

No. 4-22-0622

**IN THE APPELLATE COURT OF ILLINOIS
FOURTH JUDICIAL DISTRICT**

PEOPLE OF THE STATE OF)	Appeal from the Circuit Court of the
ILLINOIS ex rel., EMILY FOX)	Seventh Judicial Circuit, Sangamon
)	County, Illinois
Relator/Appellant)	
State of Illinois/Appellee)	
)	Circuit Court No. 21 L 000053
v.)	
)	Hon. Adam Giganti, Judge Presiding
JENNY THORNLEY)	
)	
Defendant)	

Relator-Appellant's Unopposed Motion for Extension of Time to File Reply Brief

Relator-Appellant, Emily Fox, by and through her undersigned counsel, respectfully moves, without opposition from the office of the Illinois Attorney General, for a 35-day extension, from March 28, 2023, to May 2, 2023, to file her reply brief. In support of this motion, Ms. Fox submits the declaration of Robert M. Andalman.

Dated: March 20, 2023

Respectfully submitted,
Emily Fox, Relator-Appellant

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

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Declaration of Robert M. Andalman

1. I am the Managing Member at A&G Law, LLC, which firm represents Relator-Appellant, Emily Fox. I am licensed to practice law and in good standing with the Supreme Court of Illinois. I am lead counsel for Ms. Fox.

2. On March 14, 2023, Appellee the State of Illinois filed its 59-page response brief in this matter. That filing followed three motions for extension filed November 15, 2022 (for a 35-day extension); December 20, 2022 (for a 35-day extension); and January 30, 2023 (for an additional 35-day extension). This is Relator-Appellant's first motion for an extension of time in this appeal. Currently, Relator-Appellant's reply brief is due to be filed on March 28, 2023.

3. I will be unable to adequately complete Relator-Appellant's reply brief within the set period and request a 35-day extension of time to do so for the following reasons.

- a. On March 31, 2023, I have a Petition for Leave to Appeal pursuant to Illinois Supreme Court Rule 306(a)(8) due to the Second District Illinois Appellate Court in the matter *Calley Fausett v. Walgreen Co.*, Case No.: 19 CH 675, currently pending before the Honorable Donna-Jo Vorderstrasse in Lake County. The petition involves significant legal issues in a nationwide class action seeking as much as \$1.6 billion in damages and is my primary responsibility at this time.
- b. On April 3, 2023, I have responses due to three separate motions to dismiss in a significant False Claims Act matter pending in the United States District Court for the Northern District of Illinois, *United States ex rel. Montenegro v. Roseland Comm. Hosp. et al.*, Case No. 1:21-cv-02544, pending before Judge Joan H. Lefkow.
- c. On April 4, 2023, I have a reply brief due on a significant motion to dismiss a multi-million dollar commercial dispute pending in the United States District Court for the Northern District of Illinois, *Zeikos, Inc. v. Walgreen Co.*, 1:23-cv-303, pending before Judge Virginia M. Kendall.
- d. On April 21, 2023, I have an appellate brief due in a civil rights matter before the United States Court of Appeals for the Seventh Circuit, *Martin v. Susan Haling, et al.*, Appeal No. 22-3108.

e. In addition, I have significant additional case-related responsibilities, including additional court filings, in the more than 20 additional matters for which I serve as lead counsel on behalf of our firm.

4. On March 20, 2023, I contacted Richard Huszagh, the Assistant Attorney General in the Civil Appeals Division of the Illinois Attorney General's Office responsible for this matter, who informed me that he did not oppose the Realtor-Appellant's motion for extension of time.

5. This request for an extension is made with regard for this Court's deadlines and not to unnecessarily delay this action.

I declare under penalty of law as provided in 735 ILCS 5/1-109 that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

March 20, 2023

By: /s/ Robert M. Andelman

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Defendant)	

ORDER

This matter having come before the Court on the unopposed motion of Relator-Appellant for a 35-day extension, from March 28, 2023 to May 2, 2023, to file her reply brief, due notice having been given, and the Court being advised;

IT IS HEREBY ORDERED that this motion is GRANTED / DENIED.

ENTERED

Date: _____

CERTIFICATE OF FILING AND SERVICE

I, Robert Andalman, an attorney, certify that on March 20, 2023 I electronically filed the foregoing *Relator-Appellant's Unopposed Motion for Extension of Time to File Reply Brief* with the Clerk of the Court for the Illinois Appellate Court, Fourth Judicial District, by using the Odyssey eFileIL system.

I further certify that on March 20, 2023 the foregoing *Relator-Appellant's Unopposed Motion for Extension of Time to File Reply Brief* was served by email and via the Odyssey eFileIL system on the below named participants:

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/s/ Robert M. Andalman