

**CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, CHANCERY DIVISION**

MARY CATHERINE SCHEFFKE,  
individually and as Founder of Chicago  
French Bulldog Rescue, Inc., NFP,

Plaintiff(s),

Case No.: 2026CH04709

Calendar 7

v.

SUSAN SCHULZ and VICTORIA  
McELLIGOTT, individually and as Directors  
of Chicago French Bulldog Rescue, Inc.,  
NFP,

Defendant(s),

and

CHICAGO FRENCH BULLDOG RESCUE,  
INC., NFP,

Nominal Defendant(s).

**ORDER**

This matter coming to be heard on Plaintiff's Emergency Motion for Temporary Restraining Order, due notice having been given, and the Court being fully advised in the premises, IT IS HEREBY ORDERED:

1. As a preliminary matter, Defendants filed a response brief in advance of this emergency hearing without leave of court. The Court retroactively grants Defendants leave to respond to Plaintiff's Emergency Motion for Temporary Restraining Order. Defendants' response filed on May 21, 2026 is deemed to have been filed with leave.
2. Plaintiff is the founder of the Chicago French Bulldog Rescue Inc, NFP. Until May 7, 2026, she was the president of that organization. On May 7, 2026, Defendants removed her as president and on May 27, 2026, Defendants have scheduled a vote to remove her as director. If she is removed as director, Plaintiff will lose her employment, position in the organization and her home. Plaintiff currently resides at the rescue and is caring for four medically vulnerable French bulldogs with one more on the way. One of the bulldogs has a wheelchair due to paralysis, one is severely deformed and is being fitted for a 3D-printed cast and the remaining dogs need medical care. According to Plaintiff, there is no backup caregiver. Defendants want to terminate Plaintiff and sell the property because they believe that would be in the best interest of the organization.
3. A temporary restraining order is a drastic, emergency remedy which may issue only in exceptional circumstances and for a brief duration. *Abdulhafedh v. Sec'y of State*, 161 Ill. App. 3d 413, 416 (2d Dist. 1987). The purpose of a temporary restraining order is to allow

the circuit court to preserve the *status quo*—to prevent a threatened wrong or a continuing injury—pending a hearing to determine whether it should grant a preliminary injunction. *Id.* “The status quo to be preserved is the last actual, peaceable, uncontested status which preceded the pending controversy.” *Martin v. Eggert*, 174 Ill. App. 3d 71, 77 (2d Dist. 1988). While the term status quo has been the subject of often inconsistent interpretations, “[preliminary injunctive relief] is designed to prevent a threatened wrong or the further perpetration of an injurious act.” *Kalbfleisch v. Columbia Cmty. Unit Sch. Dist. Unit No. 4*, 396 Ill. App. 3d 1105, 1118 (5th Dist. 2009). Sometimes the status quo is “not a condition of rest but, rather, . . . a condition of action that [is] necessary to prevent irreparable harm.” *Id.* at 1117.

4. To obtain a temporary restraining order, a plaintiff must typically establish: (1) a clearly protected right; (2) irreparable harm by the defendant’s conduct if an injunction does not issue; (3) there is no adequate remedy at law; and (4) likelihood of success on the merits. *Chi. Sch. Reform Bd. of Trs. v. Martin*, 309 Ill. App. 3d 924, 939 (1st Dist. 1999). Additionally, courts often balance the equities or the relative hardships. *Scheffel & Co. v. Fessler*, 356 Ill. App. 3d 308, 313 (5th Dist. 2005).
5. To establish a clearly ascertainable right in need of protection, a plaintiff must raise a fair question that it has a substantive interest recognized by statute or common law. *Delta Med. Sys. v. Mid-America Med. Sys., Inc.*, 331 Ill. App. 3d 777, 789-90 (1st Dist. 2002). A well-pleaded complaint for injunctive relief must contain on its face a clear right to relief and allege facts which establish the right to such relief in a positive, certain and precise manner. *Nameoki Tp. v. Cruse*, 155 Ill. App. 3d 889, 898 (5th Dist. 1987).
6. According to Plaintiff, she founded this organization in 2008 and this is her life’s work. She has been the only full-time worker there for its entire existence. She lives at the shelter and she pays rent. There is a dispute between the parties about which governing documents are valid: the 2008 governing documents or the 2009 governing documents. There is also a dispute about what the valid reasons are for removing the Plaintiff. The Defendants claim that the Plaintiff has no employment agreement or lease and there for no clearly ascertainable right. The Court finds Plaintiff has at least raised a fair question of a clearly ascertainable right in her home and work. Even if she had not, she has raised a fair question of a clearly ascertainable right in her position in the organization. This is Plaintiff’s life’s work and her position as president and director, if wrongfully terminated, is a right in need of protection.
7. The elements of irreparable injury and inadequate remedy at law required for a temporary restraining order are closely related. *Happy R. Sec., LLC v. Agri-Sources, LLC*, 2013 IL App (3d) 120509, ¶ 36. An irreparable injury is one which cannot be adequately compensated in damages or be measured by any certain pecuniary standard. *Diamond Sav. & Loan Co. v. Royal Glen Condo. Ass’n*, 173 Ill. App. 3d 431, 435 (2d Dist. 1988). However, irreparable injury does not necessarily mean injury that is great or beyond the possibility of repair or compensation in damages, but is the type of harm of such constant or frequent recurrence that no fair or reasonable redress can be had in a court of law. *Bally Mfg. Corp. v. JS&A Group, Inc.*, 88 Ill. App. 3d 87, 94 (1st Dist. 1980).

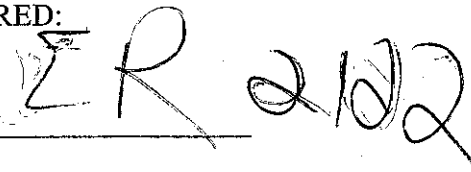
8. With respect to the element of an inadequate remedy at law, it is widely held that money damages constitute adequate compensation absent a showing that it would be impossible, rather than merely complicated, to ascertain the amount of damages. *Wilson v. Wilson*, 217 Ill. App. 3d 844, 856-59 (1st Dist. 1991). However, “the fact that plaintiffs’ ultimate relief may be a money judgment does not deprive a court of equity the power to grant a preliminary injunction.” *All Seasons Excavating Co. v. Bluthardt*, 229 Ill. App. 3d 22, 28 (1st Dist. 1992) (citing *K.F.K. Corp. v. Am. Cont’l Homes, Inc.*, 31 Ill. App. 3d 1017, 1021 (2d Dist. 1975)). Instead, “for a legal remedy to preclude injunctive relief, the remedy must be ‘clear, complete, and as practical and efficient to the ends of justice and its prompt administration as the equitable remedy.’” *In re Marriage of Hartney*, 355 Ill. App. 3d 1088, 1090 (2d Dist. 2005).
9. If Plaintiff is removed as director she will lose her life’s work, her home and her employment. Additionally, it is unclear who will be able to care for the medically vulnerable animals in her care if she is removed. Although Defendants claim that there are other volunteers who can care for the animals, they do not specify who these volunteers are or if they have the experience and willingness to care for these animals. Should anything happen to these animals, it would cause harm to both the Plaintiff and the rescue organization. Money damages cannot adequately compensate for the potential harm. As such the Court finds that the Plaintiff has raised a fair question that there is no adequate remedy at law and that there is irreparable harm.
10. To show a likelihood of success on the merits, a party must: (1) raise a fair question as to the existence of the right claimed, (2) lead the court to believe that she will probably be entitled to the relief prayed for if the proof sustains her allegations, and (3) make it appear advisable that the positions of the parties stay as they are until the court has an opportunity to consider the merits of the case. *Abdulhafedh*, 161 Ill. App. 3d at 417. An element of the likelihood of success on the merits is whether the complaint states a cause of action sufficient to withstand a 2-615 motion to strike. *See Strata Marketing, Inc. v. Murphy*, 317 Ill. App. 3d 1054 (1st Dist. 2000).
11. The Plaintiff’s complaint raises a claim for a declaratory judgment. The Plaintiff alleges that the 2008 governing documents are valid and that the 2009 governing documents are not. The Plaintiff also alleges a breach of fiduciary duty claim for the Defendants’ use of the rescue’s funds to pay a lawyer in this case. Plaintiff alleges that the 2009 documents are unsigned, uncertified and unadopted and that two of three directors have no recollection of ever approving these documents. Therefore, Plaintiff alleges, there was no quorum and no valid adoption of the 2009 documents. The Court finds that this raises at least a fair question of a likelihood of success on the merits of the declaratory judgment count. Therefore, the Court need not address the count for breach of fiduciary duty.
12. In balancing the harms, it is clear that they weigh in favor of the Plaintiff. If removed as director she will lose her home, her employment, her life’s work and potentially the lives of the animals in her care. On the other side, the Defendants will have to wait to remove the Plaintiff at least until the court can hold a hearing on a preliminary injunction motion. There

really is no harm in doing so, as they do not even plan to list the property until the end of July 2026.

13. The Court grants Plaintiff's motion for a temporary restraining order. Defendants are precluded from terminating Plaintiff from her employment or removing her either from her home or her position as director of the rescue until such time as the Court holds a hearing on the Motion for a Preliminary Injunction, which is currently set for June 16, 2026. Defendants are required to restore Plaintiff's access to the rescue's funds so she can adequately care for the animals in her care.

SO ORDERED.

ENTERED:

  
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DATED:

**Judge Eve M. Reilly**

**MAY 21 2026**

**Circuit Court-2122**