

# DOWN THE DRAIN:

How Abusive Lawsuits in the Metro-East Drain Municipal Budgets, Force Service Cuts and Suppress Job Growth



A report compiled by Illinois Lawsuit Abuse Watch



## About I-LAW

Illinois Lawsuit Abuse Watch (I-LAW) is a grassroots, non-partisan watchdog group of concerned citizens, community leaders and small business people interested in a broad range of civil justice issues. I-LAW has more than 15,000 individual supporters throughout Illinois.

Formed in 2002 with the goal of seeing balance, fairness and common sense in Illinois' civil justice system, I-LAW seeks to shine a bright spotlight on special influences and imbalances in Illinois courtrooms. Illinois has long ranked nationally as one of the worst states in the country for legal fairness, and Cook County courts, in particular, have been criticized as magnets for frivolous lawsuits, many having little or no connection to Cook County.

Through a variety of public education programs, I-LAW works to raise awareness about the lawsuit abuse issues in Illinois and urge elected officials to ensure Illinois courts are fair and balanced. I-LAW is concerned that meritless lawsuits in Illinois courts impair the ability of those with legitimate claims to gain access to the state's court system.

Anyone interested in learning more about stopping lawsuit abuse in Illinois or becoming a supporter of I-LAW can visit [www.ILLawsuitAbuseWatch.org](http://www.ILLawsuitAbuseWatch.org).

## Executive Summary

The nonprofit legal watchdog group Illinois Lawsuit Abuse Watch has examined taxpayer lawsuit costs in the Illinois Metro-East area's Madison County and St. Clair County.

For years, Madison and St. Clair Counties have been nationally ranked as two of the worst "Judicial Hellholes" in the country<sup>1</sup> and are favorite destinations for enterprising personal injury lawyers looking for plaintiff-friendly courts. In some cases, lawsuits with seemingly no connection to the Metro-East seem to find their way into the Madison and St. Clair County courthouses, but in many other cases, local businesses find themselves targeted by plaintiffs filing frivolous lawsuits in the hope of forcing a quick settlement.

Even when a local business beats one of these frivolous lawsuits, it still has to pay the cost of fighting the lawsuit. These costs are often recouped through higher prices for goods and services, or even through employee layoffs.

But jobs are lost to lawsuits in other ways. The region's lawsuit-friendly climate has hampered efforts to recruit employers to relocate to the Metro-East due to the heightened risk of being a target of a lawsuit. It is sad but true that when many companies think of Madison and St. Clair Counties, they think of lawsuit abuse.

Clearly, the Metro-East's reputation as a "lawsuit magnet" and a "personal injury lawyer's paradise" is hampering job creation efforts in the region, but jobs are not the only thing lost to lawsuits in the Metro-East, because local businesses and hospitals are not the only targets of lawsuits.

**This new study from Illinois Lawsuit Abuse Watch (I-LAW) makes it clear that local city and county governments are also frequent targets of lawsuits, which means that every single resident of Madison and St. Clair Counties ultimately pays for living in the lawsuit capital of the Midwest.**

Millions of taxpayer dollars are being wasted defending against or quickly settling lawsuits filed against local governments – millions of dollars sucked out of already-squeezed budgets, leading to fewer teachers, unrepaired roads, fewer police officers and higher taxes for area residents.

**In this study, I-LAW found that in 2010 alone, Madison and St. Clair County governments spent a combined \$3.1 million dollars defending themselves against lawsuits.<sup>2</sup>**

Taxpayers' dollars spent on litigation costs is money that would be better spent on valued city and county programs and services – such as schools, roads, parks and police.

**Specifically, the \$3.1 million spent on litigation-related costs in Madison and St. Clair Counties in 2010 could have been used for other, more worthwhile services and programs such as:**

- Hiring 83 new teachers;<sup>3</sup>
- Hiring 50 new Sheriffs' Deputies;<sup>4</sup>
- Paying for 124 new police vehicles;<sup>5</sup>
- Funding the Parks and Recreation Grant Commission budget for more than three years;<sup>6</sup>
- Financing the Madison County Child Advocacy Center for 9 years;<sup>7</sup>
- Underwriting the Sheriffs' Cops in School program for 16 years;<sup>8</sup>
- Funding the Madison County Highway Bridge program for nearly two years;<sup>9</sup>
- Paying the Madison County Museum Fund for 20 years;<sup>10</sup> or
- Funding the Veteran's Assistance program for nearly 7 years.<sup>11</sup>

But Metro-East county governments are not the only targets of lawsuits. The City of Alton, in Madison County, spent a total of \$1.9 million on settlements, judgments and outside counsel from 2005-2010<sup>12</sup> while the City of Belleville, in neighboring St. Clair County, spent more than \$792,000 from 2005-2010 on litigation expenses.<sup>13</sup>

Therefore, area residents take two hits – once when their county is sued and another time when their city is sued. And of course these budget-busting lawsuits are coming at a time when local governments' budgets are already being forced to make significant service cuts due to the continuing economic downturn.

Some of these cuts could be restored if local governments stopped paying millions of taxpayer dollars to fight frivolous lawsuits. In addition to identifying and quantifying the problem with lawsuits filed against local governments, this study from I-LAW also makes a series of recommendations for reform that could cut down the amount of money local municipalities allocate for litigation-related expenses. Two specific recommendations are as follows:

1. **Stop settling so many lawsuits.** All too often, a municipality will decide that it's cheaper to settle a lawsuit than to fight it. But this leads potential plaintiffs to view that municipality as an easy mark, and the result is even more lawsuits filed against that government. In 2009, the City of Chicago, looking to cut its litigation expenses, publicly announced a new policy of fighting, and not settling, most lawsuits filed against the Police Department,<sup>14</sup> and the result was a steep reduction in the number of lawsuits filed against the Police Department in the first year of the new policy.<sup>15</sup> Metro-East

municipalities should follow this proven approach so that they are no longer viewed by potential plaintiffs as personal ATM machines.

2. **Encourage local judges to stop tolerating lawsuit abuse.** Judges have tremendous power to help the Metro-East shed its reputation as a “plaintiff’s paradise.” Personal injury lawyers have flocked to Madison and St. Clair County courts for a reason, and it is up to judges in those courts to restore balance to their courtrooms, which in turn will decrease the number of lawsuits filed there and against local governments.

Ultimately, it may be up to voters to push local elected officials and judges to take these money-saving steps. Many county and city officials will be on the ballot next year, and voters will have the opportunity over the next year to press them for commitments to reform.

This study hopes to spur that dialogue by exposing how personal injury lawyers who flock to Metro-East courthouses and who target municipalities in their lawsuits are costing Metro-East taxpayers millions of dollars each year.

## **The Culture of Lawsuit Abuse in Madison and St. Clair Counties**

Last year, a class action lawsuit was filed in Madison County against Blimpie subs and sandwiches.<sup>16</sup> In this case, the plaintiffs claimed that the “Super Stacked™” subs they ate did not have double the meat because the subs do not contain twice the protein of the regular sized subs.<sup>17</sup>

Of course, Blimpie has never claimed the subs have twice the protein. They just claim the subs have twice the meat. Because the “Super Stacked™” subs do not have twice the bread or other ingredients, they do not have twice the protein.<sup>18</sup> But this did not stop the class action lawsuit from being filed.

Patently ridiculous lawsuits such as this one have sadly become a way of life in Madison and St. Clair Counties. Madison and St. Clair Counties have for years been a top destination for lawsuit tourists looking to strike it rich in the Metro-East region’s plaintiff-friendly courts. The litigation climate in Madison and St. Clair Counties is a known quantity not just in Illinois but also all across the country. It was no accident that in 2005, Madison County was selected as the backdrop for the announcement of national lawsuit reform initiatives.<sup>19</sup>

The two counties have long been fixtures on the annual “Judicial Hellholes” report from the American Tort Reform Association. In fact, in 2004, the two counties occupied the top two spots.<sup>20</sup>

One of the main reasons that Madison County in particular was propelled to the dubious distinction of being one of the worst judicial hellholes in the country was because local judges gave personal injury lawyers tremendous leeway in manipulating the system in their favor.

The 2003 “Judicial Hellholes” report noted that:

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“Madison County judges are infamous for their willingness to take cases from across the country, with little or no local connection, and offer decisions that regulate entire industries nationwide. Through artful pleading, lawyers are skilled at stopping defense lawyers from moving their cases to a more neutral forum by including a named plaintiff from the defendant’s home state or toying with the amount in controversy to defeat the requirements of federal diversity jurisdiction.”<sup>21</sup>

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In recent years, the two counties have been downgraded from “Hellhole” status to the “Watch List,” but this does not mean the troubles in Madison and St. Clair Counties are over – far from it. While, it is true that the region has seen some major improvements over the years, the region is in danger of seeing much of the progress made in the last few years disappear.

After extensive public education in the early part of the last decade, the message of reform clearly resonated with fed up Metro-East residents, who voiced their concerns, and as a result, rules were implemented to prohibit plaintiffs’ lawyers from judicial forum shopping within the circuit, to mandate mediation in medical malpractice cases and to refer smaller cases to alternative dispute resolution.<sup>22</sup>

Those reform efforts have had an impact. The number of class action lawsuits in Madison County went from 106 filed in 2003 to only nine filed in 2010.<sup>23</sup>

But despite some improvements in the litigation environment, the region is in danger of descending back in “Hellhole” status. As the 2010 “Judicial Hellholes” report notes:

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“A growing number of filings and continued questionable rulings place Madison County, once a perennial ‘Judicial Hellhole,’ on the very precarious edge of sinking back in again. The largely rural county in the southwestern part of Illinois seems to be detouring from its recent road toward progress.”<sup>24</sup>

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The number of asbestos cases has steadily increased the last four years. The Illinois Civil Justice League recently examined the asbestos cases being filed in Madison County and found that a mere 11% of the people filing asbestos claims actually live or work in, or have any other connection to Madison County.<sup>25</sup> In fact, Madison County handles about one fourth of the nation’s entire asbestos docket.<sup>26</sup>

**Asbestos lawsuits filed in Madison County**

<b>2003</b>	453
<b>2004</b>	477
<b>2005</b>	389
<b>2006</b>	325
<b>2007</b>	455
<b>2008</b>	639
<b>2009</b>	814
<b>2010</b>	840

Source: Madison County Clerk’s office

St. Clair County appears to be moving toward becoming a national asbestos jurisdiction just like neighboring Madison County. Last December, former Circuit Judge Patrick Young accepted four mesothelioma cases, from Missouri, Indiana, Wisconsin and Pennsylvania, a day before he was set to retire.<sup>27</sup> Currently, Fifth District appellate justices are in the process of making a decision on whether or not the cases will remain in St. Clair County.<sup>28</sup>

As noted, Madison County already is a destination jurisdiction for asbestos cases from all across the country. If the Fifth District Appellate Court decides to allow St. Clair County to keep these cases, St. Clair County will be well on its way toward becoming another destination jurisdiction for mesothelioma cases just like Madison County.

St. Clair is also home to a growing number of cases involving plaintiffs suing the makers of the antibiotic Levaquin. The number of plaintiffs claiming tendon injuries as a result of taking Levaquin now stands at 624, and the vast majority of the plaintiffs are not even from Illinois.<sup>29</sup>

It was judges who helped bring about some much-needed reforms, but judges are also at the center of the region's descent back into judicial hellhole status.

Just recently Circuit Court Judge William A. Mudge ruled with the plaintiffs in an environmental case against Syngenta Crop Protection.<sup>30</sup> He ruled that the defendant had to hand over public relations documents portraying the St. Clair and Madison County court jurisdictions as "Judicial Hellholes."<sup>31</sup> The documents generated by civil justice reform groups are about six years old and have absolutely no bearing on the lawsuit against Syngenta, but this did not stop Judge Mudge from siding with the plaintiffs and ordering these documents to be produced.

While progress certainly has been made in the region, the reality is that over time, local judges continue to undermine the progress made in the last few years. Fortunately, area residents will have the opportunity to voice their concerns in the upcoming judicial elections in 2012. Area residents owe it to themselves to do their homework in judicial races and make sure candidates running to serve on the bench will strive to make Madison and St. Clair County courts fair and balanced.

Good judges do matter. If the region is going to finally shed its reputation as a "plaintiff's paradise," then area residents need to make sure to pay attention to the upcoming judicial election and retention races in 2012 and beyond.

## **The Cost of Lawsuit Abuse in Madison and St. Clair Counties**

The economy continues to be a major concern for communities all across the country. The amount of money that used to pour into local government accounts from state and federal governments is dwindling.

If state and federal funding for municipalities continues to decrease, then clearly the municipalities will have to either cut valued services or raise taxes.

For example, in St. Clair County, layoff notices went to 13 of the County's 46 patrol deputies last December.<sup>32</sup> In Madison County, the mass transit agency recently announced plans to cut back its free rides program for seniors.<sup>33</sup>

Without a doubt, times are tough for local governments right now. Communities have no choice but to look for ways to cut costs, and as a result, they should take seriously the amount of money being spent on litigation-related expenses.

Millions of taxpayer dollars are being wasted defending against lawsuits filed against local governments – millions of dollars sucked out of already-squeezed budgets.

Last year alone, **Madison and St. Clair County governments spent a combined \$3.1 million dollars defending themselves against lawsuits.**<sup>34</sup>

Taxpayers' dollars spent dealing with lawsuits is money that gets taken away from valued city and county programs and services like schools, roads, parks and police.

**Specifically, the \$3.1 million spent on litigation-related costs in Madison and St. Clair Counties in 2010 could have been used for other, more worthwhile services and programs such as:**

- Hiring 88 new teachers;<sup>35</sup>
- Hiring 50 new Sheriffs' Deputies;<sup>36</sup>
- Paying for 124 new police vehicles;<sup>37</sup>
- Funding the Parks and Recreation Grant Commission budget for more than three years;<sup>38</sup>
- Paying the Madison County Child Advocacy Center for 9 years;<sup>39</sup>
- Underwriting the Sheriffs' Cops in School program for 16 years;<sup>40</sup>
- Funding the Madison County Highway Bridge program for nearly two years;<sup>41</sup>
- Paying the Madison County Museum Fund for 20 years;<sup>42</sup> or
- Funding the Veteran's Assistance program for nearly 7 years.<sup>43</sup>

But Metro-East county governments are not the only targets of lawsuits. One St. Clair County community, the City of Belleville, spent more than \$792,000 from 2005-2010 on settlements and judgments and outside legal counsel.<sup>44</sup> And in a Madison County community, the City of Alton spent a total of \$1.9 million on settlements and judgments and outside legal costs from 2005-2010.<sup>45</sup>

As local governments continue to face financial issues, it is time for city and county governments to take steps to lower their litigation costs. Money spent on litigation is money that can be better spent on more worthwhile expenses such as new roads, bridges, school projects and parks.

State Senator Kyle McCarter (R-Lebanon), who served eight years on the St. Clair County Board, said the cost of litigation is a constant concern for local governments.

**“We had to make some tough budget decisions even in the years I served on the St. Clair County Board,”** McCarter said. **“It has to be an even more challenging environment now as state and federal funding for local governments continues to shrink. Local governments simply cannot afford to keep shelling out money on litigation. Money spent on unnecessary litigation is money that could be better spent on hiring more police officers or repairing more roads.”**

Finally, the litigation climate in the Metro-East also has an impact on the ability of communities to attract jobs. The major issue facing the state of Illinois is jobs, jobs, jobs. In July, the unemployment rate rose from 9.1 percent in June to a whopping 9.5 percent.<sup>46</sup> In addition, the state lost 24,900 jobs last month.<sup>47</sup>

In the most recent unemployment reports, the eight-county Metro-East area lost 1,300 jobs from June 2010-June 2011.<sup>48</sup> This is second only to the Champaign/Urbana metro area, which lost 3,400 jobs in the same time span.<sup>49</sup> Leading the way in unemployment in the Metro-East region is St. Clair County with an unemployment rate of 9.4 percent.<sup>50</sup>

As both Madison and St. Clair Counties inch closer and closer to once again becoming full-fledged “Judicial Hellholes,” it will become harder to attract employers to the area. What the Metro-East region needs is jobs – not more lawsuits.

## Recommendations for reform

The purpose of this study is not to serve as an indictment of local governments but rather to shine a spotlight on the culture of lawsuit abuse that limits the financial resources of many communities throughout the Metro East region.

The most important reform local communities should consider is to stop settling so many lawsuits. Too often, local governments will decide that settling lawsuits is seemingly a cheaper alternative to fighting them. But this approach leads potential plaintiffs to view that municipality as an easy mark, and the result is even more lawsuits filed against that government.

In 2009, the Chicago Police Department and the City's Corporation Counsel Office made the decision to adopt a new policy of fighting, and no longer quickly settling, all lawsuits filed against the Police Department. And that aggressive, common sense policy worked: According to a report the City's Law Department submitted to the City Council last fall, **the number of lawsuits filed against the Police Department dropped 50 percent from 2009 to 2010, and in lawsuits involving payouts under \$100,000, the City's liability costs had been reduced by more than \$7 million.**<sup>51</sup>

As Karen Seimetz, the City's first assistant corporation counsel, put it:

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“Over time, the word has gotten out. We're not settling cases like we used to.”<sup>52</sup>

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The Chicago Police Department's decision to fight litigation has clearly helped save taxpayers money. Local governments in the Metro-East region should follow this proven example so that they are no longer viewed by potential plaintiffs as personal ATM machines.

Local communities can also **encourage local judges to stop tolerating lawsuit abuse.** With their tremendous power over what takes place in their courtrooms, judges can help the Metro-East shed its reputation as a “plaintiff's paradise.” Good judges do matter. Judges helped make Madison County the worst “Judicial Hellhole” in the country and judges helped bring the county back from the brink.

But it is also judges who are helping Madison and St. Clair Counties move closer to becoming full-fledged “Judicial Hellholes” once again.

The 2012 elections are just around the corner. Area residents will have the opportunity to weigh in on important local judicial election and retention races. It is important for area residents to get

to know the individuals seeking judicial offices. Area residents need to find out all they can about the people seeking judicial offices.

In addition to becoming informed about judicial elections, area residents should be asking candidates for county board and the state legislature where they stand on legal reform. The last thing the Metro East region needs right now is to slip back into “Judicial Hellhole” status. Ultimately, it will be up to voters to push local elected officials and judges to take these money-saving steps and help the Metro-East shed its reputation as a “plaintiff’s paradise” for good. Personal injury lawyers have flocked to Madison and St. Clair County courts for a reason, and it is up to the judges in those courts to restore balance to their courtrooms, which in turn will decrease the number of lawsuits filed there and against local governments.

Finally, local officials need to acknowledge that there is a litigation problem. One way to do this would be for local governments to make information about the amount of money spent on litigation easily accessible to taxpayers. Instead of having to file a Freedom of Information act request to obtain this information, why not make it readily available on local government websites for easy public viewing?

One step toward reform would be for more communities to make budget information easily available online, as Madison County government has done on the Madison County Auditor’s website.

As local governments look for ways to do more with less, local officials should identify ways to reduce litigation costs. Local residents need to demand accountability on this issue. Local governments simply cannot afford to keep paying for excessive litigation. With the 2012 elections looming, area residents should make improving the litigation climate in Madison and St. Clair Counties one of their top priorities.

## Endnotes

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- <sup>1</sup> American Tort Reform Association, Judicial Hellholes Report, 2002-2010 ([www.judicialhellholes.org](http://www.judicialhellholes.org)).
- <sup>2</sup> Comprehensive Financial Report Year ended Nov. 30, 2010 ([www.madcoauditor.com](http://www.madcoauditor.com)); St. Clair County Auditor's office Freedom of Information Act request, July 8, 2011.
- <sup>3</sup> 2008-2009 Salary Schedule Madison County Schools ([www.madison.k12.il.us](http://www.madison.k12.il.us)).
- <sup>4</sup> Indeed, Deputy Sheriff Salary in Edwardsville, IL ([www.indeed.com](http://www.indeed.com)).
- <sup>5</sup> Madison County Annual Budget Fiscal Year 2011([www.madcoauditor.com](http://www.madcoauditor.com)).
- <sup>6</sup> IBID
- <sup>7</sup> IBID
- <sup>8</sup> IBID
- <sup>9</sup> IBID
- <sup>10</sup> IBID
- <sup>11</sup> IBID
- <sup>12</sup> City of Alton Freedom of Information Act request, June 8, 2011.
- <sup>13</sup> City of Belleville Freedom of Information Act request, May 27, 2011.
- <sup>14</sup> Frank Main, "'Astonishing' drop in lawsuits against city cops" (Suntimes.com, Nov. 9, 2010).
- <sup>15</sup> IBID
- <sup>16</sup> Kelly Holleran, "Where's the beef? Blimpie is not stacking double portions as promised, class action claims" ([www.madisonrecord.com](http://www.madisonrecord.com), Feb. 2, 2010).
- <sup>17</sup> IBID
- <sup>18</sup> IBID
- <sup>19</sup> The Associated Press, "Bush to visit county known for big lawsuits" ([www.msnbc.msn.com](http://www.msnbc.msn.com), Jan. 4, 2005).
- <sup>20</sup> American Tort Reform Association, Judicial Hellholes Report, 2004 ([www.judicialhellholes.org](http://www.judicialhellholes.org)).
- <sup>21</sup> American Tort Reform Association, Judicial Hellholes Report, 2003([www.judicialhellholes.org](http://www.judicialhellholes.org)).
- <sup>22</sup> Peter Lattman, "Madison County, Illinois: A Judicial Hellhole No More" ([www.blogs.wsj.com](http://www.blogs.wsj.com), Dec. 21, 2007).
- <sup>23</sup> Madison County Clerk's office.
- <sup>24</sup> American Tort Reform Association, Judicial Hellholes Report, 2010 ([www.judicialhellholes.org](http://www.judicialhellholes.org)).

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<sup>25</sup> Civil Justice League, “Litigation Imbalance II, A Venue Reform Update, Emerging Trends in County Dockets in Illinois, May 5, 2009 ([www.icjl.org](http://www.icjl.org)).

<sup>26</sup> Brian Brueggemann, “Take-home exposure’ fuels wave of asbestos lawsuits” ([www.wenatcheeworld.com](http://www.wenatcheeworld.com), July 22, 2010).

<sup>27</sup> Steve Korris, “St. Clair County another national asbestos docket? Appellate court is deciding” ([www.madisonrecord.com](http://www.madisonrecord.com), Feb. 3, 2011.)

<sup>28</sup> IBID

<sup>29</sup> The Madison County Record, “St. Clair County Courthouse overflowing with out-of-towner law suits” ([www.madisonrecord.com](http://www.madisonrecord.com), Aug. 13, 2011).

<sup>30</sup> Amelia Flood, “Mudge orders Syngenta to produce PR firm documents” ([www.madisonrecord.com](http://www.madisonrecord.com), April 21, 2011).

<sup>31</sup> IBID

<sup>32</sup> Nicholas Pistor, “St. Clair County to lay off 13 of 46 deputies” ([www.stltoday.com](http://www.stltoday.com), Dec. 16, 2010).

<sup>33</sup> Ramona C. Sanders, “Madison County agencies brace for budget cuts ([www.stltoday.com](http://www.stltoday.com), May 28, 2011).

<sup>34</sup> Comprehensive Financial Report Year ended Nov. 30, 2010 ([www.madcoauditor.com](http://www.madcoauditor.com)); St. Clair County Auditor’s office Freedom of Information Act request, July 8, 2011.

<sup>35</sup> 2008-2009 Salary Schedule Madison County Schools ([www.madison.k12.il.us](http://www.madison.k12.il.us)).

<sup>36</sup> Indeed, Deputy Sheriff Salary in Edwardsville, IL ([www.indeed.com](http://www.indeed.com)).

<sup>37</sup> Madison County Annual Budget Fiscal Year 2011([www.madcoauditor.com](http://www.madcoauditor.com)).

<sup>38</sup> IBID

<sup>39</sup> IBID

<sup>40</sup> IBID

<sup>41</sup> IBID

<sup>42</sup> IBID

<sup>43</sup> IBID

<sup>44</sup> City of Belleville Freedom of Information Act request, May 27, 2011.

<sup>45</sup> City of Alton Freedom of Information Act request, June 8, 2011.

<sup>46</sup> Benjamin Yount, “Illinois: Jobs picture worsening” ([www.thetelegraph.com](http://www.thetelegraph.com), Aug. 22, 2011).

<sup>47</sup> IBID

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<sup>48</sup> Brad Choat, “Metro-East Loses 1300 Jobs in Year’s Time” ([www.stlouis.cbslocal.com](http://www.stlouis.cbslocal.com), July 28, 2011).

<sup>49</sup> IBID

<sup>50</sup> Illinois Unemployment Rate by County, July 2011 ([www.lmi.ides.state.il.us](http://www.lmi.ides.state.il.us)).

<sup>51</sup> Frank Main, “‘Astonishing’ drop in lawsuits against city cops” (Suntimes.com, Nov. 9, 2010)

<sup>52</sup> IBID

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