

**IN THE CIRCUIT COURT FOR THE SEVENTH JUDICIAL CIRCUIT
SANGAMON COUNTY, ILLINOIS**

Suppressed,)	
)	
Plaintiff,)	Case No. 2021 L 000053
)	
v.)	Hon. Adam Giganti
)	
Suppressed,)	Filed Under Seal Pursuant to
)	740 ILCS § 175/4
)	
Defendant.)	

JOINT MOTION TO SUBSTITUTE EXHIBITS

Relator, Emily Fox (“Relator” or “Fox”) by her undersigned counsel, and by agreement of the Relator and the State of Illinois (“State” collectively, the “Parties”), hereby moves this Court to substitute exhibits previously filed by the Parties under seal pursuant to the Illinois False Claims Act, 740 ILCS § 175/4, with exhibits properly redacted by agreement of the Parties in compliance with Illinois Supreme Court Rule 138. In further support thereof, the Parties state as follows:

1. On April 9, 2021, Relator filed the instant *qui tam* suit pursuant to the Illinois False Claims Act, 740 ILCS 175/1. Simultaneously with that filing, Relator served on the State her disclosure letter along with 27 exhibits attached thereto containing supporting documentation for the claims outlined in her complaint.

2. On December 7, 2021 the State filed its Motion to Dismiss Relator’s complaint. On January 11, 2022, Relator filed her response in opposition to the State’s motion including 14 exhibits appended in support. On or about January 25, 2022, in addition to its reply brief, the State separately filed Relator’s disclosure letter along with all 27 supporting exhibits to that letter.

3. In accordance with Section 4(b)(2) of the Illinois False Claims Act, all the above referenced pleadings and briefs were filed entirely under seal. Accordingly, and pursuant to Illinois

Supreme Court Rule 138, the information contained within the materials was not required to be redacted. Ill. Sup. Ct. R. 138(a)(2) (“This rule does not apply to cases filed confidentially and not available for public inspection.”).

4. The State’s Motion to Dismiss is currently pending before the Court.

5. Regardless of the Court’s ruling on the State’s motion, the contents of the entire file will be unsealed, and the documents previously filed will be subject to public disclosure.

6. As such, and pursuant to Illinois Supreme Court Rule 138, certain personal identity information (“PII”) within previously filed pleadings, motions and exhibits thereto must be redacted prior to being released for viewing on the public docket.

7. The Parties have agreed to redact all the PII described in Illinois Supreme Court Rule 138, including social security numbers, individual taxpayer-identification numbers, driver’s license numbers, financial account numbers, and debit and credit card numbers. Ill. Sup. Ct. R. 138(b). The Parties have also agreed to redact personal cell phone numbers, account numbers, and email addresses contained within the materials.

8. The Parties have agreed to file a substitute, redacted filing for the three separate exhibits that were filed with The State of Illinois’ Reply in Support of its Motion to Dismiss Relator’s Complaint on January 25, 2022. This substituted set of filings is attached hereto as Group Exhibit A.

9. In addition, the Parties have agreed to file a substitute, redacted filing for the exhibits filed with Relator’s Response in Opposition to the State’s Motion to Dismiss on January 11, 2022. This substituted set of exhibits is attached hereto as Group Exhibit B.

WHEREFORE, Relator, Emily Fox, with the agreement of the State, respectfully requests that this Honorable Court direct the Sangamon County Clerk to substitute:

- 1) Group Exhibit A in place of all of the exhibits filed on January 25, 2022 attached to The State of Illinois' Reply in Support of its Motion to Dismiss Relator's Complaint; and
- 2) Group Exhibit B for the Exhibits attached to the Relator's Response in Opposition to the State of Illinois' Motion to Dismiss filed on January 11, 2022.

Respectfully Submitted,

EMILY FOX, RELATOR

By: /s/ Robert M. Andalman
One of her attorneys

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CERTIFICATE OF SERVICE

I, Robert Andalman, an attorney, hereby certify that on April 8, 2022, the foregoing ***JOINT MOTION TO SUBSTITUTE EXHIBITS*** was served by email on the parties named below:

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/s/ Robert M. Andalman

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