

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - LAW DIVISION

| | | |
|--------------------------|---|---------------|
| Kossiwa Yehouenou, |) | |
| |) | |
| Plaintiff, |) | |
| |) | No. 11 L 7248 |
| vs. |) | |
| |) | |
| St. Joseph Hospital, |) | |
| Kimberley Darey, M.D., |) | |
| Madhuri Verma, M.D., and |) | |
| Defendant(s). |) | |

PLAINTIFF’S EMERGENCY MOTION FOR SUBSTITUTION OF JUDGE

Plaintiff Kossiwa Yehouenou by and through her attorney, 'Lanre O. Amu, moves pursuant to the provisions of 735 ILCS 5/2-1001(a)(2), for substitution of Judge without cause prior to any ruling by the trial judge on any substantial issue in this case. In support thereof, 'Lanre O. Amu states as follows:

1. This case came before the court for the very first time on November 8, 2011 on defendant’s motion to dismiss.
2. It is axiomatic that the due process right to a fair and impartial hearing before a fair and an impartial judge is a Constitutional guarantee under the Due Process Clause of the United States and State of Illinois Constitutions. No person regardless of title or position can legally engage in conduct that in essence abridges another person’s fundamental right in a court proceeding as here, where life issues are at stake.
3. The parties in this case had never appeared before this court on this case prior to November 8, 2011.
4. The very first statement of plaintiff’s counsel 'Lanre O. Amu concerning this case to the judge Eileen Brewer is that plaintiff would like to respond to whatever is before the court in writing.

5. Plaintiff has an absolute right to respond in writing and failure to honor that right or circumvent that right can only extinguish plaintiff's other rights.
6. As the very first written response to anything in this case, plaintiff now moves for substitution of Judge as of right.

WHEREFORE plaintiff Kossiwa Yehouenou by and through her attorney, 'Lanre O. Amu, moves for substitution of judge as of right.

Respectfully submitted,

/s/'Lanre O. Amu
'Lanre O. Amu
Attorney for plaintiff

CERTIFICATION

Under penalties as provided by law pursuant to the Illinois Code of Civil Procedure, 735 ILCS 5/1-109, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief, and as to such matters therein stated the undersigned certifies as aforesaid that s/he verily believes the same to be true.

| | | |
|----------------------|-------------------------|----------------|
| <u>'Lanre O. Amu</u> | <u>/s/'Lanre O. Amu</u> | <u>11/8/11</u> |
| Name | Signature | Date |

'Lanre O. Amu
407 S. Dearborn, Suite 1550
Chicago, Illinois 60605
Tel: (312) 922-1221

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - LAW DIVISION

Kossiwa Yehouenou,)
Plaintiff,)
) No. 11 L 7248
vs.)
)
St. Joseph Hospital,)
Kimberley Darey, M.D.,)
Madhuri Verma, M.D., and)
Defendant(s).)

NOTICE OF EMERGENCY MOTION

To:
Patricia Barker, Esq.
Barker & Castro
115 South LaSalle Street
Chicago, Illinois 60603
312-855-9300 f312-855-9310

PLEASE TAKE NOTICE that on 11/10/11, at 9:15 a.m., or as soon thereafter as could be heard, plaintiff will appear before the **HONORABLE PRESIDING JUDGE** in Room 2204, at the Richard J. Daley Center in Chicago, Illinois, and there present the following attached motion, a copy of which is hereby served on you.

CERTIFICATE OF SERVICE

I, Lanre Amu, an attorney, certify that I caused a copy of this certificate and the attached document(s) to be served on the above listed party by:

- personal Delivery at the above address
 By fax to 312-855-9310
 depositing a true copy thereof, in a sealed envelope, at the U.S. mail facility located at or about 407 S. Dearborn Street, in Chicago, with proper postage prepaid

on 11/8/11

/s/ Lanre O. Amu

Lanre O. Amu

Lanre O. Amu, #34055
407 S. Dearborn, Suite 1550
Chicago, Illinois 60605
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Kossiwa Yehouenou,)
)
Plaintiff,)
) No. 11 L 7248
vs.)
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St. Joseph Hospital,)
Kimberley Darey, M.D.,)
Madhuri Verma, M.D., and)
Defendant(s).)

ORDER

This matter coming to be heard before the Court on Plaintiff's Motion pursuant to the provisions of 735 ILCS 5/2-1001(a)(2), for substitution of Judge without cause prior to any ruling by the trial judge on any substantial issue in this case, due notices having been given, the Court being advised in the premises,

IT IS ORDERED THAT:

1. Plaintiff's motion for substitution of judge is denied.
2. This case is returned to courtroom _____ for reassignment.

ENTER: /s/Eileen Brewer
JUDGE

Date: 11/10/11

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