

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

CHICAGO HEADLINE CLUB, et al.,)	
)	
<i>Plaintiffs,</i>)	No. 25-cv-12173
)	Hon. Sara L. Ellis
v.)	
)	
KRISTI NOEM, Secretary, U.S. Department of Homeland Security, in her official capacity, et al.)	
)	
<i>Defendants</i>)	

Plaintiffs' Notice of Violations of the Court's Temporary Restraining Order

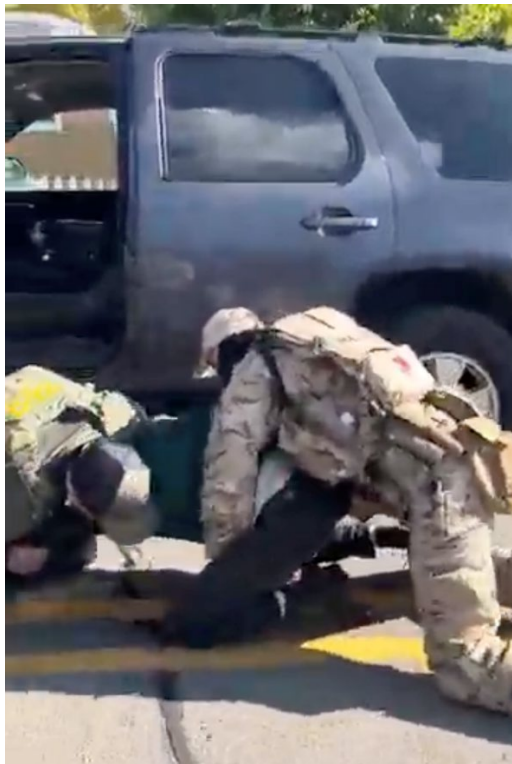
Plaintiffs, by and through their attorneys, respectfully request that the Court take notice of the below violations of the Court's Temporary Restraining Order. Dkt. 66; Dkt. 52 at 4.

I. Excessive Force in Evanston on Halloween

1. A group of residents gathered to observe several ICE agents applying extreme physical force to protestors on a street in Evanston on Friday, October 31, 2025. There, DHS agents 1) used excessive force against multiple protestors, 2) subjecting these protestors to significant risk and harm, 3) deployed pepper spray without warning against a crowd of non-violent protestors, 4) threatened the use of excessive force against non-violent protestors, and 5) some of these agents failed to wear alphanumeric numbers and badges, in violation of this court's TRO.

These events are described in the declaration of Kerry Littel, Exhibit 136; the declaration of David Brooks, Exhibit 138; declaration of Kelly Mack; Exhibit 137.

2. Following a car accident involving a government vehicle and a civilian vehicle, the civilian driver was taken into custody by agents. A crowd of people formed as agents took down two different protestors, wrestling them to the ground. As an agent forcefully held the woman to the ground, two large male agents grabbed the young male protestor. *See, e.g.*, Exhibit 136 (Littel Decl.) at ¶¶ 14–15.
3. One agent grabbed the young man’s arms and pulled him forward, while the other agent grabbed the man around the waist and pulled him back, applying what appeared to be his full weight onto the protestor. “The young man was on all fours and the agents were on top of him appearing to wrestle him to the ground.” *See* Exhibit 136 (Littel Decl.) at ¶ 14.



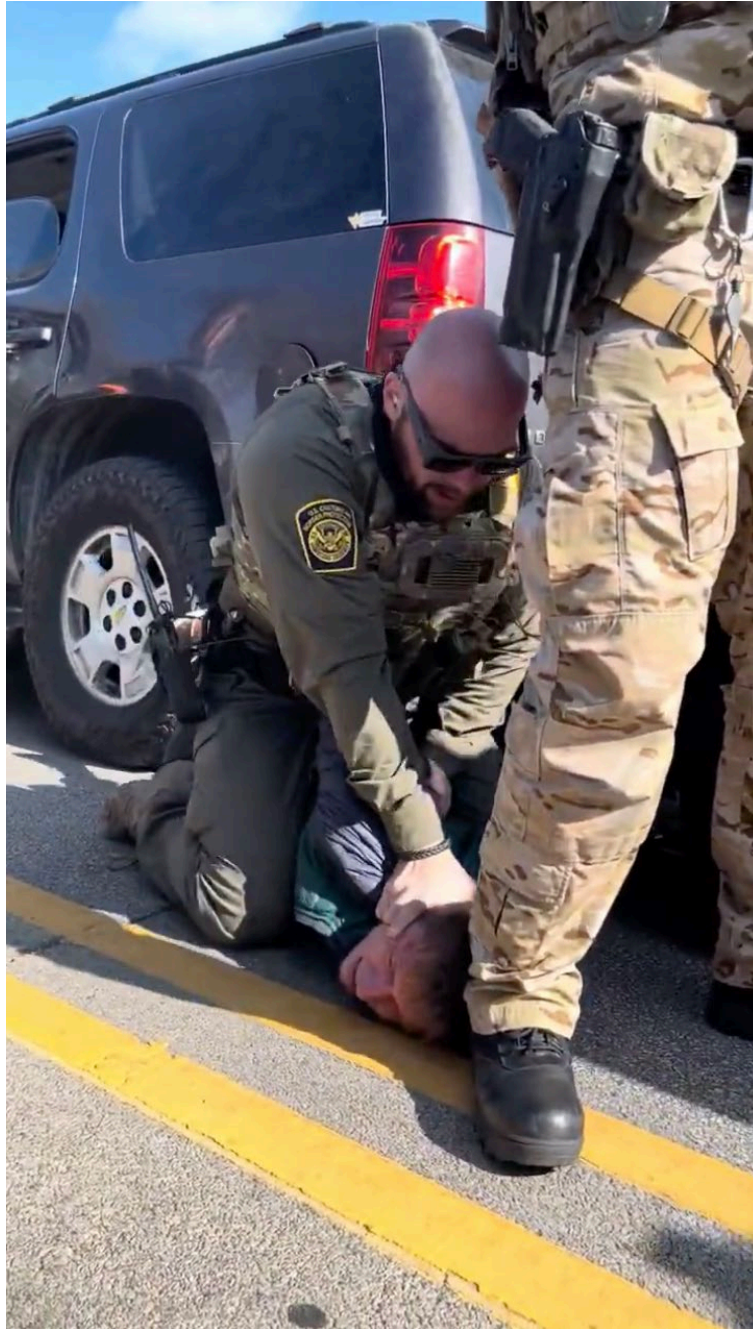
4. One of the agents then grabbed the young man and threw him onto his back. At this point, the agent’s full weight was on top of the young man, holding him down. One of the federal agents proceeded to “grab the young man’s head and bash [it] on the street at least two times.” Exhibit 136 (Littel Decl.) at ¶ 13. Then, as people in the crowd screamed in

opposition, the agent punched the young man twice in the head. *See id.* at ¶ 15. He then grabbed the young man's neck and pushed it into the ground as he held the man's arm behind his back. See the photograph below:



5. The agent then shoved the young man onto his stomach, with his hand still holding the man's neck to the ground. The agent put a knee on top of the man's back while pressing

his neck into the ground—both the young man on the ground and members of the crowd yelled out to the agent that he “can’t breathe.” The young man’s face was “being pressed to the ground” and he appeared to have a “bad rash” on his face “from being forced to the ground.” Exhibit 138 (Brooks Decl.) ¶ 11. With a knee still on the man’s back and hands holding him down, the agent said, “I’ll get off if you stop moving.”



6. After the young man agreed to stop moving, the agent finally picked him up off of the ground, held him against the side of the vehicle, and then placed him inside the vehicle. Kerry Littel describes that the “young man looked dazed” and appeared to be “in need of medical attention.” Exhibit 136 (Littel Decl.) at ¶ 31.
7. As this situation unfolded, a bystander tried to pull the agents off of the man on the ground, and one of the agents jumped up and punched the bystander. An agent then held up a can of chemical spray toward the crowd of people as if to threaten to spray them with it. Exhibit 136 (Littel Decl.) at ¶ 19. As agents returned to the vehicle, multiple of them again pulled out cans of chemical spray and pointed these cans at the crowd.
8. Another non-violent member of the crowd, David Brooks, describes seeing an agent “shoving a woman into the car.” Exhibit 138 (Brooks Decl.) at ¶ 5. He began to film the interaction and yelling in opposition to the agents’ actions. *Id.* at ¶ 6. An agent then turned to Brooks and said, “step back or I’m going to shoot you.” *Id.* at ¶ 6. The agent then pointed his gun directly at Brooks, who had not made any violent or threatening movements. *Id.* at ¶7.



9. The agents then set off either pepper spray or mace without giving any warning to the crowd. *See* Exhibit 136 (Littel Decl.) at ¶ 35; Exhibit 138 (Brooks Decl.) at ¶ 13.
10. During this violent interaction, the agent also did not appear to have any clearly visible identification:



Other agents similarly appear to lack visible identification:



11. Littel expresses that she is compelled to continue to document these violent incidents but is now fearful to do so because it puts her “at risk of harm.” Exhibit 136 (Little Decl.) at ¶¶ 38–39. Brooks similarly expresses that he is “concerned about [his] safety when observing and protesting federal immigration agents.” Exhibit 138 (Brooks Decl.) at ¶ 15.

II. First Amendment Retaliation in Evanston on Halloween

1. On October 31, in Evanston, peaceful protestors gathered to observe DHS agents outside of a kindergarten and elementary school. *See* Exhibit 137 (Mack Declaration).
2. Kelly Mack observed her neighbor, Clark, speaking with federal agents. *Id.*
3. Without warning, the agents shoved Clark. More agents arrived, and again without audible warning, the agents “shoved Clark into the sidewalk.” *Id.*
4. Agents then exited one of the vehicles holding a pepperball weapon. *Id.*
5. Mack describes that she is fearful for her safety, her family’s safety, and the safety of her neighbors as a result of these violent actions. *Id.*

* * *

Defendants’ agents violated several provisions of the Court’s Temporary Restraining Order during these interactions:

- 1(h) – agents used force, including shoving a person to the ground, tackling, or body slamming an individual who posed no immediate threat of physical harm to others, and the force was not necessary or proportionate to effectuate an apprehension and arrest;
- 1(j) – agents seized or arrested a non-violent protester who was not resisting a lawful crowd dispersal order in the absence of probable cause; and
- 2 – agents failed to wear visible identification prominently displayed.

II. Good Faith Attempts to Meet and Confer

Pursuant to the Court’s order that Plaintiffs should confer at least 24 hours before filing a request for relief, Plaintiffs emailed Defendants about this incident on November 1, 2025 and conferred by phone with counsel for Defendants on November 3, 2025.

Respectfully submitted,

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