

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

NICHOLAS LUCE, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	No. 21 CV 1250
v.)	Judge Mary M. Rowland
)	
BRENDAN KELLY, <i>et al.</i>)	
)	
Defendants.)	

**DEFENDANTS’ MOTION TO DISMISS PURSUANT TO
FEDERAL RULES OF CIVIL PROCEDURE 12(b)(1) AND 12(b)(6)**

Defendants Brendan Kelly and Jarod Ingebrigsten, by their attorney Kwame Raoul, Illinois Attorney General, hereby move to dismiss Plaintiffs’ Complaint with prejudice pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). In support of this Motion, Defendants state as follows:

1. The claims for declaratory and injunctive relief asserted by Individual Plaintiffs Luce, Stacho, Rice, and Robinson are moot, as they have received their Concealed Carry Licenses (“CCLs”).
2. The Organizational Plaintiffs lack standing.
3. Plaintiffs’ claims for monetary damages against Defendants are barred by the Eleventh Amendment.

WHEREFORE, for these reasons, and as more fully explained in the accompanying memorandum of law, Defendants respectfully request that the Court grant their motion to dismiss.

Dated: May 24, 2021

Respectfully Submitted,

KWAME RAOUL
Attorney General of Illinois

/s/ Amanda L. Kozar
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CERTIFICATE OF SERVICE

The undersigned certifies that on May 24, 2021, she electronically filed the foregoing document with the Clerk of the Court for the Northern District of Illinois by using the CM/ECF system. All participants in the case are registered CM/ECF users who will be served by the CM/ECF system.

/s/ Amanda L. Kozar

AMANDA L. KOZAR