

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

CITY OF CHICAGO, an Illinois municipal corporation,  
Plaintiff,  
v.  
GLOCK INC., a Georgia corporation; GLOCK Ges.m.b.H, an Austrian company; EAGLE GUN CLUB LLC f/d/b/a EAGLE SPORTS RANGE, an Illinois company; RANGE PLUS, LLC f/d/b/a EAGLE SPORTS RANGE, an Illinois company; 5900 LLC d/b/a EAGLE SPORTS RANGE, an Illinois company; and MIDWEST SPORTING GOODS CO., an Illinois corporation,  
Defendants.

No. 2024 CH 06874

**DEFENDANTS', EAGLE GUN CLUB LLC, RANGE PLUS, LLC, AND 5900 LLC,  
MOTION TO ADOPT DEFENDANT MIDWEST SPORTING GOODS CO.'S MOTION  
TO DISMISS**

Defendants, EAGLE GUN CLUB LLC, RANGE PLUS, LLC, and 5900 LLC ("Eagle Gun Club Defendants"), by their attorneys, QUINTAIROS, PRIETO, WOOD, & BOYER, P.A., and for their Motion to Adopt Defendant, MIDWEST SPORTING GOODS CO.'s Motion to Dismiss, state as follows:

1. On July 22, 2024, the plaintiff, CITY OF CHICAGO, filed a 182 paragraph, three count Complaint against various defendants, including GLOCK INC., MIDWEST SPORTING GOODS CO., EAGLE GUN CLUB LLC, RANGE PLUS, LLC, and 5900 LLC, seeking damages and injunctive relief under various theories for alleged violations of the Chicago Municipal Code.

2. On October 30, 2024, Defendant, MIDWEST SPORTING GOODS CO. ("Midwest"), filed a Motion to Dismiss the Complaint, pursuant to 735 ILCS 5/2-619 based on the

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immunity provided by the Protection of Lawful Commerce in Arms Act, 15 U.S.C. §§ 7901-03 (“PLCAA”), and pursuant to 735 ILCS 5/2-615 for the plaintiff’s failure to state a claim upon which relief can be granted. The motion was properly combined and segregated pursuant to 735 ILCS 5/2-619.1 and correctly asserts that what the plaintiff attempts in this case is to hold the defendants responsible for the criminal conduct of third parties.

3. By way of this motion, the Eagle Gun Club Defendants seek leave to adopt Midwest’s motion to dismiss in its entirety. Judicial economy will be served if these defendants are permitted this relief. These defendants share the same market position as Midwest and are similarly protected by the PLCAA, and the allegations against these defendants are essentially the same as those directed to Midwest.

4. The PLCAA prohibits bringing a civil action in any state or federal court against a manufacturer *or seller* of a firearm resulting from the criminal or unlawful misuse of a firearm by a third party. *See* 15 U.S.C. §§ 7902(a) and 7903(4)&(5)(A)(emphasis added). The PLCAA defines a seller as “a dealer”, with respect to firearms, “who is engaged in the business as such a dealer in interstate or foreign commerce and who is licensed to engage in business as such a dealer...” 15 U.S.C. § 7903(6)(B).

5. The plaintiff alleges that the Eagle Gun Club Defendants are entities engaged in the sale of firearms, ammunition, and other components and accessories to firearms on an interstate basis. *See, e.g., ¶¶ 27-29 of Plaintiff’s Complaint.* As such, they are sellers as defined by the PLCAA and enjoy the same immunity to which Midwest is entitled under the PLCAA.

6. For these and the other reasons set forth in Midwest’s motion, all of the claims made against these defendants in this action should be dismissed with prejudice.

WHEREFORE, Defendants, EAGLE GUN CLUB LLC, RANGE PLUS, LLC, and 5900 LLC respectfully request that this Court grant them leave to adopt Defendant, MIDWEST SPORTING GOODS CO.'s Motion to Dismiss in its entirety, enter an order dismissing all claims made against these defendants in the Complaint with prejudice, deem said dismissal order final and appealable pursuant to Illinois Supreme Court Rule 304(a), and grant such other relief as the Court deems just.

QUINTAIROS, PRIETO, WOOD & BOYER, P.A.

*By: /s/John P. Lynch, Jr.*  
Attorneys for Defendants,  
**EAGLE GUN CLUB LLC, RANGE PLUS, LLC, and  
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