

**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS**

DARRIN WHITTEN, LISA C. KAISER,
WILLIAM D. KAISER, DORTHY TAFT, and
JARED KERWIN,

Plaintiffs,

v.

No. 3:21-cv-03023

ROCHESTER TOWNSHIP REPUBLICAN
CENTRAL COMMITTEE; Rochester Township
Republican Central Committeepersons,
THOMAS K. MUNROE, MARK C. WHITE,
ANTHONY SAPUTO, MATTHEW BUTCHER,
And DAVID ARMSTRONG, in their official
Capacities as Committeepersons for the
Rochester Township Republican Central
Committee; LYNN CHARD, in her official
Capacity as Clerk of Rochester Township;
DON GRAY, in his office capacity as Clerk
Of Sangamon County, and
DARRELL MAXHEIMER,

Defendants.

**MOTION TO ADOPT DEFENDANT LYNN CHARD'S OBJECTION
TO PLAINTIFFS' EMERGENCY MOTION FOR A TEMPORARY
RESTRAINING ORDER, PRELIMINARY OR PERMANENT INJUNCTION
PURSUANT TO FED. R. OF CIV. P. 10(c)**

NOW COMES, the Defendant, DARRELL MAXHEIMER, by and through his attorneys, CHERRY, FRAZIER & SABIN, LLP, and hereby adopts Defendant Lynn Chard's objection to Plaintiff's Emergency Motion for Temporary Restraining Order, Preliminary or Permanent Injunctive pursuant to Fed. R. of Civ. P. 10(c), states as follows:

1. Darrell Maxheimer is the current Road Commission for Rochester, Illinois, Township and is a Defendant in this matter.

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2. Defendant Maxheimer has been forced to retain an attorney to defend himself in not only this matter, but also in the previous state court action filed by the same Plaintiffs.

3. Defendant Maxheimer 's interest in this matter is identical to Defendants Chard's.

4. Fed. R. Civ. P. 10(c) allows for any party to adopt the pleadings of another party.

5. It is requested that Defendant Maxheimer be allowed to adopt not only the current pleadings by the Rochester Township Republican Central Committee, but all future pleadings as well.

WHEREFORE, the Defendant, DARRELL MAXHEIMER, respectfully requests this Honorable Court to allow the Defendant to adopt current and all future pleadings filed by the defendant's in this matter, pursuant to Fed R. Civ. P. 10(c).

Respectfully submitted,

DARRELL MAXHEIMER, Defendant

By: /s/ Richard D. Frazier
One of His Attorneys

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CERTIFICATE OF SERVICE

I hereby certify that on January 27, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system that will send notification of such filing to the following:

Rochester Township Republican Central Committee
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I hereby certify that on January 27, 2020, I mailed a copy of the foregoing to the individuals below, by placing a copy of in a sealed envelope, with fully prepaid postage, in and placing in the United States Post Office box.

Mark C. White
113 E. Main
Rochester, IL 62563

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/s/ Richard D. Frazier

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