/20 closed 03/29/24
1:20-cv-04893	Brown v. Montgomery et al	filed 08/20/20 closed 03/22/24
1:20-cv-05227	Securities and Exchange Commission v. Fife et al	filed 09/03/20
1:20-cv-05337	City of Aurora v.BS Iron, Inc., et al.,	filed 09/10/20

1:20-cv-05500	Hyper Microsystems Incorporated v. Legacy Micro, Inc.	filed 09/17/20
1:20-cv-05562	Manning, Individually et al v. Haines et al	filed 09/18/20 closed 05/03/23
1:20-cv-05931	Krishnan v. DeJoy	filed 10/05/20 closed 12/20/22
1:20-cv-05948	Hampton v. Mendrick et al	filed 10/05/20
1:20-cv-06034	Maxum Indemnity Company v. Powertrain Rockford Inc. et al	filed 10/09/20
1:20-cv-06042	Williams v. Thomas et al	filed 10/09/20 closed 07/10/23
1:20-cv-06157	Lazaro v. BNSF Railway Company et al	filed 10/15/20
1:20-cv-06289	Goudy et al v. Underwriters At Lloyd's, London et al	filed 10/22/20 closed 03/28/23
1:20-cv-06329	Sroga v. The Cook County Land Bank Authority et al	filed 10/26/20 closed 01/13/23
1:20-cv-06485	Redd v. Amazon.com, Inc. et al	filed 10/30/20
1:20-cv-06756	Smith v. Pfister et al	filed 11/13/20
1:20-cv-06830	Legat v. Legat Architects Inc.	filed 11/18/20
1:20-cv-06965	Avery v. CVI SGP-CO Acquisition Trust et al	filed 11/24/20 closed 12/11/23
1:20-cv-07268	Romano v. First Midwest Bancorp, Inc. et al	filed 12/08/20 closed 03/30/24
1:20-cv-07275	Koronkiewicz et al	filed 12/09/20 closed 03/06/24
1:20-cv-07318	McCue v. Johnson et al	filed 12/10/20
1:20-cv-07358	Busse v. ABM Industry Groups, LLC et al	filed 12/11/20 closed 04/27/23
1:20-cv-07714	Testroet v. International Code Council, Inc.	filed 12/23/20 closed 06/05/23
1:20-cv-07750	Birch Gold Group, LP v. Certain Underwriters at Lloyd's of London Subscribing to Policy Number N194678 et al	filed 12/28/20 closed 09/30/22

1:20-cv-07819	Damian v. Heartland Bank and Trust Company et al	filed 12/30/20	closed 08/22/23
1:20-mc-00260	United States of America v. The Cellular telephone, further described in Attachment A	filed 05/20/20	closed 05/20/20
1:20-mc-00269	United States of America v. Suppressed	filed 05/22/20	closed 05/22/20
1:21-cr-00691-1	Paul Gary Rothschild	filed 11/09/21	closed 11/09/21
1:21-cv-00085	State of Illinois Ex. Rel Ken Elder v. JPMorgan Chase N.A.	filed 01/06/21	
1:21-cv-00226	Pollo v. Takeda Pharmaceuticals America, Inc. et al	filed 01/14/21	closed 07/13/23
1:21-cv-00319	Fair v. Pfister et al	filed 01/20/21	
1:21-cv-00351	Ojimba et al v. Moore, NP et al	filed 01/21/21	
1:21-cv-00426	Ballantine et al v. Village of Mokena	filed 01/25/21	
1:21-cv-00549	Gordon v. Board of Education for the City of Chicago ("CPS") et al	filed 01/29/21	
1:21-cv-00575	U.S. Specialty Insurance Company v. LaSalle County, Illinois et al	filed 02/01/21	closed 10/18/23
1:21-cv-00577	McKay v. City Of Chicago et al	filed 01/28/21	
1:21-cv-00727	Thomas Jr v. Dart et al	filed 02/09/21	closed 04/28/23
1:21-cv-00874	Butler v. Chicago Transit Authority	filed 02/17/21	closed 03/16/23
1:21-cv-01016	Pullen v. Lopez et al	filed 02/22/21	closed 03/20/23
1:21-cv-01360	The Hanover Insurance Company v. The Dolins Group, Limited et al	filed 03/11/21	
1:21-cv-01366	Hernandez v. The Professionals, Inc. et al	filed 03/11/21	
1:21-cv-01392	Cardona v. Bean et al	filed 03/12/21	closed 06/28/23

1:21-cv-01534	Quality Custom Distribution v. International Brotherhood of Teamsters, Local 710	filed 03/19/21	closed 03/22/24
1:21-cv-01668	Noe et al v. Smart Mortgage Centers, Inc. et al	filed 03/26/21	
1:21-cv-01922	Thornley v. Garcia et al	filed 04/09/21	closed 07/07/23
1:21-cv-02014	Evangelical Students Fellowship v. American Family Mutual Insurance Company, S.I.	filed 04/14/21	closed 08/08/23
1:21-cv-02188	Smith v. Dart et al	filed 04/22/21	
1:21-cv-02198	Braxton v. Menard Inc.	filed 04/23/21	
1:21-cv-02199	Heimgartner v. G-III Leather Fashions, Inc. et al	filed 04/23/21	closed 04/03/23
1:21-cv-02521	Local 710, International Brotherhood of Teamsters v. Quality Custom Distribution	filed 05/11/21	closed 02/10/23
1:21-cv-02595	American Male & Company v. Auto-Owners Insurance Company	filed 05/13/21	closed 04/25/23
1:21-cv-02821	Central States, Southeast and Southwest Areas Pension Fund et al v. Allied Aviation Fueling Company of St. Louis, LLC	filed 05/26/21	
1:21-cv-03065	Thompson v. Santerelli	filed 06/08/21	
1:21-cv-03084	Venticinque v. City of Chicago Department of Aviation	filed 06/08/21	
1:21-cv-03134	Banner Life Insurance Company v. Kutrubis et al	filed 06/10/21	
1:21-cv-03142	Marquez, Plenary Co-Guardian of Chloe Marquez, a disabled person et al v. Palos Community Hospital, Inc. d/b/a Palos Hospital	filed 06/11/21	closed 07/28/23
1:21-cv-03166	LKQ Corporation et al v. Kia America, Inc. et al	filed 06/11/21	
1:21-cv-03247	Woodson v. Village of Steger, Illinois, The	filed 06/17/21	
1:21-cv-03320	Irizarry v. M&R Precision Machining Inc.	filed 06/21/21	closed 01/18/24

1:21-cv-03334	Scott v. Director of IDOC, Rob Jeffreys et al	filed 06/22/21
1:21-cv-03464	Camacho v. Sabaini et al	filed 06/28/21
1:21-cv-03607	Gonzalez-Loza v. United States	filed 07/07/21 closed 02/22/24
1:21-cv-03621	Jones v. Wilks et al	filed 07/08/21
1:21-cv-03672	Dukes v. Washburn et al	filed 07/12/21
1:21-cv-03815	Walsh v. Woodbridge Nursing Pavilion, Ltd	filed 07/19/21 closed 11/02/22
1:21-cv-03940	Villalpando v. A-1 Outdoor Maintenance, Inc., et al	filed 07/25/21
1:21-cv-04076	Robertson v. United Parcel Service	filed 07/30/21 closed 11/08/23
1:21-cv-04081	CCP GOLDEN/7470 LLC et al v. BRESLIN et al	filed 07/30/21
1:21-cv-04253	Cline v. Fitzmark Chicago, Inc. et al	filed 08/10/21 closed 05/30/23
1:21-cv-04329	Barton v. Walmart Inc.	filed 08/13/21 closed 05/26/23
1:21-cv-04350	Hicks et al v. P.O. Jenkins #8917	filed 08/16/21
1:21-cv-04369	Spin Master Ltd. et al v. The Partnerships and Unincorporated Associations Identified on Schedule "A"	filed 08/17/21 closed 03/13/23
1:21-cv-04392	United States of America , et al. v. Mid-West Institutional Food Distributors, Inc., et al.	filed 08/18/21 closed 01/06/23
1:21-cv-04434	Mejia v. Blue Island Park District	filed 08/19/21 closed 12/08/22
1:21-cv-04529	Jackson v. Discover Financial Services Inc.	filed 08/24/21 closed 07/25/23
1:21-cv-04556	Poulos et al v. Cinemark USA Inc. et al	filed 08/25/21 closed 06/23/23
1:21-cv-04672	Sherif Albert DDS, P.C., d/b/a Esplanade Dental Care et al v. The Cincinnati Insurance Companies et al	filed 09/01/21 closed 04/26/23

1:21-cv-04682	Caraba, D.D.S. v. Paul Revere Life Insurance Company	filed 09/01/21	
1:21-cv-04764	Torres Rivera v. Daria Exports Inc. et al	filed 09/08/21	closed 02/01/23
1:21-cv-04770	Royal v. Hamiti et al	filed 09/08/21	
1:21-cv-04827	Khan v. HCL America Inc.	filed 09/13/21	
1:21-cv-04840	Ball v. City of Chicago et al	filed 09/13/21	closed 12/29/22
1:21-cv-04849	Delgado v. Smithfield Packaged Meats Corp.	filed 09/13/21	
1:21-cv-04850	Gonzalez v. Village Of Hanover Park et al	filed 09/13/21	closed 03/17/23
1:21-cv-04902	Central States, Southeast and Southwest Areas Pension Fund et al v. Paramount Convention Services, Inc.	filed 09/15/21	closed 11/02/22
1:21-cv-04976	G.T. v. Samsung Electronics America, Inc.	filed 09/20/21	
1:21-cv-05021	Lehocky v. Transamerica Life Insurance Company	filed 09/22/21	closed 10/25/22
1:21-cv-05036	Woods v. O'Malley	filed 09/23/21	
1:21-cv-05285	Administrative District Council 1 Pension Fund v. LCS Construction Co. et al	filed 10/05/21	
1:21-cv-05543	Lorenzo v. State of Illinois Department of Human Services et al	filed 10/19/21	
1:21-cv-05624	Nanlawala v. CITY OF CHICAGO	filed 10/21/21	
1:21-cv-05756	Turow v. Glazier	filed 10/27/21	
1:21-cv-05787	Weston v. University of Kentucky Federal Credit Union	filed 10/29/21	closed 04/10/23
1:21-cv-05889	Clevenger v. A.M. Castle & Co.	filed 11/04/21	
1:21-cv-06112	Cornice & Rose International, LLC v. Acuity, A Mutual Insurance Company	filed 11/16/21	closed 12/29/22

1:21-cv-06142	Pasha v. Berg et al	filed 11/17/21
1:21-cv-06167	Britt v. Ingalls Memorial Hospital	filed 11/18/21 closed 05/31/23
1:21-cv-06177	Vidal-Martinez v. US Department of Homeland Security et al	filed 11/18/21 closed 11/09/23
1:21-cv-06239	Collier v. Illinois Department of Human Services	filed 11/19/21
1:21-cv-06281	Brotherhood of Locomotive Engineers and Trainmen v. National Railroad Passenger Corporation d/b/a Amtrak	filed 11/23/21 closed 05/19/23
1:21-cv-06282	International Association of Sheet Metal, Air, Rail and Transportation Workers - Transportation Division et al v. National Railroad Passenger Corp.	filed 11/23/21 closed 05/19/23
1:21-cv-06298	Bahena v. Aahil Corporation d/b/a Subway et al	filed 11/23/21 closed 01/31/23
1:21-cv-06362	Malik v. Addison Group	filed 11/29/21 closed 06/06/23
1:21-cv-06390	First American Title Insurance Company v. Hanson Aggregates Midwest	filed 11/30/21 closed 12/20/23
1:21-cv-06414	Automobile Mechanics' Local No. 701 Union and Industry Pension Fund et al v. Grayslake Autos, LLC d/b/a Rock Chevrolet d/b/a Rockenbach Chevrolet et al	filed 12/01/21 closed 11/09/22
1:21-cv-06511	Hurt v. ScriptPro LLC	filed 12/06/21 closed 03/27/23
1:21-cv-06517	Berman v. The County of Lake	filed 12/06/21
1:21-cv-06555	Sauer v. Herminstyne et al	filed 12/07/21
1:21-cv-06563	Cascades Branding Innovation LLC v. Aldi, Inc	filed 12/08/21 closed 03/31/24
1:21-cv-06601	Hernandez v. A-1 Outdoor Maintenance, Inc. et al	filed 12/09/21 closed 02/06/23
1:21-cv-06624	Jane Doe v. Fenix Internet, LLC	filed 12/10/21
1:21-cv-06734	Continental Glass Sales & Investment Corp v. First Finish, LLC	filed 12/17/21 closed 06/15/23

1:21-cv-06790	Mujcinovic v. Aimbridge Hospitality, L.P.	filed 12/21/21	closed 06/07/23
1:21-cv-06855	Wilim v. Mondelez Global LLC	filed 12/24/21	closed 10/19/23
1:21-cv-06861	Burton v. Dart et al	filed 12/27/21	closed 10/25/23
1:21-cv-06867	Montano v. Wexford Health Sources, Inc. et al	filed 12/27/21	
1:21-cv-06879	Garrett v. Walmart Inc	filed 12/28/21	
1:21-cv-06935	McGarrity v. Altus Business Development, Inc.	filed 12/31/21	closed 10/28/22
1:22-cr-00126-1	Willie Ware	filed 03/07/22	closed 12/13/23
1:22-cr-00126-2	Kevon Reed	filed 03/07/22	closed 11/12/23
1:22-cr-00303-1	David Patrick Sheffield	filed 01/19/23	
1:22-cr-00633-1	Sabrina Canale	filed 05/08/23	closed 01/22/24
1:22-cv-00014	RSUI Indemnity Company v. Fireside Terrace Condominium Association, Inc. et al	filed 01/03/22	
1:22-cv-00059	Mighty Pac, Inc. v. BT Supplies West, Inc.	filed 01/05/22	closed 07/18/23
1:22-cv-00178	Gaskew v. O'Malley	filed 01/11/22	
1:22-cv-00212	Lottie v. Walmart Inc.	filed 01/13/22	closed 06/26/23
1:22-cv-00226	Direct Steel, LLC v. American Buildings Company	filed 01/13/22	
1:22-cv-00289	Rizvi v. J.S. Held LLC	filed 01/18/22	closed 04/07/23
1:22-cv-00325	Rudy et al v. SSC Westchester Operation Company LLC	filed 01/19/22	closed 03/24/23
1:22-cv-00376	Cross v. Skinner et al	filed 01/23/22	closed 06/13/23

1:22-cv-00388	United States of America v. Triplett	filed 01/24/22	closed 09/19/22
1:22-cv-00513	Miskowicz v. Blinken et al	filed 01/28/22	closed 10/27/22
1:22-cv-00531	Branham v. Trueaccord Corp.	filed 01/29/22	closed 01/03/24
1:22-cv-00568	Martinez v. Wills	filed 01/31/22	
1:22-cv-00583	Doe v. Board of Education of The City of Chicago A Municipal Corporation	filed 02/01/22	
1:22-cv-00617	Bueno v. Experian Information Solutions, Inc.	filed 02/03/22	
1:22-cv-00627	Walker v. Dept. of Human Services et al	filed 02/04/22	closed 10/06/23
1:22-cv-00636	Blessing v. Richardson et al	filed 02/04/22	closed 06/30/22
1:22-cv-00757	Bobby Curry v Pedro Guzman, et al	filed 02/08/22	
1:22-cv-00768	Hernandez v. AutoZone, Inc.	filed 02/11/22	closed 09/11/23
1:22-cv-00818	Ballantine et al v. Village of Mokena	filed 02/15/22	
1:22-cv-00831	Carlson v. Transform SR Home Improvement Products LLC	filed 02/15/22	closed 11/10/22
1:22-cv-00930	Ramirez v. Dady et al	filed 02/21/22	closed 02/06/23
1:22-cv-00965	Hunt v. Brown, et al	filed 02/23/22	closed 12/13/23
1:22-cv-01030	Su v. Fensler et al	filed 02/28/22	
1:22-cv-01042	Wells v Chicago Park District	filed 02/28/22	closed 01/26/24
1:22-cv-01127	Cole v. Wray	filed 03/01/22	closed 04/01/24
1:22-cv-01178	Palacios v. Discount Green Dry Cleaners INC. et al	filed 03/04/22	closed 08/07/23
1:22-cv-01235	Dixon et al v. Leiserv, LLC d/b/a Bowlero River Grove	filed 03/08/22	closed 01/13/23

1:22-cv-01266	LaChance v. Community Consolidated School District 93, et al	filed 03/09/22	
1:22-cv-01286	Barnes v. Walmart	filed 03/10/22	closed 12/14/23
1:22-cv-01322	Willoughby et al v. Abbott Laboratories	filed 03/14/22	
1:22-cv-01364	Williams v. CW Nexus Credit Card Holdngs I, LLC	filed 03/15/22	closed 02/05/24
1:22-cv-01376	Doxie et al v. Abbott Laboratories	filed 03/16/22	
1:22-cv-01459	BlueCrest Capital International Master Fund Limited v. Travel Holdings, Inc. et al	filed 03/21/22	closed 03/15/24
1:22-cv-01512	Deckers Outdoor Corporation v. The Partnerships and Unincorporated Associations Identified on Schedule "A"	filed 03/23/22	closed 08/30/23
1:22-cv-01559	Spiegel v. Wintrust Bank, N.A.	filed 03/25/22	
1:22-cv-01575	Advanced Physical Medicine of Yorkville, Ltd. v. Cigna Healthcare of Illinois, Inc.	filed 03/25/22	
1:22-cv-01617	Heller v. Curaleaf Holdings, Inc.	filed 03/28/22	
1:22-cv-01648	Tiz, Inc. v. Southern Glazer's Wine and Spirits, LLC et al	filed 03/29/22	
1:22-cv-01653	Conrad et al v. SavATree, LLC	filed 03/30/22	closed 02/14/23
1:22-cv-01682	Wronski et al v. Blinken et al	filed 03/31/22	closed 03/06/23
1:22-cv-01731	Parker v. TransUnion LLC et al	filed 04/04/22	
1:22-cv-01761	Floyd v. Squires et al	filed 03/25/22	
1:22-cv-01768	Parker v. Experian Information Solutions, Inc. et al	filed 04/06/22	closed 12/07/22
1:22-cv-01828	Farias v. J&K Express, Inc. et al	filed 04/08/22	closed 10/04/23
1:22-cv-01834	Chicago & Vicinity Laborers' District Council Pension Fund et al v. ICC Commonwealth Corporation f/k/a International Chimney Corp.	filed 04/08/22	closed 12/08/22

1:22-cv-01856	White-Peck v. Wexford Health Sources Inc	filed 04/10/22
1:22-cv-01969	Guity v. Mangia Mangia Inc. et al	filed 04/17/22 closed 10/05/22
1:22-cv-01986	Baldwin v. The City of Chicago et al	filed 04/18/22
1:22-cv-02100	Reed v. Raoul et al	filed 04/21/22 closed 09/27/22
1:22-cv-02193	Clarity Laboratories LLC v. Morris SNF Management, LLC	filed 04/27/22
1:22-cv-02212	Rios v. Metro Communication USA LLC	filed 04/28/22 closed 12/05/22
1:22-cv-02218	Jilton v. Dart et al	filed 04/28/22 closed 12/02/22
1:22-cv-02248	Tisden et al v. U.S. Citizenship and Immigration Services (USCIS) et al	filed 04/29/22 closed 10/11/22
1:22-cv-02299	Roberson et al v. Management Corporation et al	filed 05/02/22 closed 11/28/22
1:22-cv-02308	Travelers Property Casualty Company of America v. Benchmark Insurance Company	filed 05/03/22
1:22-cv-02317	Fashion Forward Worldwide Corp. v. Stein	filed 05/03/22 closed 09/26/23
1:22-cv-02358	London v. Army Review Board Agency	filed 05/05/22 closed 02/14/24
1:22-cv-02380	Hartsfield v. Alvarez et. al	filed 05/06/22 closed 03/21/24
1:22-cv-02384	Toms et al v. Vandecarr, et al.	filed 05/06/22 closed 01/23/23
1:22-cv-02480	Coss et al v. Snap Inc.	filed 05/11/22 closed 07/25/23
1:22-cv-02631	Washington v. Portfolio Recovery Associates et al	filed 05/18/22 closed 01/25/23
1:22-cv-02643	Young v. City of Chicago et al	filed 05/18/22
1:22-cv-02646	Bryant v. Adult Protective Services - Catholic Charities, et al	filed 05/19/22 closed 03/21/24
1:22-cv-02658	Bonchon U.S.A., Inc. v. Aaron Allen & Associates, LLC	filed 05/19/22

1:22-cv-02665	Delgado v. Lebanese Meat Market et al	filed 05/19/22	closed 01/23/23
1:22-cv-02690	McCoy v. MAYORKAS	filed 05/20/22	
1:22-cv-02724	Weston v. U.S. Small Business Administration	filed 05/23/22	closed 11/03/23
1:22-cv-02727	Bonilla v. National Container Group, LLC et al	filed 05/23/22	closed 03/21/23
1:22-cv-02785	Bowman et al v. Chicago Housing Authority	filed 05/26/22	
1:22-cv-02805	Washington v. L J Ross Associates, Inc. et al	filed 05/27/22	closed 12/29/22
1:22-cv-02833	Burns v. City Of Waukegan et al	filed 05/28/22	closed 01/10/24
1:22-cv-02894	Reliford v. Monti et al	filed 06/01/22	
1:22-cv-02899	Hosty v. Sunrise Flossmoor Assisted Living, LLC	filed 06/02/22	
1:22-cv-02904	Rudolph-Kimble v. Motel 6	filed 06/02/22	closed 03/14/23
1:22-cv-02909	Havens et al v. Instant Brands, Inc.	filed 06/02/22	
1:22-cv-02975	Shanmugavelandy v. AbbVie, Inc	filed 06/07/22	
1:22-cv-03026	Lowe v. City Of Chicago et al	filed 06/09/22	
1:22-cv-03059	Global IP Law Group, LLC v. Comcast Cable Communications LLC et al	filed 06/10/22	closed 06/10/22
1:22-cv-03105	Mid-America Carpenters Regional Council Pension Fund v. Fuscaldo	filed 06/14/22	closed 11/21/22
1:22-cv-03133	McCoy v. National Railroad Passenger Corporation et al	filed 06/15/22	closed 02/28/23
1:22-cv-03159	Hines v. United Airlines, Inc.	filed 06/15/22	
1:22-cv-03232	James v. Cook County et al	filed 06/21/22	
1:22-cv-03236	Feuling v. United States of America	filed 06/21/22	closed 05/31/23

1:22-cv-03238	Bozzi v. Cook County Sheriff Department et al	filed 06/21/22
1:22-cv-03239	Nextpulse, LLC v. Life Fitness, LLC	filed 06/21/22
1:22-cv-03243	Her Imports v. Cabello Real Ltd et al	filed 06/21/22 closed 01/12/23
1:22-cv-03297	Woeso v. Experian Information Solutions, Inc. et al	filed 06/23/22 closed 12/19/22
1:22-cv-03381	Martinez Martinez v. Ravinia Maid Service, Inc. et al	filed 06/28/22 closed 11/20/23
1:22-cv-03486	Fedorova v. Bank of America, N. A. et al	filed 07/06/22 closed 03/28/23
1:22-cv-03509	Reflection Window & Wall, LLC v. Talon Wall Holdings, LLC et al	filed 07/06/22
1:22-cv-03571	Duffy v. Toussint et al	filed 07/11/22 closed 09/30/22
1:22-cv-03586	Allen-Sanders v. Mount Sinai Hospital Medical Center	filed 07/12/22 closed 06/01/23
1:22-cv-03610	Raspanti v. Jones Day et al	filed 07/11/22 closed 05/15/23
1:22-cv-03645	Irfan v. Carpentersville Police Department	filed 07/13/22 closed 01/04/23
1:22-cv-03652	Emoji Company GmbH v. The Individuals, Corporations, Limited Liability Companies, Partnerships, and Unincorporated Associations Identified on Schedule A Hereto	filed 07/14/22 closed 02/10/23
1:22-cv-03661	Melgoza v. The Chefs' Warehouse Midwest, LLC et al	filed 07/14/22 closed 12/15/22
1:22-cv-03664	LL, Inc. v. Partnerships and unincorporated Associations Identified in Schedule A	filed 07/14/22 closed 09/30/23
1:22-cv-03691	LKQ Corporation et al v. Shipman	filed 07/15/22
1:22-cv-03695	American Airlines, Inc. v. The Individuals and Entities associated with the domains identified in Exhibit A.	filed 07/15/22
1:22-cv-03753	Central States Southeast & Southwest Areas Pension Fund et al v. Doe	filed 07/20/22 closed 03/16/23

1:22-cv-03781	S-R Investments LLC et al v. Federal Insurance Company et al	filed 07/21/22	closed 03/30/24
1:22-cv-03795	Torres v. Wal-Mart Stores Inc.	filed 07/21/22	closed 12/01/23
1:22-cv-03812	Wyatt v. People of Illinois State et al	filed 07/22/22	closed 10/31/22
1:22-cv-03833	Long Distance Moving Experts et al v. United Express Group, Inc. et al	filed 07/25/22	closed 09/30/22
1:22-cv-03860	United States of America, ex rel. Direct Steel LLC, d/b/a Direct Steel and Construction v. American Buildings Company	filed 07/26/22	
1:22-cv-03868	Tamez v. Sergeant Construction, Inc.	filed 07/26/22	closed 11/14/23
1:22-cv-04075	Foremost Insurance Company v. Ratts et al	filed 08/04/22	closed 09/27/23
1:22-cv-04126	Havrilla et al v. Centene Corporation et al	filed 08/05/22	
1:22-cv-04141	Coyote Logistics, LLC v. Falcon Motor Xpress, LTD.	filed 08/08/22	closed 04/11/23
1:22-cv-04147	Laura Graves v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 08/08/22	closed 01/12/23
1:22-cv-04191	Bigfoot 4X4, Inc. v. The Individuals, Corporations, Limited Liability Companies, Partnerships, and Unincorporated Associations Identified on Schedule A Hereto	filed 08/10/22	closed 08/30/23
1:22-cv-04211	Driver v. LQ Management LLC	filed 08/10/22	
1:22-cv-04234	Keeling v. Collection Professionals, Inc. et al	filed 08/11/22	
1:22-cv-04277	Coss et al v. Walmart, Inc.	filed 08/12/22	closed 10/31/22
1:22-cv-04338	Blue Sphere, Inc., d/b/a Lucky 13 and Robert A. Kloetzy v. The Individuals, Corporations, Limited Liability Companies, Partnerships, and Unincorporated Associations Identified on Schedule A Hereto	filed 08/17/22	closed 09/28/23
1:22-cv-05160	Paynter v. BG Medical, LLC et al	filed 09/21/22	

1:22-cv-05432	Structural Iron Workers Local No. 1 Pension Fund v. VMR Contractors, Inc.	filed 10/04/22	
1:22-cv-05500	Minnu v. Mayorkas et al	filed 10/07/22	closed 02/24/23
1:22-cv-05509	Keel v. BG Medical, LLC et al	filed 10/07/22	
1:22-cv-05543	Hatanaka v. Bein & Fushi, Inc. et al	filed 10/10/22	closed 12/20/22
1:22-cv-05549	DeVry University, Inc. v. United States Department Of Education et al	filed 10/11/22	
1:22-cv-05657	Grimmage v. City of Chicago et al	filed 10/14/22	closed 04/06/23
1:22-cv-05661	Aspen American Insurance Company v. Mirov et al	filed 10/14/22	closed 03/29/23
1:22-cv-05662	Jones v. Samsung Electronics America Inc. et al	filed 10/14/22	closed 01/13/23
1:22-cv-05680	Wilson et al v. Wells Fargo Bank et al	filed 10/17/22	closed 10/04/23
1:22-cv-05734	Enforcement of Subpoena Against Vocollect, Inc.	filed 10/18/22	closed 10/18/22
1:22-cv-05747	Smith v. Truitt	filed 10/19/22	closed 04/04/23
1:22-cv-05769	Mellaconic IP LLC v. Workforce.com Inc.	filed 10/20/22	closed 01/17/23
1:22-cv-05781	Jerome Richardson v. United States of America	filed 10/20/22	closed 10/27/22
1:22-cv-05827	Santiago et al v. City of Chicago	filed 10/21/22	
1:22-cv-05857	Aksoy v. O'Malley	filed 10/24/22	closed 05/11/23
1:22-cv-05900	Prepared Food Photos, Inc. v. Fathead Design, Inc.	filed 10/26/22	closed 11/03/22
1:22-cv-05912	Colon v. CV Imports, LLC dba CV Linens	filed 10/26/22	closed 02/09/23
1:22-cv-05926	Trebco Specialty Products Inc v. The Individuals, Corporations, Limited Liability Companies, Partnerships, and Unincorporated Associations Identified on Schedule A to the Complaint	filed 10/26/22	

1:22-cv-05927	Ubisoft Entertainment, S.A. and Ubisoft, Inc. v. The Individuals, Corporations, Limited Liability Company, Partnerships, and Unincorporated Associations Identified on Schedule A Hereto	filed 10/27/22	closed 03/27/24
1:22-cv-05978	Allen v. City of Chicago et al	filed 10/31/22	
1:22-cv-05989	Johnson v. City of Chicago et al	filed 10/31/22	
1:22-cv-05999	Gresham v. City of Chicago et al	filed 10/31/22	
1:22-cv-06008	Chambers v. Village Of Oak Park et al	filed 11/01/22	
1:22-cv-06020	Wilson v. Village of University Park et al	filed 11/01/22	
1:22-cv-06028	MD, LLC vs The Partnerships And Unincorporated Associations Identified In Schedule "A"	filed 11/01/22	closed 02/15/23
1:22-cv-06031	Seri v. Will County Adult Detention Facility et al	filed 10/31/22	closed 12/20/22
1:22-cv-06035	Art Ask Agency v. The Individuals, Corporations, Limited Liability Companies, Partnerships, and Unincorporated Associations Identified on Schedule A Hereto	filed 11/02/22	
1:22-cv-06046	Harris v. City of Chicago et al	filed 11/02/22	
1:22-cv-06051	Asghedom v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 11/02/22	closed 06/15/23
1:22-cv-06060	Rojas v. Voters First Victory Fund	filed 11/02/22	closed 06/30/23
1:22-cv-06088	Erie Insurance Exchange v. Urso	filed 11/03/22	closed 01/31/23
1:22-cv-06096	LaPorte et al v. CareerBuilder, LLC	filed 11/03/22	closed 01/16/24
1:22-cv-06200	Kane v. O'Malley	filed 11/08/22	closed 06/15/23
1:22-cv-06201	Allison v. TransUnion LLC	filed 11/08/22	
1:22-cv-06205	Rodriguez Reyes v. United States of America et al	filed 11/08/22	closed 02/23/23

1:22-cv-06266	General Motors LLC v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 11/09/22	closed 07/28/23
1:22-cv-06279	Mohead v. O'Malley	filed 11/10/22	closed 07/24/23
1:22-cv-06286	Bass v. O'Malley	filed 11/10/22	closed 02/10/23
1:22-cv-06315	Hudson Insurance Company v. Copenhagen Construction Inc et al	filed 11/11/22	closed 03/30/24
1:22-cv-06319	Weathers v. O'Malley	filed 11/11/22	closed 05/22/23
1:22-cv-06324	Ferrara et al v. Jaddou et al	filed 11/13/22	closed 02/16/23
1:22-cv-06375	Walker v. Horizon Therapeutics USA, Inc.	filed 11/15/22	
1:22-cv-06380	Sievert Electric Service and Sales Company v. Storako et al	filed 11/15/22	
1:22-cv-06389	Westchester Fire Insurance Company v. Princeton Lodge #1115, Benevolent and Protective Order of Elks of the United States of America et al	filed 11/15/22	closed 06/13/23
1:22-cv-06393	King et al v. JDM Expedite Inc.	filed 11/15/22	
1:22-cv-06402	Shenzhenshi Borunxing Wujin You Xian Gong Si v. The Partnerships and Unincorporated Associations identified in Schedule A	filed 11/15/22	closed 07/19/23
1:22-cv-06407	Leyva-Hernandez v. Transportation Services, Inc. et al	filed 11/16/22	closed 02/06/23
1:22-cv-06454	Gilowski v. United States of America	filed 11/17/22	closed 10/27/23
1:22-cv-06480	Ugalde Cervantes v. Mayorkas et al	filed 11/18/22	closed 03/28/23
1:22-cv-06481	Seri v. Police Station of Bolingbrook Illinois et al	filed 11/18/22	closed 12/22/22
1:22-cv-06486	Cullen v. Spiriplax, Inc.	filed 11/18/22	closed 12/06/23
1:22-cv-06491	Strand v. O'Malley	filed 11/18/22	closed 08/17/23
1:22-cv-06521	Allen v. The Federated Group, Inc.,	filed 11/21/22	closed 04/27/23

1:22-cv-06530	Cohan v. SHG IL TWO LLC	filed 11/21/22	closed 01/25/23
1:22-cv-06539	Disintermediation Services, Inc. v. LiveAdmins, LLC	filed 11/21/22	
1:22-cv-06541	Robinson et al v. Lake Ventures LLC dba Fresh Thyme Market	filed 11/21/22	
1:22-cv-06555	Fiallo v. Church Hill Classics, Ltd.	filed 11/22/22	closed 03/17/23
1:22-cv-06579	Banks v. Gray Solutions, LLC	filed 11/23/22	closed 04/05/23
1:22-cv-06580	Thompson v. Resurgence Legal Group, PC et al	filed 11/23/22	closed 02/02/23
1:22-cv-06581	Trustees of the Mid America Carpenters Regional Millmen Pension Fund et al v. Oetee, LLC.	filed 11/23/22	closed 03/14/24
1:22-cv-06613	Guerrero v. DYWIDAG Systems International, USA, Inc. et al	filed 11/28/22	closed 08/25/23
1:22-cv-06630	Alta Waterford LLC v. Clearday, Inc.	filed 11/28/22	closed 02/17/23
1:22-cv-06687	Walsh v. Keystrokes Transcription Service, Inc. et al	filed 11/30/22	closed 10/03/23
1:22-cv-06733	Musee du Louvre v. SEE Global Attractions, Inc. et al	filed 12/01/22	closed 08/11/23
1:22-cv-06742	Wendt v. Prime Now LLC et al	filed 12/01/22	closed 06/05/23
1:22-cv-06762	Williams v. Inflection Risk Solutions, Inc.	filed 12/02/22	closed 04/03/23
1:22-cv-06833	Sroga v. Village Of River Grove et al	filed 12/02/22	closed 08/18/23
1:22-cv-06837	Leeds v. Horizon Therapeutics USA, Inc.	filed 12/06/22	
1:22-cv-06866	Acosta v. Allegheny Ludlum, LLC	filed 12/07/22	closed 12/12/22
1:22-cv-06879	Young Innovations, Inc. v. US Dental, Inc. et al	filed 12/07/22	
1:22-cv-06940	GS Holistic, LLC v. MS NEWS AND TOBACCO INC et al	filed 12/10/22	closed 01/26/24

1:22-cv-06944	GS Holistic, LLC v. Chicago Vapor Zone Inc. et al	filed 12/10/22	closed 02/13/23
1:22-cv-06964	LIANG v. MAYORKAS et al	filed 12/12/22	closed 04/24/23
1:22-cv-07007	Chicago & Vicinity Laborers' District Council Pension Fund et al v. Pan American Construction Company, Inc.	filed 12/13/22	closed 03/01/23
1:22-cv-07009	Hash v. Experian Information Solutions, Inc.	filed 12/13/22	closed 03/08/23
1:22-cv-07036	Haywood v City of Chicago et al	filed 12/14/22	
1:22-cv-07037	Peaster v. McDonald's Corporation et al	filed 12/14/22	
1:22-cv-07083	Williams v. Walmart Inc.	filed 12/16/22	closed 10/02/23
1:22-cv-07102	West v. O'Malley	filed 12/16/22	
1:22-cv-07118	Hernandez v. O'Malley	filed 12/16/22	closed 07/13/23
1:22-cv-07193	Matthews v. Wexford Health Sources, Inc., et al	filed 12/20/22	
1:22-cv-07195	Edelman v. Bank of America, National Association	filed 12/21/22	closed 06/23/23
1:22-cv-07199	Johnson v. P.F.A. Systems, Inc.	filed 12/22/22	closed 03/25/24
1:22-cv-07207	Akimoto v. Mayorkas et al	filed 12/22/22	closed 01/04/23
1:22-cv-07226	Knightbrook Insurance Company v. Moonlight Logistics Inc. et al	filed 12/23/22	closed 08/16/23
1:22-cv-07258	Strike 3 Holdings, LLC v. Doe, subscriber assigned IP address 73.209.201.149	filed 12/27/22	closed 03/27/23
1:22-cv-07266	Strike 3 Holdings, LLC v. Doe, subscriber assigned IP address 73.8.223.49	filed 12/27/22	closed 03/16/23
1:22-cv-07273	Hill v. O'Malley	filed 12/27/22	closed 11/17/23
1:22-cv-07314	McDonald v. Dejoy	filed 12/29/22	

1:22-cv-07315	Pineda v. Ortiz	filed 12/28/22
1:22-cv-07337	Krupinski v. O'Malley	filed 12/30/22 closed 01/03/24
1:22-cv-07341	Kilroy Watkins v. Illinois Department of Child & Family Services	filed 12/30/22
1:22-cv-07346	Hines v. Goodleap, LLC et al	filed 12/30/22 closed 04/25/23
1:23-cr-00037-1	Denzel Delaney	filed 01/19/23 closed 01/19/23
1:23-cr-00077-1	Michael Stanley Johnston	filed 02/09/23 closed 02/09/23
1:23-cr-00113-1	Eduart Hoxha	filed 05/09/23
1:23-cr-00113-2	Alexis Del Toro	filed 05/09/23
1:23-cr-00113-3	Freddy Del Toro	filed 05/09/23 closed 02/12/24
1:23-cr-00113-4	Bryan Del Toro	filed 05/09/23
1:23-cr-00113-5	Alex Hernandez	filed 05/09/23
1:23-cr-00113-6	Hader Garcia	filed 05/09/23
1:23-cr-00113-7	Ruben Valencia	filed 05/09/23
1:23-cr-00113-8	Karina Jimenez	filed 05/09/23
1:23-cr-00113-9	Kevin Ramirez	filed 02/28/23 closed 06/21/23
1:23-cr-00113-10	Jonas Castillo	filed 05/09/23
1:23-cr-00113-11	Jesenia Calle	filed 05/09/23
1:23-cr-00142-1	Zishan Alvi	filed 03/09/23

1:23-cr-00160-1	Brandon Owens	filed 04/20/23	closed 02/26/24
1:23-cr-00178-1	Jermaine D. Turner	filed 03/28/23	
1:23-cr-00223-1	Aaron Albert Hunt	filed 04/17/23	closed 04/17/23
1:23-cr-00250-1	Kenneth Odeal Anderson	filed 04/24/23	closed 04/24/23
1:23-cr-00259-1 *SEALED*	Victor Solis-Lujano	filed 04/26/23	
1:23-cr-00322-1	Leonardo Darnell Zanders	filed 05/22/23	closed 05/22/23
1:23-cr-00335-1	Jose Ayala	filed 05/31/23	closed 05/31/23
1:23-cr-00337-1	Hector Alcantara-Nieto	filed 05/31/23	
1:23-cr-00338-1	Jerardo Cazares	filed 05/31/23	
1:23-cr-00338-2	Jaqueline Rojas	filed 05/31/23	
1:23-cr-00354-1	Susana Jazmin Villa-Rubio	filed 06/13/23	closed 06/13/23
1:23-cr-00399-1	Dennis Hammel	filed 08/07/23	
1:23-cr-00413-1	Derek Donley	filed 10/26/23	
1:23-cr-00413-2	Kendall Banks	filed 10/26/23	
1:23-cr-00413-5	April Thomas	filed 10/26/23	

1:23-cr-00450-1	Raymond Head	filed 08/15/23
1:23-cr-00478-1	Matthew Burton	filed 09/07/23 closed 09/07/23
1:23-cr-00519-1	Cornelius Q. Hill	filed 10/03/23 closed 10/03/23
1:23-cr-00544-1	Alisha Richardson	filed 10/12/23
1:23-cr-00591-1 *SEALED*	Robert Dunlap	filed 11/07/23
1:23-cr-00603-1	Kevin Longstreath	filed 11/13/23
1:23-cr-00627-1	Jonathan Atkins	filed 12/05/23 closed 12/05/23
1:23-cr-00643-1	Daniel Rodriguez	filed 01/11/24
1:23-cv-00030	Ware v. Equinix LLC	filed 01/03/23 closed 02/15/23
1:23-cv-00075	ABC Corporation v. The Partnerships and Unincorporated Associations Identified On Schedule A	filed 01/05/23 closed 11/06/23
1:23-cv-00080	Perkins v. Mandarich Law Group, LLP,	filed 01/06/23
1:23-cv-00081	Radovic v. Freedom Mortgage Corporation	filed 01/06/23 closed 09/07/23
1:23-cv-00087	Coyote Logistics, LLC v. Bee World Inc.	filed 01/06/23
1:23-cv-00094	Halim v. Charlotte Tilbury Beauty Inc. et al	filed 01/06/23 closed 05/11/23
1:23-cv-00124	Romero v. Menard, Inc.	filed 01/10/23 closed 04/13/23
1:23-cv-00146	Essex, Jr. v. Galesburg P.D. et al	filed 01/10/23 closed 02/08/23

1:23-cv-00167	McKinney v. FCI Marianna Prison Officials et al	filed 01/10/23	closed 01/18/23
1:23-cv-00171	U.S. Bank National Association d/b/a U.S. Bank Equipment Finance v Start Smiling Dental Implant Centers, LLC doing business as Start Smiling Chicago	filed 01/11/23	closed 05/17/23
1:23-cv-00204	Chako v. USCIS	filed 01/13/23	closed 04/20/23
1:23-cv-00205	Eskharya v. USCIS	filed 01/13/23	closed 03/27/23
1:23-cv-00213	Line Construction Benefit Fund v. Rancho Tree Service	filed 01/13/23	closed 07/18/23
1:23-cv-00215	Christenson v. O'Malley	filed 01/13/23	closed 08/15/23
1:23-cv-00221	Lacey v. Meridian Hospice Inc. et al	filed 01/13/23	closed 02/05/24
1:23-cv-00238	Letoski et al v. The Coca-Cola Company	filed 01/16/23	
1:23-cv-00249	Bradley v. Trans Union, LLC	filed 01/17/23	closed 04/04/23
1:23-cv-00250	Jeff Bartels v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 01/17/23	closed 05/08/23
1:23-cv-00272	Longfield v. Artis SLM of Elmhurst, LLC	filed 01/18/23	closed 05/10/23
1:23-cv-00274	Moses v. Ralphs Grocery Company d/b/a Food4Less	filed 01/18/23	closed 03/08/24
1:23-cv-00364	Kampf v. Target Corporation	filed 01/20/23	
1:23-cv-00393	Thielen v. SBNB, Inc. et al	filed 01/23/23	closed 04/06/23
1:23-cv-00411	Toho Co., Ltd. v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 01/23/23	closed 06/02/23
1:23-cv-00423	Jeff Bartels v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 01/24/23	closed 07/24/23
1:23-cv-00485	Mazutis v. Michael	filed 01/26/23	
1:23-cv-00494	Vasile v. Mayorkas et al	filed 01/26/23	closed 03/27/23

1:23-cv-00549	Sulaiman v. Cioppa et al	filed 01/30/23	closed 03/28/23
1:23-cv-00571	HUGHES v. The City of Markham et al	filed 01/31/23	closed 05/25/23
1:23-cv-00576	Pena v. Service Employees International Union	filed 01/31/23	closed 07/13/23
1:23-cv-00605	Duerte v. MK Simplemart, Inc. et al	filed 02/01/23	closed 04/24/23
1:23-cv-00608	Trester v. O'Malley	filed 02/01/23	
1:23-cv-00618	Datska v. Mayorkas et al	filed 02/01/23	closed 04/07/23
1:23-cv-00629	Zorro Productions, Inc. v. The Individual, Corporations, Limited Liability Companies, Partnerships, and Unincorporated Associations Identified on Schedule A Hereto	filed 02/02/23	closed 02/21/24
1:23-cv-00646	Green et al v. Board Of Education City Of Chicago et al	filed 02/02/23	closed 10/23/23
1:23-cv-00714	Strike 3 Holdings, LLC v. Doe, subscriber assigned IP address 73.9.14.193	filed 02/06/23	closed 03/21/23
1:23-cv-00764	In Re: Request for Judicial Assistance from the 2nd Judicial Court of the District Court of Valinhos in Sao Paulo, Brazil in the matter of Ultrapan Industria E. Comercio LTDA v. Tampico Beverages Inc.	filed 02/07/23	closed 02/07/23
1:23-cv-00801	Earley v. City of Chicago et al	filed 02/09/23	
1:23-cv-00824	Zimmers v. O'Malley	filed 02/09/23	closed 08/10/23
1:23-cv-00857	ABC Corporation v. The Partnerships and Unincorporated Associations Identified On Schedule A	filed 02/10/23	closed 02/01/24
1:23-cv-00891	General Motors LLC v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 02/13/23	closed 05/08/23
1:23-cv-00906	Asghedom v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 02/14/23	closed 05/26/23
1:23-cv-00911	The NOCO Company v. Shenzhen CAR KU Technology Co., Ltd.	filed 02/14/23	

1:23-cv-00937	Mohammed v. City of Chicago Heights	filed 02/15/23	closed 05/16/23
1:23-cv-01009	Wright v. Dearborn Wholesale Grocers, Inc.	filed 02/20/23	closed 09/05/23
1:23-cv-01018	Mouline et al v. UNITED STATES OF AMERICA et al	filed 02/20/23	closed 04/04/23
1:23-cv-01029	Scalzo v. LKQ Corporation	filed 02/21/23	closed 03/23/23
1:23-cv-01098	Christian Dior Couture, S.A. v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 02/22/23	closed 07/17/23
1:23-cv-01120	NM Capital LLC v. Fidelity and Guaranty Insurance Company	filed 02/23/23	
1:23-cv-01123	Robinson v. O'Malley	filed 02/23/23	closed 11/22/23
1:23-cv-01185	White v. The TJX Companies, Inc.	filed 02/24/23	closed 10/20/23
1:23-cv-01193	Rodriguez v. Dart et al	filed 02/21/23	closed 05/17/23
1:23-cv-01200	Motley Crue, Inc. v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 02/27/23	closed 07/17/23
1:23-cv-01225	Terry v. McCoy Services, Inc.	filed 02/28/23	closed 03/21/24
1:23-cv-01234	Morales v. Chicago Police of Ogden and Spaulding, The et al	filed 02/16/23	closed 01/12/24
1:23-cv-01262	Ezimidigbo et al v. Mayorkas et al	filed 03/01/23	closed 06/21/23
1:23-cv-01295	Li et al v. Mayorkas et al	filed 03/02/23	closed 06/05/23
1:23-cv-01302	Norman v. TransUnion	filed 02/28/23	closed 06/07/23
1:23-cv-01309	Kaszycki v. Chex Systems, Inc. et al	filed 03/02/23	closed 07/05/23
1:23-cv-01389	Trio v. Amazon Web Services, Inc.	filed 03/06/23	
1:23-cv-01391	Farron v. Bluestar Corporate Relocation Services, LLC	filed 03/07/23	closed 03/21/23

1:23-cv-01395	Hussain et al v. Mayorkas et al	filed 03/07/23	closed 05/10/23
1:23-cv-01404	Holman v. United Airlines, Inc., et al	filed 03/07/23	
1:23-cv-01410	Berry v. The Board of Trustees of The University of Illinois	filed 03/07/23	
1:23-cv-01426	Wang v. The United States Citizenship and Immigration Services et al	filed 03/08/23	closed 06/08/23
1:23-cv-01456	Vale v. JBL Investments Company	filed 03/09/23	closed 05/05/23
1:23-cv-01494	PENG v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 03/10/23	closed 12/19/23
1:23-cv-01499	Converse Inc. v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 03/10/23	closed 09/19/23
1:23-cv-01500	Futaba Corporation of America v. Diehl Controls Mexico S.A. de C.V.	filed 03/10/23	closed 06/12/23
1:23-cv-01605	Green et al v. Datanyze, LLC	filed 03/14/23	
1:23-cv-01620	Rezac v. Home Depot U.S.A., Inc. et al	filed 03/15/23	
1:23-cv-01637	Martinez v. Chicago Transit Authority	filed 03/15/23	
1:23-cv-01649	BMO Harris Bank, N.A. v. Hafen	filed 03/16/23	closed 04/13/23
1:23-cv-01684	Terracina v. Bloomingdales LLC	filed 03/17/23	
1:23-cv-01699	Watson v. Dart et al	filed 03/17/23	closed 12/14/23
1:23-cv-01702	Watson v. Dart et al	filed 03/17/23	closed 06/23/23
1:23-cv-01713	Wilmington Savings Fund Society, FSB, not individually but solely as Trustee for Finance of America Structured Securities Acquisition Trust 2019-HB1 v. City Of Chicago	filed 03/20/23	closed 04/14/23
1:23-cv-01718	Watson v. Sisk et al	filed 03/17/23	closed 09/07/23
1:23-cv-01723	Luque v. Dart et al	filed 03/20/23	closed 01/31/24

1:23-cv-01724	Riebe v. Enterprise Holdings, Inc., a Missouri corporation et al	filed 03/20/23	closed 06/30/23
1:23-cv-01727	Gomez et al v. Bart GC Corp. et al	filed 03/20/23	closed 08/10/23
1:23-cv-01737	Hernandez et al v. Guevara et al	filed 03/21/23	
1:23-cv-01738	Lugo v. Guevara et al	filed 03/21/23	
1:23-cv-01742	Gecht v. Guevara et al	filed 03/21/23	
1:23-cv-01767	Farner v. Dr. Conlin et al	filed 03/21/23	
1:23-cv-01792	Fletcher et al v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 03/22/23	closed 08/22/23
1:23-cv-01793	Dalton v. Sweet Honey Tea, Inc.	filed 03/22/23	
1:23-cv-01794	International Association of Sheet Metal, Air, Rail and Transportation Workers - Transportation Division v. Norfolk Southern Railway Company	filed 03/22/23	closed 11/01/23
1:23-cv-01815	Trustees of the Chicago Painters and Decorators Pension Fund et al v. Legend Construction Services, Inc.	filed 03/23/23	closed 10/10/23
1:23-cv-01821	Colon v. Krnobabic	filed 03/22/23	
1:23-cv-01823	Gwinn v. City of Chicago et al	filed 03/23/23	
1:23-cv-01878	Rodriguez v. United States Of America(FTCA)	filed 03/26/23	
1:23-cv-01918	Gecko Robotics, Inc. v. Summit NDE, LLC. et al	filed 03/27/23	closed 06/12/23
1:23-cv-01990	Flaherty v. Hello Products LLC	filed 03/29/23	
1:23-cv-02000	Gillentine et al v. PHH Mortgage Corporation et al	filed 03/30/23	closed 07/10/23
1:23-cv-02011	Julie Stiebritz v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 03/30/23	closed 06/21/23

1:23-cv-02033	B v. Waubensee Community College	filed 03/30/23	
1:23-cv-02090	Saeed v. Mayorkas et al	filed 04/03/23	closed 05/26/23
1:23-cv-02095	Hernandez Gaytan et al v. U.S. Citizenship and Immigration Services, et al	filed 04/03/23	closed 05/23/23
1:23-cv-02127	Passamentt v. Ferrara Candy Company	filed 04/04/23	closed 09/14/23
1:23-cv-02146	Hill v. Czarnowski Display Service, Inc.	filed 04/05/23	closed 01/30/24
1:23-cv-02158	Fox Valley & Vicinity Construction Workers Welfare Fund et al v. R.C.J. Enterprises, Ltd. et al	filed 04/05/23	closed 05/31/23
1:23-cv-02206	Gonzalez v. Lineage Logistics Holdings, LLC, d/b/a Lineage Logistics	filed 04/07/23	closed 02/16/24
1:23-cv-02240	Jaworski, et al. v. Trianafillo, et al.	filed 04/10/23	
1:23-cv-02253	Rabiu v. Abbott Laboratories	filed 04/10/23	
1:23-cv-02276	Canadian Breaks LLC v. JPMorgan Chase Bank NA et al	filed 04/11/23	closed 10/26/23
1:23-cv-02280	Seri v. Bolingbrook Police Department et al	filed 04/07/23	closed 08/02/23
1:23-cv-02291	Wolske v. Aramark et al	filed 04/12/23	closed 06/15/23
1:23-cv-02293	Cohan v. Indian Creek Investors, Inc.	filed 04/12/23	closed 10/25/23
1:23-cv-02295	Carr v. O'Malley	filed 04/12/23	
1:23-cv-02318	Lee et al v. Dart Motors LLC et al	filed 04/12/23	
1:23-cv-02326	Boback v. O'Malley	filed 04/13/23	closed 02/14/24
1:23-cv-02370	Ornelas v. Chex Systems, Inc.	filed 04/14/23	
1:23-cv-02429	Billups v. City Of Harvey et al	filed 04/18/23	

1:23-cv-02433	Strike 3 Holdings, LLC v. Doe, subscriber assigned IP address 205.178.104.192	filed 04/19/23	closed 07/12/23
1:23-cv-02446	Strike 3 Holdings, LLC v. Doe, subscriber assigned IP address 207.237.221.220	filed 04/19/23	closed 07/14/23
1:23-cv-02449	Epoch Company, Ltd. v. The Individuals, Corporations, Limited Liability Companies, Partnerships, and Unincorporated Associations Identified on Schedule A Hereto	filed 04/19/23	closed 02/01/24
1:23-cv-02454	Quintero v. Kuwesh et al	filed 04/19/23	closed 03/26/24
1:23-cv-02460	Linder v. 90 Day Credit Experts, LLC	filed 04/19/23	closed 05/18/23
1:23-cv-02493	Krueger v. Reliance Standard Life Insurance Company	filed 04/20/23	
1:23-cv-02503	Polanco v. Horizon Therapeutics USA, Inc.	filed 04/20/23	
1:23-cv-02509	PNC Bank, National Association v. GardenTree Landscaping LLC et al	filed 04/21/23	closed 02/13/24
1:23-cv-02579	STORE Master Funding XVII, LLC v. Siddiqui et al	filed 04/25/23	closed 01/08/24
1:23-cv-02629	Freeman v. City Of Chicago et al	filed 04/27/23	
1:23-cv-02667	Pena vs Cerence Inc.	filed 04/28/23	
1:23-cv-02680	Hornbeck v. BG Medical, LLC et al	filed 04/28/23	
1:23-cv-02710	Brown v. Cook County Sheriff's Office et al	filed 05/01/23	
1:23-cv-02765	Conidi v. Beauty Industry Group Opco, LLC et al	filed 05/02/23	closed 11/21/23
1:23-cv-02776	Box v. Wilks et al	filed 05/02/23	
1:23-cv-02782	Grinnell Mutual Reinsurance Company v. Herder et al	filed 05/03/23	closed 09/29/23
1:23-cv-02794	Kiefer et al v. SRA Associates, Inc.	filed 05/04/23	closed 12/08/23
1:23-cv-02796	Barnes v. Cermak Medical Services et al	filed 05/03/23	closed 10/10/23

1:23-cv-02801	Azmy v. Beal Properties, LLC et al	filed 05/04/23	closed 10/26/23
1:23-cv-02802	Watkins v. Friedlander	filed 05/04/23	
1:23-cv-02816	Brandt v. Amazon.Com, Inc. et al	filed 05/04/23	
1:23-cv-02883	Cohan v. MCR Waukegan Tenant, LLC	filed 05/08/23	closed 09/18/23
1:23-cv-02898	Kalkan v. Jaddou et al	filed 05/09/23	closed 07/11/23
1:23-cv-02921	Kim v. Jump Trading, LLC et al	filed 05/09/23	
1:23-cv-02936	Licitra v. ARCPE 1 LLC et al	filed 05/10/23	closed 09/14/23
1:23-cv-02993	Craig v. Hughes	filed 05/12/23	
1:23-cv-03006	Smith et. al. v. Cook County Sheriff's Office, et. al.	filed 05/12/23	closed 03/06/24
1:23-cv-03014	Yildirim v. Jaddou et al	filed 05/12/23	closed 01/25/24
1:23-cv-03028	Koukla Productions LLC v. Bamboulis	filed 05/15/23	closed 12/05/23
1:23-cv-03050	Williams v. R.S. Independent Home Health Care, LLC	filed 05/16/23	closed 12/14/23
1:23-cv-03067	Bell v. Ebersole et al	filed 05/12/23	closed 02/16/24
1:23-cv-03085	Montgomery v. Village of Dolton	filed 05/16/23	
1:23-cv-03134	Trustees of the Suburban Teamsters of Northern Illinois Welfare and Pension Funds v. Franco Hauling, LLC	filed 05/18/23	
1:23-cv-03175	Pollard v. FBI	filed 05/19/23	closed 08/01/23
1:23-cv-03195	Adams v. Social Security Administration et al	filed 05/22/23	closed 06/07/23
1:23-cv-03208	Parker v. O'Malley	filed 05/22/23	closed 02/14/24
1:23-cv-03246	Adams v. Experian	filed 05/23/23	closed 10/10/23

1:23-cv-03262	Strike 3 Holdings, LLC v. Doe, subscriber assigned IP address 98.32.175.191	filed 05/24/23	closed 08/03/23
1:23-cv-03265	Callahan v. Xayah Enterprises, LLC	filed 05/24/23	
1:23-cv-03275	Eye Safety Systems, Inc. v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 05/24/23	closed 10/17/23
1:23-cv-03276	Berczy et al v. Ahern Rentals, Inc. et al	filed 05/24/23	
1:23-cv-03298	Wright v. City Of Chicago et al	filed 05/24/23	
1:23-cv-03315	Sheikh v. Jung et al	filed 05/25/23	
1:23-cv-03319	Colon v. Krnobabic et al	filed 05/24/23	closed 08/02/23
1:23-cv-03354	Griffith Foods Worldwide Inc. v. Logility, Inc.	filed 05/26/23	closed 12/19/23
1:23-cv-03366	Integrate.com, Inc. v Noonan et al	filed 05/26/23	closed 03/21/24
1:23-cv-03368	Blatt v. O'Malley	filed 05/26/23	closed 02/05/24
1:23-cv-03399	Oakley, Inc. v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 05/30/23	closed 02/21/24
1:23-cv-03428	Gilbert v. Unifin, Inc.	filed 05/31/23	closed 10/10/23
1:23-cv-03434	Hodovaniuk v. The United States of America	filed 05/31/23	
1:23-cv-03447	Those Characters from Cleveland, LLC v. The Individuals, Corporations, Limited Liability Companies, Partnerships, and Unincorporated Associations Identified on Schedule A Hereto	filed 06/01/23	closed 02/21/24
1:23-cv-03500	Flawless Kickz, LLC v. Kottio Consultations LLC et al	filed 06/02/23	
1:23-cv-03518	Howard v. Dart et al	filed 06/05/23	
1:23-cv-03538	Shelton v. AT&T Services Inc.	filed 06/05/23	
1:23-cv-03551	Cohan v. 220 Mundelein, LLC	filed 06/06/23	closed 08/14/23

1:23-cv-03558	Menzel v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 06/06/23	closed 12/12/23
1:23-cv-03565	Marshall Amplification PLC v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 06/06/23	closed 07/17/23
1:23-cv-03589	Paskiewicz v. Tanknology, Inc.	filed 06/07/23	closed 08/14/23
1:23-cv-03657	Hernandez v. Islas Marias Restaurant, Inc. et al	filed 06/09/23	closed 03/14/24
1:23-cv-03662	Sellers v. Dyer Police Department et al	filed 06/09/23	closed 02/28/24
1:23-cv-03704	Ize-Iyamu v. WalMart	filed 06/12/23	
1:23-cv-03732	Financial Pacific Leasing, Inc. v. SDR Trans, Inc. et al	filed 06/13/23	closed 12/13/23
1:23-cv-03750	Sellers v. City of Chicago Division of Unemployment et al	filed 06/14/23	closed 10/26/23
1:23-cv-03786	United Airlines, Inc. v. Brainway Airlineservices GES MBH	filed 06/15/23	closed 03/06/24
1:23-cv-03826	Northern v. Foxx	filed 06/16/23	closed 06/30/23
1:23-cv-03883	Smith v. Cinemark USA, Inc.	filed 06/20/23	
1:23-cv-03905	Northern v. United States of America	filed 06/20/23	closed 10/10/23
1:23-cv-03913	Owens v. Plainfield Community Consolidated School Dist. # 202 et al	filed 06/21/23	
1:23-cv-03953	Strike 3 Holdings, LLC v. Doe, subscriber assigned IP address 209.122.84.100	filed 06/22/23	closed 11/02/23
1:23-cv-04070	Snell v. Trans Union LLC	filed 06/26/23	closed 10/06/23
1:23-cv-04087	Janikowski et al v. Medina-Maltes et al	filed 06/26/23	closed 08/21/23
1:23-cv-04119	Wham-O Holding, Ltd. et al v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 06/27/23	closed 01/11/24

1:23-cv-04121	Darvin Furniture and Appliance of Orland Park, Inc. v. Wayfair LLC	filed 06/27/23	
1:23-cv-04140	Maxwell Healthcare America Inc. v. Bank Of America Corp.	filed 06/27/23	closed 10/10/23
1:23-cv-04164	Garozzo v. Kessler et al	filed 06/29/23	closed 12/01/23
1:23-cv-04174	Kelley et al v. Sheridan Shores Care and Rehabilitation Center, Inc.	filed 06/28/23	closed 09/18/23
1:23-cv-04194	Fifth Third Bank, National Association v. Planter, Inc. et al	filed 06/29/23	closed 12/13/23
1:23-cv-04195	Shebesh v. Ancestry.com et al	filed 06/29/23	
1:23-cv-04279	Kwil v. Guevara et al	filed 07/05/23	
1:23-cv-04300	Carter v. Daniels et al	filed 07/05/23	
1:23-cv-04341	Cooper Foods International LLC v. Venchipa, S.L.	filed 07/06/23	closed 11/21/23
1:23-cv-04342	Dyson Technology Limited v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 07/06/23	closed 08/04/23
1:23-cv-04343	Brasfield v. Goss et al	filed 07/06/23	closed 09/26/23
1:23-cv-04347	Benavidez v. JPMorgan Chase Bank N.A.	filed 07/06/23	
1:23-cv-04351	Wham-O Holding, Ltd. et al v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 07/06/23	closed 09/06/23
1:23-cv-04355	Randecker v. Stellantis	filed 07/06/23	closed 11/01/23
1:23-cv-04363	Oak Lawn Respiratory and Rehabilitation Center, LLC v. United States Small Business Administration et al	filed 07/07/23	
1:23-cv-04367	Parkshore Estates Nursing and Rehabilitation Center, LLC v. United States Small Business Administration et al	filed 07/07/23	
1:23-cv-04374	Freeman v. O'Malley	filed 07/07/23	
1:23-cv-04411	Barnes v. Dart et al	filed 07/07/23	closed 10/10/23

1:23-cv-04422	Lin v. The United States Citizenship and Immigration Services et al	filed 07/10/23	closed 10/18/23
1:23-cv-04432	Lee & Associates of Illinois, LLC v. Worden	filed 07/10/23	
1:23-cv-04448	Dahmani v. SHL Medical AG	filed 07/11/23	
1:23-cv-04454	Cohan v. DSW SHOE WAREHOUSE, INC.	filed 07/11/23	closed 09/15/23
1:23-cv-04457	Barnes v. Cermak Health Services of Cook County et al	filed 07/11/23	closed 10/10/23
1:23-cv-04573	Simmons v. Chandler et al	filed 07/14/23	closed 08/30/23
1:23-cv-04580	PRL USA Holdings, Inc. v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 07/14/23	closed 09/01/23
1:23-cv-04620	Central States Southeast And Southwest Areas Pension Fund et al v. Keenan	filed 07/18/23	
1:23-cv-04637	Rodulfa et al v. United States Citizenship and Immigration Service et al	filed 07/18/23	closed 10/03/23
1:23-cv-04643	George v. Northern Illinois Gas Company	filed 07/18/23	closed 12/12/23
1:23-cv-04650	Locke v. Chicago Family Health Center	filed 07/18/23	
1:23-cv-04698	Molina v. S&S Truck Parts, LLC et al	filed 07/20/23	
1:23-cv-04717	GS Holistic, LLC v. Johnny Vapes, Inc et al	filed 07/21/23	closed 02/27/24
1:23-cv-04754	GS Holistic, LLC v. North Broadway Management, Inc et al	filed 07/22/23	closed 12/20/23
1:23-cv-04795	Mulero v. Guevara et al	filed 07/24/23	
1:23-cv-04799	Jin Gao v. The Partnerships and Unincorporated Associations identified in Schedule A	filed 07/24/23	closed 09/08/23
1:23-cv-04883	Cole v. Dart et al	filed 07/24/23	
1:23-cv-04918	Davenport v. O'Malley	filed 07/27/23	

1:23-cv-04932	Garner v. Experian Information Solutions, Inc. et al	filed 07/28/23	closed 11/09/23
1:23-cv-04996	Pisciotti v. O'Malley	filed 07/31/23	
1:23-cv-05030	Grindling v. Cathay Pacific Airways, Ltd.	filed 08/01/23	
1:23-cv-05038	Underwriters Insuring Tolmar Holding, Inc. Pursuant to Policy Number 1000409 v. Forward Air Inc	filed 08/01/23	closed 08/16/23
1:23-cv-05049	Rojas v. First Party for Bolingbrook, et al	filed 07/31/23	
1:23-cv-05064	Morris v. Cook County D.O.C. et al	filed 08/01/23	closed 02/20/24
1:23-cv-05075	International Association of Sheet Metal, Air, Rail and Transportation Workers - Transportation Division v. Union Pacific Railroad Company	filed 08/02/23	
1:23-cv-05096	Lincoln National Life Insurance Company v. Bogdanski	filed 08/02/23	closed 12/12/23
1:23-cv-05099	Abubakar v. Chicago State University	filed 08/02/23	closed 09/30/23
1:23-cv-05135	Cruz v. Climate Guard	filed 08/03/23	
1:23-cv-05140	Nautilus Insurance Company v. Security National Insurance Company et al	filed 08/04/23	closed 12/08/23
1:23-cv-05147	Gonzalez v. O' Hare Auto Recycling Corporation et al	filed 08/04/23	closed 02/05/24
1:23-cv-05184	Svenja Schmitt v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 08/07/23	closed 08/22/23
1:23-cv-05206	Al Koussini v. U.S. Citizenship and Immigration Services et al	filed 08/07/23	closed 11/07/23
1:23-cv-05253	Legend Pictures, LLC v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 08/09/23	closed 11/02/23
1:23-cv-05289	Doe v. Northwestern University et al	filed 08/09/23	

1:23-cv-05313	Michael Buxton v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 08/10/23	closed 11/30/23
1:23-cv-05446	Michael Buxton v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 08/14/23	closed 09/05/23
1:23-cv-05466	Westbrooks v. K. Brasky	filed 08/14/23	
1:23-cv-05533	Patel v. U.S. Citizenship and Immigration Services et al	filed 08/15/23	closed 11/27/23
1:23-cv-05569	Sulton v. O'Malley	filed 08/16/23	closed 02/08/24
1:23-cv-05570	3M Company v. Nomad, Inc.	filed 08/16/23	closed 09/21/23
1:23-cv-05652	Padilla v. Wheatley et al	filed 08/17/23	closed 10/13/23
1:23-cv-05664	Dukane Corporation v. The Charter Oak Fire Insurance Company	filed 08/18/23	
1:23-cv-05676	Robert Smith v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 08/18/23	closed 10/24/23
1:23-cv-05684	Indemnity Insurance Company of North America v. Fastmore Logistics LLC et al	filed 08/18/23	closed 02/01/24
1:23-cv-05829	Emoji Company GmbH v. The Individuals, Corporations, Limited Liability Companies, Partnerships, and Unincorporated Associations Identified on Schedule A Hereto	filed 08/22/23	closed 01/12/24
1:23-cv-05867	Hinton v. Goodman et al	filed 08/22/23	closed 01/05/24
1:23-cv-05897	Booker v. Dart et al	filed 08/22/23	
1:23-cv-05986	Bigfoot 4x4, Inc. v. The Individuals, Corporations, Limited Liability Companies, Partnerships, and Unincorporated Associations Identified on Schedule A Hereto	filed 08/24/23	
1:23-cv-06033	Sorrell v. Aurelios RP, LLC	filed 08/24/23	
1:23-cv-06331	Thompson v. O'Malley	filed 08/28/23	closed 03/13/24

1:23-cv-06434	Zhang et al v. The Individuals, Corporations, Limited Liability Companies, Partnerships, and Unincorporated Associations Identified on the Attached Schedule A	filed 08/29/23
1:23-cv-06620	Johnson v. United States of America et al	filed 08/31/23
1:23-cv-06696	XYZ Corporation v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 08/31/23
1:23-cv-06801	Cohan v. Walmart, Inc	filed 09/01/23
1:23-cv-06819	Cohan v. Ulta Beauty, Inc.	filed 09/01/23 closed 12/20/23
1:23-cv-06835	Hoffman v. Regal Securities, Inc.	filed 09/01/23 closed 12/18/23
1:23-cv-07556	Gardner v. Cook-Dupage Transportation Company, Inc.	filed 09/07/23
1:23-cv-07557	Shiha v. Jaddou, et al	filed 09/07/23 closed 02/13/24
1:23-cv-07723	Star Wardrobe, Inc. v. THE PARTNERSHIPS AND UNINCORPORATED ASSOCIATIONS IDENTIFIED IN SCHEDULE A	filed 09/07/23 closed 09/13/23
1:23-cv-07937	Insurance Auto Auctions, Inc. v. 1st Class Transport Inc.	filed 09/08/23 closed 02/01/24
1:23-cv-07949	Casey v. Synchrony Bank	filed 09/08/23 closed 01/08/24
1:23-cv-08097	Walker v. Omakin Restaurants, LLC	filed 09/08/23 closed 10/20/23
1:23-cv-08764	Horn v. Dovenmuehle Mortgage, Inc.	filed 09/11/23
1:23-cv-10736	Gherman v. Garland et al	filed 09/13/23 closed 02/09/24
1:23-cv-10822	Howell Laboratories, Inc. v. Geo-Broadcast Solutions, LLC et al	filed 09/13/23 closed 09/19/23
1:23-cv-11161	McCarns v. Thomas Management, LLC	filed 09/13/23 closed 12/05/23
1:23-cv-11441	Gray v. Walgreens Boots Alliance, Inc.	filed 09/13/23
1:23-cv-12589	Brown v. Prologistix	filed 09/14/23

1:23-cv-13148	Chanon Gamboa v. H and Daughter's Food Mart Inc. et al	filed 09/14/23	closed 12/28/23
1:23-cv-13380	Frazier Industrial Company v. PPT Industrial Machines, LLC et al	filed 09/14/23	closed 09/14/23
1:23-cv-13796	Tuominen v. Johnson & Johnson Consumer, Inc.	filed 09/15/23	
1:23-cv-13807	Pfeiffer v. Real Meal Solutions, LLC	filed 09/16/23	closed 01/25/24
1:23-cv-13848	Nasserallah et al v Trojan	filed 09/18/23	closed 12/21/23
1:23-cv-13863	Perez v. GoBrands, Inc. et al	filed 09/19/23	
1:23-cv-13899	Cahill v. The United States of America et al	filed 09/19/23	closed 11/06/23
1:23-cv-13901	MAI Fulfillment, LLC v. Bressman et al	filed 09/19/23	closed 01/18/24
1:23-cv-13902	Lanaux v. O'Malley	filed 09/19/23	
1:23-cv-13925	XYZ Corporation v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 09/20/23	
1:23-cv-13966	Gamill v. O'Malley	filed 09/21/23	
1:23-cv-13982	Thompson v. The Village of Monee et al	filed 09/18/23	
1:23-cv-14043	Shenzhen Aji Fashion Technology Co. Ltd. v. WhaleCo Inc. et al	filed 09/24/23	
1:23-cv-14067	Shelby v. Franciscan Alliance, Inc.	filed 09/25/23	
1:23-cv-14072	O'Brien v. O'Malley	filed 09/25/23	
1:23-cv-14075	Liermann v. O'Malley	filed 09/25/23	
1:23-cv-14098	Powell v. Village of Homewood et al	filed 09/25/23	
1:23-cv-14103	Garcia v. HOME DEPOT U.S. A. INC,	filed 09/26/23	

1:23-cv-14207	Hardy v. Trans Union LLC	filed 09/27/23	closed 11/15/23
1:23-cv-14209	Tang v. Jaddou et al	filed 09/27/23	closed 11/30/23
1:23-cv-14362	Augustine v. O'Malley	filed 10/02/23	
1:23-cv-14386	Guaranteed Rate Affinity, LLC v. Bennett	filed 10/02/23	closed 01/10/24
1:23-cv-14462	Ware v. Dart	filed 09/29/23	closed 01/10/24
1:23-cv-14473	Nelson v. SouthPoint Nursing & Rehabilitation Center, LLC	filed 10/04/23	
1:23-cv-14488	Taylor v. Equifax Information Services LLC	filed 10/04/23	closed 12/13/23
1:23-cv-14517	Patel et al v. U.S. Citizenship and Immigration Services et al	filed 10/04/23	closed 11/20/23
1:23-cv-14521	DeMaria v. Komatsu America Corporation	filed 10/04/23	closed 01/08/24
1:23-cv-14546	United States of America v. Chervinko	filed 10/05/23	closed 10/24/23
1:23-cv-14577	Chelmowski v. National Archives and Records Administration	filed 10/05/23	closed 01/17/24
1:23-cv-14592	Hassett v. United Airlines Incorporated	filed 10/06/23	
1:23-cv-14689	Springview Property Management, LLC v. Jackson et al	filed 10/10/23	closed 11/16/23
1:23-cv-14717	Woodard et al v. Health Insurance Associates, LLC	filed 10/10/23	closed 11/07/23
1:23-cv-14786	Pittman v. Halloran et al	filed 10/11/23	
1:23-cv-14855	Toho Co., Ltd. v. The Individuals, Corporations, Limited Liability Companies, Partnerships, and Unincorporated Associations Identified on Schedule A Hereto	filed 10/13/23	
1:23-cv-14878	Renee Annette Washington v. JPMorgan Chase Bank N.A.	filed 10/13/23	
1:23-cv-14881	Troogstad v. City of Chicago	filed 10/13/23	
1:23-cv-14882	Renee Annette Washington v. JPMorgan Chase Bank N.A.	filed 10/13/23	

1:23-cv-14944	Horwath v. Martin O'Malley, Commissioner of the Social Security	filed 10/16/23
1:23-cv-15003	Shenzhen Langmi Technology Co., Ltd. v. The Partnerships and Unincorporated Associations identified in Schedule A	filed 10/16/23 closed 02/23/24
1:23-cv-15045	Chicago & Vicinity Laborers District Council Pension Fund et al v. Wirkus Paving Company et al	filed 10/17/23
1:23-cv-15101	Kelly Toys Holdings, LLC v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 10/18/23 closed 12/26/23
1:23-cv-15138	Gerardi v. Farmwood Plaza LLC	filed 10/19/23
1:23-cv-15143	Juste v. Turning Pointe Autism Foundation et al	filed 10/19/23
1:23-cv-15187	NHL Enterprises, L.P. v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 10/20/23 closed 02/08/24
1:23-cv-15222	Toyota Motor Sales, U.S.A., Inc. v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 10/23/23 closed 01/24/24
1:23-cv-15226	Tersip v. ICS Collection Service, Inc.	filed 10/23/23 closed 12/21/23
1:23-cv-15231	Sopczak v. The Floor 4U.com, LLC et al	filed 10/23/23
1:23-cv-15260	Briggs v. Experian Information Solutions, Inc. et al	filed 10/24/23
1:23-cv-15353	Cardona v. Gorun	filed 10/26/23 closed 12/14/23
1:23-cv-15359	Brown v. O'Malley	filed 10/26/23 closed 01/10/24
1:23-cv-15375	Hernandez v. Guevara, et al.	filed 10/27/23
1:23-cv-15481	Hong Kong Xingtai International Trade Co. LTD. v. The Individuals, Corporations, Limited Liability Companies, Partnerships, and Unincorporated Associates Identified on Schedule "A"	filed 10/30/23
1:23-cv-15507	Taylor v. Valet Parking Authority Corp	filed 10/31/23

1:23-cv-15514	Strike 3 Holdings, LLC v. Doe	filed 10/31/23	closed 01/03/24
1:23-cv-15526	HDR Engineering, Inc. v. SE3, LLC	filed 11/01/23	
1:23-cv-15546	Toho Co., Ltd. v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 11/01/23	closed 02/23/24
1:23-cv-15588	Roblox Corporation v. The Individuals, Corporations, Limited Liability Companies, Partnerships, and Unincorporated Associations Identified on Schedule A Hereto	filed 11/02/23	closed 02/21/24
1:23-cv-15620	Dordevic v. Riddle et al	filed 11/03/23	closed 12/26/23
1:23-cv-15630	Wilhelm v. Zap Solutions, Inc.	filed 11/03/23	closed 12/12/23
1:23-cv-15721	Cahill v. United States of America, The et al	filed 11/07/23	closed 11/16/23
1:23-cv-15728	Tasty Breads International, Inc. v. MMG Consumer Brands, LLC et al	filed 11/07/23	
1:23-cv-15819	Lopez v. Fasana et al	filed 11/09/23	
1:23-cv-15840	Morales Alcantara v. Down to Earth Landscaping, Inc. et al	filed 11/09/23	
1:23-cv-15841	XYZ Corporation v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 11/09/23	closed 03/20/24
1:23-cv-15860	The Northwestern Mutual Life Insurance Company v. Simon	filed 11/10/23	
1:23-cv-15882	Meacham v. United States Department of Education Office for Civil Rights	filed 11/13/23	
1:23-cv-15890	Lisa Anne-Marie Parker v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 11/13/23	closed 03/19/24
1:23-cv-15908	Craddock v. Hinthorne et al	filed 11/09/23	
1:23-cv-15944	Sutton v. Benevolent and Protective Order of Elks of the United States of America	filed 11/14/23	

1:23-cv-15949	Charlie Bowater v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 11/14/23	closed 02/27/24
1:23-cv-15981	Park Towne Condominium Association v. Travelers Property Casualty Company of America	filed 11/15/23	
1:23-cv-15996	Dynacom Management LLC et al v. United States Liability Insurance Company et al	filed 11/15/23	
1:23-cv-16057	Beech et al v. General Motors LLC	filed 11/16/23	closed 12/21/23
1:23-cv-16081	Total Quality Logistics LLC v. DeSantis	filed 11/17/23	
1:23-cv-16102	Eberhardt v. Quality Customs Distribution Services Inc. et al	filed 11/17/23	
1:23-cv-16121	Su v. Turner et al	filed 11/20/23	
1:23-cv-16130	Brown v. Dart et al	filed 11/20/23	
1:23-cv-16145	Brown v. Dart et al	filed 11/20/23	closed 02/27/24
1:23-cv-16149	Gbargaye v. Sanofi-Aventis U.S. LLC	filed 11/21/23	
1:23-cv-16153	James v. Sanofi S.A. et al	filed 11/21/23	
1:23-cv-16198	Villanueva v. O'Malley	filed 11/22/23	
1:23-cv-16211	Brown v. Dart et al	filed 11/20/23	closed 02/27/24
1:23-cv-16213	Schneider Logistics, Inc. v. Arch Insurance Company	filed 11/22/23	
1:23-cv-16403	Rainey v. Willis	filed 11/30/23	
1:23-cv-16406	Zielonksi v. eHealth Insurance Services, Inc.	filed 12/01/23	
1:23-cv-16426	Ditto v. Pritzker et al	filed 12/01/23	closed 03/28/24
1:23-cv-16472	Annan v. AbbVie Inc.	filed 12/04/23	

1:23-cv-16486	LG CONSTRUCTION GROUP, LLC v. Grange Insurance Company	filed 12/05/23	
1:23-cv-16493	Mide v. R. R. Donnelley & Sons Company	filed 12/05/23	
1:23-cv-16520	Sega Corporation et al v. The Individuals, Corporations, Limited Liability Companies, Partnerships, and Unincorporated Associations Identified on Schedule A Hereto	filed 12/06/23	
1:23-cv-16530	Ostojic v. U.S. Citizenship and Immigration Services et al	filed 12/06/23	closed 01/29/24
1:23-cv-16581	Hollins v. Social Security Office	filed 12/07/23	closed 02/12/24
1:23-cv-16586	Hickman v. Chicago & Vicinity Laborers' District Council Pension Plan et al	filed 12/07/23	closed 03/19/24
1:23-cv-16588	Guzman v. Whole Foods Market, Inc. et al	filed 12/07/23	
1:23-cv-16597	GREAT AMERICAN INSURANCE COMPANY, an Ohio Corporation v. Haggerty et al	filed 12/07/23	
1:23-cv-16650	Trustees of the Suburban Teamsters of Northern Illinois Welfare and Pension Funds v. Cristian Trucking, Corp., an Illinois corporation	filed 12/11/23	
1:23-cv-16662	Boeddeker v. Wisconsin State Capitol Police	filed 12/11/23	
1:23-cv-16697	Melshina v. Mayorkas et al	filed 12/12/23	closed 02/05/24
1:23-cv-16769	Grzetic v. O'Malley	filed 12/14/23	
1:23-cv-16772	Hunter v. Geodis Logistics, LLC	filed 12/14/23	closed 03/25/24
1:23-cv-16788	Rondon Clavo v. Midwestern University et al	filed 12/14/23	closed 02/06/24
1:23-cv-16874	Yancey v. United States Government et al	filed 12/18/23	closed 12/26/23
1:23-cv-16907	Nore v. Madsen et al	filed 12/19/23	
1:23-cv-16938	Winebow, Inc. v. Bogle Vineyards, Inc.	filed 12/19/23	closed 01/26/24

1:23-cv-16995	Firestone Financial, LLC v. L.S.T. Transport Inc. et al	filed 12/21/23
1:23-cv-17031	Gade v. Outback Steakhouse of Florida, LLC	filed 12/22/23
1:23-cv-17055	Huntington Distribution Finance, Inc. v. Bill Eads RV's Inc. et al	filed 12/22/23
1:23-cv-17064	Canel v. School of the Art Institute of Chicago et al	filed 12/22/23
1:23-cv-17068	FitTrack, Inc. v. The Individuals, Corporations, Limited Liability Companies, Partnerships, and Unincorporated Associates Identified on Schedule A	filed 12/22/23
1:23-cv-17093	Aspel v. Incode Technologies, Inc.	filed 12/27/23
1:23-cv-17115	Julius v. Northwest Community Hospital et al	filed 12/27/23
1:23-cv-17164	Meakens v. Walsh et al	filed 12/27/23
1:24-cr-00031-1	Damian Armani Sifuentes	filed 01/18/24 closed 01/18/24
1:24-cr-00040-1	Tarus A. Moore	filed 01/23/24 closed 01/23/24
1:24-cr-00083-1	Olanrewaju Oladipu Popoola	filed 02/14/24 closed 02/14/24
1:24-cr-00085-1	Tia Brown	filed 02/15/24
1:24-cr-00087-1	Thomas Anthony Broude	filed 02/16/24 closed 02/16/24
1:24-cv-00034	Katja Perez v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 01/02/24
1:24-cv-00035	Sharp Shirter, Inc. v. The Partnerships and Unincorporated Associations Identified in Schedule A	filed 01/02/24
1:24-cv-00069	Wright v. United Airlines	filed 01/03/24

1:24-cv-00085	Dispensing Technologies B.V. v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 01/03/24
1:24-cv-00109	Fear of God, LLC v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 01/04/24 closed 03/29/24
1:24-cv-00148	International Union of Operating Engineers, Local 150, AFL-CIO v. JB Scapes, LLC a/k/a Lawnmasters Group, LLC a/k/a Lawnmasters Landscaping Services a/k/a Lawnmasters Landscaping Services, LLC	filed 01/05/24
1:24-cv-00207	Trademark Owner Identified in Exhibit 1 v. The Partnerships and Unincorporated Associations Identified on Schedule "A"	filed 01/08/24
1:24-cv-00214	Entertainment One UK Ltd. v. The Partnerships And Unincorporated Associations Identified On Schedule A,	filed 01/09/24
1:24-cv-00263	Williams v. Loyola Medical Staff et al	filed 01/08/24
1:24-cv-00283	Deckers Outdoor Corporation v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 01/11/24
1:24-cv-00286	Sanders v. SIGNODE INDUSTRIAL GROUP LLC	filed 01/11/24
1:24-cv-00287	Refurble Inc. et al v. Su	filed 01/11/24
1:24-cv-00305	Martinez Jimenez v. Cafe Basil Groups, LLC et al	filed 01/11/24
1:24-cv-00330	Tolbert v. Circana	filed 01/12/24
1:24-cv-00333	Suppressed v. Suppressed	filed 01/12/24 closed 02/15/24
1:24-cv-00336	Osmonbekov v. Mayorkas et al	filed 01/12/24
1:24-cv-00343	XTRA Lease LLC v. Advance Truck Repair, LLC et al	filed 01/12/24 closed 03/12/24
1:24-cv-00353	Anne Wertheim v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 01/15/24
1:24-cv-00384	Fox Head, Inc. v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 01/16/24

1:24-cv-00429	Deutsche Leasing USA, Inc. v. Arcimoto, Inc.	filed 01/17/24
1:24-cv-00470	Paz Ramirez et al v. Green Leaf Thai Limited et al	filed 01/18/24
1:24-cv-00475	Carter v. North Lawndale Employment Network	filed 01/18/24
1:24-cv-00539	Trustees of the Line Construction Benefit Fund v. California Trees, Inc et al	filed 01/22/24
1:24-cv-00575	Urquizo v. United States of America	filed 01/23/24
1:24-cv-00588	Hwang v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 01/23/24
1:24-cv-00606	Drewniak v. Jaddou et al	filed 01/23/24
1:24-cv-00626	Barbosa v. Cadence Education, LLC	filed 01/24/24
1:24-cv-00655	Albert Koetsier v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 01/25/24
1:24-cv-00690	Adaptive Avenue Associates, Inc. v. Hibbett Retail, Inc.	filed 01/26/24
1:24-cv-00704	Reed v. JP Morgan Chase Bank, N.A.	filed 01/26/24
1:24-cv-00708	ERO Express, Inc. et al v. Trisura Specialty Insurance Company et al	filed 01/26/24 closed 02/13/24
1:24-cv-00751	Pawnee Leasing Corporation v. Mr. Munchies Food LLC et al	filed 01/29/24
1:24-cv-00867	Hendrick v. City of Chicago et al	filed 01/31/24
1:24-cv-00901	CAO Group, Inc. v. The Individuals, Corporations, Limited Liability Companies, Partnerships, and Unincorporated Associates Identified on Schedule A	filed 02/01/24
1:24-cv-00931	Revels et al v. Forsage, Inc. et al	filed 02/01/24
1:24-cv-00975	Mamma Maria's Pizza et al	filed 02/02/24

1:24-cv-01065	Karmas v. PaintYourLife, LLC.	filed 02/06/24	closed 02/20/24
1:24-cv-01101	Begnal v. Aldi Inc. et al.	filed 02/07/24	closed 03/05/24
1:24-cv-01117	Miller et al v. Mayorkas et al	filed 02/08/24	
1:24-cv-01137	Brunett & Esnard IP, LLC v. The Partnerships and Unincorporated Associations Identified in Schedule A	filed 02/09/24	
1:24-cv-01148	NBA Properties, Inc. v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 02/09/24	
1:24-cv-01205	Pilot Travel Centers LLC v. Royal Expedited LLC et al	filed 02/12/24	
1:24-cv-01210	Ghulam et al v. Director of U.S. Citizenship and Immigration Services et al	filed 02/12/24	
1:24-cv-01221	Corey Wiggins v. Abraham N. Tofa	filed 02/13/24	closed 03/22/24
1:24-cv-01233	Santoyo v. Cook County Sheriff's Office	filed 02/13/24	
1:24-cv-01348	Davis v. Chicago Police Department et al	filed 02/16/24	
1:24-cv-01366	Luttrell v. Deltax LTD et al	filed 02/16/24	
1:24-cv-01380	Virgil C. Stephens v. The Partnerships and Unincorporated Associations Identified on Schedule A	filed 02/19/24	
1:24-cv-01394	YUSUF v. Chicago Police Department	filed 02/19/24	
1:24-cv-01400	Stecich v. Menard, Inc.	filed 02/20/24	
1:24-cv-01411	Sun v. Mayorkas et al	filed 02/20/24	
1:24-cv-01560	Barnes v. Rogers et al	filed 02/22/24	
1:24-cv-01610	Barnes v. Executive Director Cook County Health and Hospital Systems et al	filed 02/23/24	
1:95-cv-06094	Jones v. St IL, et al	filed 11/21/95	closed 11/21/95

[1:97-cr-00250-](#)

Octavio Barrios-Pena

filed 04/11/97 closed 01/15/98

[1](#)

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

Frankie N. Walker,)	
)	
Plaintiff,)	
)	Case No. 22 C 00627
v.)	
)	Hon. Nancy L. Maldonado
Illinois Department of Human Services)	
et al.,)	
)	
Defendants.)	

ORDER

Upon review of pro se Plaintiff Frankie N. Walker’s Amended Complaint (Dkt. [19]), the Court finds that it must be dismissed. Plaintiff seeks to challenge the terms of his conditional release under the Sexually Violent Persons Commitment Act, which must be pursued through a petition for writ of habeas corpus. Plaintiff also pleads claims under the Religious Land Use and Institutionalized Persons Act (RLUIPA), the Americans with Disabilities Act (ADA), and Rehabilitation Act (RA), which for the following reasons must also be dismissed. Civil case terminated.

STATEMENT

Pro se Plaintiff Frankie N. Walker was civilly committed at an Illinois Department of Human Services (“DHS”) Treatment & Detention Facility as a sexually violent person under Illinois’s Sexually Violent Persons Commitment Act, 725 ILCS 207/1–99 (“SVPCA”), and in 2019 was placed in an outpatient or conditional release program. (Dkt. 19 at 7.)¹ He now resides in Melrose Park, Illinois. (*Id.*) He brings this action against various state agencies and actors, challenging the terms of his conditional release and its legality under various federal statutes and the Constitution. Walker includes many allegations and different theories in his 194-page filing (complaint and exhibits), which the Court summarizes here:

- (1) he is denied reasonable access to a law library in his community and other programs in violation of the Americans with Disabilities Act (ADA) and Rehabilitation Act (RA), (Dkt. 19 ¶¶ 22–39);
- (2) the terms of his conditional release and the treatment he receives violate his religious liberties under the Religious Land Use and Institutionalized Persons Act (RLUIPA) and the First Amendment, (*id.* ¶ 40);
- (3) he has been subjected to polygraph tests using deficient machines, which he alleges led to the violation of his rights, (*id.* at 20);
- (4) his conditional release violates his procedural due process rights by denying

¹ Referenced page numbers are taken from the CM/ECF header.

- him the opportunity to participate in work, school, or vocational training, (*id.* at 24);
- (5) the defendants implementing his treatment have been deliberately indifferent to Walker’s needs (such as for a job, school, and relationships with other people) by abusing and taking advantage of Walker’s vulnerable situation, (*id.* at 28–29);
 - (6) he has been denied equal protection under the law, in that DHS is not treating him equally compared to other similarly-situated individuals on conditional release, through a class-of-one claim, (*id.* at 35–41);
 - (7) use of polygraph tests violates his Fifth Amendment rights, (*id.* at 41–51);
 - (8) the polygraph tests and the rules of Walker’s conditional release violate his First Amendment rights and guarantees (*id.* at 52), and are unconstitutionally vague and/or overbroad, (*id.* at 53–56);
 - (9) he is denied access to a law library, which is impacting Walker’s ability to litigate his many court cases pro se, (*id.* at 56–58); and
 - (10) the terms of his conditional release have “frustrat[ed] and interfere[d]” with his access to the courts, in that he was unable to adequately respond to or challenge a state court decision against him. (*Id.* at 59–67.) He specifically argues that he was “penalized for not having modern technology, i.e., internet access, email, etc.,” given the terms of his conditional release. (*Id.* at 63.)

Walker also brings various state law claims under: (1) the Illinois Administrative Procedure Act (“Illinois APA”); and (2) contract claims related to Walker’s rights as a third-party beneficiary to a contract. (*Id.* at 68–70.) Specifically, Walker alleges that the rules of the conditional release were not subject to public notice and comment per the Illinois APA. He also alleges that he is a third-party beneficiary to the contract between DHS and Liberty Health Care, the provider of the sex offender outpatient treatment program, and that these parties have acted in bad faith in breach of their duties under the contract.

Under 28 U.S.C. § 1915(e)(2)(B), the Court must determine whether the suit is frivolous or malicious, fails to state a claim upon which relief may be granted, or seeks monetary relief against a defendant who is immune from such relief. *See Luevano v. Wal-Mart Stores, Inc.*, 722 F.3d 1014, 1018 (7th Cir. 2013). Courts screen complaints per § 1915(e) in the same manner they review motions to dismiss under Federal Rule of Civil Procedure 12(b)(6). *See Kaminski v. Elite Staffing, Inc.*, 23 F.4th 774, 776 (7th Cir. 2022) (applying Fed. R. Civ. P. 8 and Supreme Court precedents such as *Ashcroft v. Iqbal*, 556 U.S. 662 (2009) and *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544 (2007) to review a district court’s dismissal of a pro se plaintiff’s complaint under § 1915(e)).

A complaint must include “a short and plain statement of the claim showing that the pleader is entitled to relief.” Fed. R. Civ. P. 8(a)(2). The short and plain statement must “give the defendant fair notice of what the claim is and the grounds upon which it rests.” *Twombly*, 550 U.S. at 555 (citation omitted). The statement also must contain sufficient factual matter, accepted as true, to “state a claim to relief that is plausible on its face,” which means that the pleaded facts must show there is “more than a sheer possibility that a defendant has acted unlawfully.” *Iqbal*,

556 U.S. at 678. The Court must “accept all well-pleaded facts as true and draw reasonable inferences in the plaintiff’s favor.” *Roberts v. City of Chicago*, 817 F.3d 561, 564 (7th Cir. 2016). However, threadbare recitals of a cause of action’s elements, supported by mere conclusory statements, are insufficient. *Iqbal*, 556 U.S. at 663. In addition, the Court may draw on its experience and common sense in determining whether a complaint states a plausible claim. *Id.* at 663–64. In its review, the Court must construe Walker’s pro se complaint and allegations liberally. *See Erickson v. Pardus*, 551 U.S. 89, 94 (2007) (per curiam). The Court addresses whether any of Walker’s allegations state a claim as follows.

I. Claims under the ADA and RA

Walker alleges that he has been diagnosed with the following mental disorders: “paraphilia, not otherwise specified pedophilia, antisocial personality disorder,” and “other specified paraphilic disorder.” (Dkt. 19 ¶ 1.) Walker alleges that DHS violates the ADA and RA by discriminating against him due to his mental disorders by denying him reasonable access to a law library as part of the conditions of his release. (*Id.* ¶¶ 23–26.) Walker alleges he cannot enter the library that is about 15–30 minutes away from his residence, which is a tremendous burden to Walker, as he represents himself in several pending cases. (*Id.*) He also alleges that other aspects of his conditional release violate the ADA and RA. (*See id.* ¶ 33.) The ADA generally prohibits discrimination against a “qualified individual with a disability . . . by reason of such disability . . . from participation in or [the denial of] the benefits of services, or activities of a public entity.” 42 U.S.C. § 12132. The definition of “disability,” however, explicitly excludes “pedophilia” and “other sexual behavior disorders.” 28 C.F.R. § 35.108(g)(1); *see also* 29 C.F.R. § 705(20)(F)(i) (defining disability under the RA as also excluding pedophilia and other sexual behavior disorders). Since the mental disorders Walker pleads as the basis of his ADA and RA claims are explicitly excluded from these statutes, the Court must dismiss Walker’s ADA and RA claims for failing to state a claim for relief.

II. Claims under RLUIPA

Walker alleges that the terms of his conditions of release violate his religious liberty and free exercise rights. Specifically, Walker is Muslim and alleges that the conditions of his release prohibit him from attending religious services. (Dkt. 19 ¶¶ 40, 43.) He further alleges that the required outpatient sex offender treatment he must participate in promotes values that contradict his religious beliefs. (*Id.* ¶ 45.) He asserts that DHS violates his rights under RLUIPA, which generally prohibits governments from “impos[ing] a substantial burden on the religious exercise of a person residing in or confined to an institution as defined in [42 U.S.C. § 1997],” except under certain conditions. 42 U.S.C. § 2000cc-1. Section 1997’s definition of “institution” includes facilities “owned, operated, or managed, or provid[ing] services on behalf of any State,” and includes “a jail, prison, or other correctional facility.” Walker, however, does not plead that he resides in or is confined to an institution per § 1997, since he “resides in the community of Melrose Park.” (Dkt. 19 ¶ 8.) Walker therefore cannot proceed with any claims under RLUIPA because the plain text of the statute reflects that it only applies to institutionalized persons residing in or confined to an institution. *See Belton v. Betzhold*, No. 12-CV-0053, 2012 WL 6094461 at *2 (E.D.

Wis. Dec. 7, 2012) (holding that RLUIPA does not apply to parolees, given the text of RLUIPA). His claims asserted under RLUIPA are therefore dismissed.

III. Claims That Generally Challenge the Constitutionality of his Conditions of Release

Walker asserts many claims alleging that the conditions of his release and polygraph tests violate his constitutional rights. Walker invokes 42 U.S.C. § 1983 to bring his claims. (*See, e.g.*, Dkt. 19 at 19.)

Walker cannot challenge the terms of his conditional release through § 1983, because such claims must be pursued through a writ of habeas corpus. The Seventh Circuit has explained the distinction between claims under § 1983 and habeas petitions, noting that when the plaintiff is a prisoner “[c]hallenges to conditions of confinement (such as pollution in the prison . . .) fall under § 1983,” while “[a]ttacks on the fact or duration of the confinement come under [28 U.S.C.] § 2254,” the statute providing for habeas corpus review of state custody. *Williams v. Wisconsin*, 336 F.3d 576, 579 (7th Cir. 2003) (citation omitted). When the plaintiff is a parolee, “the ‘conditions’ of parole *are* the confinement.” *Id.* Thus, an action challenging the conditions of parole or probation must be “presented as a collateral attack,” because “eliminating or changing one of the restrictions would alter the confinement: ‘figuratively speaking, one of the “bars” would be removed from [the probationer’s] cell.’” *Id.* (quoting *Drollinger v. Milligan*, 552 F.2d 1220, 1225 (7th Cir. 1977)).

The Seventh Circuit has explicitly applied this principle to sexually violent persons who seek to challenge their conditional release restrictions. In *Henderson v. Bryant*, the Seventh Circuit observed, “If [Plaintiff] were currently on parole or another form of supervised release, he could challenge the constitutionality of the conditions of release through a petition for a writ of habeas corpus.” 606 F. App’x 301, 304 (7th Cir. 2015). Guided by this dicta and the binding case law indicating that challenges to the conditions of parole and probation must be collaterally attacked through a writ of habeas corpus rather than § 1983, the Court holds that Walker’s claims must be pursued through a habeas petition and dismisses Walker’s claims without prejudice. *See Williams*, 336 F.3d at 580 (“Normally, collateral attacks disguised as civil rights actions should be dismissed without—rather than with—prejudice. That resolution allows the plaintiff to decide whether to file the action as a collateral attack after exhausting available state remedies.”).

The Court here dismisses Walker’s claims without prejudice since he may be able to pursue such claims after exhausting remedies available in state court.² The Court dismisses Walker’s remaining state law claims without prejudice, declining to exercise supplemental jurisdiction

² In another action in this District, Walker filed a petition for writ of habeas corpus challenging the restrictions of his conditional release, alleging some of the same claims alleged here. *See Walker v. Hou*, No. 22-cv-2224, Dkt. 1 at 10–19 (N.D. Ill. April 28, 2022). The court dismissed Walker’s habeas petition because Walker had not exhausted his right to challenge the terms of his conditional release in state courts, as required by § 2254(b). *Id.*, Dkt. 22 (N.D. Ill. July 5, 2023). Specifically, the court found that Walker’s pending appeal in state court “precludes this Court from granting him relief.” *Id.* at 2.

because the “[C]ourt has dismissed all claims over which it has original jurisdiction.” 28 U.S.C. § 1367(c)(3).

For the foregoing reasons, Walker’s amended complaint is dismissed without prejudice. Civil case terminated.

Date: 10/6/23



Nancy L. Maldonado
United States District Judge