

**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS
ROCK ISLAND DIVISION**

SUSAN BENNETT,)	
)	
Plaintiff,)	No. 4:19-cv-04087
)	
v.)	Hon. Judge Sara Darrow
)	
AMERICAN FEDERATION OF STATE,)	
COUNTY, AND MUNICIPAL)	
EMPLOYEES, COUNCIL 31, AFL-CIO, et)	
al,)	
)	
Defendants)	
)	

**AGREED MOTION TO STAY BRIEFING ON THE STATE DEFENDANTS' MOTION
TO DISMISS**

Plaintiff moves to stay briefing on the State Defendants' Motion to Dismiss (Dkt. 14) in this case and states in support:

1. Defendants Andrea Waintroob, Judy Biggert, Gilbert O'Brien, Lynne Sered, and Lara Shayne, in their official capacities as members of the Illinois Educational Labor Relations Board, and Kwame Raoul, in his official capacity as Attorney General of Illinois (collectively, the "State Defendants") filed a Motion to Dismiss on June 27, 2019.

2. All parties intend on filing a joint statement of stipulated facts and cross-motions for summary judgment. The parties anticipate this matter being resolved on those cross-motions for summary judgment.

3. The State Defendants do not waive the arguments set forth in their memorandum in support of their Motion to Dismiss. Rather, the parties anticipate that arguments the State

Defendants made in their Motion to Dismiss, and the defenses made in response, will be repeated in the briefing on summary judgment.

4. The State Defendants have no objection to deferring briefing on their motion to dismiss, but ask that their motion to dismiss be considered simultaneously with the summary judgment motions without the necessity of having to file a new motion for summary judgment.

5. Defendants AFSCME Council 31 and AFSCME Local 672 and Defendant Moline-Coal Valley School District No. 40 have no objection to this motion.

6. Therefore, to avoid repetition, Plaintiff requests that this Court stay briefing on the State Defendants' Motion to Dismiss

Dated: July 22, 2019

Respectfully submitted,

/s/ Jeffrey M. Schwab
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CERTIFICATE OF SERVICE

I, Jeffrey M. Schwab, an attorney, certify that I served the foregoing Motion to Stay Briefing on all parties on July 22, 2019, via the Court's electronic filing system.

/s/ Jeffrey M. Schwab
Jeffrey M. Schwab