

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

FILED
6/15/2026 8:09 PM
Mariyana T. Spyropoulos
CIRCUIT CLERK
COOK COUNTY, IL
2026CH04709
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MARY CATHERINE SCHEFFKE,
individually and as Founder of Chicago
French Bulldog Rescue, Inc., NFP,
Plaintiff,
v.
SUSAN SCHULZ and VICTORIA McELIGOTT,
individually and as Directors of Chicago
French Bulldog Rescue, Inc., NFP,
Defendants, and
CHICAGO FRENCH BULLDOG RESCUE, INC.,
NFP, Nominal Defendant.

Case No. 2026CH04709

Hon. Eve M. Reilly

Calendar 7

**PLAINTIFF’S EMERGENCY MOTION FOR ADDITIONAL INJUNCTIVE RELIEF
AUTHORIZING VETERINARIAN-RECOMMENDED CANCER SURGERY AND
RESTORING PLAINTIFF’S MEDICAL DECISION-MAKING AUTHORITY**

Plaintiff Mary Catherine Scheffke, by and through her attorneys, respectfully moves on an emergency basis for additional injunctive relief directing that Tulip, a French Bulldog in the Rescue’s care who has been diagnosed with biopsy-confirmed bilateral thyroid carcinoma, receive the surgery unanimously recommended by her treating physicians, and restoring Plaintiff’s authority to act on veterinary advice for all dogs in the Rescue’s care without board veto. In support, Plaintiff states as follows.

BACKGROUND

On May 21, 2026, this Court entered a Temporary Restraining Order preserving the status quo pending the preliminary injunction hearing now before the Court. “The purpose of a TRO is to preserve the status quo until the court can conduct a hearing on a motion for preliminary

injunction.” *Stocker Hinge Mfg. Co. v. Darnel Industries, Inc.*, 94 Ill. 2d 535, 545 (1983). The status quo means “the last uncontested status which preceded the pending controversy.” *Westinghouse Elec. Corp. v. Free Sewing Mach. Co.*, 256 F.2d 806, 808 (7th Cir. 1958).

The last uncontested status that preceded this dispute was one in which Plaintiff held sole authority over all medical decisions for every dog in the Rescue’s care. For eighteen years, no board member voted on a treatment plan, overrode a veterinary recommendation, or cancelled a surgery. That authority was unchallenged and uncontested until the board launched this dispute in May 2026. (Exh. A)

On June 10, 2026, twenty days after this Court entered its TRO, the board voted to cancel a cancer surgery that had been scheduled for Tulip for the following morning, June 11. The surgery had been recommended by Tulip’s treating veterinarian, Dr. Lynn Trudeau, D.V.M., a board-certified surgeon at VCA Aurora Animal Hospital, and radiologist/oncologist Meagan R. Sowders, D.V.M., M.S., DACVR. (Trudeau Decl. ¶¶ 7–10, filed June 12, 2026; Exhs. E, F.) Dr. Trudeau was not consulted before the board voted to cancel the surgery. (Trudeau Decl. ¶ 10.) Tulip remains without surgery as of the date of this Motion.

ARGUMENT

The PI exists to maintain the *status quo* until a trial on the merits. *County of Boone v. Plote Constr., Inc.*, 77 N.E.3d 671, 678 (Ill. App. Ct. 2017). More specifically, the status quo a TRO preserves may be “a condition of action, rather than rest, that is necessary to prevent irreparable harm.” *Kalbfleisch v. Columbia Cmty. Unit Sch. Dist. No. 4*, 396 Ill. App. 3d 1105, 1117 (5th Dist. 2009) (cited in this Court’s May 21 Order). The care of medically fragile animals requires constant active decisions. The status quo here is not a condition of rest. It is a condition of action.

The board's June 10 vote is a post-TRO alteration of that active status quo. It is not a governance dispute. No board member is a veterinarian. The board overrode the unanimous recommendation of three credentialed medical professionals, a treating veterinarian, who has treated dogs in this Rescue's care for eighteen years, a board-certified surgeon, and a radiologist/oncologist. Tulip's treating veterinarian, who was in the best position to know, has sworn that she was not consulted before the board cancelled the surgery. (Plaintiff's Reply Trudeau Decl. ¶ 10.) Illinois nonprofit directors must act in furtherance of the organization's charitable purpose. For an animal rescue, that purpose is the welfare of the animals. A board that overrides unanimous veterinary advice is not acting in furtherance of that purpose.

The irreparable harm is concrete and time-sensitive. Tulip's cancer is a rapidly growing neoplasia. Imaging showed no spread to her lymph nodes, lungs, or chest at the time of her last examination, a finding that is time-sensitive, not permanent. Dr. Trudeau has sworn under oath: "Time is of the essence for surgical intervention as this neoplasia can quickly progress. Cancellation/delay of Tulip's surgery was not made in her best interest." (Plaintiff's Reply Trudeau Decl. ¶ 10.) The oncologist's records confirm that for patients whose cancer has not spread, surgery averages three or more years of survival. (Plaintiff's Reply Exh. F.) No remedy after the fact gives Tulip back the years that prompt surgery could give her.

The notice concern, if any, is answered by the record. The evidence supporting this Motion - Dr. Trudeau's declaration, the oncology report, and the surgery estimate -was filed and served on Defendants on June 12, 2026. The surgical cancellation occurred June 10. The only thing new is the formal request for specific relief. There is no prejudice.

RELIEF REQUESTED

Plaintiff respectfully requests that the Court, at the preliminary injunction hearing on June 16, 2026, enter an Order:

1. Directing that Tulip’s bilateral thyroidectomy, as recommended by her treating veterinarian, a board-certified surgeon, and a radiologist/oncologist, proceed forthwith, and that Defendants are enjoined from taking any action to prevent, delay, or interfere with that surgery or the payment of its associated costs from Rescue funds;
2. Including within the preliminary injunction an explicit provision that Plaintiff retains authority to act on the recommendations of licensed treating veterinarians for all dogs in the Rescue’s care, and that Defendants are enjoined from overriding, vetoing, or otherwise interfering with veterinarian-recommended treatment decisions for those animals; and
3. Granting such other and further relief as this Court deems just and proper.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned certifies under the oath and penalty of perjury that on June 15, 2026, a true and correct copy of the Plaintiff’s Emergency Motion for Additional Injunctive Relief Authorizing Veterinarian Recommended Cancer Surgery and Restoring Plaintiff’s Medical Decision Making Authority and the Proposed Order, was served upon counsel of record at the email addresses set forth above by service effected through the Court’s electronic filing system.

/s/ R Tamara de Silva
 R Tamara de Silva

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PROPOSED ORDER

THIS MATTER coming before the Court on Plaintiff's Emergency Motion for Additional Injunctive Relief, the Court having considered the Motion and the evidence already of record, including the Declaration of Lynn Trudeau, D.V.M. (filed June 12, 2026), the radiologist/oncology records (Exhibit F), and the surgical treatment plan (Exhibit E), and being fully advised in the premises:

IT IS HEREBY ORDERED:

1. Defendants, and each of them, are hereby enjoined from preventing, delaying, or interfering with the bilateral thyroidectomy for Tulip (Patient No. 240969, VCA Aurora Animal Hospital, Treatment Plan No. 775283298), as recommended by her treating veterinarian, board-certified surgeon, and radiologist/oncologist. Defendants shall take no action to

prevent disbursement of Rescue funds sufficient to pay the costs of that surgery, including the required deposit.

2. The preliminary injunction entered pursuant to this Order shall include an explicit provision that Plaintiff Mary Catherine Scheffke retains authority to act on the recommendations of licensed treating veterinarians for all dogs in the care of Chicago French Bulldog Rescue, Inc., NFP, and that Defendants are enjoined from overriding, vetoing, cancelling, or otherwise interfering with any veterinarian-recommended treatment decision for those animals.
3. This Order shall take effect immediately upon entry.

ENTERED: _____

Hon. Eve M. Reilly

Circuit Court of Cook County