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Mariyana T. Spyropoulos
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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

MARCUS RUSHING,)
)
Plaintiff,)
)
v.) Case No. 2024 L 004444
)
MCGAW MEDICAL CENTER OF) Judge Anthony Swanagan
NORTHWESTERN UNIVERSITY)
)
v.)
)
Defendant,)
)
)

MOTION IN LIMINE TO PRECLUDE REFERENCE TO DISMISSED FEDERAL ACTION, TO VACATE SUA SPONTE MODIFICATION OF PLEADINGS, AND TO PRESERVE FEDERAL JURISDICTION

NOW COMES the Plaintiff, Marcus Rushing (hereinafter referred to as “Plaintiff”), represented Pro Se, and respectfully moves this Honorable Court to preclude any reference to a dismissed federal case, vacate any sua sponte modification of pleadings, and recognize pending federal interference proceedings, and in support thereof states as follows:

1. Plaintiff’s federal case, *Rushing v Wood Health Company*, LLC and McGaw Medical Center of Northwestern University, Case No. 3:24-cv-00845 in United States District Court of the Northern District of Ohio Western Division was dismissed without prejudice and subsequently amended and refiled and is currently pending before the U.S. District Court for the District of Minnesota.
2. After the federal refiling, and while that case remained pending, this Court’s docket reflected that certain actions had occurred-without service or motion – including:
 - a. Elimination of two previously named defendants;
 - b. Removal of Plaintiff’s jury demand; and
 - c. Absence of any order or notice served upon Plaintiff reflecting these changes.
3. Plaintiff only discovered these changes upon review of the online docket. The docket entries

indicate no service consistent with Ill. Sup. Ct. R. 11-12, and Plaintiff and never received copies of any orders or motions relating to these alterations.

4. The timing and content of these actions appear designed to **mirror or align** the state case with the previously dismissed federal case, despite different defendants and causes of action – constituting **unauthorized sua sponte judicial modification and extrajudicial interference with federal proceedings**.
5. Upon discovery, Plaintiff filed in federal court a **Motion for Injunctive Relief**, a **Notice of Federal Interference**, and a **Supervisory Complaint**, all presently pending.
6. Any continuation of this proceeding based on references to the dismissed federal case, or actions undertaken without service and opportunity to respond, would constitute a **denial of due process** and an **infringement upon concurrent federal jurisdiction** under the Supremacy Clause.

WHEREFORE, Plaintiff respectfully moves this Honorable Court to:

- (a) Enter an order precluding all reference to or reliance upon the dismissed federal action;
- (b) Vacate any sua sponte modification, reversal, or amendment of pleadings entered without notice, service, or hearing;
- (c) Restore Plaintiff's previously approved Amended Complaint and jury demand;
- (d) Take judicial notice that Plaintiff's Amended Federal Complaint and Federal Injunctive Relief Motion remain pending;
- (e) Stay further proceedings in this matter until resolution of all pending federal actions related to this matter; and
- (f) Grant such other relief as justice and equity require.

Respectfully submitted,

/s/ Marcus Rushing

