

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

CHICAGO HEADLINE CLUB, et al.,

Plaintiffs,

v.

KRISTI NOEM, et al.,

Defendants.

No. 25-cv-12173

Hon. Sara L. Ellis,
District Judge

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

Plaintiffs, by and through their attorneys, respectfully request that the Court take notice of violations of the Court's Temporary Restraining Order (Dkt 66), that took place in the City of Aurora, Illinois on Saturday, October 25th and on Wednesday, October 29th, stating:

I. Apparent Violations on October 25, 2025

1. On Friday, October 25, 2025, what appear to be federal agents (1) used OC spray in the parking lot of an elementary school, (2) assaulted two individuals and subjected them to serious bodily injury, (3) subjected many people to significant risk and harm, and (4) did so did so while failing to wear identifiable alphanumeric numbers or badges, in violation of this court's TRO.¹

¹ See Courtney Sisk, *U.S. Citizens From Aurora Arrested by Federal Agents Recount the Experience*, NBC Chicago (October 26, 2025), Available at: <https://www.nbcchicago.com/news/local/u-s-citizens-from-aurora-arrested-by-federal-agents-recount-the-experience/3843754/> (last accessed October 30, 2025); ABC 7 Chicago, *US citizens Detained by Feds Speak Out after Protesters Confront Agents at Aurora School, Hospital*, Available at: <https://www.youtube.com/watch?v=HYX-lfdpRn0> (last accessed October 30, 2025); Evangeline Leventis & Jake Shepard, *Chicago-Area Protesters Recount Detention by Federal Agents: 'I'm beat up'*, THE NEWS HERALD (Oct. 30, 2025), Available at: <https://www.thenewsherald.com/2025/10/30/aurora-immigration-protesters-detained-ice/> (last accessed October 30, 2025); CBS Chicago, *Demonstrators Face Off with Federal Agents at Hospital, in Aurora, Illinois*, Available at: <https://www.youtube.com/watch?v=xW5FzsVFMv0> (last accessed October 30, 2025).

2. These sources show that, on Friday, October 25, 2025, residents learned that federal agents were apparently occupying a public parking lot at Allen Elementary in Aurora, and parked in teacher-reserved spots.

3. One concerned citizen, Ruben Morales, approached an unmarked vehicle in elementary school parking lot. He motioned for the driver to roll down the car's windows to ask what their business was at the school. An individual in the back seat rolled down their own window and poked out an unknown object, yelling at him to move away from the vehicle.²

4. Morales complied with their commands, put his hands in the air, turned around, and walked away. With his back turned, and without prosing any threat to anyone whatsoever, an agent came up behind Morales and pepper-sprayed the back of his head before tackling him and to the ground. While on the ground, Morales felt multiple punches or blows of some sort being inflicted upon the back of his head. The agents then handcuffed Morales. Morales sustained numerous abrasions and injuries due to these acts.³



² ABC 7 Chicago, *surpa* n.1; @TheJFreakinC, "ICE Agents are now Parking on Public School Grounds in Chicago...", X.com (Oct. 30, 2025) Available at <https://x.com/TheJFreakinC/status/1983960399071289445> (last accessed Nov. 1, 2025)

³ Sisk, *surpa* n.1; ABC 7 Chicago, *surpa* n. 1



5. The agents, in plain clothes, never identified themselves as federal agents before taking down and handcuffing Morales. He requested medical attention at the time from the federal agents and was refused. Instead, the agents took him to the FBI's Chicago office. An FBI official asked the agents to turn their body cameras over to the FBI. The agents responded they did not have body cameras. Morales was later released without being issued a citation or charged with a crime.⁴

6. Jessi Olazaba, another resident, was on the premises merely to document the presence of federal agents in her city, and the interactions of these agents with Mr. Morales. Olazaba witnessed the assault on Ruben Morales. Olazaba was nonviolent and—in expressing her constitutional rights—was filming, blowing a whistle, and expressing her desire for the agents to leave.⁵ She attempted to record the license plates of the vehicle Morales was being placed into.

⁴ Sisk, *surpa* n.1; ABC 7 Chicago, *surpa* n.1

⁵ Sisk, *surpa* n.1; ABC 7 Chicago, *surpa* n.1

7. A federal agent exited the vehicle and approached Ms. Olazaba with pepper spray in his hand. Without provocation or warning, the officer knocked off her glasses and then pepper-sprayed Ms. Olazaba. Ms. Olazaba was then pushed by the federal agent backwards until she fell and hit her head on a curb. Olazaba sustained injuries to her head after being attacked without provocation. At no point during this interaction did the agents identify themselves to Ms. Olazaba or anyone else at the scene.⁶

8. The agents then transported Ms. Olazaba to Rush Copley Hospital for her head injury. Additional protests gathered at the hospital to document the federal agents and filmed the officers.⁷

9. Agents failed to wear prominently displayed, visible identification during the incident and drove unmarked vehicles without license plates.⁸ The agents also did not wear body worn cameras.

II. Apparent Violations October 29, 2025

10. On Wednesday, October 29, 2025, additional violations of the TRO appear to have occurred. Federal agents (1) used LLSI-CM (pepper spray projectiles) in the parking lot of a grocery store, (2) subjecting numerous individuals, including children, to significant risk and harm (3) while failing to wear body-worn cameras and identifiable alphanumeric numbers or badges, in

⁶ *Id.*

⁷ @oswaldosrm, “ICE kidnapped and disappeared multiple people...” X.com (Oct. 29, 2025) <https://x.com/oswaldosrm/status/1983426781299507567> (last accessed Nov 1, 2025); @nickvalencianews, “A reported ICE operation was conducted in the parking lot of a hospital...” Instagram, Available at: <https://www.instagram.com/reel/DQUOLYWEeqI/> (last accessed Nov. 1, 2025); @starbright312 “This weekend at Rush Copley Medical Center...” X. com (Oct. 27, 2025) Available at: <https://x.com/starbright312/status/1982782190321549764> (last accessed Nov. 1, 2025)

⁸ *Id.*

violation of this court's TRO. These events are described in social media footage and news reports.⁹

11. Federal agents deployed pepper ball projectiles against a woman while she sat in her vehicle with her children in the backseat. The woman, Elizabeth Pineda, told ABC 7 and the Chicago Tribune that she pulled into a parking lot after hearing whistles, and unwittingly blocked in one of the agent's vehicles.¹⁰

12. Video footage shows a second agent raise their weapon and almost immediately fire projectiles as the first agent approached Pineda's open window and began to yell at her.¹¹

13. Pineda repeatedly stated that she had children in her car before, during, and after the agent fired projectiles at her front windshield.¹² Her two children, aged 3 and 1, were in the car when the incident occurred. *See* Ex. 97.

14. No verbal warnings are audible in the video, and no warnings were given that the agents would be deploying projectiles. Pineda was given no time to comply with any verbal commands or move her vehicle before the agents opened her door and removed her from the vehicle.¹³

⁹ @RpsAgainstTrump "In Aurora, Illinois, ICE agents shoot into the windshield of a mother..." X.com (Oct. 29, 2025) Available at: <https://x.com/RpsAgainstTrump/status/1983718841529061798> (last accessed Nov. 1, 2025); Elena Perez, Facebook (Oct. 29, 2025) Available at: https://www.facebook.com/watch/live/?mibextid=wwXlfr&ref=watch_permalink&v=1964811634375673&rdid=XfpKS579mNaiK0Ms (last accessed Nov. 1, 2025); Exhibit 97, Molly Morrow, *Woman says she and Children were in Vehicle hit by Pepper-spray Projectiles in Immigration Action in Aurora*, Chicago Tribune (Oct. 30, 2025) Available at: (<https://www.chicagotribune.com/2025/10/30/pepper-spray-immigration-aurora/>) (last accessed Nov. 1, 2025); Michelle Gallardo & Maher Kawash, *Court Pauses Order Requiring CPB Chief Bovino to Meet with Judge on Daily Immigration Operations*, ABC 7 Chicago (Oct. 30, 2025), <https://abc7chicago.com/post/border-patrol-ice-chicago-doj-appeals-judge-order-cbp-chief-greg-bovino-meet-every-day-immigration-operations/18087074/> (last accessed Nov. 1, 2025)

¹⁰ Morrow, *surpa* n. 9; Gallardo, *surpa* n. 9

¹¹ @TheJfreakinC "Today in Aurora..." X.com (Oct. 29, 2025) Available at: <https://x.com/TheJfreakinC/status/1983646313213292711> at 0:04 - 0:07 (last accessed Nov. 1, 2025)

¹² *Id.*

¹³ *Id.*; @RpsAgainstTrump, *surpa* n. 9; Perez, *surpa* n.9; Frankito Qiolor "Video de ICE" Facebook, Available at: <https://www.facebook.com/reel/1522950405494944> (last accessed Nov. 1, 2025)



15. Several of the agents present at the scene had no visible badges or other identifiable alphanumeric numbers. None of the agents appeared to be wearing body cameras. Pineda told ABC 7 that “[n]o cameras were visible. No numbers were visible. They did have their badges, but I couldn’t make it out.” For Example:





16. Pineda, “was not instigating anything,” and told the Tribune she “had no form of weapon in order for them to attack [her] how they did.”¹⁴

17. The window of Pineda’s car was down when the agent fired pepper-ball projectiles at her front windshield. As she later pulled away from the scene, Pineda began to cough and had to take herself and her children to the emergency room later that day. *See* Exhibit 97.

III. The Foregoing Incidents Constitute Violations of the TRO

¹⁴ Gallardo, Court Pauses Order Requiring CBP Chief Bovino to Meet with Judge Daily on Immigration Operations, ABC 7 Chicago (Oct. 30, 2025) Available at: <https://abc7chicago.com/post/border-patrol-ice-chicago-doj-appeals-judge-order-cbp-chief-greg-bovino-meet-every-day-immigration-operations/18087074/> (last accessed Nov. 1, 2025); *See also* Exhibit 97.

18. Defendants' agents violated the following provisions of the Court's Temporary Restraining Order during these interactions:

- 1(d) – agents used LLSI-CM on protesters who did not pose an immediate safety threat;
- 1(e) – agents used LLSI-CM when it was reasonably foreseeable doing so would injure protesters and innocent bystanders, and doing so was not necessary to stop an immediate and serious threat of physical harm to a person;
- 1(i) – agents used OC spray without giving two separate and audible warnings;
- 1(h) – agents used force, including shoving a person to the ground and pulling a person from their car, against individuals who posed no immediate threat of physical harm to others;
- 1(i) – agents used LLSI-CM without giving any verbal warning which would inform targeted individuals that agents were going to employ riot control weapons, and gave individuals no time to comply with the verbal commands which were given;
- 1(j) – agents detained multiple non-violent protestors who were not resisting a lawful crowd dispersal order, and were actually attempting to comply with verbal commands that did not meet the requirements of section 1(i) of the temporary restraining order;
- 2 – agents failed to wear visible identification prominently displayed; and
- 3 – agents failed to wear and activate body-worn cameras during these incidents.

II. Good Faith Attempts to Meet and Confer

Pursuant to the Court's order requiring conferral, Plaintiffs emailed Defendants about this incident on October 30, 2025, at 1pm Chicago time. Defendants have not responded.

Respectfully submitted,

/s/David B. Owens
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