

**IN THE CIRCUIT COURT
FOR THE EIGHTH JUDICIAL CIRCUIT
ADAMS COUNTY, ILLINOIS**

VELVET DARNELL, JULINA KIRBY,)
REBECCA BLIEFNICK, JENNIFER)
HERMANN, ROSALBA MCCOY,)
ALISA LECKBEE.)

MARY MCNALLY, WILLIAM)
BLACKFORD, KIM NORTON,)
BRANDI RUZICH, SARAH KNIGHT.)

Plaintiffs,)

VS.)

QUINCY PHYSICIANS AND SURGEONS))
CLINIC, S.C., an Illinois corporation,)

BLESSING CORPORATE SERVICES,)
INC, an Illinois not-for-profit corporation)

Defendants.)

2021MR193

Case No. 2021-MR-_____

**VERIFIED MOTION FOR EMERGENCY TEMPORARY
RESTRAINING AND PRELIMINARY INJUNCTION**

COMES NOW Plaintiffs, VELVET DARNELL, JULINA KIRBY, REBECCA BLIEFNICK, JENNIFER HERMANN, ROSALBA MCCOY, ALISA LECKBEE, (Darnell through Leckbee are collectively referred to as the "Blessing Staff") and MARY MCNALLY, WILLIAM BLACKFORD, KIM NORTON, BRANDI RUZICH, SARAH KNIGHT, (McNally through Knight are collectively referred to as the "Quincy Staff") by and through their attorney, Thomas G. DeVore of the Silver Lake Group, Ltd., and moves this Court pursuant to 735 ILCS 5/11-101 and 735 ILCS 5/11-102 for entry of a Temporary Restraining Order and Preliminary Injunction against Defendants, Defendants, QUINCY PHYSICIANS AND SURGEONS CLINIC, S.C., an Illinois corporation,

("QMG") and, BLESSING CORPORITE SERVICES, INC, an Illinois not-for-profit corporation, ("Blessing"), and hereby plead:

In support of this Motion states as follows:

1. Plaintiffs have filed a Verified Complaint for Declaratory Judgment and Writ of Injunction which Verified Complaint is incorporated herein by reference.
2. The emergency injunctive relief Plaintiffs now seeks is necessary prohibit substantial and irreparable injury to protect rights of Plaintiffs to not be compelled to submit to vaccinating or testing as a condition of continued employment to purportedly limit the spread of an infectious disease, until such time as the Court rules on a preliminary or permanent injunction.
3. The Plaintiffs are being forced by the Defendants to either submit to vaccination or testing, all allegedly to limit the spread of an infectious disease, or each will be excluded from the facilities and terminated from their employment.
4. Each of the Plaintiffs are nurses who provide valuable life-saving medical care to the public on a daily basis.
5. The Verified Complaint for Declaratory Relief and Writ of Injunction has set forth Plaintiffs clear ascertainable rights to be protected and has demonstrated there exists a reasonably likelihood of Plaintiffs success on the merits.
6. Plaintiffs have no adequate remedy at law to halt the irreparable harm being inflicted upon them in that the Plaintiffs are being forced under color of law to submit to vaccination or testing in violation of their statutory rights to object.

7. Should they refuse consistent with their lawful right, the Defendants are forcing the Plaintiffs to leave the health care premises and are not being allowed to continue their employment providing care for the sick of our state.
8. The public's interest is still protected in that the Certified Local Health Department has the authority to force vaccination, testing, or monitoring against any or all of the Plaintiffs, as authorized under Illinois Law.
9. Mass termination of our most valuable health care employees could in and of itself create a health care crisis in this state.
10. Plaintiffs have been working to protect the public during the whole pandemic without issue for over 1 ½ years, all the while unvaccinated, so the status quo bodes completely in favor of their continued employment.

WHEREFORE, VELVET DARNELL, JULINA KIRBY, REBECCA BLIEFNICK, JENNIFER HERMANN, ROSALBA MCCOY, ALISA LECKBEE, MARY MCNALLY, WILLIAM BLACKFORD, KIM NORTON, BRANDI RUZICH, SARAH KNIGHT, pray for an order of this Court;

- A. Issuing a Temporary Restraining Order, without bond, restraining Defendants, to discontinue forcing vaccination for COVID-19 on the Plaintiffs as a condition of employment; and
- B. Issuing a Temporary Restraining Order, without bond, restraining Defendants, to discontinue forcing testing for COVID-19 on the Plaintiffs as a condition of employment; and
- C. Issuing a Temporary Restraining Order, without bond, restraining Defendants, from terminating, or otherwise disciplining the Plaintiffs for refusing to be vaccinated or tested for COVID-19; and

- D. Issuing a Preliminary Injunction, without bond, restraining Defendants, to discontinue forcing vaccination for COVID-19 on the Plaintiffs as a condition of employment; and
- E. Issuing a Preliminary Injunction, without bond, restraining Defendants, to discontinue forcing testing for COVID-19 on the Plaintiffs as a condition of employment; and
- F. Issuing a Preliminary Injunction, without bond, restraining Defendants, from terminating, or otherwise disciplining the Plaintiffs for refusing to be vaccinated or tested for COVID-19; and
- G. For such other and further relief as this Court deems just and proper.

By: /s/ Thomas Devore
Thomas G. DeVore
IL Bar Reg. No. 06305737
silver lake group ltd.
Attorneys for Plaintiffs
118 N. 2nd St.
Greenville, IL 62246
Telephone - 618-664-9439

VERIFICATION

Under penalties of perjury as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct except as to matters therein stated to be on information and belief, if any, and as to such matters the undersigned certifies as aforesaid that the undersigned verily believes the same to be true.

Date: September 27, 2021

By: /s/ Velvet Darnell

VELVET DARNELL

VERIFICATION

Under penalties of perjury as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct except as to matters therein stated to be on information and belief, if any, and as to such matters the undersigned certifies as aforesaid that the undersigned verily believes the same to be true.

Date: September 27, 2021

By: /s/ Rebecca Bliefnick

REBECCA BLIEFNICK

VERIFICATION

Under penalties of perjury as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct except as to matters therein stated to be on information and belief, if any, and as to such matters the undersigned certifies as aforesaid that the undersigned verily believes the same to be true.

Date: September 27, 2021

By: /s/ Alisa Leckbee

ALISA LECKBEE

VERIFICATION

Under penalties of perjury as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct except as to matters therein stated to be on information and belief, if any, and as to such matters the undersigned certifies as aforesaid that the undersigned verily believes the same to be true.

Date: September 27, 2021

By: /s/ Julina Kirby_____

JULINA KIRBY

VERIFICATION

Under penalties of perjury as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct except as to matters therein stated to be on information and belief, if any, and as to such matters the undersigned certifies as aforesaid that the undersigned verily believes the same to be true.

Date: September 27, 2021

By: /s/ Jennifer Hermann

JENNIFER HERMANN

VERIFICATION

Under penalties of perjury as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct except as to matters therein stated to be on information and belief, if any, and as to such matters the undersigned certifies as aforesaid that the undersigned verily believes the same to be true.

Date: September 27, 2021

By: /s/Rosalba McCoy_____

ROSALBA MCCOY

VERIFICATION

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Date: September 27, 2021

By: /s/William Blackford

WILLIAM BLACKFORD

VERIFICATION

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Date: September 27, 2021

By: /s/ Mary McNally

MARY MCNALLY

VERIFICATION

Under penalties of perjury as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct except as to matters therein stated to be on information and belief, if any, and as to such matters the undersigned certifies as aforesaid that the undersigned verily believes the same to be true.

Date: September 27, 2021

By: /s/ Kin Norton

KIM NORTON

VERIFICATION

Under penalties of perjury as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct except as to matters therein stated to be on information and belief, if any, and as to such matters the undersigned certifies as aforesaid that the undersigned verily believes the same to be true.

Date: September 27, 2021

By: /s/ Brandi Ruzich

BRANDI RUZICH

VERIFICATION

Under penalties of perjury as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct except as to matters therein stated to be on information and belief, if any, and as to such matters the undersigned certifies as aforesaid that the undersigned verily believes the same to be true.

Date: September 27, 2021

By: /s/ Sarah Knight

SARAH KNIGHT