UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CUTBERTO VIRAMONTES, *et al.,*	)	
	)	
Plaintiffs,	)	
	)	
v.	)	**No. 21 CV 4595**
	)	
THE COUNTY OF COOK, *et al.,*	)	**Judge Rebecca R. Pallmeyer**
	)	
Defendants.	)	

ORDER

The court directs the parties to be prepared to address issues as described below.

STATEMENT

On January 31, Plaintiffs moved to stay this case pending the resolution of *Harrel v. Raoul*, 3:23-cv-00141 (S.D. Ill.), which challenges the newly-enacted statewide assault weapons ban. (*See* [69], [70].) Defendants objected to the motion, and the court set a March 8 date for hearing on the stay request [74]. Since the time that hearing was scheduled, Judge Kendall of this court has denied a motion for a temporary restraining order preventing the enforcement of similar laws—including the statewide law and a similar ordinance in Naperville. Judge Kendall concluded that both the state statute and the Naperville ordinance are "consistent with the Second Amendment's text, history, and tradition," and that the plaintiffs in that case were therefore unlikely to succeed on the merits of their claim. *See Bevis v. City of Naperville*, No. 22-cv-4775, 2023 WL 2077392, at *3 (N.D. Ill. Feb. 17, 2023). Plaintiffs in *Bevis* have since filed a notice of appeal. *See* Notice of Appeal [64], *Bevis v. City of Naperville*, No. 22-cv-4775 (Feb. 21, 2023).

To focus the March 8 motion hearing, the court directs the parties to be prepared to address the following issues:

1. At what stage "litigation over the Illinois Ban" will be, in Plaintiffs' view, "concluded." (*See* [70] at 4.)

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2. Whether *Harrel* remains relevant, in light of the court's decision in *Bevis* and the respective timelines of the two cases.

3. Whether a decision from the Seventh Circuit, either in *Bevis* or *Harrel* would be dispositive. In other words, whether the Cook County ban differs, for purposes of the *Bruen* framework, from the Naperville or statewide bans.

ENTER:

Dated: February 27, 2023

REBECCA R. PALLMEYER
United States District Judge