

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

OTIS McDONALD, et al.,)
)
 Plaintiffs,)
)
 v.) No. 08 C 3645
)
 CITY OF CHICAGO, et al.,)
)
 Defendants.)

MEMORANDUM ORDER

This is one of three cases on this Court's calendar that seek to extrapolate from the Supreme Court's decision in Dist. of Columbia v. Heller, 128 S.Ct. 2783 (2008) to invalidate municipal ordinances that ban handguns--indeed, plaintiffs' counsel brought this lawsuit only one day after Heller came down (obviously having anticipated the decision reached by the five-Justice majority). This case, like National Rifle Association of America, Inc. v. City of Chicago, 08 C 3697, attacks Chicago's handgun ordinance, while National Rifle Association of America, Inc. v. Village of Oak Park, 08 C 3696 (brought by the same plaintiffs' counsel who are handling 08 C 3697) challenges the Oak Park ordinance.

Today this Court has issued an opinion that rejects, as contrary to jurisprudential principles, the invitation by counsel in the other two cases to "overrule" Quilici v. Village of Morton Grove, 695 F.2d 261 (7th Cir. 1982). Quilici is an on-all-fours decision by our Court of Appeals that takes the opposite position

from that now pressed by plaintiffs in all three cases before this Court.

There is no need to repeat what is said in that opinion, for it might well have been written for this case too. Instead this memorandum order simply denies (1) plaintiffs' two pending motions--their Motion for Summary Judgment (Dkt. 32) and their Motion To Narrow Legal Issues (Dkt. 43)--and (2) sets this case as well for a status hearing at 8:45 a.m. December 9, 2008.



Milton I. Shadur
Senior United States District Judge

Date: December 4, 2008