

SUPREME COURT OF ILLINOIS

COURT CONVENED AT 9:00 A.M., WEDNESDAY, NOVEMBER 14, 2012

THE FOLLOWING ANNOUNCEMENTS WERE MADE:

ADVISEMENT DOCKET

No. 114307 - People State of Illinois, respondent, v. Jason Patterson, petitioner.

Motion by petitioner for leave to file a motion for reconsideration of the order denying petition for leave to appeal. Motion denied.

Order entered by the Court.

No. 114504 - Brenda Mockbee et al., petitioners, v. Humphrey Manlift Company, Inc., et al., respondents.

Motion by petitioners for leave to file a motion for reconsideration of the order denying petition for leave to appeal. Motion denied.

Order entered by the Court.

Thomas, J., took no part.

No. 114726 - Mary Cavitt, petitioner, v. Steven Repel Ludington et al., respondents.

Motion by petitioner, pro se, for leave to file a motion for reconsideration of the order denying petition for leave to appeal. Motion denied.

Order entered by the Court.

PEOPLE'S DOCKET

No. 114852 - People State of Illinois, appellant, v. Annabel Melongo, appellee.

Motion by appellee, pro se, to appoint counsel. Motion allowed. Timothy J. Storm of Storm Law Office is appointed to represent the appellee in this appeal.

Order entered by the Court.

CIVIL DOCKET

No. 114926 - Union Pacific Railroad Company, petitioner, v. Hon. Randye A. Kogan, Associate Judge of the Circuit Court of Cook County, et al., respondents.

Motion by petitioner for leave to file a petition for an original writ of mandamus.

IT IS ORDERED that the motion for supervisory order is allowed. In the exercise of this Court's supervisory authority, the Circuit Court of Cook County is directed to vacate its order of August 31, 2012, vacating the previous order of summary judgment in favor of defendant Union Pacific Railroad in Carney v. Happ's, Inc. et al., Cook County No. 07 L 8369. The circuit Court is further directed to reinstate the order of August 1, 2012, granting summary judgment in favor of defendant Union Pacific Railroad. The motion for leave to file a petition for writ of mandamus is denied.

Order entered by the Court.

Motion by respondent Patrick Joseph Carney for leave to file amendment instanter to objection to motion for leave to file a petition for an original writ of mandamus. Motion allowed.

Order entered by the Court.

No. 114946 - Mittal Steel USA-Railways Inc., etc., movant, v. Appellate Court, First District, et al., respondents.

Motion by movant for a supervisory order. Motion allowed in part. In the exercise of this Court's supervisory authority, the petition for leave to appeal filed in Dolph v. Mittal Steel USA Railways Inc., No. 114937, is held in abeyance, pending disposition of Fennell v. Illinois Central Railroad, No. 113812.

Order entered by the Court.

Thomas, J., took no part.

No. 115014 - Burlington Northern Santa Fe Railway Company et al., movants, v. Hon. P. Scott Neville, Justice of the Appellate Court, First District, et al., etc., respondents.

Motion by movants for a supervisory order. Motion allowed. In the exercise of this Court's supervisory authority, the petition for leave to appeal filed in Dolph v. Burlington Northern Santa Fe Railway Co. et al., No. 114945 is held in abeyance, pending disposition of Fennell v. Illinois Central Railroad, No. 113812.

Order entered by the Court.

Thomas, J., took no part.

No. 115021 - Board of Education of the City of Chicago, movant, v. Hon. Bertina E. Lampkin, Justice of the Appellate Court, First District, et al., etc., respondents.

Motion by movant for a supervisory order. Motion allowed. In the exercise of this Court's supervisory authority, the Appellate Court, First District, is directed to vacate its order of September 5, 2012, denying the motion for stay in Board of Education of the City of Chicago v. Illinois Educational Labor Relations Board et al., No. 1-12-2447, and to enter an order allowing the motion for stay.

Order entered by the Court.

No. 115033 - Tisha Pister, etc., movant, v. Hon. Michael Q. Jones, Judge for the Sixth Judicial Circuit, et al., respondents.

Motion by movant for a supervisory order. Motion allowed. In the exercise of this Court's supervisory authority, the Circuit Court of Champaign County is directed to vacate its order of July 23, 2012, denying the motion to allow a copy to be made of the official recording in Pister v. Brown et al. The circuit court is further directed to enter an order allowing a copy of the proceedings to be made at movant's expense. Pursuant to Supreme Court Rule 46(d)(3), the circuit court shall retain custody of the original recording.

Movant may then attempt to extract previously inaudible portions by technical means, and, if successful, may move to supplement the record with additional transcript.

Order entered by the Court.

No. 115086 - Madison Avenue Securities, Inc., etc., movant, v. Robert M. Govenat et al., respondents.

Motion by movant to transfer DuPage County case Nos. 12 AR 001719, Hendrickson v. Madison Avenue Securities, Inc., etc., et al., 12 AR 001720, Murphy v. Madison Avenue Securities, Inc., etc., et al., 12 AR 001721, Reiman v. Madison Avenue Securities, Inc., etc., et al., 12 AR 001722, Peebles et al., v. Madison Avenue Securities, Inc., etc., et al., 12 AR 001723, Stephenson v. Madison Avenue Securities, Inc., etc., et al., 12 AR 001724, Bowen v. Madison Avenue Securities, Inc., etc., et al., and 12 AR 001725, Hutchinson et al., v. Madison Avenue Securities, Inc., etc., et al. from DuPage County to Kane County and to consolidate them with Kane County consolidated case Nos. 11 L 00235, 11 L 00391, 11 L 00396, 11 L 00425, 11 L 00471, 11 L 00489, 11 L 00513, 11 L 00543, 11 L 00549, 11 L 00550, 11 L 00580, 11 L 00581, 11 L 00582, 11 L 00615, 11 L 00625, 12 L 00015, 12 L 00429, 12 L 00430, and 12 L 00431, Govenat et al v. Madison Avenue Securities, Inc., etc., et al. Motion allowed.

Pursuant to Supreme Court Rule 384, Hendrickson v. Madison Avenue Securities, Inc., et al., DuPage County No. 12 AR 001719; Murphy v. Madison Avenue Securities, Inc., et al., DuPage County No. 12 AR 001720; Reiman v. Madison Avenue Securities, Inc., et al., DuPage County No. 12 AR 001721; Peebles et al., v. Madison Avenue Securities, Inc., et al., DuPage County No. 12 AR 001722; Stephenson v. Madison Avenue Securities, Inc., et al., DuPage County No. 12 AR 001723; Bowen v. Madison Avenue Securities, Inc., et al., DuPage County No. 12 AR 001724; and Hutchinson et al., v. Madison Avenue Securities, Inc., et al., DuPage County No. 12 AR 001725; are transferred to the Circuit Court of Kane County and consolidated with Govenat et al. v. Madison Avenue Securities Inc., Kane County No. 11 L 235, and the cases currently consolidated therewith.

Order entered by the Court.

MISCELLANEOUS RECORD

M.R. 3246 - In re: Industrial Commission Division of
Appellate Court

Fourth District

The Honorable Thomas R. Appleton is assigned temporarily to serve on the Industrial Commission Division of the Appellate Court as a member of the Fourth District to hear and decide cases scheduled for the December 13, 2012 session.

Order entered by the Court.

M.R. 25649 - In re: Brian Keith Sides. Disciplinary Commission.

Motion by the Honorable Dan L. Flannell to quash subpoena. Motion denied.

Order entered by the Court.

M.R. 25662 - In re: David Alan Novoselsky. Disciplinary Commission.

Petition by David Alan Novoselsky for a rule to show cause pursuant to Supreme Court Rule 754. Motion denied.

Order entered by the Court.

THE FOLLOWING MOTIONS WERE PRESENTED AND ORDERS WERE ENTERED AS INDICATED:

ADVISEMENT DOCKET

No. 101803 - Lois Jones, movant, v. Hon. Richard J. Elrod, Judge of the Circuit Court of Cook County, et al., etc., respondents.

Motion by movant, pro se, for this Court to redress the first request for a supervisory order due to newly discovered evidence.

No. 108631 - Lois Jones, movant, v. Hon. Marcia Maras, Judge of the Circuit Court of Cook County et al., etc., respondents.

Motion by movant, pro se, for this Court to redress the first request for a supervisory order due to newly discovered evidence.

No. 111534 - People State of Illinois, appellee, v. Curtis Leach, appellant.

Motion by appellee to cite additional authority instante.

No. 114697 - Joseph C. Owens, movant, v. Hon. Michael B. Hyman, Judge of the Circuit Court of Cook County, et al., respondents.

Motion by movant, pro se, requesting this Court to reconsider and vacate the order by which it granted motion for sanctions and supplemental motions for sanctions filed by respondents John J. Rock, Erin N. Bybee, and Rock Fusco, LLC.

PEOPLE'S DOCKET

No. 114040 - People State of Illinois, appellee, v. Carl Henderson, appellant.

Motion by appellee for an extension of time for filing brief to and including December 14, 2012. Motion allowed.

Order entered by Justice Burke.

No. 115140 - Barry Schadegg, petitioner, v. Hon. Dennis Middendorff, Judge for the Fourth Judicial Circuit, et al., respondents.

Motion by petitioner for leave to file a petition for an original writ of mandamus.

Motion by petitioner for stay of proceedings in Clinton County case No. 2012 DT 38, People v. Schadegg, pending disposition of motion for leave to file a petition for an original writ of mandamus. Motion denied as moot.

Order entered by Justice Karmeier.

CIVIL DOCKET

No. 114617 - Standard Mutual Insurance Company, appellee, v. Norma Lay, Indv., etc. (Locklear Electric, Inc., etc., appellant).

Motion by appellant for an extension of time for filing brief to and including November 28, 2012. Motion allowed.

Order entered by Justice Garman.

No. 115185 - Robert Ellis, movant, v. Hon. Bertina Lampkin, Justice of the Appellate Court, First District, et al., etc., respondents.

Emergency motion by movant, pro se, for a supervisory order.

LEAVE TO APPEAL DOCKET

No. 114800 - Mahesh Parikh, petitioner, v. The Division of Professional Regulation of the Illinois Department of Financial and Professional Regulation et al., etc., respondents.

Motion by petitioner to supplement petition for leave to appeal with notice and a copy of newly filed appellate authority instant. Motion allowed.

Order entered by Justice Burke.

No. 115010 - Asset Recovery Contracting, LLC, petitioner, v. Walsh Construction Company of Illinois et al., respondents.

Motion by petitioner to supplement petition for leave to appeal with published opinion instant. Motion allowed.

Order entered by Justice Burke.

No. 115037 - United National Insurance Company, etc., respondent, v. 200 North Dearborn Partnership, etc., et al., petitioners.

Motion by petitioners for clarification as to the time for filing petition for leave to appeal or, in the alternative, for an extension of time for filing petition for leave to appeal to and including November 26, 2012. Motion allowed.

Order entered by Justice Burke.

No. 115053 - In re Estate of Catherine J. O'Brien, Deceased
(Dennis O'Brien et al., petitioners, v. Margaret
Ann Baker, Indv., etc., respondent).

Motion by petitioners for leave to file
supplement to petition for leave to appeal
instanter. Motion allowed.

Order entered by Justice Burke.

No. 115180 - River City Facilities Management Company, LLC, et
al., petitioners, v. Metropolitan Water
Reclamation District of Greater Chicago,
respondent.

Motion by petitioners for an extension of time
for filing petition for leave to appeal to and
including December 11, 2012. Motion allowed.

Order entered by Justice Burke.

No. 115207 - Illinois Insurance Guaranty Fund, petitioner, v.
Virginia Surety Company, Inc., et al.,
respondents.

Unopposed motion by petitioner for an extension
of time for filing petition for leave to appeal
to and including December 7, 2012. Motion
allowed.

Order entered by Justice Burke.