

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

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

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

Plaintiffs Chicago Headline Club, et al. by and through their attorneys, respectfully request that the Court take notice of the violation of the Court's Temporary Restraining Order (TRO) that took place in the Village of Gurnee on Thursday, October 30, 2025. *See* Dkt. 66 (Oct. 17, 2025).

I. Apparent Violation

1. In the far north suburb of Gurnee rests Warren Township High School (WTHS), which serves a demographically diverse population.¹ WTHS has two campuses: one on O'Plaine Road for freshmen and sophomores, the other on Almond Road for juniors and seniors.
2. On October 30, 2025, federal agents broke the morning's tranquility at Warren's O'Plaine Road campus. Around 8:20 AM, a car skidded into the parking lot with a tire missing. Two men fled the vehicle with federal agents pursuing them. Both were detained within minutes and escorted to the back of the federal agents' vehicles.²

¹ See <https://appsqd.isbe.net/illinoisreportcard/school.aspx?source=studentcharacteristics&source2=enrollment&Schoolid=340491210170001>.

² See Alex Dvorak, *Federal agents arrest suspect inside suburban school after chase leads to crashes: Police*, NBC Chicago (Oct. 30, 2025), <https://www.nbcchicago.com/news/local/federal-agents-arrest-suspect-inside-suburban-school-after-chase-leads-to-crashes/3845544/>.

3. Pastor Benjamin Squires was volunteering as a greeter outside Warren that day, wanting students to know that their community cared about them.

4. Seeing federal immigration agents, Pastor Squires reflected on his spiritual duty to care for immigrants. Confronted with a quick decision—and condemnation in mind—he began recording the agents' rough handling of the apprehended men.

5. Others joined, detesting the agents' reckless behavior near a school, with some recording too.

6. In response to being recorded, a single federal agent threatened to pepper spray Pastor Squires and the group of teachers, teachers' aides, and other WTHS staff.³ The other federal agents present did nothing, nor disavowed those threats.

7. Pastor Squires and company were not trespassing. They were at work or volunteering. They did not interfere with the arrests or other duties of those federal agents. Nor did Pastor Squires and the crowd inhibit, impede, or otherwise stop the federal agents from leaving.

8. Pastor Squires and this crowd were threatened for their speech and for recording federal agents carrying out immigration enforcement operations.

9. Those threats "dissuaded" Pastor Squires "from recording," as his declaration notes. Ex. 135 (Squires Decl. at 2, para. 19.)

10. As his declaration also notes, the threat to pepper spray was not made once but multiple times toward Pastor Squires and other similarly situated individuals. *Id.* at 2.

II. The Forgoing Incidents Constitute Violations of the TRO

11. This Court's TRO is clear. Section 1(d) prohibits Defendants and their agents from "[u]sing riot control weapons—including...Oleoresin Capsicum (OC) Spray" on "members of the

³ Plaintiffs note that the O'Plaine campus's first classes start at 8:25, so students entering the school to start their day were likely nearby as well. See <https://www.d121.org/students/bell-schedules>.

press, protestors, or religious practitioners” “not posing an immediate threat to the safety of a law enforcement officer or others.” *See* TRO, Dkt. 66 at 2.

12. Equally unambiguous, section 1(e) prohibits Defendants’ agents from “[u]sing riot control weapons at identified targets, if it is reasonably foreseeable that doing so could result in injury” to putative class members. *Id.* at 2.

13. Once again, Defendants’ agents simply ignored this Court’s TRO. By threatening to pepper spray those recording or protesting, Defendants’ agents chilled basic First Amendment protections to deliver information about government actions.

14. Defendants’ agents already made their arrests and could have left WTHS property without incident.

15. There was no “immediate threat to the safety of law enforcement” as the pictures in Pastor Squires’s declaration confirm. *See* Ex. 135 (Squires Decl. at 3–5)

16. Instead, Defendants’ agents threatened to pepper spray a pastor, teachers, and other public school staff—while students as young as thirteen filed into the building—all because they spoke up against the agents.

III. Good Faith Attempts to Meet and Confer

Per this Court’s order, Plaintiffs emailed Defendants about this incident on November 2, 2025, around 10:45 PM CST. Defendants have not responded. Plaintiffs provide this submission to improve the evidentiary record considering the upcoming preliminary injunction hearing set for November 5. Plaintiffs continue to request that the Court enter any relief it deems just and proper.

Respectfully submitted,

/s/ Hirsh M. Joshi
One of Plaintiffs’ Attorneys

Jon Loevy
Locke Bowman
Steve Art
Heather Lewis Donnell
Theresa Kleinhaus
Scott Rauscher
Matt Topic
Julia Rickert
Tara Thompson
Lindsay Hagy
Jordan Poole
Dominique Gilbert
Justin Hill
Aaron Tucek
LOEY + LOEY
311 North Aberdeen Street
Chicago, Illinois 60647
(312) 243-5900
steve@loevy.com

Elizabeth Wang
Isaac Green
LOEY + LOEY
2060 Broadway, Ste. 460
Boulder, CO 80302

David B. Owens
LOEY + LOEY
% Civil Rights and Justice Clinic
University of Washington Law School
William H. Gates Hall, Suite 265
Seattle, WA 98145-1110

Wallace Hilke
COMMUNITY JUSTICE AND CIVIL
RIGHTS CLINIC
Bluhm Legal Clinic, Northwestern Pritzker
School of Law
375 East Chicago Avenue
Chicago, IL 60611
(312) 503-2224
wally.hilke@law.northwestern.edu

Craig B. Futterman
MANDEL LEGAL AID CLINIC
University of Chicago Law School
6020 South University
Chicago, IL 60637
(773) 702-9611
futterman@uchicago.edu

Hayden Johnson*
Katie Schwartzmann*
Conor Gaffney*
PROTECT DEMOCRACY PROJECT
2020 Pennsylvania Ave NW, Ste 163
Washington DC 20006
(202) 579-4582
**Admitted pro hac vice*

Daniel Massoglia
Hannah C. Marion
FIRST DEFENSE LEGAL AID
601 South California Avenue
Chicago, IL 60612
(336) 575-6968
daniel@first-defense.org
hannah@first-defense.org

Kevin M. Fee, Jr.
Rebecca Glenberg
Hirsh M. Joshi
Priyanka Menon
ROGER BALDWIN FOUNDATION OF
ACLU, INC.
150 North Michigan Avenue, Suite 600
Chicago, IL 60601
(312) 201-9740
kfee@aclu-il.org
rglenberg@aclu-il.org
hjoshi@aclu-il.org