

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

**ILLINOIS FUEL & RETAIL ASSOCIATION,)
SAUNDERS OIL CO., INC., and)
FREEDOM OIL COMPANY, on their own)
behalf and on behalf of a class of)
retailers similarly situated,)**

Plaintiffs,)

v.)

Case No. 22-3089

**ILLINOIS DEPARTMENT OF REVENUE and)
DAVID HARRIS, in his official capacity as)
Director of the Illinois Department of)
Revenue, and DAN WRIGHT, in his official)
capacity and as representative for all)
Illinois State’s Attorneys,)**

Defendants.)

OPINION AND ORDER

SUE E. MYERSCOUGH, U.S. District Judge:

Before the Court is a Motion to Remand (d/e 19) filed by Plaintiffs, the Illinois Fuel & Retail Association, Sauders Oil Company, Inc., and Freedom Oil Company (“Plaintiffs”). Defendants, the Illinois Department of Revenue and its director, David Harris, along with Sangamon County State’s Attorney Dan Wright, do not oppose Plaintiffs’ Motion. See (d/e 21). Plaintiffs’

Amended Complaint (d/e 20) states only claims that SB 157 violates the Illinois Constitution of 1970.¹ As such, the Court has neither original nor supplemental jurisdiction over any claim stated in the Amended Complaint. See generally 28 U.S.C. §§ 1331, 1367(a), & 1447(c). Therefore, Plaintiffs' Motion (d/e 19) is GRANTED.

IT IS THEREFORE ORDERED:

- 1) This case is REMANDED to the Circuit Court of the Seventh Judicial Circuit, Sangamon County, Illinois,
- 2) Any pending deadlines are TERMINATED,
- 3) Any scheduled settings are VACATED, and
- 4) This case is CLOSED. No judgment to enter.

**ENTERED: July 13, 2022.
FOR THE COURT**

/s/ Sue E. Myerscough _____
**SUE E. MYERSCOUGH
UNITED STATES DISTRICT JUDGE**

¹ The Court assumes the reader's familiarity with the procedural history of this case and SB 157 as recited in the dismissal Opinion and Order (d/e 18) and so does not repeat such history here.