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2013CH23386

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, CHANCERY DIVISION

TOWNSHIP TRUSTEES OF SCHOOLS	)	
TOWNSHIP 38 NORTH, RANGE 12 EAST,	)	
	)	
Plaintiff and Counter-Defendant,	)	No. 13 CH 23386
	)	
v.	)	Hon. Sophia H. Hall
	)	
LYONS TOWNSHIP HIGH SCHOOL	)	Calendar 14
DISTRICT 204,	)	
	)	
Defendant and Counter-Plaintiff.	)	

**LT’S MOTION TO WITHDRAW, WITHOUT PREJUDICE,  
LT’S MOTION TO STRIKE THE TTO’S PRAYER FOR RELIEF**

Defendant Lyons Township High School District 204 (“LT”), by its counsel, respectfully asks this Court for leave to withdraw, without prejudice, LT’s motion to strike the prayer for declaratory relief (“the Motion”) in the Amended Complaint of Plaintiff Lyons Township Trustees Of Schools Township 38 North, Range 12 East (“the TTO”). In support of its motion, LT states as follows:

1. LT filed the Motion in anticipation of receiving a ruling on the pending motion of the TTO for summary judgment. LT’s Motion was designed to help determine the next steps in the case, assuming that the summary judgment motion was not granted in its entirety.
2. At the last status hearing on the summary judgment motion, the Court confirmed that it would take up the Motion after ruling on the summary judgment motion, and set a new ruling date for June 14, 2019. Accordingly, the Court set a briefing schedule on the Motion but did not set a hearing date.
3. After reviewing the TTO’s response to the Motion, it is evident that there is a citation error in the Motion. That error was entirely inadvertent, and it should be corrected.

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4. LT therefore wishes to withdraw the Motion, without prejudice and subject to re-assertion following the Court's summary judgment ruling.

Respectfully submitted,

LYONS TOWNSHIP HIGH SCHOOL  
DISTRICT 204

By s/Jay R. Hoffman  
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**CERTIFICATE OF SERVICE**

Jay R. Hoffman, an attorney, certifies that on March 11, 2019, he caused the foregoing pleading to be served by email on the following attorneys:

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s/Jay R. Hoffman