

No. 4-17-0395

IN THE  
APPELLATE COURT OF ILLINOIS  
FOURTH JUDICIAL DISTRICT

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JOSHUA D. MEYERS,	)	Appeal from the Circuit Court for
	)	the Seventh Judicial Circuit,
Plaintiff-Appellant,	)	Sangamon County, Illinois
	)	
v.	)	
	)	No. 15 MR 1066
LEO P. SCHMITZ, Director of the	)	
Illinois State Police,	)	The Honorable
	)	RUDOLPH M. BRAUD,
Defendant-Appellee.	)	Judge Presiding.

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**MOTION FOR EXTENSION OF TIME TO FILE  
BRIEF OF DEFENDANT-APPELLEE**

Defendant-Appellee Leo P. Schmitz, Director of the Illinois State Police, by and through his attorney, Lisa Madigan, Attorney General of the State of Illinois, respectfully moves for a 35-day extension of time in which to file his brief, from March 29, 2018, to and including May 3, 2018. The verification by certification of Assistant Attorney General Mary C. LaBrec is attached in support of this motion.

Respectfully submitted,

**LISA MADIGAN**  
Attorney General  
State of Illinois

By: /s/ Mary C. LaBrec  
**MARY C. LABREC**  
Assistant Attorney General  
100 West Randolph Street  
12th Floor

Chicago, Illinois 60601  
(312) 814-2093  
IL ARDC #6283316  
Primary e-service:  
CivilAppeals@atg.state.il.us  
Secondary e-service:  
mlabrec@atg.state.il.us

## VERIFICATION BY CERTIFICATION

I, MARY C. LABREC, state the following:

1. I am a citizen of the United States over the age of 18. My current business address is 100 West Randolph Street, 12th Floor, Chicago, Illinois 60601. I have personal knowledge of the facts stated in this verification by certification. If called upon, I could testify competently to these facts.

2. I am an Assistant Attorney General in the Civil Appeals Division of the Illinois Attorney General's Office and in this appeal represent the Defendant-Appellee Leo P. Schmitz, Director of the Illinois State Police.

3. The Defendant-Appellee's brief is currently due on March 29, 2018, but I will be unable to file it by that date. I have been working diligently to complete this brief by the due date and am now working with supervisors who are reviewing my draft. But one of the supervisors will be unavailable from March 21-28, 2018, and another will be unavailable from March 29-30, 2018. Accordingly, I must request an additional extension of time of 35 days to ensure that there is adequate time for our internal review, as well as our client review.

4. On March 6, 2018, I filed, on a final extension, the brief of the Defendant-Appellee Illinois State Treasurer in *Villegas v. IWCC*, No. 1-17-1697 (WC). I am currently participating in discussions about whether a decision in another case should be appealed, and have started work on the brief of the State Defendants-Appellees in *Wilson v. Sood*, United States Court of Appeals for the Seventh Circuit, No. 16-3686.

5. On March 19, 2018, I informed counsel for the Plaintiff-Appellant that I will require this additional extension.

6. The Defendant-Appellee has requested four previous extensions of time to file his brief. He seeks not to delay this appeal unnecessarily, but instead to ensure that his counsel submits a brief that represents his interests and is as thorough and helpful to this Court as possible.

Under penalties as provided by law pursuant to section 1-109 of the Illinois Code of Civil Procedure, I certify that the statements set forth in this instrument are true and correct to the best of my knowledge, information, and belief.

Executed on March 19, 2018.

/s/ Mary C. LaBrec  
MARY C. LABREC  
Assistant Attorney General  
100 West Randolph Street  
12th Floor  
Chicago, Illinois 60601  
(312) 814-2093  
IL ARDC #6283316  
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	)	RUDOLPH M. BRAUD,
Defendant-Appellee.	)	Judge Presiding.

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**ORDER**

THIS MATTER COMING ON TO BE HEARD on the motion of Defendant-Appellee Leo P. Schmitz, Director of the Illinois State Police, for an extension of time to file his responsive brief, from March 29, 2018, to and including May 3, 2018, due notice having been given;

IT IS HEREBY ORDERED that said motion is ALLOWED / DENIED.

ENTER:

\_\_\_\_\_  
JUSTICE

DATED: \_\_\_\_\_  
MARY C. LABREC  
Assistant Attorney General  
Civil Appeals Division  
100 West Randolph Street, 12th Floor  
Chicago, Illinois 60601  
(312) 814-2093  
IL ARDC #6283316  
Primary e-service: CivilAppeals@atg.state.il.us  
Secondary e-service: mlabrec@atg.state.il.us

## CERTIFICATE OF FILING AND SERVICE

I certify that on March 19, 2018, I electronically filed the foregoing **Motion for Extension of Time to File Brief of Defendant-Appellee** with the Clerk of the Court for the Illinois Appellate Court, Fourth Judicial District, by using the Odyssey eFileIL system.

I further certify that the other participants in this appeal, named below, are registered service contacts on the Odyssey eFileIL system, and thus will be served via the Odyssey eFileIL system.

Carl R. Draper  
cdraper@feldman-wasser.com

Josh Meyers  
jmeyers@webbytech.net

/s/ Mary C. LaBrec  
MARY C. LABREC  
Assistant Attorney General  
100 West Randolph Street  
12th Floor  
Chicago, Illinois 60601  
(312) 814-2093  
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mlabrec@atg.state.il.us