

# LEGAL DIVISION MONTHLY REPORT

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APRIL 2026



**VILLAGE OF SCHAUMBURG**

PROGRESS THROUGH THOUGHTFUL PLANNING



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## NEW CASES

No new cases.

## CURRENT CASES

### Wayne DeLoncker, Sr., v. Village of Schaumburg, 25 L 10583

This case was filed by the Plaintiff in state court against the Village on August 22, 2025, alleging personal injuries when the Plaintiff tripped over barricade equipment purportedly owned by the Village at the intersection of Summit Drive and Stockport Lane. Such barricade equipment was allegedly set up by the Village to direct foot traffic for the Septemberfest weekend. The Complaint appears to allege the Village was negligent in how such barricades were set up, citing the equipment's long plank "feet" which were allegedly protruding into the walk area making the walkway unsafe. The Village has filed a motion to dismiss, and the Plaintiff's counsel is filing an amended complaint. A renewed motion to dismiss was filed by the Village and was set for argument in February 2026. The Motion to Dismiss was granted and Plaintiff was offered the opportunity to file an amended complaint by March 19, 2026. Klein, Thorpe and Jenkins (hereinafter KTJ) are defending the Village in this matter. A Second Amended Complaint was filed and the Village's new Motion to Dismiss is set for hearing April 14, 2026. The Village's new Motion to Dismiss was granted, a Third Amended Complaint was filed April 29, 2026 and a Motion to Dismiss will be filed.

### Elaine Kasuba v. Village of Schaumburg and Schroder & Schroeder, Inc. 25 L 10543

This case was filed by the Plaintiff in state court against the Village on August 21, 2025, alleging personal injuries when the Plaintiff tripped over a sidewalk deviation on the 1000 block of Spring Cove Drive. The Complaint alleges premise liability and willful and wanton conduct on behalf of the Village claiming sidewalk repair work managed by the Village was incorrectly done, causing the deviation and eventual trip and fall. KTJ is defending the Village in this matter. The Village filed a motion to dismiss, which was denied. The Village filed its answer to the Complaint and written discovery is complete. The parties are now undergoing oral fact discovery.

### Birair v. Emily Zuhr et. al, 1:25-cv-10521

This case was filed by the pro se Plaintiff in federal court against the following individuals in their individual capacities: Emily Zuhr and Sandy Golihar, police officers; Lance Malina, Corporation Counsel; Dan Hanison, administrative hearing officer; Deborah Parran, Code Enforcement Supervisor; George Wolf, Police Chief; and Brian Townsend, Village Manager. The Plaintiff alleges violations of his, and his family's, Constitutional Rights and rights granted by various federal laws, under 42 U.S.C. § 1983 through their alleged excessive and discriminatory code enforcement actions related to inoperable vehicles and actions of his children who suffer from a cognitive disorder. The rights that were allegedly violated include: one First Amendment violation, one Fourth Amendment violation, due process violations, one equal protection violation, one Eighth Amendment violation, Monell claims, Americans with Disabilities Act claims, and Fair Housing Act claims. The Plaintiff also alleges violations of various state laws including intentional infliction of emotional distress, privacy claims, trespass claims, and defamation. KTJ is defending the Village in this matter. The Village filed its responsive pleading in November and Plaintiffs were ordered to amend their complaint. Plaintiffs' have filed their amended complaint, and the Village filed a motion to dismiss the amended complaint which was fully briefed and is awaiting a ruling from the Court. Following that, the Plaintiffs filed a second amended complaint without leave of the Court. The Court did allow them to file the second amended complaint, and the Village's responsive pleading is due May 5, 2026.



### Evelyn Rodriguez v. Village of Schaumburg, 2025 L 1241

This case was filed by the Plaintiff on January 30, 2025, alleging personal injuries sustained when she fell into a retention pond area near the Bonefish Grill restaurant. The Complaint alleges negligence and premises liability, and willful and wanton conduct on behalf of the Village. The Complaint is vague on injuries and damages. KTJ is defending the Village in this matter. KTJ filed a motion to dismiss based on certain errors in the Complaint. The parties fully briefed the Motion to Dismiss, which proceeded to a hearing on August 15, 2025. The Court granted the Motion, and the Plaintiff had until September 11, 2025 to amend the Complaint. The Amended Complaint was filed, and due to its issues, a second motion to dismiss was filed and set for argument on January 29, 2026. The Motion to Dismiss the Complaint was denied, the Answer and Affirmative Defenses has been filed, and written discovery was issued to the Plaintiff. The case is set for further status on April 22, 2026. Discovery is proceeding and the contractor that installed allegedly distracting lights is joined as a Defendant.

### Mrowinski v. Village of Schaumburg, et al: 25 L 318

The Plaintiffs, Mr. and Mrs. Mrowinski, filed a suit in the Circuit Court of Cook County against the Village and a volunteer working for the Village at the Septemberfest event in 2024. The amount sought from damages is not specified yet. The Plaintiffs allege that the volunteer negligently drove a vehicle into Mr. Mrowinski, causing severe injuries to his leg. The suit alleges negligence and willful and wanton conduct in the supervision of the volunteer. On behalf of both the Defendants, the Village filed a motion to dismiss, asserting that the Plaintiffs failed to sufficiently allege a cause of action and that the conduct of the Defendants is immunized pursuant to the Tort Immunity Act. The Motion to Dismiss proceeded to a hearing on April 30, 2025, where it was denied without prejudice. The Village filed an answer and affirmative defenses and sent written discovery to the Plaintiffs' counsel. The Plaintiff has denied all the asserted affirmative defenses and both sides issued written discovery. KTJ is defending the Village in this matter. The depositions of the Plaintiffs and the volunteer driving the vehicle have been taken. The depositions of the other Village employees and an independent third-party are complete. The Court denied the Village's Motion for Summary Judgment and the Village will prepare for trial. The deposition of the initial treating physician was held on March 23, 2026. Plaintiff's new treating physician will see the Plaintiff in April. Discovery is on hold pending the new physician's report.

### Youtem v. Village of Schaumburg, et al.: 2024 L 005894

This matter is a personal injury lawsuit against the Village and Fire Department employee, Jorge Mendoza. The Plaintiff, Yousif Youtem, alleges the Village and Mendoza are at-fault in a vehicle collision between the Plaintiff and Mendoza on February 10, 2024. The incident took place at the intersection of Frontage Road and Rodenburg Road while Mendoza was responding to a call and driving a Village ambulance. The initial case management took place on July 31, 2024. KTJ is defending the Village and Mendoza in this matter. The Plaintiff's counsel was given leave to amend the Complaint to correct the form of the pleadings. In the initial complaint, the ambulance was incorrectly identified as a firetruck. The Plaintiff's counsel filed the Amended Complaint on August 2, 2024 to correct that error. The Village's Answer to the First Amended Complaint was filed on August 9, 2024. The Judge entered a discovery schedule at the July 31, 2024 initial case management. The Village received the Plaintiff's discovery responses on January 31, 2025 and the Party depositions are complete. The medical provider depositions were completed. The Plaintiff provided a demand for the Village. The Parties attended mediation and a settlement has been reached, which was approved by the Village. The Settlement Agreement was executed by all parties and the case dismissed.



James v. Village of Schaumburg: 23 L 7258

This matter is a personal injury claim filed against the Village for injuries sustained when the Plaintiff allegedly fell on a damaged portion of sidewalk near Town Square and Schaumburg Road on July 28, 2022. The alleged location where the Plaintiff fell initially appears to be under the control of the Town Square Owners Association, not the Village. Russell Hartigan is representing the Village in this matter. Investigation is underway. The Court granted leave to the Plaintiff to add Town Square Owners Association, Inc. as a party Defendant to the matter. Depositions of the parties are currently proceeding. Mediation on this matter will be scheduled in the near future.



## PROSECUTION DATA

