IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

THE CHICAGO PARK DISTRICT, an Illinois)	
Municipal Corporation,)	
Plaintiff,)	Case No. 06 C 3957
v.)	Hon. Blanche M. Manning
THE CHICAGO BEARS FOOTBALL CLUB, INC., a Delaware Corporation, and THE CHICAGO BEARS STADIUM LLC, a Delaware Limited Liability Company,)))))	Magistrate Judge Schenkier
Defendants.)	

PLAINTIFF THE CHICAGO PARK DISTRICT'S EMERGENCY MOTION TO STAY ARBITRATION

Plaintiff The Chicago Park District ("CPD"), an Illinois municipal corporation, requests this Court enter an emergency temporary stay of a pending arbitration filed by Defendant The Chicago Bears Football Club, Inc. ("the Bears"). This matter is an emergency because on August 4, 2006, over the CPD's objection, in a conference call with the parties, the arbitrator, who was only confirmed on August 3, 2006, set the arbitration (which includes, over the CPD's objection, a constitutional issue pending before this Court on the CPD's Complaint for Declaratory Judgment) for a one-day hearing on August 9, 2006.

The CPD brings this motion not to circumvent or delay arbitration but to prevent an independent arbitrator from deciding whether the Fourth Amendment prohibits the CPD (as a state entity) from using taxpayer funds to pay for mass suspicionless pat-down searches at Soldier Field, which the CPD owns and operates, of all Bears fans entering the stadium on game days this upcoming 2006 season. This far-reaching constitutional issue of great public importance could affect the civil rights of over 500,000 people in 2006 alone, who are neither

parties nor privities to the contract from which the arbitrator purports to derive her authority, and should not be decided in an expeditious and haphazard fashion.

WHEREFORE, for the reasons set forth above and in the Memorandum in Support of this Motion, the CPD respectfully requests that this Court temporarily stay arbitration between the CPD and the Bears, pending this Court's decision on the CPD's Complaint for Declaratory Judgment as to whether the Fourth Amendment prohibits the CPD (as a municipal corporation) from conducting and/or using taxpayer funds to pay for mass suspicionless pat-down searches at Soldier Field

Dated: August 4, 2006

CHICAGO PARK DISTRICT

By: /s/ Aaron H. Stanton
One of its attorneys

Richard W. Burke George J. Lynch Aaron H. Stanton Burke, Warren, MacKay & Serritella, P.C. 330 N. Wabash Avenue, 22nd Floor Chicago, Illinois 60611-3607 (312) 840-7000 (Telephone) (312) 840-7900 (Facsimile) Attorney No. 41704