

12-Person Jury

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

Civil Action No.: 2024CH06875
**COMPLAINT AND
DEMAND FOR JURY TRIAL**

Plaintiff City of Chicago files this complaint against Defendant Glock, Inc., Defendant Glock Ges.m.b.H. (together with Glock, Inc., “Glock”), Defendant Eagle Gun Club LLC f/d/b/a Eagle Sports Range, Defendant Range Plus LLC f/d/b/a Eagle Sports Range, Defendant 5900 LLC d/b/a Eagle Sports Range (together with Eagle Gun Club LLC and Range Plus LLC, “Eagle Sports Range”), and Defendant Midwest Sporting Goods Co. (“Midwest Sporting Goods”) for violating the Municipal Code of Chicago (“MCC”) § 2-25-090. In support, Chicago alleges as follows:

SUMMARY OF ACTION

1. A hundred years ago, the Thompson submachine gun, also known as the Tommy gun, was the go-to weapon for Chicago criminals. Prohibition-era violence with the gun was so prevalent that the weapon was commonly referred to as the Chicago typewriter. In 1931, the public outcry in response to this violence led Illinois to prohibit machine guns, followed shortly thereafter

by national regulation of machine guns. Unfortunately, the machine gun has returned as a weapon of choice for criminals in Chicago—this time in the form of a Glock pistol, which can be easily modified into a machine gun using a simple, quarter-sized device called an auto sear. Glock designed its pistol so that with a simple modification it becomes a machine gun, and Glock knows that its pistols are frequently modified in this manner. Glock has been warned by the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) about the gun’s design and knows it could fix the problem, but has chosen not to, putting profits over public safety, and violating the law. Glock further aggravates this problem by utilizing some of the most irresponsible gun stores in the country, like Defendants Eagle Sports Range and Midwest Sporting Goods, to distribute its pistols, even though it knows or has reason to know that these stores are catering to criminals.

2. Glock pistols affixed with auto sears (“Modified Glocks”) can fire fully automatically: up to 1,200 rounds per minute, a rate as fast or faster than many fully automatic firearms used by the U.S. military. From the beginning of 2021 through May 2024, **over 1,300 Modified Glocks** have been recovered by the Chicago Police Department (“CPD”). This is, on average, over one Modified Glock recovered *every day*. These terrifying weapons have caused death and destruction throughout Chicago: they have been recovered in connection with homicides, aggravated assaults, batteries, kidnappings, burglaries, home invasions, carjackings, and attempted robberies.

3. Glock pistols are the most popular firearm in America. They are also the firearm most favored by criminals, particularly in Chicago. According to the most recent data from the ATF, over 8,000 Glock pistols were recovered in connection with criminal investigations in Chicago from 2017 to 2021—thousands more than the next most popular crime gun. During that same time frame, the top three sources of crime guns into Chicago were all Glock-preferred dealers

(“Glock-Authorized Dealers”), jointly accounting for approximately 13% of all crime guns in the City that were traced to a known purchaser. The ease with which Glock pistols can be converted into machine guns and Glock’s sales of its products through guns stores that are well-known suppliers of crime guns have increased Glock’s popularity within the criminal market.

4. Because Glock pistols are so easy to modify, anyone with \$20–\$25 can do so by buying an auto sear and affixing it to a Glock pistol. The task can be accomplished with a common household tool, like a screwdriver, and it typically takes less than five minutes with instructions readily available online.

5. So prevalent is the practice of installing auto sears on Glock pistols that they are commonly known as “Glock switches”—“switches” because they allow shooters to toggle between semiautomatic and fully automatic firing modes. Many auto sears are even sold with the Glock logo printed on them, even though Glock does not manufacture them.



An auto sear affixed with a Glock logo.

6. In stark contrast to Glock pistols, the process of modifying most other popular pistols into machine guns, such as those produced by Smith & Wesson or Sig Sauer, requires time-consuming and difficult engineering well beyond the capability of most civilians.

7. Glock has known about its dangerous design for years. Instead of making the simple change that would prevent the uniquely easy modification of Glock pistols into illegal machine

guns, Glock has made the business decision to continue profiting from the sales of its easily modified guns to the civilian market.

8. Glock exacerbates this problem by selling its easily modified pistols through irresponsible stores that are disproportionate suppliers to the criminal gun market. Glock relies on a network of Glock-Authorized Dealers who are contractually obligated to market Glock pistols in return for cross-promotion on Glock's own website. For years, Glock has sold its pistols through some of the most infamous gun stores in the nation: stores that are known to be major sources of crime guns and stores that cater to criminals by violating gun laws and looking the other way in the face of blatant illegal transactions. The top suppliers of crime guns into Chicago are all Glock-Authorized Dealers, including Defendant Midwest Sporting Goods in Lyons, which has consistently ranked in the top two of dealer sources of crime guns recovered in Chicago dating back to at least 2009, and Defendant Eagle Sports Range in Oak Forest, which, on information and belief, soared to be the second-most frequent supplier of crime guns into Chicago only five short years after it opened in 2016, accounting for 4% of the City's crime guns that were traced to a known purchaser. Defendants Midwest Sporting Goods and Eagle Sports Range know that Glocks are easily and frequently modified into illegal machine guns and yet continue to market and sell Glock pistols into Chicago.

9. Eagle Sports Range takes it even further, by marketing a Modified Glock to its customers. From the beginning, a major component of Eagle Sports Range's business plan has been promoting its "full auto experience," which allows customers to rent machine guns and fire them at its indoor range (a range which it has allowed convicted felons to use). As part of its "full auto experience," Eagle Sports Range markets the use of a Modified Glock at its range. Eagle Sports Range customers can thus "demo" a Modified Glock at the store's range, purchase a semi-

automatic Glock from the store's inventory, and then easily and illegally modify their new Glock pistol at home with an auto sear purchased off the internet.

10. Eagle Sports Range not only markets illegal Modified Glocks, but its overall sales and business practices were so dangerous that in early 2022, the ATF revoked its license for transferring a firearm to a prohibited individual, failing to complete required background checks, and falsifying records, among other violations. But within three days of Eagle Sports Range receiving its revocation notice, a 25-year-old relative of the owner filed articles of incorporation for a new company that would run the exact same gun store, at the exact same location, using the same inventory, while employing much of the same staff. The net result was that the law-breaking gun store that the ATF "shut down" in 2022 continued operations, without apparently missing a single day of business. Through it all, Glock continued to promote the store as a Glock-Authorized Dealer on its website, while the store sold its easily modified Glock pistols and simultaneously marketed a Modified Glock.

11. Defendants' conduct endangers the safety of Chicago residents and their communities. While Chicago has long struggled with an epidemic of gun violence, it is unquestionable that the manufacture, sales, and marketing of easily modified Glock pistols have made the situation worse. The easily modified Glock pistols sold and promoted by Defendants are sought by criminals because with the addition of a simple switch, they are capable of military-grade firepower—killing and injuring higher numbers of victims and increasing the terror felt by ordinary Chicagoans. An ATF agent described the use of guns equipped with auto sears as "*one of the scariest things*" the agency has dealt with in decades.¹ The former acting Special Agent in

¹Alain Stephens & Keegan Hamilton, *The Return of the Machine Gun*, THE TRACE (Mar. 24, 2022), <https://www.thetrace.org/2022/03/auto-sear-gun-chip-glock-switch-automatic-conversion> (emphasis added) [<https://perma.cc/3MPK-WE5S>].

Charge of the ATF's Chicago Field Division explained last year that part of the increased danger caused by modified machine guns is that shooters cannot handle the recoil of so many rounds coming out of the gun so quickly, resulting in bullets spraying everywhere.²

12. The danger posed by Defendants' misconduct in manufacturing, selling, and/or marketing easily modified Glock pistols can be seen all over Chicago. To cite just a few examples:

- a. In October 2021, a gun fight erupted on North Mason Avenue in Chicago's Austin neighborhood between rival gang members, necessitating the arrival of a SWAT team. Bullets shattered the windows of neighboring homes, terrifying the community. When the smoke cleared, one man was dead and two others were injured. Two Modified Glocks were recovered at the scene.
- b. In January 2022, police responded to a shooting on Chicago's South Side. They found three victims: a woman sitting in a parked car when she was struck in both legs, a man struck in the arm while walking on the sidewalk, and another man shot in the face while standing in the doorway of his home. They witnessed a vehicle fleeing the scene, hitting an unmarked CPD squad car in the process. Officers recovered two firearms from the car, including a Modified Glock 17.
- c. In another incident from January 2022 in Humboldt Park, a mother was taking her daughter to a medical center located in an elementary school when she heard gunshots and retreated to her car. When she looked down, she noticed that she had been shot in the knee. The gunshots came from a car that was chasing and actively shooting at another car, firing a total of 37 rounds. A Modified Glock 19 with a 15-round magazine was recovered in connection with the shooting.
- d. In July 2022, two teenagers were watching television in their home in the West Pullman area of Chicago when bullets came through their window, injuring them both. When police arrived, they found 13 bullet holes in the window of the home and two Glock pistols outside, one of which was equipped with an auto sear.
- e. In December 2022, a couple with their two children were at a BP gas station on South Pulaski Road in the West Lawn neighborhood of Chicago when a gunfight erupted between two cars, leaving one person dead and a total of 61 shell casings at the scene. The couple was forced to flee with their children in the backseat as the individuals in the cars engaged in a high-speed chase behind them and continued shooting. Two Modified Glocks were recovered in connection with the shooting.

² Courtney Spinelli, *Chicago Area Law Enforcement Sees Rise in Machine Gun Conversion Device Recoveries*, WGN-TV (last updated Mar. 1, 2023 10:03 PM), <https://wgntv.com/news/cover-story/chicago-area-law-enforcement-sees-rise-in-machine-gun-conversion-device-recoveries> [<https://perma.cc/QR39-UX8N>].

- f. In September 2023, a 21-year-old walking in Hyde Park was shot seven times after individuals jumped out of a car and began shooting at him. CPD found 43 shell casings in the immediate area. A discarded Modified Glock was recovered nearby.

13. Worse still, many Modified Glocks are found in the possession of minors—and many of the victims of Modified Glocks are minors. For example, in February 2023, police recovered three Modified Glocks in the bedroom of a 16-year-old who has since been charged with killing two other teenagers at a high school. That same month, police recovered two Modified Glocks at the scene of a shooting outside of a party where a 16-year-old was killed. Shell casings were found on the floor of the venue hosting the party, in the loading dock, and in the back alley, and a neighbor reported that a bullet had gone through his window.

14. By choosing to continue selling and marketing its easily modified pistols to Chicago non-law-enforcement consumers, including through irresponsible dealers, and refusing to implement simple changes to its pistol design, Glock has violated numerous obligations under municipal law. The violations include failing to institute reasonable controls and safeguards to prevent the unlawful possession of its pistols, “[k]nowingly creat[ing], maintain[ing], or contribut[ing] to a condition in Illinois that endangers the safety or health of the public by conduct either unlawful in itself or unreasonable under all circumstances,” and engaging in unfair acts. MCC § 2-25-090 (incorporating 815 ILCS 505/2, 505/2BBBB(b)(1), (4)).

15. All Defendants also misrepresent and/or fail to disclose material information about the Glock pistols they make, market, and/or sell. Glock misrepresents the safety of Glock pistols and its commitment to make communities safer, without disclosing that Glock pistols are easily (and frequently) modified to highly dangerous and illegal machine guns. Midwest Sporting Goods sells Glock pistols and markets them as safe even though it knows that Glock pistols can be easily modified into illegal machine guns. Eagle Sports Range markets Modified Glocks and the “full

auto” experience to Chicago consumers, while simultaneously selling easily modified Glock pistols, and without disclosing that Modified Glocks are illegal and highly dangerous. This conduct constitutes deception and is in violation of MCC § 2-25-090(a).

16. The City seeks an order enjoining Glock from (1) continuing to sell its easily modified pistols to Chicago civilian residents through its website and Illinois gun stores that serve the Chicago market, and (2) deceptively marketing the safety of Glock pistols to Chicago consumers. The City also seeks an order enjoining Defendants Midwest Sporting Goods and Eagle Sports Range from (1) selling easily modified Glock pistols to Chicago civilian residents, and (2) deceptively marketing the safety of Glock pistols and/or marketing Modified Glocks to Chicago consumers. The City also seeks an assessment of fines against each Defendant for each day that they continue to violate MCC § 2-25-090(a).³

JURISDICTION AND VENUE

17. This Court has subject matter jurisdiction under Article VI, Section 9 of the Illinois Constitution.

18. The Court has personal jurisdiction over Defendant Glock, Inc. under 735 ILCS 5/2-209 because Defendant Glock, Inc. has conducted business in Illinois and has entered into contracts or made promises that are substantially connected to Illinois.

19. The Court has personal jurisdiction over Defendant Glock Ges.m.b.H. under 735 ILCS 5/2-209 because Defendant Glock Ges.m.b.H. has conducted business in Illinois and has entered into contracts or made promises that are substantially connected to Illinois.

³ For the avoidance of doubt, Chicago does not seek any relief based on or to stop the sales of Glock pistols to law enforcement as they are currently designed. Unlike typical civilians, law enforcement officers may legally possess fully automatic weapons when they are on duty. This lawsuit is focused exclusively on the sale and marketing of Glocks to the civilian market in Illinois.

20. The Court has personal jurisdiction over Defendants Eagle Gun Club LLC, Range Plus LLC, and 5900 LLC under 735 ILCS 5/2-209 because each entity is organized under the laws of Illinois and/or has conducted business in Illinois and has entered into contracts or made promises that are substantially connected to Illinois.

21. The Court has personal jurisdiction over Defendant Midwest Sporting Goods under 735 ILCS 5/2-209 because Midwest Sporting Goods Company Inc. is a corporation organized under the laws of Illinois and/or has conducted business in Illinois and has entered into contracts or made promises that are substantially connected to Illinois.

22. Venue is proper under 735 ILCS 5/2-101 because a substantial part of the events or omissions giving rise to the claims occurred in Cook County.

PARTIES

23. Plaintiff City of Chicago is an Illinois municipal corporation and a home rule unit of local government organized under Article VII of the Constitution of the State of Illinois and the laws of the State of Illinois, located in Cook County.

24. Defendant Glock, Inc. is a privately owned firearm manufacturer, dealer, and importer located in Smyrna, Georgia. It is incorporated under the laws of the State of Georgia as a domestic for-profit corporation with its principal place of business at 6000 Highlands Parkway SE, Smyrna, Georgia, 30082. Glock, Inc. is currently owned by two Austrian companies, which each hold half of the stock in Glock, Inc.: Glock Ges.m.b.H. and INC Holding GmbH.

25. Defendant Glock Ges.m.b.H. is an Austrian limited liability company that designs and manufactures Glock semi-automatic pistols and the component parts used to make those pistols and imports them into the United States.

26. The connection between Glock, Inc, and Glock Ges.m.b.H. is extremely close, with Glock Ges.m.b.H. maintaining significant involvement in the production and marketing of Glock pistols in the United States. Together, Glock Ges.m.b.H. and Glock, Inc. oversee, create, and implement the design, manufacture and assembly of Glock pistols sold into the United States and Illinois. Both companies are also directly and materially involved in the sale, distribution, and promotion of Glock pistols for civilians, including those residing in Chicago.

27. Defendant Eagle Gun Club LLC is a limited liability company incorporated in February 2014, under the laws of the State of Illinois, and is located at 5900 W. 159th Street in Oak Forest, Illinois. Eagle Gun Club was founded by Omar Ahmad. Eagle Gun Club held Type 1 (dealer), Type 7 (manufacturer), and Type 8 (importer) federal firearms licenses (“FFL”). In June 2016, Omar Ahmad, through Eagle Gun Club LLC, assumed the name of Eagle Sports Range for his gun stores business, which opened on October 6, 2016. From 2016 to May 2022, Eagle Gun Club LLC operated Eagle Sports Range, a retail dealer in firearms and gun range located at the above address in Oak Forest, Illinois. On January 18, 2022, following an ATF compliance inspection, the ATF notified Omar Ahmad that it intended to revoke his licenses for willful violations of the Gun Control Act, and his licenses were officially revoked in July 2022. On May 31, 2022, Omar Ahmad transferred Eagle Sports Range’s firearms inventory to his successor entity, Defendant Range Plus LLC.

28. Defendant Range Plus LLC is a limited liability company incorporated on January 21, 2022, under the laws of the State of Illinois, at 5900 W. 159th Street in Oak Forest, Illinois, the location of Eagle Sports Range. Range Plus LLC was incorporated by Nazeah Ahmad, a 25-year-old relative of Omar Ahmad. On information and belief, articles of incorporation for Range Plus were filed three days after Omar Ahmad’s receipt of the ATF’s revocation notice so that Omar

Ahmad could continue to own and operate Eagle Sports Range without a license.⁴ By May 2022, Nazeh Ahmad received a Type 1 and Type 7 federal firearms license to operate Eagle Sports Range under the successor entity.

29. Defendant 5900 LLC is a limited liability company incorporated on September 13, 2022, under the laws of the State of Illinois, at 5900 W. 159th Street in Oak Forest, Illinois, the location of Eagle Sports Range. 5900 LLC was also incorporated by Nazeh Ahmad. By October 2023, 5900 LLC took over the assumed name of Eagle Sports Range and received Type 1 and Type 7 federal firearms licenses from the ATF to continue its gun business at the same location.

30. Defendant Midwest Sporting Goods Co. (which operates a store called “Midwest Guns and Range” or “Midwest Guns and Pistol Range”) is an Illinois corporation and federally licensed firearms retailer with a principal place of business at 8565 Plainfield Road in Lyons, Illinois.

FACTS

A. Glock Pistols are Easy and Inexpensive to Modify into Illegal Machine Guns with Auto Sears

31. Machine guns, or fully automatic weapons, have been heavily regulated at the state and federal level since the 1930s because of their frequent use in crime, their increasing use in deadly shootings and massacres,⁵ and the “immense danger” their rapid-fire capability posed to the public, *United States v. O’Brien*, 560 U.S. 218, 230 (2010). Early machine guns made their first appearance during the Civil War and grew more powerful in the following decades.⁶ By the

⁴ On the same day, January 21, 2022, a change of registered agent was filed for the Wisconsin limited liability company A to Z Armory, LLC, which owns and operates Omar Ahmad’s Eagle Sports Range location in Cudahy, Wisconsin. The current registered agent of A to Z Armory is Nazeh Ahmad.

⁵ *National Firearms Act*, BUREAU OF ALCOHOL, TOBACCO, FIREARMS & EXPLOSIVES (last reviewed Apr. 7, 2020), <https://www.atf.gov/rules-and-regulations/national-firearms-act> [<https://perma.cc/XT95-NVB7>].

⁶ See generally JOHN ELLIS, *THE SOCIAL HISTORY OF THE MACHINE GUN 21-45* (1986).

First World War, British troops facing machine gun fire “fell by the thousands in every attack.”⁷ But in the late 1920s and early 1930s, gangsters took to machine guns, and they moved from the battlefield to city streets. The first known use of a machine gun in a gang attack was on September 25, 1925, in Chicago, and quickly become the must-have weapon for the likes of Al Capone, Bugs Moran, and Pretty Boy Floyd.⁸ A crime reporter during that time called machine guns, “[t]he greatest aid to bigger and better business the criminal has discovered in this generation ... a diabolical machine of death ... the highest-powered instrument of destruction that has yet been placed at the convenience of the criminal element”⁹ The rise in deadly gang violence in the mid to late 1920s prompted Illinois to pass its first machine-gun prohibition in 1931.¹⁰

32. Under Illinois law, a machine gun includes “any weapon, which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot without manually reloading by a single function of the trigger, including the frame or receiver of any such weapon.” 720 ILCS 5/24-1(a)(7)(i). To this day, Illinois law prohibits the knowing sale, manufacture, purchase, possession, or carrying of a machine gun. *Id.*

33. Similar restrictions appeared shortly thereafter at the federal level with the National Firearms Act of 1934. Those provisions reflected Congress’s judgment that the “gangster as a law violator must be deprived of his most dangerous weapon, the machine gun,” and that “there is no reason why anyone except a law officer should have a machine gun.” S. Rep. No. 73-1444, at 1-2 (1934). Federal law thus mandates that machine guns¹¹ and certain other weapons may be made,

⁷ *Id.* at 142.

⁸ *See id.* at 152-54, 157-58.

⁹ *Id.* at 152.

¹⁰ 1931 Ill. Laws 452-53, §§ 1-2.

¹¹ Federal law defines “machinegun” as “any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger.” 26 U.S.C. § 5845(b).

sold, and possessed only subject to strict regulation and registration requirements. It bans the sale of machine guns to members of the general public and to any person except those specifically authorized by the U.S. Attorney General, and it also prohibits the transfer and possession of them, except in limited circumstances. 18 U.S.C. § 922(b)(4), (o).

34. Given the strict restrictions on the sale and ownership of machine guns, fully automatic weapons are difficult to acquire. Semiautomatic weapons—like most Glock pistols—are not. Criminals seeking the power and lethality of a fully automatic weapon have increasingly looked to readily available, easily modified semiautomatic weapons to get the firepower and destructive force that they desire. In recent years, auto sears have made this search significantly easier.

35. Auto sears are add-ons used to convert semiautomatic guns into fully automatic weapons. “Auto sear” is short for “automatic sear,” so named because the small device overtakes the sear of a firearm, which is the part of the trigger mechanism that holds the striker back. Once the sear is overtaken, the striker can continue firing with just one trigger pull. In other words, a gun with an auto sear installed fires fully automatically because the modified gun will continue firing as long as the trigger is pulled and there is ammunition in the magazine.

36. Decades ago, the ATF determined that auto sears themselves are “machineguns” as defined under federal law because they are a “combination of parts designed and intended[] for use in converting a weapon into a machinegun.” 26 U.S.C. § 5845(b).¹²

¹² See *ATF Ruling 81-4*, BUREAU OF ALCOHOL, TOBACCO, FIREARMS & EXPLOSIVES, <https://www.atf.gov/resource-center/docs/atf-ruling-81-4pdf/download> [<https://perma.cc/8S3E-WAP8>] (last visited July 20, 2024).

37. Auto sears are cheap and easy to acquire. They can be found for as little as \$20.¹³ Many auto sears are made in China and falsely marketed online as other household or recreational products. Once imported illegally to the United States, they are sold within the criminal gun market. These overseas manufacturers often quickly dissolve to avoid investigation or legal action, with new ones emerging to replace them. Most auto sears that originate in the United States are produced using 3D printers and are often created using downloadable blueprints that are readily available online. Thus, auto sears are difficult to trace, intercept, and eradicate.¹⁴

38. Glock-style auto sears, which look like “very small Lego piece[s],”¹⁵ can be attached to the back of pistols, as seen in the image of a Modified Glock below.

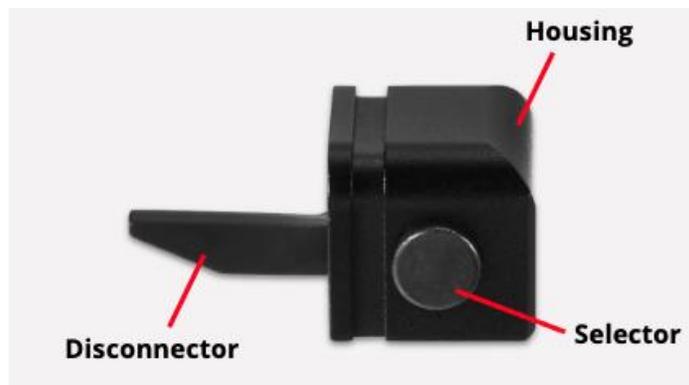


39. The auto sear has a small protrusion called a “disconnecter” that, once installed, pushes the pistol’s internal trigger bar down, allowing the striker to continue firing as the slide reciprocates with recoil. The ability to fire continuously, without the shooter having to pull and release the trigger repeatedly, allows for a much faster rate of fire.

¹³ Julia Rothman & Shaina Feinberg, *This \$20 Device Turns a Handgun Into an Automatic Weapon*, N.Y. TIMES (July 1, 2022), <https://www.nytimes.com/2022/07/01/business/auto-sear-handgun-automatic.html>.

¹⁴ Frank Main, Tom Schuba, Matt Kiefer & Cheryl W. Thompson, *In Chicago, Handguns Turned Into High-Capacity Machine Guns Fuel Deadly Violence*, NPR (Oct. 28, 2022), <https://www.npr.org/2022/10/28/1131026241/chicago-handgun-violence-auto-sear-machine-gun> [<https://perma.cc/2DVS-LQWT>].

¹⁵ Rothman & Feinberg, *supra* note 13.



40. Most Glock-style auto sears come with round “selectors” that allow the user to toggle between semiautomatic and fully automatic modes. Other versions convert Glock pistols to fire only fully automatically when installed.

41. It is well known that Glock pistols are particularly easy to modify for fully automatic firing with auto sears. This is in sharp contrast to most other pistols that do not accept auto sears as easily and instead require time-consuming and difficult engineering to be modified into automatic weapons.

42. For Glock’s Generation 1 through 4 pistols (“Gen1” through “Gen4,” which have been produced for decades since Glock’s entry into the U.S. market in or around late 1985 or early 1986), installing an auto sear involves using a screwdriver to merely slide out the rear removable plastic backplate of the gun’s slide and placing the auto sear into the backplate’s position. There are many videos available online explaining how to easily accomplish this.¹⁶ Glock continues to

¹⁶ See, e.g., @Letretractcom, *How to Install Glock Full Auto Switch*, FACEBOOK (June 21, 2022, 1:29 AM), <https://www.facebook.com/100063815394590/videos/how-to-install-glock-full-auto-switch/1185300678678624>; @Knifehomes, *How to Install Glock Full Auto Switch* 🇺🇸, FACEBOOK (Apr. 17, 2021, 3:12 AM), <https://www.facebook.com/kniveshomes/videos/how-to-install-glock-full-auto-switch/227916132441449>; silencer-sales (@silencer-sales525), *Full Auto Glock Instruction*, YOUTUBE (Dec. 10, 2020), <https://www.youtube.com/watch?v=0L4Wxg4CCCg>.

sell Gen3 and Gen4 pistols to civilian consumers in the United States, including civilian consumers in Chicago.¹⁷

43. Glock’s Generation 5 (“Gen5”) line of pistols, which entered the market in 2017, requires minor filing or clipping of a small *plastic* notch before an auto sear may be affixed. Like the other models, the conversion of a Glock Gen5 pistol can be done in a matter of minutes with minimal modification to the firearm. Videos available online explain how to affix a Glock switch to the Gen5 models with ease. For example, one online video with over 720,000 views provides step-by-step instructions on how to modify a Gen5 pistol in mere minutes while noting that they “only had to take that little notch off,” which “wasn’t that big of a deal.”¹⁸ Another video from 2020 with almost 36,000 views shows how to affix an auto sear to a Gen5 pistol within two minutes.¹⁹ Glock knew that its addition of a small plastic piece on the back of the gun was neither a reasonable nor bona fide solution to the easy modification of its guns into illegal machine guns; that piece can be filed down easily with a simple tool. On information and belief, Glock falsely claimed to the ATF that the Gen5 model had addressed the problem. As discussed further below, this easy, do-it-yourself conversion is not possible for other handguns on the market. Glock sells Gen5 pistols to civilian consumers in the United States, including civilian consumers in Chicago.

¹⁷ Glock’s website allows users to view all of Glock’s pistols available for purchase. See *GLOCK Pistols*, GLOCK, <https://us.glock.com/en/Pistols> [<https://perma.cc/R74M-PY4C>] (last visited July 20, 2024). The website allows users to filter the pistols available for purchase, including the ability to select “Gen3” and “Gen4” models. *Id.* (last visited July 20, 2024) (click “Add/Edit Filters”; then choose “All features”; select “Gen3” and “Gen4”; then click “Save Change”). After applying the Gen3 and Gen4 filters, a user can see all the Gen3 and Gen4 pistols that Glock sells and which of those pistols are only available for purchase by law enforcement. Glock offers multiple Gen3 and Gen4 models for civilians, including four different 9x19mm pistols: the G17, G19, G26, and G34. See *id.*; see also *G17*, GLOCK, <https://us.glock.com/en/pistols/g17> [<https://perma.cc/U7PF-94RS>] (last visited July 20, 2024); *G19*, GLOCK, <https://us.glock.com/en/pistols/g19> [<https://perma.cc/6NLT-9J6B>] (last visited July 20, 2024); *G26*, GLOCK, <https://us.glock.com/en/pistols/g26> [<https://perma.cc/5J6K-YUYY>] (last visited July 20, 2024); *G34*, GLOCK, <https://us.glock.com/en/pistols/g34> [<https://perma.cc/D5XB-UP7C>] (last visited July 20, 2024).

¹⁸ Royal Range USA (@Royalrangeusa), *Full Auto Glock 17 GEN5!!!*, YOUTUBE (Aug. 30, 2017), <https://www.youtube.com/watch?v=JSIX0HsczIY>.

¹⁹ silencer-sales (@silencer-sales525), *Full Auto Glock Instruction*, YOUTUBE (Dec. 10, 2020), <https://www.youtube.com/watch?v=0L4Wxg4CCCg>.

44. This quick modification comes with devastating results. A Modified Glock pistol can reportedly fire up to 1,200 rounds per minute—a faster rate of fire than the standard M4 machine gun used by the United States military.²⁰ In a recent federal complaint filed against an accused auto sear trafficker, the defendant bragged that his auto sears were compatible with a Gen5 Glock and could make it fire “30 rounds in two seconds.”²¹

45. Glock pistols affixed with a switch are also more difficult to control—resulting in a greater risk of bodily harm or death to bystanders. An untrained shooter using an unmodified semiautomatic Glock may already have a difficult time maintaining the gun’s recoil to stay on target while firing. That problem is exponentially greater when firing a Modified Glock. It is much more difficult for shooters to manage a Modified Glock’s recoil and maintain their target when firing so many rounds in rapid succession, resulting in more lethal shootings, grievous wounds for survivors, and greatly enhanced risks for bystanders.

46. Modified pistols, especially Modified Glockes, have grown tremendously in popularity in recent years. A company that uses audio sensors to monitor gunfire reported that there were 75,544 recorded rounds of “suspected automatic gunfire in 2022 in portions of 127 cities covered by its microphones,” including Chicago, representing “a 49 percent increase from the year before.”²² According to law enforcement, this increase is attributable, in part, to fully automatic pistols being seen by teenagers as “status symbol[s] that provide[] a competitive

²⁰ Press Release, U.S. Att’y’s Off., N. Dist. of Texas, Fort Worth Manufacturer Charged in Glock Switch Case (Nov. 18, 2022) (*available at* <https://www.justice.gov/usao-ndtx/pr/fort-worth-manufacturer-charged-glock-switch-case> [<https://perma.cc/B35Z-4AXG>]).

²¹ Aff. ¶ 7, *United States v. Hendrie*, No. 23-MJ-4115 (W.D.N.Y. July 20, 2023), ECF No. 1.

²² Ernesto Londoño & Glenn Thrush, *Inexpensive Add-on Spawns a New Era of Machine Guns*, N.Y. TIMES (Aug. 12, 2023), <https://www.nytimes.com/2023/08/12/us/guns-switch-devices.html>.

advantage.”²³ As another law-enforcement official explained, “They think it’s cool, they think it looks cool, sounds cool, they want to brag about having it.”²⁴

47. Teenagers and adults alike can easily purchase auto sears online via popular social media platforms²⁵ and can learn how to install them with the help of online tutorials available on a variety of websites. Frequently, these posts and videos refer specifically to converting Glock pistols into automatic weapons.²⁶

48. “Glock switches” are featured by name in popular music. For example, the 2022 song “Jimmy Cooks” by Drake featuring 21 Savage—which debuted at #1 on the U.S. Billboard Hot 100²⁷ and has been streamed nearly 900 million times on Spotify²⁸—includes the lyric: “This Glock .45 came with a switch.”²⁹ Chicago-based musicians also frequently reference “Glock switches” in their songs, including the 2021 song “Glock With A Switch” by Chicago-based rapper Virgil Gibson, known as PGF Nuk. In the music video for the song, the rapper and others wave Glock pistols affixed with switches to the song’s lyrics: “Four Nick with a drum,³⁰ a Glock with a

²³ *Id.*

²⁴ Jeremy Harris, *Illegal ‘Glock Switch’ Blamed for Increase of Rounds Being Fired in Western Washington Shootings*, KPIC (Oct. 7, 2023, 11:02 AM), <https://kpic.com/news/local/illegal-glock-switch-blamed-for-increase-bullets-rounds-fired-in-western-washington-shootings-ghost-guns-atf-machine-gun-gun-violence-crime-firearms-law-enforcement-police-seattle-spd-chief-adrian-diaz-investigations> [<https://perma.cc/7B4S-KPJ5>].

²⁵ Chris Hrapsky, *Glock Switch Creator Would ‘Rather Invent Any Other Thing’ in Wake of Unintended Consequences*, KARE 11 (Feb. 7, 2024, 10:31 PM), <https://www.kare11.com/article/news/local/kare11-extras/dangers-of-the-controversial-glock-switch-as-told-by-its-inventor/89-9fd2745b-4616-4f8e-b993-3a7249d10f85> [<https://perma.cc/FP37-Z4GZ>].

²⁶ *See, e.g., supra* notes 18, 19.

²⁷ Gary Trust, *Drake & 21 Savage’s ‘Jimmy Cooks’ Soars in at No. 1 on Billboard Hot 100*, BILLBOARD (June 27, 2022), <https://www.billboard.com/music/chart-beat/drake-21-savage-jimmy-cooks-number-1-hot-100-1235106933> [<https://perma.cc/79EV-VM9V>].

²⁸ Drake, *Jimmy Cooks (feat. 21 Savage)*, SPOTIFY, <https://open.spotify.com/track/3F5CgOj3wFIRv51JsHbxhe> (last visited July 20, 2024) (showing 996,177,925 unique streams).

²⁹ Rania Aniftos, *Here Are the Lyrics to Drake’s ‘Jimmy Cooks’ Feat. 21 Savage*, BILLBOARD (July 6, 2022), <https://www.billboard.com/music/lyrics/drake-21-savage-jimmy-cooks-lyrics-1235111311> [<https://perma.cc/KU52-PSYE>].

³⁰ A likely reference to a .45-caliber pistol with a high-capacity drum magazine.

switch ... I won't miss, not shootin' off corners, we run up and blitz.”³¹ Another example is the 2021 song “Danny Block” from Chicago-based rapper Lil Zay Osama—which includes the lyrics: “I just got a brand new Glock with a fifty and a switch ... I just popped one of my opps, I'm finna go do another hit.”³²



A billboard for PGF Nuk's 2022 album, Switch Music, in the Bridgeport neighborhood of Chicago

49. The increased popularity of modified pistols has led federal, state, and local law enforcement from around the country to raise the alarm about the dramatic rise in the use of auto sears and automatic weapons, particularly Glocks. For example:

³¹ PGF NUK (@pgfnuk6439), *PGF Nuk—“Glock With A Switch” (Music Video) Shot by @LouVisualz*, YOUTUBE (Nov. 30, 2021), <https://www.youtube.com/watch?v=otQPnIO5Yfs>. In March 2022, two Modified Glocks, one with a high-capacity magazine, were recovered in 20-year-old Gibson's car.

³² *Danny Block*, LYRICS.AZ (Aug. 26, 2021), <https://lyrics.az/lil-zay-osama/-/danny-block.html> [<https://perma.cc/4M5E-F9AQ>]. Last year, Lil Zay Osama was arrested in Chicago for possession of multiple illegal weapons, including a Modified Glock. *See* Gabriel Bras Nevares, *Lil Zay Osama Arrested For Gun Possession & Robbery: Report*, HOT NEW HIP HOP (Dec. 15, 2023), <https://www.hotnewhiphop.com/745197-lil-zay-osama-arrest-gun-theft-hip-hop-news> [<https://perma.cc/G5QP-6KSN>]. He was also arrested in late 2022 for illegal firearm possession after allegedly leaving a Modified Glock in the back of an Uber in New York City. *See* Bill Donahue, *Rapper Lil Zay Osama Facing Federal Gun Charge After Allegedly Leaving Loaded Glock in Uber*, BILLBOARD (Jan. 26, 2024), <https://www.billboard.com/business/legal/lil-zay-osama-facing-federal-gun-charge-loaded-glock-uber-1235590157/> [<https://perma.cc/3VEF-GW87>].

- a. **Nationwide:** The ATF reported a 400% increase in recoveries of illegally modified machine guns from 2020 to 2021³³ and a 570% increase in machine gun conversion parts recovered between 2017 and 2021 as compared to the previous five-year period.³⁴ These numbers led federal officials to contact Glock “in search of ways to modify the weapon to make it harder to attach switches.”³⁵
- b. **Dallas:** Officials reported a 2,750% increase in auto sear recoveries from 2021 to 2022.³⁶
- c. **Columbus:** Officials reported a 1,200% increase in auto sear recoveries as of April 2023, compared to the same time in the previous year.³⁷
- d. **Louisville:** Officials reported an 800% increase in auto sear recoveries from 2021 to 2022.³⁸
- e. **St. Louis:** Officials reported a 575% increase in auto sear recoveries from 2021 to 2022.³⁹
- f. **Oklahoma City:** Officials reported a 500% increase in Glock switch recoveries from 2021 to 2022 and a nearly 330% increase from 2022 as of November 2023.⁴⁰

50. All this is well known to Glock. As early as in or around 1987, Gaston Glock, the founder of Glock Ges.m.b.H., met with the person who would later patent the “Fire Selector

³³ See Alain Stephens & Keegan Hamilton, *The Sacramento Mass Shooting Likely Involved a Converted Machine Gun, Officials Say*, TRACE (Apr. 7, 2022), <https://www.thetrace.org/2022/04/sacramento-mass-shooting-auto-sear-machine-gun/> [<https://perma.cc/PH4F-WYW2>].

³⁴ Londoño & Thrush, *supra* note 22.

³⁵ *Id.*

³⁶ See Katy Blakey, *Shootout with Dallas Murder Suspect Renews Focus on Illegal ‘Glock Switches,’* NBC DFW (Nov. 21, 2023, 5:39 PM), <https://www.nbcdfw.com/news/local/shootout-with-dallas-murder-suspect-renews-focus-on-illegal-glock-switches/3393818/> [<https://perma.cc/LMY3-E6AM>].

³⁷ See NBC4 Columbus (@wcmhnc4columbus), *Switch Handguns on the Rise in Columbus*, YOUTUBE (Apr. 27, 2023), https://www.youtube.com/watch?v=S62EM_LDwdA.

³⁸ Travis Breese, *Focus: Dime-Sized Device Is Creating Mini-Machine Guns in Louisville*, WHAS 11 (Oct. 6, 2022, 9:32 PM), <https://www.whas11.com/article/news/investigations/focus/focus-glock-switches-handgun-conversion-louisville-minors-no-more-red-dots-kentucky/417-e7aedde6-0ec0-49b8-a0a6-b5ef9f64a2e8> [<https://perma.cc/FK5S-YWPA>].

³⁹ See Rachel Lippmann, *St. Louis-Area Police Are Seizing More Modified Handguns—Here’s Why That’s Bad News*, ST. LOUIS PUB. RADIO (Jan. 5, 2023, 6:18 PM), <https://www.stlpr.org/law-order/2023-01-05/st-louis-area-police-are-seizing-more-modified-handguns-heres-why-thats-bad-news> [<https://perma.cc/A6ZU-XML9>].

⁴⁰ See Josh Dulaney, *3D Printed Device to Turn Pistols into Automatic Weapons Increasingly Used in Crimes in Oklahoma, Police Say*, OKLAHOMAN (Nov. 29, 2023, 5:00 PM), <https://www.oklahoman.com/story/news/2023/11/29/glock-switch-3d-printing-crime-on-the-rise-oklahoma-okc/71719158007/> [<https://perma.cc/KT6U-RA2S>].

System,” an auto sear designed for use with Glock pistols.⁴¹ Gaston Glock test-fired a Glock equipped with an auto sear and saw that Glock pistols could be easily converted to automatic weapons with an attachable auto sear and that this posed a danger.⁴²

51. This was not news to Gaston Glock. By this time, Glock had already created a fully automatic version of its gun, the G18. Glock markets the G18 as having “the same characteristics like other previous models and the frame size of the service pistol classic G17,”⁴³ and, on information and belief, did not apply for a separate patent for the fully automatic G18 because it fell within the original design of the patented Glock 17.⁴⁴ The G18 contains two internal alterations that function like attachable auto sears do on a semiautomatic Glock; indeed, the patent for the Glock-specific auto sear describes its operation in near-identical terms to those used by Glock to describe the G18.⁴⁵

52. As Gaston Glock knew and expected, it was not long before civilians began illegally modifying semiautomatic Glocks to automatic machine guns. And Defendant Glock was on notice of this alarming trend. More than 20 years ago, an ATF investigation resulted in dozens of arrests and the seizure of seven converted Glock pistols and nine Glock switches.⁴⁶ More recently, on April 11, 2022, 41 members of Congress published a letter highlighting the increased use of auto sears in shootings nationwide, specifically identifying only Glock-made pistols by

⁴¹ Hrapsky, *supra* note 25.

⁴² *Id.*

⁴³ G18, GLOCK, <https://eu.glock.com/en/products/pistols/g18> [<https://perma.cc/X8H5-WBWX>].

⁴⁴ See U.S. Patent No. 4,539,889 (filed Apr. 29, 1982).

⁴⁵ Compare U.S. Patent No. 5,705,763 (filed July 18, 1996), with G18, GLOCK, <https://eu.glock.com/en/products/pistols/g18> [<https://perma.cc/X8H5-WBWX>] (describing “fire selector” “switch” to “full-automatic firing mode”).

⁴⁶ *Internet Arms Trafficking*, BUREAU OF ALCOHOL, TOBACCO, FIREARMS & EXPLOSIVES (May 15, 2020), <https://www.atf.gov/our-history/internet-arms-trafficking> [<https://perma.cc/8WWJ-8QUZ>].

name.⁴⁷ And federal officials have contacted Glock directly searching for ways to address the problem.⁴⁸

53. There have also been countless high-profile prosecutions, news articles, and public events in recent years that have identified the use—or intended use—of Modified Glocks. For example:

- a. The 2019 murder of four family members who had gathered to watch football in a backyard in Fresno, California.⁴⁹
- b. The 2021 murder of a Houston police officer,⁵⁰ followed four months later by the shooting of three more Houston police officers.⁵¹
- c. The 2021 discovery of a Modified Glock hidden in the home of a self-described incel in Ohio, who intended to kill sorority members at a local university.⁵²
- d. A 2022 mass shooting in Sacramento, California that resulted in the death of six people, including three innocent bystanders.⁵³
- e. A 2022 New Year’s Eve shooting in Mobile, Alabama, blocks away from where more than 12,000 people were attending a New Year’s Eve celebration.⁵⁴

⁴⁷ Letter from Representative Lizzie Fletcher et al. to Marvin Richardson, Acting Dir., Bureau of Alcohol, Tobacco, Firearms & Explosives (Apr. 11, 2022) (*available at* https://carbajal.house.gov/uploadedfiles/2022-04-11_letter_to_atf_on_auto_sears_final_copy.pdf [<https://perma.cc/EMP6-2ARZ>]).

⁴⁸ Londoño & Thrush, *supra* note 22.

⁴⁹ Stephens & Hamilton, *supra* note 33.

⁵⁰ Miya Shay, *Bodycam Video of Shootout That Killed Officer Shows Suspect Used Illegally Modified Gun, Police Say*, ABC (Oct. 12, 2021), <https://abc7.com/houston-police-shooting-bodycam-video-deon-ledet-william-bill-jeffrey/11118603/> [<https://perma.cc/EY7G-KDB3>]; *Local Heroes Who Paid the Ultimate Sacrifice: Houston Police Officers Killed in the Line of Duty* at 124, HOUSTON POLICE DEP’T MUSEUM (June 2023), https://www.houstontx.gov/police/museum/ultimate_sacrifice_book.pdf [<https://perma.cc/ZQ42-WJCG>].

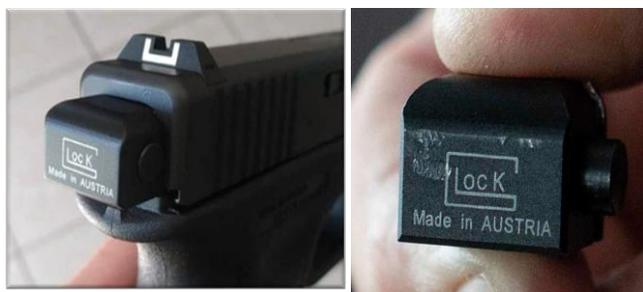
⁵¹ Joel Eisenbaum, *HPD Shootout: Illegally Modified Gun Used to Injure 3 HPD Officers Shoots 50 Rounds in 5 Seconds*, CLICK2HOUSTON (Jan. 28, 2022), <https://www.click2houston.com/news/local/2022/01/29/hpd-shootout-illegally-modified-gun-used-to-injure-3-hpd-officers-shoots-50-rounds-in-5-seconds/> [<https://perma.cc/A6HE-JLY6>].

⁵² Stephens & Hamilton, *supra* note 1.

⁵³ Sam Stanton, *Three Charged with Murder in Connection with Sacramento Mass Shooting. Here’s what We Know*, THE SACRAMENTO BEE (May 3, 2022), <https://www.sacbee.com/news/local/crime/article261026102.html> [<https://perma.cc/HQM5-64DW>].

⁵⁴ WKRG (@WKRGNews), *Modified Glock Used During New Year’s Eve Deadly Shooting in Downtown Mobile: Police*, YOUTUBE (Jan. 2, 2023), <https://www.youtube.com/watch?v=pClxv7NV7wg>.

54. Modified Glocks are ubiquitous. For example, the phrase “Glock Full Auto Switch” has been among the most popular firearm-related internet search terms in the United States in recent years.⁵⁵ There is a Wikipedia page devoted to the term “Glock Switches.”⁵⁶ Some auto sear manufacturers even print Glock logos on their switches⁵⁷—a marking that Glock has had trademarked since 1986 and the use of which it is obligated under federal law to monitor.⁵⁸ Glock knows that auto sears with its logo are being sold, yet the City is not aware of any cases brought by Glock against auto sear manufacturers.



55. Glock designed its civilian-purchased pistols to be easily modified, making them a favorite of criminals seeking to modify their firearms to fire fully automatically and teenagers who view the fully automatic Glock as a status symbol. Despite the prevalence of this practice and Glock’s role in it, Glock has made the business decision to not take meaningful action to prevent, discourage, or limit the use of its guns in this illegal way in the pursuit of profits.

⁵⁵ BUREAU OF ALCOHOL, TOBACCO, FIREARMS & EXPLOSIVES, NATIONAL FIREARMS COMMERCE & TRAFFICKING ASSESSMENT (NFTCA): FIREARMS IN COMMERCE – VOLUME ONE, at 37 (2022) [hereinafter FIREARMS IN COMMERCE REPORT], <https://www.atf.gov/firearms/docs/report/national-firearms-commerce-and-trafficking-assessment-firearms-commerce-volume/download> [<https://perma.cc/8SSP-FTP2>].

⁵⁶ *Glock Switch*, WIKIPEDIA, https://en.wikipedia.org/wiki/Glock_switch [<https://perma.cc/6PHP-AUK7>] (last visited July 20, 2024).

⁵⁷ Dan Zimmerman, *VIDEO: Young Teens Show Off Their Illegal GLOCK Full-Auto Switches*, THE TRUTH ABOUT GUNS (Sept. 29, 2022), <https://www.thetruthaboutguns.com/video-young-teens-show-off-their-illegal-glock-full-auto-switches/> [<https://perma.cc/T6V4-N27J>]; Peter Yankowski, *More ‘switches’ that convert weapons into machine guns turning up in CT, police say*, CT INSIDER (Sept. 12, 2022), <https://www.ctinsider.com/news/article/More-switches-that-convert-weapons-into-17435267.php#photo-22917218>.

⁵⁸ *Glock—Trademark Details*, JUSTIA TRADEMARKS, <https://trademarks.justia.com/734/83/glock-73483803.html> [<https://perma.cc/A7JJ-2T9X>] (last visited July 20, 2024).

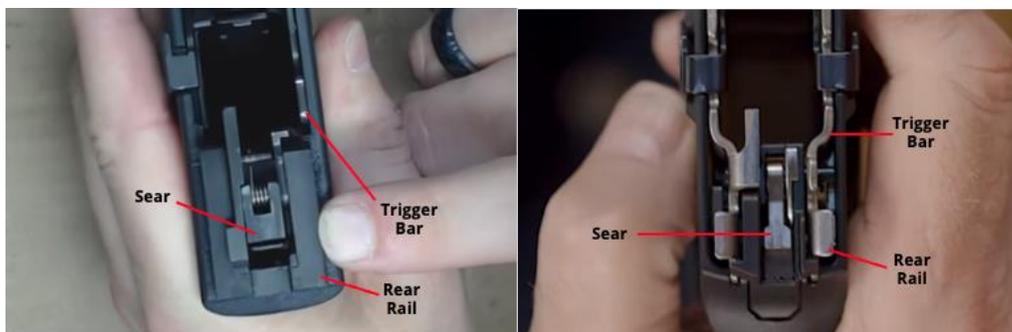
56. Glock has even been contacted by news outlets regarding whether the company plans to take action to prevent the easy convertibility of its guns to fully automatic fire.⁵⁹ Glock has either remained silent in response or sought to cast blame elsewhere. Recently, Glock even claimed that “the design of the pistol cannot be altered” to make it harder to modify to a machine gun.⁶⁰

57. This, however, is false. The design of Glock pistols *can* be changed, in multiple ways, including internal as well as external changes, to make it much more difficult for them to be modified into illegal fully automatic machine guns. Such changes can be made without impairing the guns’ safety or functionality or making them too expensive. For example, the current configuration of the Glock could be altered so that a user could not so easily access the sear and trigger bar, or so that any modification would defeat the trigger mechanisms and therefore stop the gun from firing. But Glock, in pursuit of profits, continues to make the unconscionable decision not to implement any such change—endangering public safety in Chicago.

58. Unlike Glocks, most other striker-fired pistols (such as those made by Smith & Wesson, Sig Sauer, Springfield Armory, or Walther Arms) contain separate “trigger bars” and “sears”—two key components—and those components are separated from the back of the pistol by a “rear rail.” This “rear rail” blocks the exact location where the “disconnecter” of an auto sear would otherwise go.

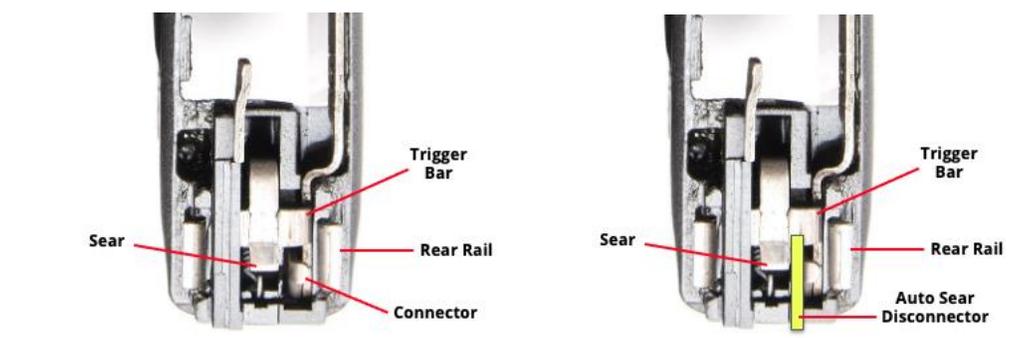
⁵⁹ See, e.g., Matt Caron, *Glock Switches Turning up More and More at Local Shooting Crime Scenes*, FOX61 (Nov 7, 2022 11:08 PM), <https://www.fox61.com/article/news/crime/glock-switches-connecticut-police-increase/520-8ce4912a-da29-4d61-9260-1f51bf8aa4b8> [https://perma.cc/287C-EUS8]; Stephens & Hamilton, *supra* note 1.

⁶⁰ Londoño & Thrush, *supra* note 22.



On the left, a Springfield XD; on the right, a Sig Sauer P320

59. However, in a Glock pistol, the trigger bar and the sear are combined as one piece, creating a relatively large surface area for an auto sear's disconnecter to target. In addition, nothing shields the large cross-shaped portion of the trigger bar from the back of the pistol, making it possible for an auto sear's disconnecter to slide between the sear and another component, the connector, to contact the trigger bar and push it downward so that the Glock can continue firing with only one pull of the trigger. This functionality of Modified Glocks is similar to the functioning of the fully automatic G18.



Images showing the back end of a Glock pistol with and without an auto sear disconnecter

B. Glock Uses Law-Breaking and Problematic Dealers Known to be Top Sources of Crime Guns in Chicago to Distribute its Pistols

60. In addition to manufacturing and selling pistols that can easily be converted into illegal machine guns, Glock sells its easily modified pistols through a significant number of retail

dealers that have a track record of violating federal gun laws and disproportionately supplying criminals with the guns they use in crimes all over Chicago.

61. Glock sells its guns to civilians through a network of gun dealers, including those that it has selected to serve as Glock-Authorized Dealers (categorized as “Glock Perfection” or “Stocking Dealers” on the company’s website).

62. Glock develops and maintains relationships with its authorized dealers and incentivizes them to join and remain in Glock’s preferred network of dealers. Under this scheme, gun stores apply to be Glock Perfection or Stocking Dealers, and complete Glock’s form “Dealer Program Agreement,” in which they and Glock, Inc. agree to various terms and conditions. In return, Glock, Inc. advertises authorized dealers on its website—through the “Dealer Locator” feature, which directs online customers to specific Glock dealers where they can purchase firearms—and the dealers are permitted to market themselves as authorized Glock dealers for sales to civilians.

63. Glock encourages participation in its preferred dealer program with free merchandise and other perks and sends its representatives to authorized dealers to ensure cross-promotion. But the true value of participation in this network is the selling power and legitimacy that it lends to retail dealers who market themselves as selling one of the most sought-after gun brands in America.

64. Glock exercises considerable power in its relationships with gun dealers across the country. The Glock Dealer Agreement, which dealers and Glock, Inc. sign to govern their business relationship, allows Glock to set requirements with which dealers must comply in exchange for the right to purchase Glock products and sell them to civilian customers.

65. Glock’s position in the industry, the scale of its business, and its explicit contractual authority give it the ability to set and enforce reasonable controls and procedures that its authorized dealers must adhere to in conjunction with selling Glock firearms. However, despite having the power to suspend business dealings with problematic dealers, Glock continues to supply guns to dealers that have violated federal firearms laws and that are top sources for crime guns into Chicago.

66. In fact, every single one of the top 10 source dealers of Chicago crime guns recovered between 2013 and 2016 were Glock-Authorized Dealers.⁶¹ In particular, Glock continues to sell and promote its guns to Chicago residents through two of the most problematic gun dealers in the Chicago area: Defendant Midwest Sporting Goods, a self-professed “Chicagoland”⁶² firearm dealer in Lyons, Illinois, and Defendant Eagle Sports Range, which “actively recruits Chicagoland customers”⁶³ in Oak Forest, Illinois. Since at least 2009, Midwest Sporting Goods has consistently ranked in the top two dealer sources of crime guns recovered in Chicago.⁶⁴ As of 2017, Midwest Sporting Goods was on the short list of the most problematic

⁶¹ See CITY OF CHICAGO – OFFICE OF THE MAYOR & CHICAGO POLICE DEPARTMENT, GUN TRACE REPORT 2017, at 5 (2017) [hereinafter 2017 GUN TRACE REPORT], <https://www.chicago.gov/content/dam/city/depts/mayor/Press%20Room/Press%20Releases/2017/October/GTR2017.pdf> [<https://perma.cc/PJ8P-4GED>] (identifying Chuck’s Gun Shop, Midwest Sporting Goods, Westforth Sports (permanently closed), Shore Galleries, GAT Guns, Suburban Sporting Goods, Pelchers Shooter Supply, Blythe’s Sport Shop (permanently closed), and Sporting Arms & Supply as the top 10 sources of crime guns in Chicago). An even earlier report from 2004 identified Glock-Authorized Dealer Chuck’s Gun Shop as the single highest source of crime guns in the nation between 1996 and 2000. See Champe Barton, *Their Guns Fueled Chicago Crime. When They Broke the Law, the ATF Went Easy.*, THE TRACE (Apr. 11, 2022), <https://www.thetrace.org/2022/04/chicago-gun-stores-atf-trace-report-inspection/> [<https://perma.cc/WRT5-CFJC>].

⁶² Midwest Guns and Range (@midwestgunsandrange), INSTAGRAM, <https://www.instagram.com/midwestgunsandrange/> (last visited July 19, 2024).

⁶³ Firearms Inspection Report by U.S. Dep’t of Just., Bureau of Alcohol, Tobacco, Firearms & Explosives, of Eagle Gun Club LLC, at 15 (Apr. 16, 2018) [hereinafter 2018 Firearms Inspection Report] (This Firearms Inspection Report can be found starting on p. 14 of the PDF available at <https://gunstoretransparency.org/sites/default/files/reports/NYC139960200000003.009.pdf> [<https://perma.cc/A8JX-M3UZ>]).

⁶⁴ CITY OF CHI. – OFFICE OF THE MAYOR & CHI. POLICE DEP’T, TRACING THE GUNS: THE IMPACT OF ILLEGAL GUNS ON VIOLENCE IN CHICAGO, at 6 (2014),

FFLs closely monitored by the ATF, the “Top 100 Initiative.”⁶⁵ And as described in more detail below, relative newcomer Eagle Sports Range has quickly joined its ranks.

67. Both stores have been publicly identified as among the most frequent sources of crime guns in the country,⁶⁶ and combined, on information and belief, they are responsible for 9% of all crime guns in Chicago that are traced to a known purchaser.⁶⁷ However, Glock has chosen not to cut off these stores’ supply of its pistols, even though it has the contractual right to audit its dealers and require information about their compliance records, because it has not wanted to sacrifice the profits they provide. Instead, Glock empowers unsafe gun dealers to enter and remain in its preferred network and to sell its easily modified firearms.

C. Eagle Sports Range Caters to Criminals and Markets Modified Glockes

68. Some Glock-Authorized Dealers, like Eagle Sports Range, take their irresponsible business practices a step further, by actually marketing Modified Glockes while selling Glockes from their inventory.

[https://www.chicago.gov/content/dam/city/depts/mayor/Press%20Room/Press%20Releases/2014/May/05.27.14CPD Report.pdf](https://www.chicago.gov/content/dam/city/depts/mayor/Press%20Room/Press%20Releases/2014/May/05.27.14CPD%20Report.pdf) [<https://perma.cc/4KG9-ACMR>]; 2017 GUN TRACE REPORT, *supra* note 61, at 4. The 2017 Gun Trace Report identified Midwest Sporting Goods as being the source of 4.5% of the City’s crime guns.

⁶⁵ The “Top 100 Initiative” is comprised of the 100 FFLs (of tens of thousands nationwide) that are deemed by the ATF to be “at risk of non-compliance or exploitation by criminal activity” and that therefore require mandatory compliance inspections on a more frequent basis. *See* U.S. DEP’T OF JUST. OFF. OF INSPECTOR GEN., AUDIT OF THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES’ RISK-BASED INSPECTION SELECTION PROCESSES AND ADMINISTRATIVE ACTIONS ISSUED TO FEDERAL FIREARMS LICENSEES, at 12 (2023), https://oig.justice.gov/sites/default/files/reports/23-062_0.pdf [<https://perma.cc/96WD-RFMB>].

⁶⁶ *See* Nick Penzenstadler, *Gun Shops That Sell the Most Guns Used in Crime Revealed in New List*, USA Today (Feb. 15, 2024, 3:15 PM), <https://www.usatoday.com/story/news/investigations/2024/02/15/shops-selling-most-crime-guns-revealed-atf/72581120007/> [<https://perma.cc/S2Q6-8634>].

⁶⁷ BUREAU OF ALCOHOL, TOBACCO, FIREARMS & EXPLOSIVES, NATIONAL FIREARMS COMMERCE & TRAFFICKING ASSESSMENT (NFTCA): CRIME GUNS – VOLUME TWO, CHICAGO, IL REPORT, at 3 (2023) [hereinafter CHICAGO, IL REPORT], <https://www.atf.gov/firearms/docs/report/chicago-il-state-report-mega-city/download> [<https://perma.cc/5Z5D-BW7R>].

69. Eagle Sports Range opened its doors in October 2016, as the one and only gun store in Oak Forest, Illinois, about 25 miles outside of Chicago.⁶⁸ Founded by Omar Ahmad, through his limited liability corporation, it took Eagle Sports Range almost no time to make a name for itself—both with federal regulators and criminals.

70. During its first firearms compliance inspection in 2018, federal agents identified twelve violations of firearms laws and regulations by Eagle Sports Range, including failure to complete and maintain the required firearm transaction forms before transferring guns. During the same inspection, the ATF identified 105 suspicious purchasers and sent 18 criminal referrals to its Chicago field division. This atrocious inspection resulted in the ATF summoning Mr. Ahmad to its field office for a “warning conference” and reminding him that future violations could end in the revocation of Eagle Sports Range’s federal firearms license.

71. The warning did little to correct the flagrantly unsafe business practices at Eagle Sports Range. By 2021, on information and belief, Eagle Sports Range was the second largest supplier of crime guns to Chicago, responsible for 4% of all the City’s crime guns that were traced to a known purchaser⁶⁹—an astounding share given that it had only been in business for five years.

72. Other examples of unsafe business practices at Eagle Sports Range include a 2019 incident in which an employee took a loaded personal firearm from his waistband and accidentally shot a 13-year-old child who was in the store with his father.⁷⁰ Police reports following the shooting reveal that according to owner Omar Ahmad, the employee was not in violation of any store policy

⁶⁸ See *Comings & Goings: Eagle Sports Range Opens in Oak Forest*, CHI. TRIB. (May 22, 2019, 12:51 AM), <https://www.chicagotribune.com/2016/10/11/comings-goings-eagle-sports-range-opens-in-oak-forest/> [https://perma.cc/U78A-EPQM].

⁶⁹ CHICAGO, IL REPORT, *supra* note 67, at 3 (identifying Oak Forest—in which Eagle Sports Range is the only FFL—as the second-highest source city for crime guns into Chicago).

⁷⁰ *Child Injured in Accidental Shooting at Oak Forest Gun Range, City Officials Say*, ABC 7 CHI. (Dec. 28, 2019), <https://abc7chicago.com/oak-forest-shooting-gun-range-child-shot-at/5795562/> [https://perma.cc/HY4K-S8R9].

when he pulled out his personal firearm. That same year, Eagle Sports Range allowed two convicted felons to fire weapons at its indoor range.⁷¹ Online reviews of Eagle Sports Range contain numerous accounts of illegal activity—including drug use—going on inside and outside the store and in the indoor range, including by employees.

73. By the time federal regulators came back to Eagle Sports Range in 2021, they had seen enough. During a compliance inspection lasting from May to October of that year, the store was cited for 15 violations of the Gun Control Act, including for some of the most serious violations an FFL can commit: knowingly transferring a firearm to a prohibited individual, failing to complete required background checks, and falsifying required records.⁷² The ATF informed Omar Ahmad of these violations on October 14, 2021, and on information and belief, would have indicated that he was likely to lose his federal firearms license. On January 18, 2022, the ATF officially notified Mr. Ahmad that it intended to revoke his license and that it was his right to request a hearing about this determination.⁷³

74. But Mr. Ahmad had other plans. Three days later, on January 21, 2022, then 25-year-old Nazeh Ahmad filed articles of incorporation for Range Plus LLC with the same registered address in Oak Forest as Omar Ahmad's Eagle Sports Range store. Nazeh Ahmad is a close relative of Omar Ahmad, and on information and belief, is his son. Between late January and May 2022, Nazeh Ahmad's corporation received a federal firearms license to do business at the same location

⁷¹ Lorraine Swanson, *Felons Accused of Illegally Firing Guns at Shooting-Range*, PATCH (Sept. 26, 2019, 10:59 AM), <https://patch.com/illinois/oakforest/felons-accused-illegally-firing-guns-shooting-range> [https://perma.cc/3ZNT-A8ED].

⁷² See Report of Firearms Compliance Inspection by U.S. Dep't of Just., Bureau of Alcohol, Tobacco, Firearms & Explosives, of Eagle Gun Club LLC, at 2 (July 7, 2022), *available at* <https://www.atf.gov/docs/undefined/eaglegunclub37fci-19424508pdf/download> [https://perma.cc/MT9Z-AQY6].

⁷³ Final Notice of Denial of Application, Revocation Suspension and/or Fine of Firearms License by U.S. Dep't of Just., Bureau of Alcohol, Tobacco, Firearms & Explosives, to Eagle Gun Club LLC, at 3 (Apr. 15, 2022) (This Final Notice can be found starting on page 43 of the PDF *available at* <https://www.atf.gov/docs/undefined/eaglegunclub37fci-19424508pdf/download> [https://perma.cc/MT9Z-AQY6]).

that Eagle Sports Range operated. Initially, Omar Ahmad requested a hearing to challenge the ATF's revocation, after which the ATF issued a Notice of Hearing. Following his son's incorporation of Range Plus LLC and while the transfer of the Eagle Sports Range business to the new license was underway, Omar Ahmad withdrew that request in early April 2022.⁷⁴ And on May 31, 2022, Omar Ahmad transferred Eagle Sports Range's firearms inventory to his son's new company.⁷⁵ By June 2022, Nazeh Ahmad's corporation appeared in the ATF's database as operating Eagle Sports Range. Eagle Gun Club LLC's license was officially revoked in July 2022.⁷⁶

75. On information and belief, when Nazeh Ahmad submitted the FFL application to the ATF for Range Plus LLC and/or 5900 LLC, he did not disclose that Omar Ahmad would continue to be involved in the business. On information and belief, the transactions by Eagle Sports Range were conducted with the intent to defraud the ATF. Once an FFL is found by the ATF to have willfully violated the Gun Control Act, the person who is in charge of that FFL, known as the "Responsible Person," is not permitted to run another gun store. *See* 27 C.F.R. § 478.47(b)(3). Thus, once Eagle Gun Club LLC lost its license, Omar Ahmad was no longer permitted to be involved in the management of any FFL. However, by transferring the business to his son, he was able to continue running Eagle Sports Range in all but name. This is a well-known and commonly used tactic by law-breaking gun stores to evade the consequences of license revocation.

76. Nazeh Ahmad's failure to identify that Omar Ahmad would continue to be involved in the business was a willful failure to disclose material information on his FFL application in violation of the Gun Control Act. 18 U.S.C. § 924(a)(1)(A). For this reason, he was not eligible to

⁷⁴ *Id.*

⁷⁵ Report of Firearms Compliance Inspection, *supra* note 72, at 1.

⁷⁶ *Id.*

receive an FFL. *See* 18 U.S.C. § 923(d)(1)(D). Thus, Range Plus LLC and 5900 LLC continued Eagle Gun Club LLC’s business by means of a fraud.

77. A few months later, on September 13, 2022, Nazeh Ahmad filed articles of incorporation for 5900 LLC, with Eagle Sports Range’s Oak Forest address listed as the principal place of business. Over the following year, 5900 LLC took over the assumed name of Eagle Sports Range and received FFLs from the ATF to continue its gun business at the same location.

78. Eagle Sports Range did not miss a beat during this transition. To the outside world, it was still the same company. It continued using the same social media accounts, the same telephone number, the same website, the same review accounts on Yelp and Google—none of which gave any indication of an ownership change. The store retained at least 11 of the same employees, including members of management, such as manager Ali Abdallah, who had been with the store since its opening (and presumably played a significant role in the store’s unsafe business practices), and Nazeh Ahmad, who, on information and belief, was a manager prior to January 2022 and also operated as an owner of Eagle Sports Range prior to January 2022. And, on information and belief, the land in Oak Forest on which Eagle Sports Range is located is owned by Eagle Gun Club LLC, and therefore by Omar Ahmad, to this day.

79. The store didn’t miss a beat in its sales to criminals either: Range Plus LLC made it onto the ATF’s “Demand 2 Letter” program reserved for gun stores who have sold 25 or more guns in a year that were recovered in crimes shortly thereafter.⁷⁷ And to put any doubt to rest about whether Omar Ahmad continued to consider Eagle Sports Range his own business, in an interview in September 2022, he identified himself as the operator of Eagle Sports Range.⁷⁸

⁷⁷ *See* Penzenstadler, *supra* note 66.

⁷⁸ Erik S. Hanley, *Eagle Sports Range, a New Gun Range in Cudahy, Will Open in Spring 2023, Owner Says*, MILWAUKEE J. SENTINEL (Sept. 21, 2022),

80. From its inception, marketing machine guns has been a staple of Eagle Sports Range's business plan. A 2017 press release announced the store's "Fully Automatic Shooting Experience," advertising the "special adrenaline rush" that customers could get shooting machine guns at its indoor range.⁷⁹ Machine guns feature prominently in many of Eagle Sports Range's social media marketing videos and posts. For example:



*2017 Eagle Sports Range YouTube Video*⁸⁰

<https://www.jsonline.com/story/communities/south/news/cudahy/2022/09/21/shooting-range-eagle-sports-range-cudahy-open-spring-2023/10430938002/> [https://perma.cc/NPR4-6W2P].

⁷⁹ Press Release, Eagle Sports Range, Eagle Sports Range Announces Their Fully Automatic Shooting Experience - One of the First Gun Ranges in the Midwest (Jun. 19, 2017) (available at <https://www.prnewswire.com/news-releases/eagle-sports-range-announces-their-fully-automatic-shooting-experience---one-of-the-first-gun-ranges-in-the-midwest-300475462.html> [https://perma.cc/NN9E-BPN4]).

⁸⁰ Eagle Sports Range Cudahy (@eagleyoutube2814), *Eagle Full Auto Experience*, YOUTUBE (Apr. 26, 2017), <https://www.youtube.com/watch?v=ZAUqQx6fLco>.



March 2024 Instagram video advertising full auto experience⁸¹

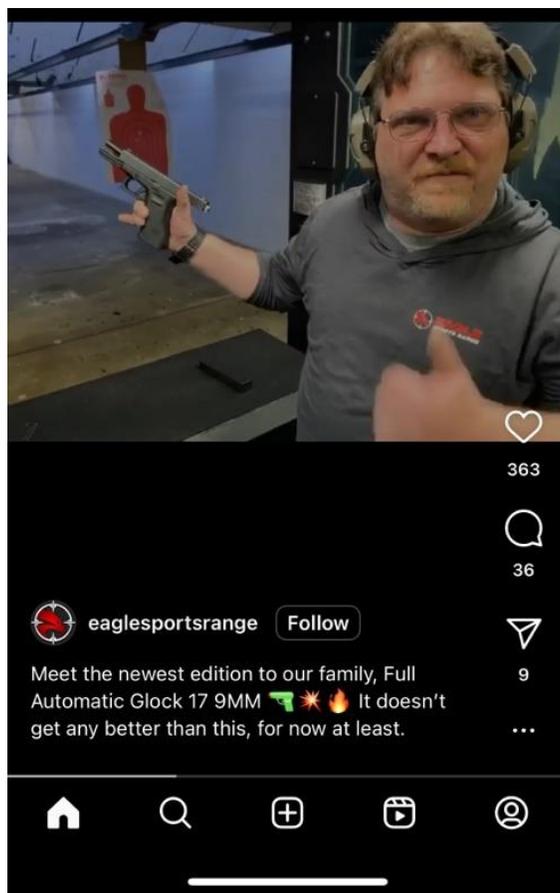
81. Although Omar Ahmad told officials that customers only hold automatic weapons “for a matter of seconds” to try out the automatic mode,⁸² multiple videos available online reveal that this is untrue.

82. As part of its “full auto experience,” Eagle Sports Range markets the use of Modified Glocks. In a video posted on its Instagram and Facebook accounts, an Eagle Sports Range employee holds a Glock 17 clearly equipped with an auto sear and says “Hello. Welcome to Eagle Sports Range. I’d like to welcome you to the newest member of the full automatic

⁸¹ Eagle Sports Range (@eaglesportsrange), INSTAGRAM (Mar. 10, 2024), <https://www.instagram.com/reel/C4WrJ5bNKH-/?igsh=cnVoc2N0NzZmMDIx>.

⁸² Erik S. Hanley, *Cudahy Is Getting a ‘High-End’ Gun Range with 40 Shooting Lanes, Classes, Firearm Rentals and Sales*, MILWAUKEE J. SENTINEL (Apr. 14, 2021), <https://www.jsonline.com/story/communities/south/news/cudahy/2021/04/14/cudahy-may-getting-high-end-gun-range/7217474002/> [<https://perma.cc/5EH8-5AF8>].

experience—the Glock 17 full automatic.”⁸³ The employee then proceeds to demonstrate how the Modified Glock shoots.



*May 16, 2020 Instagram Post*⁸⁴

83. The above video has been viewed over 3,500 times on Instagram and Facebook and has been shared many times as well. One Chicago-based viewer commented: “I’m on my way 🚗👉.” Other comments in response to the videos include: “I gotta find me one,” “Again, again, again,” “Are they for sale,” “I thought it was illegal @eaglesportsrange?,” “Maybe I’ll try that out

⁸³ See Eagle Sports Range (@eaglesportsrange), INSTAGRAM (May 16, 2020), <https://www.instagram.com/p/CAQ1ZM0HDzP/>. As one commenter explained, “it’s call[ed] a switch.” And another observed, “he got the glitch.”

⁸⁴ This Instagram post still appears on Eagle Sports Range’s social media accounts as of the date of filing. It appears alongside other posts for the guns it sells and the range experience it offers.

this weekend,” “I’m in [I]ove,” “woooooooooow,” and “#dope #howmuch.” Another social media post from 2019, which remains on the store’s social media account to this day, markets its “Full Automatic Shooting Experience” and uses the hashtag #giggleswitch, a well-known term used to describe Glock switches.⁸⁵ Nowhere on the social media posts, or on Eagle Sports Range’s website, is there any indication that it is illegal for civilians to modify their Glocks with an auto sear.

84. Upon information and belief, Eagle Sports Range made the Modified Glock a part of its “full auto experience” so that customers would purchase Glocks from its inventory. While customers cannot buy a functioning fully automatic weapon from Eagle Sports Range, they *can* “demo” a Glock with an auto sear attached at Eagle Sports Range, purchase a semi-automatic Glock, and easily and illegally modify it with an auto sear. And through its social media and range operations, Eagle Sports Range has shown customers how powerfully a Glock functions with an auto sear attached. This is particularly troubling, given Eagle Sports Range’s history of catering to criminals, especially since it knows or reasonably should know that Modified Glocks are frequently used in crimes in Chicago.

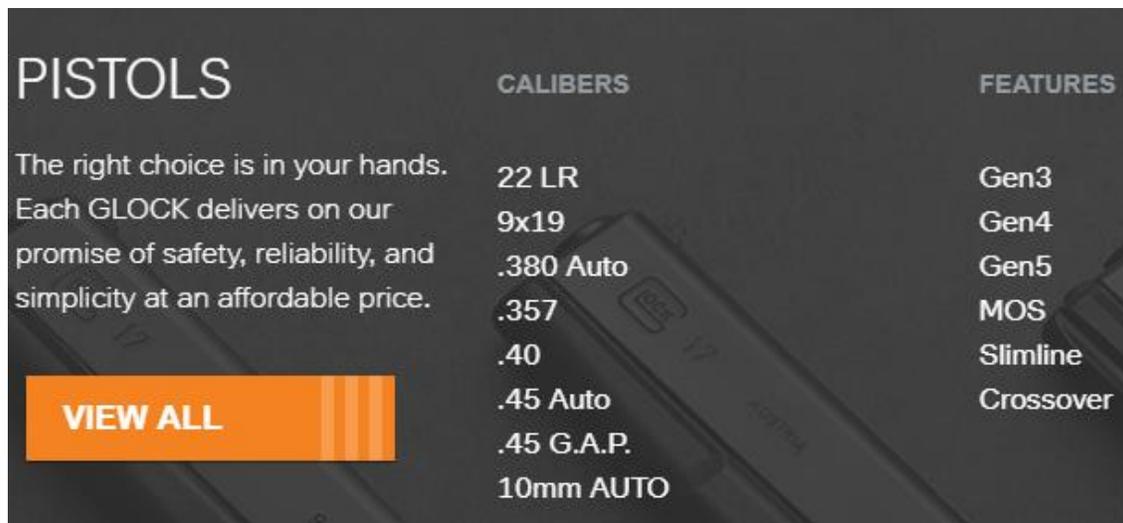
D. Defendants Deceptively Market Glock Pistols to Chicago Consumers

85. At all times, Glock has engaged in online and print marketing of Glock pistols to Chicago consumers.

86. At all times, Glock has engaged in the sale of Glock pistols to Chicago consumers, including through its website, and through its authorized retailers, including, but not limited to, Defendants Midwest Sporting Goods and Eagle Sports Range.

⁸⁵ Eagle Sports Range (@eaglesportsrange), INSTAGRAM (Sept. 27, 2019), <https://www.instagram.com/p/B27UvvhnZxg/>.

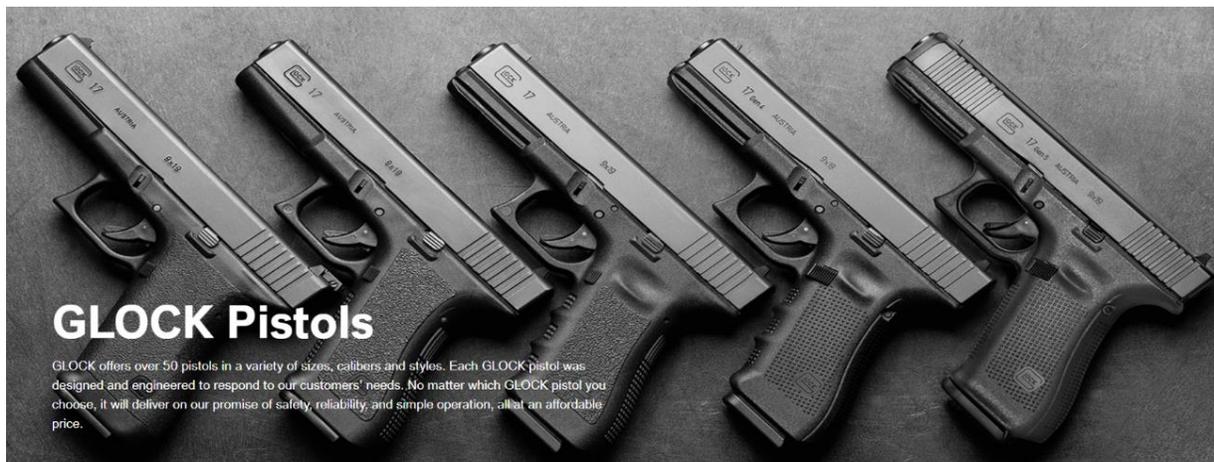
87. At all times, Glock consistently and extensively misrepresented the safety of Glock pistols in its marketing to Chicago consumers. For example, Glock states in its marketing materials (shown below): “PISTOLS The right choice is in your hands. Each GLOCK delivers on our promise of safety, reliability, and simplicity”



88. Glock’s marketing materials further represent (shown below): “FIND A DEALER GLOCK safety, reliability, and simple operation, all at an affordable price.”

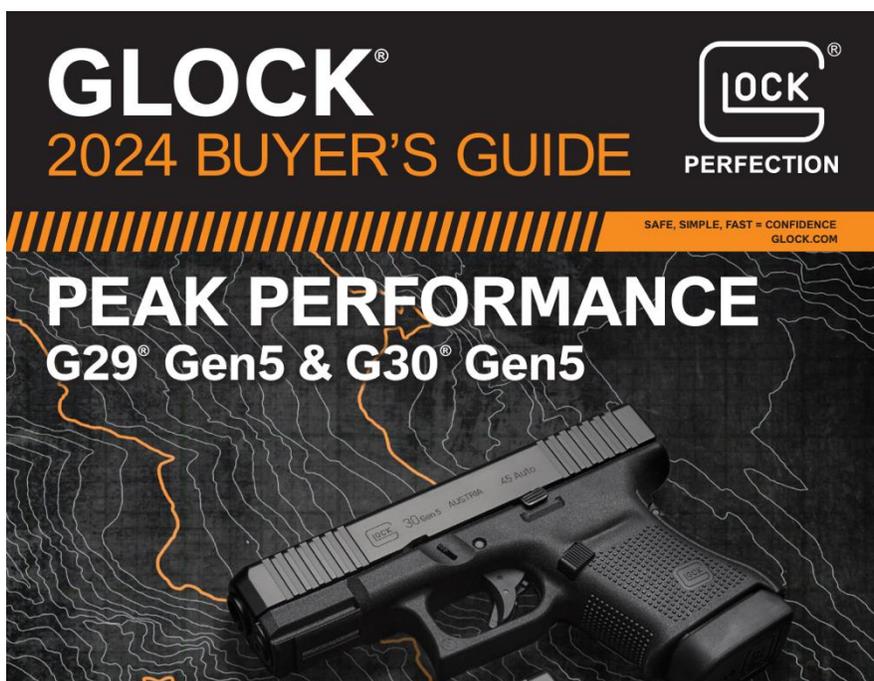


89. Glock’s marketing materials further represent: “GLOCK Pistols ... No matter which GLOCK pistol you choose, it will deliver on our promise of safety, reliability, and simple operation.”



90. On social media, Glock states: “Safety is always first priority, on and off the range.” Glock also states: “GLOCK has been on the forefront of gun safety since its founding.”

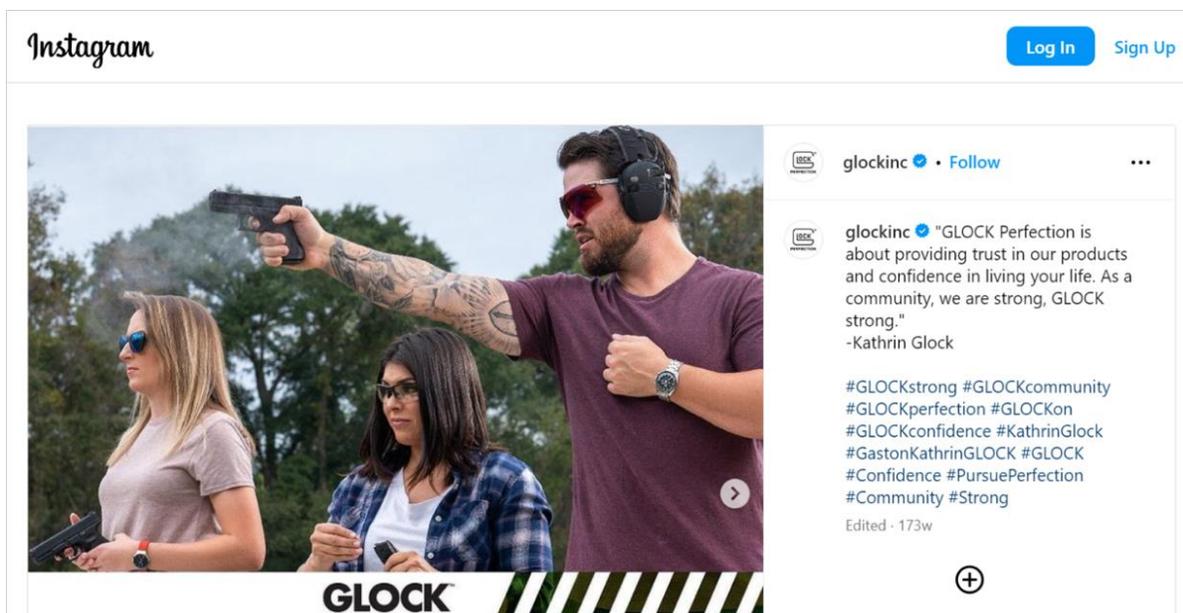
91. Glock’s Annual 2024 Report and 2024 Buyer’s Guide (shown below) represent on their front pages: “SAFE, SIMPLE, FAST = CONFIDENCE.”



92. Specifically, Glock misleadingly touts the design and manufacture of its Glock pistols as safe: “GLOCK is a renowned global manufacturer of firearms, celebrated for its reliable and safe design of polymer-based pistols.” Glock likewise represents: “The simple, safe design of GLOCK’s polymer-based pistols revolutionized the firearms industry and made GLOCK pistols a favorite of military and law enforcement agencies worldwide and among pistol owners.” Glock represents: “GLOCK pistols were engineered to be safe” Even though there are reasonable steps it can take to do so, Glock has failed to alter the design of Glock pistols to make it more difficult to attach auto sears and fire automatically.

93. Glock promoted the “safe design” of Glock pistols in its 2017 press release announcing the Gen5 pistol, to which an auto sear can still be easily affixed.

94. Glock’s representations that Glock pistols are safe are false and misleading. Glock pistols are designed in a way that makes them easy to convert to illegal machine guns with military-grade firepower. Glock pistols are frequently stolen and diverted into criminal channels due in part to how easily they can be modified, are the firearm most favored by criminals, and have increased gun violence in Chicago’s communities. In social media marketing (shown below), Glock likewise deceptively states that Glock “is about providing trust in our products” even though Glock pistols can be easily converted into illegal machine guns and Glock has refused to make the guns meaningfully safer.



95. Glock also deceptively represents that Glock pistols are “the standard by which all others are compared” because of how safe they are, when most other manufacturers’ pistols cannot be converted to machine guns without complex engineering and skill well beyond the capability of most civilians.

96. Glock also deceptively promotes the company as “making communities a safer place” when Glock and Glock pistols are doing exactly the opposite. Glock deceptively promotes the company as supporting efforts to “reduce the levels of violence in our society” and actively working “year-round” to “promote firearm safety” and “raise public awareness about reducing firearm incidents.” On social media (shown below), Glock falsely states: “Working to make communities feel safe, one step at a time” and “helping to keep guns out of the wrong hands.” By selling Glock pistols that are easily converted to machine guns to Chicago consumers and their communities, Glock makes Chicago communities far more dangerous by contributing to the increased diversion of guns into criminal channels, gun violence, killing and injuring of more people, and terror felt by Chicagoans. Glock promotes itself as a good corporate citizen to sell more guns but is instead endangering the public safety in Chicago communities.



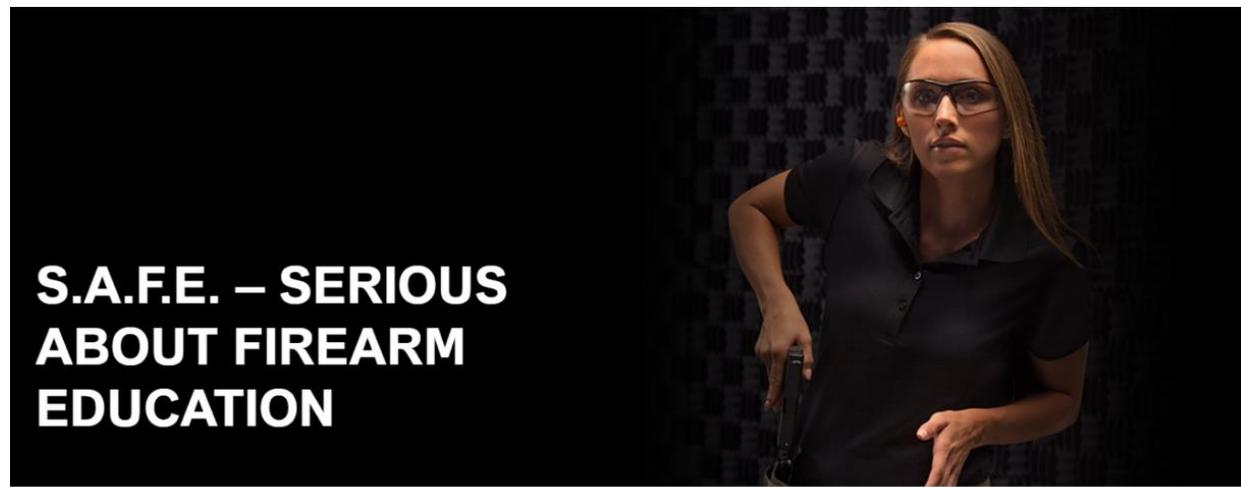
97. Further, far from making communities safer, Glock markets and sells its guns to Chicago consumers through licensed dealers, including Defendants Midwest Sporting Goods and Eagle Sports Range, which Glock knows or should know are a significant source of Chicago's crime guns. Eagle Sports Range, as described, publicly advertises Modified Glocks to Chicagoans.

98. Far from making communities safer, Glock continues to actively promote the fully automatic Glock pistol. An internet search for "Glock fully automatic" (and variations) or "Glock Full Auto Switch," which has been among the most popular firearm-related internet search terms in the United States in recent years,⁸⁶ yields as one of the top search results a link to Glock's EU website, which markets the "[f]ully automatic 9mm firepower" G18. U.S. consumers searching for

⁸⁶ See FIREARMS IN COMMERCE REPORT, *supra* note 55, at 37.

how to get a fully automatic Glock will be directed to Glock’s EU website, where Glock touts its capacity to fire “**20 rounds per second**”⁸⁷ (or 1,200 rounds per minute) and explains that it is the original Glock pistol with a simple modification of a “fire selector” “switch.” In marketing the fully automatic capabilities of the G18, Glock fails to disclose that fully automatic Glock pistols are highly dangerous and illegal machine guns, and that Glocks should never be modified to be fully automatic like their advertised product.

99. Contrary to its self-serving marketing claim (shown below) that “we’re very serious in our commitment to gun safety,” Glock has refused to change the design of Glock pistols to make it more difficult to attach auto sears. Glock’s “10 rules for safe and responsible use of GLOCK products” contain the glaring omission that Glock pistols are uniquely dangerous because they are easily converted into fully automatic weapons and, in part for this reason, highly sought by criminals.⁸⁸



S.A.F.E. – SERIOUS ABOUT FIREARM EDUCATION

S.A.F.E.

GLOCK believes gun ownership is something to be taken seriously. So we’re very serious in our commitment to gun safety, starting with the 10 rules for safe and responsible use of GLOCK products. This includes how to properly use, maintain, store, and handle your pistol.

⁸⁷ G18, GLOCK, <https://eu.glock.com/en/products/pistols/g18> [<https://perma.cc/X8H5-WBWX>] (last visited July 20, 2024) (emphasis in original).

⁸⁸ See *S.A.F.E. - Serious About Firearm Education*, GLOCK, <https://us.glock.com/en/LEARN/Firearms-Education/SAFE> [<https://perma.cc/7WJV-WUZX>] (last visited July 20, 2024).

100. Glock has ignored the ATF's warning about the dangers of Glock pistols and misrepresented to the ATF and the public that there is no alternative design that could make it more difficult to convert Glock pistols to machine guns. As explained, there are multiple ways in which the design of the Glock pistols can be changed to make it much more difficult to make the guns fully automatic with an auto sear.

101. At all times, Glock failed to disclose that Glock pistols are dangerous because they can be easily converted to machine guns in its marketing and sale of Glock pistols to Chicago consumers and are highly sought by criminals and frequently the subject of theft and diversion into criminal channels. Glock also continues to sell and market its easily modified pistols without any warnings or disclosures pertaining to the legal prohibitions on the possession of machine guns and stays silent about auto sears in its instructions and marketing materials.

102. Defendant Midwest Sporting Goods misrepresented the safety of Glock pistols in its marketing to Chicago consumers. For example, Midwest Sporting Goods deceptively advertises Glock pistols as "a safe ... handgun" and "[r]enowned for safe and simple operation." Midwest Sporting Goods failed to disclose that Glock pistols are dangerous because they can be easily converted to machine guns in its marketing and sale of Glock pistols to Chicago consumers. Midwest Sporting Goods also continues to sell and market Glock's easily modified pistols without any warnings or disclosures pertaining to the legal prohibitions on the possession of machine guns and stays silent about auto sears in its instructions and marketing materials.

103. At all times, Defendant Eagle Sports Range marketed a Modified Glock pistol as part of its "full auto experience," while failing to disclose that it is highly dangerous and illegal for consumers to modify Glock pistols into fully automatic guns.

E. Defendants' Manufacture, Sale, and/or Marketing of Easily Modified Glock Pistols Endangers Public Safety in Chicago

104. The ease with which Glocks can be modified has had a detrimental impact on public safety in Chicago. As previously mentioned, CPD recovered over 1,300 Modified Glocks from 2021 through May 2024. Because the CPD statistics reported above reflect only CPD *recoveries* of Glocks affixed with auto sears, they significantly undercount the number of such Glocks that are currently in circulation in Chicago. Many Modified Glocks believed to have been used in crimes have not been recovered.

105. The incidents of Modified Glocks being used throughout Chicago are too numerous to describe in detail, but even a small sample illustrates the enormity of the problem. Defendants' conduct in selling, manufacturing, and/or marketing easily modified Glock pistols puts the safety of Chicago residents and their communities in grave danger. For example:

106. Modified Glocks have been used to cause chaos on Chicago's streets:

- a. In January 2021, the police found a 17-year-old boy lying on the ground in the Belmont Central neighborhood, surrounded by spent shell casings, struggling to breathe. His body was riddled with 12 bullet wounds. He was identified by the high school ID in his wallet and was pronounced dead 30 minutes later. A Modified Glock was recovered in connection with the shooting.
- b. In February 2022, a shoot-out on South Dearborn Street in Bronzeville left one man dead and another seriously injured with three gunshot wounds. A total of 36 shell casings were found in and around the car of the injured victim. Three individuals aged 20, 18, and 12 were taken into custody. Two Modified Glocks were recovered in connection with the shooting.
- c. In May 2022, the police responded to a shooting in Chicago's Near North Side. As the police arrived, an individual fired multiple rounds into a crowd and fled down the stairs into a subway station. Two individuals were killed and at least six others were injured—one person sustaining nine gunshot wounds. A Modified Glock was recovered in connection with the shooting.
- d. In July 2022, an exchange of at least 20 rounds between a group of people outside Persona Lounge in the Loop left two men dead and three others injured. A Modified Glock was recovered in connection with the shooting.

- e. Shortly before midnight on August 20, 2022, a group of individuals got into an altercation in an alley in Auburn Gresham, when one person opened fire and another returned fire. At least one man was killed and at least two others were seriously injured. A Modified Glock was recovered at the scene.
 - f. On the morning of April 7, 2023, police responded to a shooting in Humboldt Park. When they arrived, they saw a large crowd of people and three shooting victims—one of whom was pronounced dead shortly thereafter. A Modified Glock was recovered in connection with the shooting.
 - g. Over Memorial Day weekend in 2023, three men were walking outside of Stella's Diner in Lakeview when they were suddenly shot and injured. A Modified Glock was recovered in connection with the shooting.
 - h. On January 8, 2024, a CPD officer was shot in the leg and a suspect was shot and wounded during an exchange of gunfire on the street near a Prada store where a group of assailants attempted a burglary. A Glock with a switch was recovered in connection with the incident. The shooter had an outstanding arrest warrant from 2020.
107. Modified Glocks have been used in carjackings:
- a. In November 2020, an 18-year-old used a Modified Glock during his attempts to carjack two separate cars in Chicago's Austin neighborhood. The teenager unsuccessfully attempted to carjack an occupied vehicle, firing 14 rounds at that car as the driver sped away to avoid the theft. The teenager then brandished the Modified Glock when ordering others out of a different parked vehicle that he ultimately stole.
 - b. In May 2021, a 22-year-old convicted felon fired a Modified Glock in an attempted carjacking in Garfield Park. After the driver of the vehicle escaped, the shooter then brandished the weapon while successfully carjacking a different car that was involved in a multi-vehicle crash shortly thereafter.
 - c. On Christmas Eve 2021, an 18-year-old used a Modified Glock to carjack a 69-year-old man at gunpoint in Beverly. The 18-year-old then attempted to flee in his original car while a co-conspirator drove away in the carjacked vehicle. The 18-year-old suspect ultimately crashed his original vehicle and boarded a CTA bus, followed by a CPD officer. While on the bus, a Modified Glock fell from the suspect's waistband.
108. Modified Glocks have been used in drive-by homicides and assaults:
- a. In April 2021, a 19-year-old was going to Walmart in Little Village when he was attacked and killed in a drive-by shooting by four men. A Modified Glock was recovered in connection with the shooting.

- b. On October 29, 2022, a gun fight erupted outside the Wentworth Gardens CHA complex. Based on video evidence, an 18-year-old is believed to have fired at the car that initiated the shooting, killing a 17-year-old inside. A “very bloody” Modified Glock was recovered in connection with the shooting.
 - c. In another drive-by shooting, a 29-year-old man was walking down 86th Street in Auburn Gresham shortly before 1:00 p.m. on April 12, 2023, when a grey Tesla approached. He was shot three times and ran toward a nearby friend who transported him to a hospital. He was pronounced dead shortly thereafter. Police found 11 shell casings at the scene, and three Modified Glocks were recovered in connection with the shooting the next day.
 - d. On May 11, 2023, two individuals inside a stolen Mercedes-Benz fired upon a group of individuals hanging out in Greater Grand Crossing on the South Side. A 28-year-old man was shot in the temple and transported to the hospital in critical condition. He later died. The perpetrators fled the scene but were apprehended after they crashed their vehicle. Two Modified Glocks were recovered in connection with the shooting.
 - e. In June 2023, a driver was critically hurt after crashing his car into a tree in West Garfield Park after he was set upon by another car that was shooting at him. He was shot a total of seven times: twice in the head, once in the shoulder, once in the finger, once in the left knee, once in the shin, and once in the right calf. A Modified Glock was recovered in connection with the shooting.
 - f. On October 7, 2023, a 24-year-old man and 28-year-old woman were shot in front of the CPD station on South Cottage Grove Avenue. The two were part of a larger group conversing in front of the station and heard a loud *pop* before seeing others disperse. A Modified Glock was recovered in connection with the shooting.
 - g. In March 2024, in the Garfield Park neighborhood, a 20-year-old man crashed his vehicle after being shot in the head and calf. He later died from his injuries. A nearby 18-year-old suspect in the shooting also suffered a gunshot wound to his abdomen. Three handguns, including a Modified Glock, were recovered in connection with the shootings, as were 22 shell casings.
109. Modified Glocks have been found in the possession of extremely dangerous and

irresponsible individuals:

- a. In July 2021, in the Bronzeville neighborhood, an 18-year-old attacked his girlfriend by hitting her in the face multiple times. When police arrived, they located a Modified Glock 19 9mm pistol with an extended magazine under his mattress.
- b. In July 2021, a security guard stepped outside the Bobby E. Wright Housing Complex in East Garfield Park for a cigarette break. The security guard was set

upon by an individual who pulled a pistol from his waistband and fired. The guard was found on the first-floor stairwell with five gunshot wounds and no pulse. A Modified Glock was recovered that day in connection with the shooting.

- c. In April 2022, a man who had an outstanding warrant held his girlfriend hostage for three hours in their apartment in the Parkway Garden Homes. When police arrived, they found a loaded Modified Glock with an attached laser pointer and high-capacity magazine in his bag.
- d. In March 2022, a 12-year-old was heading home from her birthday party in West Englewood, when she was shot and killed. Nine months later, when two men were arrested for her shooting, one of the suspects had a Modified Glock in his possession.
- e. On December 16, 2022, as students were being let out of Benito Juárez Community Academy and adjacent schools, a 16-year-old went to the school and killed a 15-year-old and a 14-year-old; two other teenagers were also wounded. The shooter escaped at the time and was ultimately caught on February 9, 2023. A search of his bedroom found four guns, each equipped with extended magazines, and three of which were Glocks that had been converted to fully automatic.
- f. In May 2023, 24-year-old CPD Officer Aréanah Preston was returning home from work when she was set upon by three teenagers in the midst of a robbery spree. One of the offenders shot her multiple times. The first responding officer on the scene drove Officer Preston to the hospital in his own car, where she was pronounced deceased. Before encountering Officer Preston, the armed teenagers had stolen a car and robbed at least four other people. The following day, a Gen5 Modified Glock was recovered in connection with the arrest of one of the offenders.
- g. On August 31, 2023, CPD responded to a report of around 20 shots fired near East 71st Street and South Vernon. The shooter fired at the responding CPD officers before fleeing the scene. When the shooter was ultimately detained at an apartment, CPD treated him for a gunshot wound in his left leg. Four firearms—including two Modified Glocks—were recovered at the apartment where he was taken into custody.
- h. On October 20, 2023, a 26-year-old attempted to board a flight leaving O'Hare International Airport with 40 grams of marijuana and a Modified Glock. He was taken into custody after Transportation Security Administration agents observed the Modified Glock during the pre-flight security screening.
- i. On January 8, 2024, a 30-year-old man with a criminal history was pulled over for a traffic stop on Congress Parkway after he was seen waving a Glock pistol inside his vehicle. During the stop, he disobeyed officers' instructions and put his vehicle into reverse, striking a CPD officer with the door of his vehicle. The suspect fled on foot and was apprehended. A Glock 17 with a laser, switch, and 33-round extended magazine was recovered from the suspect.

- j. In April 2024, a 22-year-old, with outstanding arrest warrants, was accused of beating his girlfriend and was arrested after he reportedly assaulted her and threatened her with a gun. A Modified Glock with an extended magazine and a bulletproof vest were recovered at the scene.

110. Defendants' manufacture, sale, and/or marketing of easily modified Glock pistols into the City increases the risk to Chicago residents and communities. This past August, the Special Agent in Charge of the ATF's Chicago Field Division spoke about this trend: "Four years ago this was not an issue for law enforcement. Early on in my career, rarely, if ever, did you see machine guns being used in violent crimes, and now it's everywhere on our streets. They're being used in shootings. The shootings are becoming reality, more victims, they're becoming deadlier because you're able to get off, in some cases, 30 rounds in a matter of seconds."⁸⁹

111. Glock's unreasonable and unlawful practices of selling and marketing pistols that can be easily modified to machine guns endanger safety on Chicago's streets, public transportation, public spaces, public schools, and public housing. By refusing to take reasonable steps to reduce the susceptibility of its pistols to easy and illegal conversion, in order to sell more guns, Glock is profiting by making the City less safe.

112. By manufacturing, selling, and/or marketing pistols that can be turned into fully automatic weapons with a simple modification, Defendants have knowingly engaged in conduct that is unreasonable and unlawful, endangering the safety and health of the public in Chicago.

⁸⁹ Chuck Goudie, Barb Markoff & Christine Tressel, *Illegal Automatic Weapons Flood Chicago Streets Due to Easily Obtained Conversion Kits*, ABC7 CHI. (Aug. 17, 2023), <https://abc7chicago.com/chicago-guns-semi-automatic-weapon-machine-gun-conversion-kit/13665257/> [<https://perma.cc/LW66-QPTL>].

COUNT I – AGAINST GLOCK, INC., GLOCK Ges.m.b.H, 5900 LLC, AND MIDWEST SPORTING GOODS

Violation of MCC § 2-25-090

Unreasonable sale, manufacturing, and/or marketing of firearms

113. Chicago incorporates all preceding allegations as if they were set forth herein.

114. MCC § 2-25-090(a) makes it unlawful for a business to “engage in any act of consumer fraud, unfair method of competition, or unfair or deceptive act or practice while conducting any trade or business in the city.”

115. Any conduct constituting an unlawful act or practice under the Illinois Consumer Fraud and Deceptive Business Practices Act (ICFA) shall be a violation of MCC § 2-25-090(a).

116. On August 14, 2023, the ICFA was amended pursuant to the Firearms Industry Responsibility Act. As of this date, it is unlawful for “any firearm industry member, through the sale, manufacturing, importing or marketing of a firearm-related product” to “[k]nowingly create, maintain, or contribute to a condition in Illinois that endangers the safety or health of the public by conduct either unlawful in itself or unreasonable under all circumstances.” 815 ILCS 505/2BBBB(b)(1).

117. It is also unlawful under the ICFA for a “firearm industry member” to “fail[] to establish or utilize reasonable controls.” *Id.* “Reasonable controls include reasonable procedures, safeguards, and business practices that are designed to ... not ... promote the unlawful manufacture, sale, possession, marketing, or use of a firearm-related product.” *Id.*

118. A “firearm industry member” is “a person, firm, corporation, company, partnership, society, joint stock company or any other entity or association engaged in the design, manufacture, distribution, importation, marketing, wholesale, or retail sale of firearm-related products, including sales by mail, telephone, or Internet or in-person sales.” *Id.* § 2BBBB(a).

119. A “firearm-related product” includes a firearm that is “sold, made, or distributed in Illinois;” “intended to be sold or distributed in Illinois; or” “was possessed in Illinois, and it was reasonably foreseeable that the [firearm] would be possessed in Illinois.” *Id.*

120. Glock, Inc. and Glock Ges.m.b.H. are each a “firearm industry member” that manufactures, imports, markets, and sells “firearm-related products” within the meaning of the ICFA. At all times relevant to this Complaint, Glock has manufactured, sold, and marketed, and continues to manufacture, sell, and market, its pistols to Chicago residents. In fact, according to its website, Glock, Inc. has relationships with more than 100 dealers located in Illinois.

121. Glock, Inc. and Glock Ges.m.b.H work hand-in-hand to design, manufacture, promote, distribute and sell Glock pistols throughout the United States, and into Illinois. According to public reporting, Glock Ges.m.b.H play a significant role in every aspect of the production of Glocks in the United States, while also using Glock, Inc. to distribute its easily modified pistols.

122. Glock sells thousands of Glock pistols to Chicago residents. Chicago residents can and do enter their addresses—or simply “Chicago”—on Glock’s website to be directed to a nearby federally licensed Glock-authorized gun store just outside of city limits, such as Defendants Eagle Sports Range or Midwest Sporting Goods, where they can purchase Glock pistols. In addition, Glock pistols can be purchased directly by Chicago residents via a “Buy Now” link on Glock’s website and then picked up at a brick-and-mortar location, including at Defendant Eagle Sports Range or Defendant Midwest Sporting Goods.

123. Glock also engages in trade and commerce in Chicago by advertising Glock pistols to Chicago consumers. In addition, Glock contracts with Glock-Authorized dealers in the Chicago area, including Defendants Eagle Sports Range and Midwest Sporting Goods, who actively market Glocks to Chicago residents.

124. At all times relevant to the Complaint, Glock's conduct in selling, manufacturing, and marketing easily modified Glock pistols is unreasonable under all the circumstances. Glock knows that Glock pistols can be easily modified to illegal machine guns with auto sears. Glock knows that Modified Glocks can fire automatically up to 1,200 rounds per minute. Glock is well aware of the proliferation of, and death and destruction caused by, Modified Glocks in the United States, including in Illinois and Chicago. So great is the danger posed by easily modified Glock pistols that the ATF warned Glock about its pistols and asked Glock to alter its design to make them more difficult to modify. Glock knows that there are reasonable steps it could take to alter Glock pistols to make it more difficult for them to accept auto sears and to be converted into illegal fully automatic weapons. Yet, Glock continues to market and sell its easily converted Glock pistols to non-law-enforcement Chicagoans. This conduct is unreasonable under all the circumstances.

125. It is also unreasonable under all the circumstances for Glock to sell and market its easily modified pistols through dealers like Defendants Eagle Sports Range and Midwest Sporting Goods who have a history of violations of firearms laws and regulations, particularly since Glock's contractual relationship with these stores gives it the power to audit them and cut them off from Glock's inventory. Defendant Midwest Sporting Goods is a Glock-Authorized Dealer who, for years, has been identified as a top source of crime guns in Chicago—yet Glock has continued to supply it with weapons. And Eagle Sports Range has even had its license revoked, yet Glock continues to promote it as a preferred Glock dealer.

126. Further, Glock has knowingly failed to establish and utilize reasonable controls, procedures, safeguards, and business practices to ensure that it does not promote the unlawful possession and use of illegal machine guns. It does so by:

- continuing to manufacture, sell, and market its easily modified pistols, including in the face of the proliferation of Modified Glocks;
- continuing to sell and market its easily modified pistols, including in the face of the proliferation of Modified Glocks, through authorized dealers who it knows, or has reason to believe, have a history of violating gun laws, market Modified Glocks, and/or are top sources for crime guns in Chicago, and failing to adequately oversee its dealers;
- failing to alter the design of its pistols to make it more difficult to attach an auto sear, despite receiving warnings from the ATF;
- marketing the fully automatic capabilities of the G18 full-auto model—which has a built-in selector switch and otherwise features the same characteristics as Glock’s semiautomatic models—in the face of the proliferation of Modified Glocks, while failing to disclose that fully automatic Glocks are highly dangerous and illegal machine guns.

Instead, Glock has continued to sell and market its pistols to civilian consumers in Chicago as if the problem did not exist.

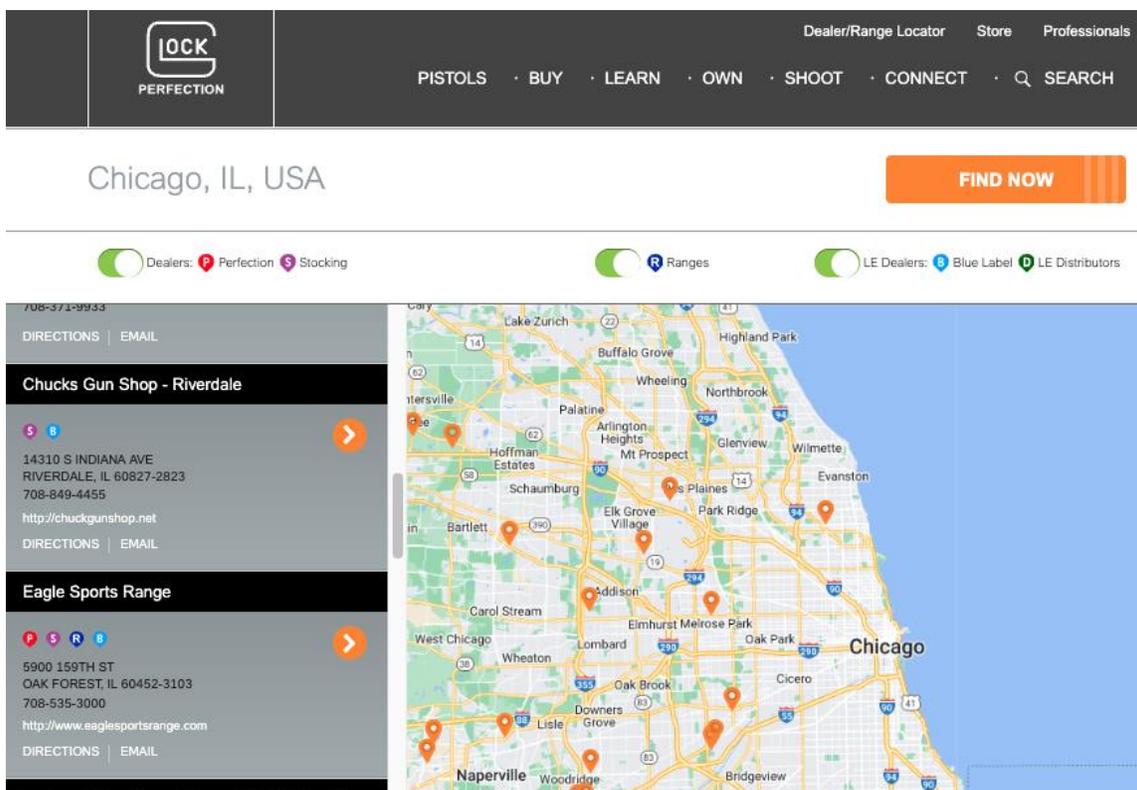
127. 5900 LLC d/b/a Eagle Sports Range is a “firearm industry member” that markets and sells “firearm-related products” within the meaning of the ICFA. At all relevant times, 5900 LLC sold and marketed to Chicago consumers Glocks, which are easily modifiable to machine guns, while simultaneously marketing Modified Glocks.

128. According to a 2018 ATF inspection, “Eagle Sports Range actively recruits Chicagoland customers via Facebook and other forms of social media. On [the store’s] website, customers can see store inventory as well as other firearms available for purchase. These firearms can be ordered from the website and either shipped to the store or drop shipped to another FFL.”⁹⁰

129. 5900 LLC d/b/a Eagle Sports Range is an authorized Glock dealer. On Glock’s website, Eagle Sports Range is identified as a “GLOCK Perfection” dealer, a “GLOCK Stocking” dealer, a “Blue Label” dealer and a trusted range for customers from Chicago. Among other things, this means that Eagle Sports Range is contractually obligated to Glock to market Glock pistols.

⁹⁰ 2018 Firearms Inspection Report, *supra* note 63, at 2.

When a customer indicates on Glock’s website that they reside in Chicago, Glock directs them to the Eagle Sports Range store.



130. On its own social media accounts, 5900 LLC regularly markets Glock pistols, including “Glocktober” promotions⁹¹ and extensive advertising of how their gunsmiths customize Glocks. One post simply says, “stop asking if we have Glocks, just come in.”⁹²

131. At all relevant times, 5900 LLC has sold and marketed Glock pistols knowing that they easily accept auto sears, while simultaneously marketing Modified Glocks through social media and on its premises. An Eagle Sports Range social media post from 2020 markets the “full auto” modified Glock 17 that is available for customers to “demo” at its range. An auto sear can

⁹¹ Eagle Sports Range (@eaglesportsrange), INSTAGRAM (Oct. 25, 2023), <https://www.instagram.com/p/CyCX3OztgMS/>.

⁹² Eagle Sports Range (@eaglesportsrange), INSTAGRAM (Aug. 22, 2020), <https://www.instagram.com/p/CEQGiqenFBi/>.

clearly be seen attached to the Glock, as an employee shows customers how it can fire automatically. The post states that this Modified Glock is part of the fully automatic experience at Eagle Sports Range.

132. This social media post remains on the store’s social media account to this day, and on information and belief, Modified Glocks remain available for use by Eagle Sports Range’s customers.

133. For a business like 5900 LLC, one of the objectives of making firearms available to “demo,” is so the customer purchases that firearm. While other fully automatic firearms in Eagle Sports Range’s inventory are not available for civilians to purchase, civilians can and do purchase Glocks from Eagle Sports Range—and 5900 LLC has shown these customers how well Glocks work with an auto sear installed. At the same time, 5900 LLC fails to provide any warnings or disclosures pertaining to the prohibitions on the possession of machine guns or disclose that Modified Glocks are highly dangerous and illegal machine guns to Chicago consumers.

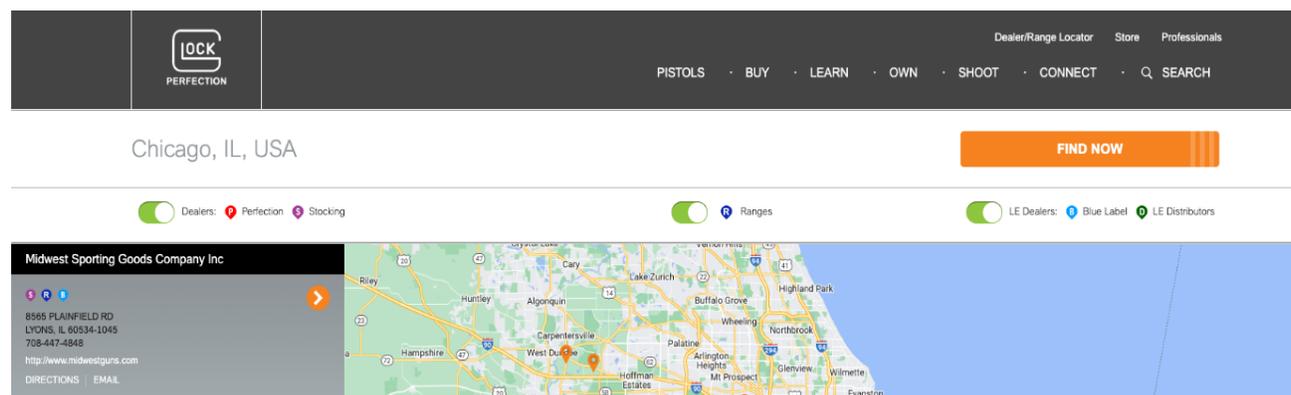
134. When combined with its history of knowingly violating gun laws and catering to criminals, including allowing convicted felons to fire guns at its range, Eagle Sports Range’s conduct—in particular its practice of marketing Modified Glocks while continuing to sell easily converted Glocks—can only be described as “unreasonable under all circumstances.” 815 ILCS 505/2BBBB(b)(1).

135. Furthermore, 5900 LLC has failed to establish and utilize reasonable controls, procedures, safeguards, and business practices to ensure that it does not promote the unlawful possession and use of illegal machine guns. It does so by marketing Modified Glocks on its social media channels and at its premises, while simultaneously selling easily modified Glock pistols to civilians.

136. Defendant Midwest Sporting Goods is a “firearm industry member” that markets and sells “firearm-related products” within the meaning of the ICFA. At all relevant times, Midwest Sporting Goods sold and marketed easily modifiable Glocks to Chicago consumers.

137. Midwest Sporting Goods is a self-described “Chicagoland” gun dealer.⁹³ Customers can go to its store or order firearms, including Glocks, from its website for pickup at the store.

138. Midwest Sporting Goods is an authorized Glock dealer and is contractually obligated to Glock to market Glock pistols. Midwest Sporting Goods has a dedicated webpage to its status as a “Glock Firearms Dealer.”⁹⁴ Midwest Sporting Goods also markets actively to Chicago customers on its social media and has hosted “Exclusive Glock New Model” launch parties and a “Gen5 Glock Reveal Party ... inspired by the Glock M Pistol used by the FBI” at its brick-and-mortar location.⁹⁵ As with Eagle Sports Range, when a customer indicates on Glock’s website that they reside in Chicago, Glock directs them to Midwest Sporting Goods.



⁹³ Midwest Guns (@midwestgunsandrange), INSTAGRAM, <https://www.instagram.com/midwestgunsandrange/?hl=en> (last visited July 17, 2024).

⁹⁴ *Glock Firearms Dealer*, MIDWEST GUNS & RANGE, [https://www.midwestguns.com/glock-firearms/\[https://perma.cc/UE3H-4GY9\]](https://www.midwestguns.com/glock-firearms/[https://perma.cc/UE3H-4GY9]) (last visited July 17, 2024).

⁹⁵ Midwest Guns (@midwestgunsandrange), INSTAGRAM (Aug. 26, 2017), <https://www.instagram.com/p/BYQ3kpjhJPu/?hl=en>.

139. At all relevant times, Defendant Midwest Sporting Goods knowingly sold and marketed to Chicago consumers easily modified Glock pistols. This conduct is unreasonable under all the circumstances. Further, by marketing and selling easily modified Glock pistols to civilians, especially given its status as a top source for crime guns into Chicago and knowledge of the proliferation of and havoc wreaked by Modified Glocks, Midwest Sporting Goods has failed to establish and utilize reasonable controls, procedures, safeguards, and business practices to ensure that it does not promote the unlawful possession and use of illegal machine guns.

140. Defendants have thereby endangered the safety and health of the Chicago public. Defendants' conduct constitutes an unlawful act under ICFA, § 2BBBB(b)(1), and, therefore, is a violation of MCC § 2-25-090(a).

141. MCC § 2-25-090(h) provides that "any person who violates Section 2-25-090 shall be subject to a fine up to \$10,000 for each offense. Each day that a violation continues or occurred, and each violation committed per day, shall constitute a separate and distinct offense to which a separate fine shall apply."

142. As described more fully above, 5900 LLC is a mere continuation and reincarnation of Range Plus LLC and Eagle Gun Club LLC. Eagle Gun Club's corporate entity has continued with an identity of ownership and management, and no break in leadership. Nazeh Ahmad's first corporation, Range Plus LLC, was equally tied to its predecessor, Eagle Gun Club LLC, and its successor, 5900 LLC, and maintained the continuity of ownership and control.

143. Based on the foregoing, the transfer of Eagle Sports Range from Eagle Gun Club LLC to Range Plus LLC and to 5900 LLC constituted a *de facto* merger.

144. Therefore, 5900 LLC should be held liable for any and all obligations or liabilities of Defendants Glock, Eagle Gun Club LLC, Range Plus LLC, and 5900 LLC.

145. WHEREFORE, Chicago respectfully requests that this Court enter an order (a) awarding judgment in Chicago's favor on its First Claim for Relief; (b) declaring that each Defendant named in this Count has violated MCC § 2-25-090; (c) enjoining each Defendant from engaging in further unlawful practices in violation of MCC § 2-25-090; (d) ordering disgorgement of profits from each Defendant obtained through its unlawful practices; (e) assessing each Defendant fines of \$10,000 for each offense under MCC § 2-25-090; (f) awarding Chicago its costs of investigation and suit, including reasonable attorneys' fees and costs, as authorized under MCC § 2-25-090; (g) awarding Chicago pre- and post-judgment interest, to the extent allowable; and (h) awarding such other, further, and different relief as this Court deems reasonable and just.

COUNT II – AGAINST ALL DEFENDANTS
Violation of MCC § 2-25-090
(Unfair Practices)

146. Chicago incorporates all preceding allegations as if they were fully set forth herein.

147. MCC § 2-25-090(a) makes it unlawful for a business to “engage in any act of consumer fraud, unfair method of competition, or unfair or deceptive act or practice while conducting any trade or business in the city.”

148. Any conduct constituting an unlawful act or practice under the ICFA shall be a violation of MCC § 2-25-090. The ICFA, in turn, makes it unlawful for a business to engage in unfair acts or practices in the conduct of any trade or commerce. 815 ILCS 505/2. And firearms companies are prohibited from engaging in such unfair acts, just like any other company. *See id.* § 2BBBB(b)(4), (c).

149. The ICFA, as amended by the Firearms Industry Responsibility Act, provides: “It is an unlawful practice within the meaning of this Act for any firearm industry members, through the sale, manufacturing, importing, or marketing of a firearm-related product, to do any of the

following: . . . (4) Otherwise engage in unfair methods of competition or unfair or deceptive acts or practices declared unlawful under Section 2 of this Act.” 815 ILCS 505/2BBBB(b)(4).

150. The term “firearm industry member” means “a person, firm, corporation, company, partnership, society, joint stock company, or any other entity or association engaged in the design, manufacture, distribution, importation, marketing, wholesale, or retail sale of firearm-related products, including sales by mail, telephone, or Internet or in-person sales.” 815 ILCS 505/2BBBB(a).

151. The term “firearm-related product” means a firearm that “is or was possessed in Illinois, and it was reasonably foreseeable that the item would be possessed in Illinois.” 815 ILCS 505/2BBBB(a).

152. Paragraph (4) of subsection (b) is “declarative of existing law and shall not be construed as new enactments.” 815 ILCS 505/2BBBB(c).

153. In construing MCC § 2-25-090, “consideration shall be given to court interpretations relating to the [ICFA]” and “of the Federal Trade Commission and the federal courts relating to Section 5(a) of the Federal Trade Commission Act, 15 U.S.C.A., Section 45.” MCC § 2-25-090(a). Illinois courts consider the following factors when identifying unfair practices that violate the ICFA or the MCC: (1) whether the practice offends public policy; (2) whether it is immoral, unethical, oppressive, or unscrupulous; and (3) whether it causes substantial injury to consumers.” *Robinson v. Toyota Motor Credit Corp.*, 201 Ill. 2d 403, 417–18 (2002). “All three criteria do not need to be satisfied to support a finding of unfairness. A practice may be unfair because of the degree to which it meets one of the criteria or because to a lesser extent it meets all three.” *Id.* at 418. The Federal Trade Commission has explained that the marketing and sale of

products that impose “unwarranted health and safety risks” can support substantial injury and a finding of unfairness.

154. Defendants’ knowing practice of manufacturing, selling, and/or marketing Glock pistols that are easily converted to illegal machine guns to Chicago non-law-enforcement consumers offends public policy; is immoral, unethical, oppressive, and unscrupulous; and causes substantial injury to consumers.

155. Glock pistols are regularly purchased by Chicago residents via Glock, Inc.’s website and nearby Illinois gun stores that serve the Chicago market.

156. At all times relevant to this Complaint, Glock engaged in unfair acts or practices in violation of MCC § 2-25-090 by marketing and selling easily modified Glock pistols to Chicago non-law-enforcement consumers, and consistently and extensively promoting their safety without disclosing that Glock pistols are easily converted to highly dangerous and illegal machine guns, are frequently diverted into criminal channels and highly sought by criminals because of their easy modification, and pose unwarranted health and safety risks to Chicago consumers and their communities. Despite being warned by the ATF, Glock has refused to alter the design of the Glock pistol to make it difficult to modify to an illegal machine gun and to thus pose less danger to Chicago consumers and their communities.

157. Midwest Sporting Goods serves Chicago consumers who regularly purchase firearms, including Glock pistols, from Midwest Sporting Goods—either directly at its storefront in Lyons, via Glock’s website through the “Buy Now” link and then picked up at Midwest Sporting Goods, or via Midwest Sporting Goods’ website and shipped to the store for pickup.

158. At all times relevant to this Complaint, Midwest Sporting Goods engaged in unfair acts or practices in violation of MCC § 2-25-090 by selling easily modified Glock pistols while

consistently and extensively promoting their safety, without disclosing that Glock pistols are easily converted to highly dangerous and illegal machine guns, are frequently diverted into criminal channels and highly sought by criminals because of their easy modification, and pose unwarranted health and safety risks to Chicago consumers and their communities.

159. Eagle Sports Range serves Chicago consumers who regularly purchase firearms, including Glock pistols, from Eagle Sports Range—either directly at their storefront in Oak Forest, via Glock’s website through the “Buy Now” link and then picked up at Eagle Sports Range, or via Eagle Sports Range’s website and either shipped to the store or another FFL for pickup.

160. At all times relevant to this Complaint, Eagle Sports Range engaged in unfair acts or practices in violation of MCC § 2-25-090 by marketing a Modified Glock as part of its “full auto experience,” while selling easily modified Glock pistols from its inventory to non-law-enforcement consumers, without disclosing that Modified Glocks are highly dangerous and illegal machine guns and endanger the safety of Chicago consumers and their communities.

161. As described more fully above, 5900 LLC is a mere continuation and reincarnation of Range Plus LLC and Eagle Gun Club LLC, and Range Plus LLC is a mere continuation and reincarnation of Eagle Gun Club LLC. Eagle Gun Club’s corporate entity has continued with an identity of ownership and management, and no break in leadership. Nazeh Ahmad’s first corporation, Range Plus LLC, was equally tied to its predecessor, Eagle Gun Club LLC, and its successor, 5900 LLC, and maintained the continuity of ownership and control.

162. Based on the foregoing, the transfer of Eagle Sports Range from Eagle Gun Club LLC to Range Plus LLC and to 5900 LLC constituted a *de facto* merger.

163. Therefore, Eagle Gun Club LLC, Range Plus LLC, and 5900 LLC should each be held liable for any and all obligations or liabilities of Defendants Glock, Eagle Gun Club LLC, Range Plus LLC, and 5900 LLC.

164. The MCC provides that any person who violates Section 2-25-090 shall be subject to a fine up to \$10,000 for each offense. MCC § 2-25-090(h) provides that “[e]ach day that a violation continues or occurred, and each violation committed per day, shall constitute a separate and distinct offense to which a separate fine shall apply.” Each day that Defendants engaged in or engages in the unlawful sale and marketing of its pistols to Chicago non-law-enforcement consumers constitutes a separate and distinct offense under MCC § 2-25-090.

165. WHEREFORE, Chicago respectfully requests that this Court enter an order (a) awarding judgment in Chicago’s favor on its Second Claim for Relief; (b) declaring that each Defendant has violated MCC § 2-25-090; (c) enjoining each Defendant from engaging in further unfair practices in violation of MCC § 2-25-090; (d) ordering disgorgement of profits from each Defendant obtained through its unlawful practices; (e) assessing each Defendant fines of \$10,000 for each offense under MCC § 2-25-090; (f) awarding Chicago its costs of investigation and suit, including reasonable attorneys’ fees and costs, as authorized under MCC § 2-25-090; (g) awarding Chicago pre- and post-judgment interest, to the extent allowable; and (h) awarding such other, further, and different relief as this Court deems reasonable and just.

COUNT III – AGAINST ALL DEFENDANTS
Violation of MCC § 2-25-090
(Deceptive Practices)

166. Chicago incorporates all preceding allegations as if they were set forth herein.

167. MCC § 2-25-090 makes it unlawful for a business to “engage in any . . . deceptive act or practice while conducting any trade or business in the city.”

168. Any conduct constituting an unlawful act or practice under the ICFA shall be a violation of MCC § 2-25-090.

169. The ICFA prohibits any “deception, fraud, false pretense, false promise, misrepresentation or the concealment, suppression or omission of any material fact.” 815 ILCS 505/2 § 2.

170. The ICFA, as amended by the Firearms Industry Responsibility Act, provides: “It is an unlawful practice within the meaning of this Act for any firearm industry members, through the sale, manufacturing, importing, or marketing of a firearm-related product, to do any of the following: . . . (4) Otherwise engage in unfair methods of competition or unfair or deceptive acts or practices declared unlawful under Section 2 of this Act.” 815 ILCS 505/2BBBB(b)(4).

171. The term “firearm industry member” means “a person, firm, corporation, company, partnership, society, joint stock company, or any other entity or association engaged in the design, manufacture, distribution, importation, marketing, wholesale, or retail sale of firearm-related products, including sales by mail, telephone, or Internet or in-person sales.” 815 ILCS 505/2BBBB(a).

172. The term “firearm-related product” means a firearm that “is or was possessed in Illinois, and it was reasonably foreseeable that the item would be possessed in Illinois.” 815 ILCS 505/2BBBB(a).

173. Paragraph (4) of subsection (b) is “declarative of existing law and shall not be construed as new enactments.” 815 ILCS 505/2BBBB(c).

174. In construing MCC § 2-25-090, “consideration shall be given to court interpretations relating to the [ICFA]” and “of the Federal Trade Commission and the federal courts relating to Section 5(a) of the Federal Trade Commission Act, 15 U.S.C.A., Section 45.”

The Federal Trade Commission has required scrupulous accuracy in advertising claims related to the safety of a product and made clear that corporations must be held to a standard of unqualified truthfulness when making safety claims.

175. At all times relevant to this Complaint, Glock engaged in deceptive acts or practices in violation of MCC § 2-25-090 by making and disseminating untrue, false, and misleading statements and material omissions, with the intent that others rely, in its marketing and sale of Glock pistols to Chicago consumers. These untrue, false, and misleading statements and material omissions include, but are not limited to, as more fully described above:

- a. Misrepresenting the safety of Glock pistols;
- b. Misrepresenting the safety of the design, engineering, and/or manufacture of Glock pistols;
- c. Misrepresenting Glock pistols are the industry leader in safety;
- d. Misrepresenting Glock is committed to making communities safer;
- e. Misrepresenting Glock is working to keep guns out of the wrong hands;
- f. Misrepresenting Glock is helping to reduce gun violence;
- g. Misrepresenting Glock is committed to gun safety;
- h. Misrepresenting Glock cannot change the design of Glock pistols to make it more difficult to modify Glock pistols to machine guns;
- i. Failing to disclose Glock pistols are dangerous because they can be easily converted to machine guns and for this reason are frequently diverted into criminal channels and highly sought by criminals because of their ease of convertibility to military-grade firepower;
- j. Failing to disclose Glock pistols endanger the health and safety of Chicago consumers and their communities; and
- k. Actively promoting the fully automatic capabilities of the G18 full-auto model—which has a built-in selector switch and otherwise features the same characteristics as Glock’s semiautomatic models—in the face of the proliferation of Modified

Glocks and failing to disclose that fully automatic Glock pistols are highly dangerous and illegal machine guns.

176. At all times relevant to this Complaint, Midwest Sporting Goods engaged in deceptive acts or practices in violation of MCC § 2-25-090 by making and disseminating untrue, false, and misleading statements and material omissions, with intent that others rely, in its marketing and sale of Glock pistols to Chicago consumers. These untrue, false, and misleading statements and material omissions include, but are not limited to, as more fully described above: misrepresenting the safety of Glock pistols and failing to disclose Glock pistols are dangerous because they can be easily converted to illegal machine guns, are frequently diverted into criminal channels and highly sought by criminals because of their easy convertibility, and endanger the safety of Chicago consumers and their communities.

177. At all times relevant to this Complaint, Eagle Sports Range engaged in deceptive acts or practices in violation of MCC § 2-25-090 by making and disseminating untrue, false, and misleading statements and material omissions, with intent that others rely, in its marketing and sale of Glock pistols to Chicago consumers. These untrue, false, and misleading statements and material omissions include, but are not limited to, as more fully described above: marketing Glock pistols as “full automatic” and failing to disclose that Modified Glocks are illegal machine guns.

178. As described more fully above, 5900 LLC is a mere continuation and reincarnation of Range Plus LLC and Eagle Gun Club LLC, and Range Plus LLC is a mere continuation and reincarnation of Eagle Gun Club LLC. Eagle Gun Club’s corporate entity has continued with an identity of ownership and management, and no break in leadership. Nazeh Ahmad’s first corporation, Range Plus LLC, was equally tied to its predecessor, Eagle Gun Club LLC, and its successor, 5900 LLC, and maintained the continuity of ownership and control.

179. Based on the foregoing, the transfer of Eagle Sports Range from Eagle Gun Club LLC to Range Plus LLC and to 5900 LLC constituted a *de facto* merger.

180. Therefore, Eagle Gun Club LLC, Range Plus LLC, and 5900 LLC should each be held liable for any and all obligations or liabilities of Defendants Glock, Eagle Gun Club LLC, Range Plus LLC, and 5900 LLC.

181. The MCC provides that any person who violates Section 2-25-090 shall be subject to a fine up to \$10,000 for each offense. MCC § 2-25-090(h) provides that “[e]ach day that a violation continues or occurred, and each violation committed per day, shall constitute a separate and distinct offense to which a separate fine shall apply.” Each day that Defendants engaged in or engages in the unlawful sale and marketing of its pistols to Chicago non-law-enforcement consumers constitutes a separate and distinct offense under MCC § 2-25-090.

182. WHEREFORE, Chicago respectfully requests that this Court enter an order (a) awarding judgment in Chicago’s favor on its Third Claim for Relief; (b) declaring that each Defendant has violated MCC § 2-25-090; (c) enjoining each Defendant from engaging in further deceptive practices in violation of MCC § 2-25-090; (d) ordering disgorgement of profits from each Defendant obtained through its unlawful practices; (e) assessing each Defendant fines of \$10,000 for each offense under MCC § 2-25-090; (f) awarding Chicago its costs of investigation and suit, including reasonable attorneys’ fees and costs, as authorized under MCC § 2-25-090; (g) awarding Chicago pre- and post-judgment interest, to the extent allowable; and (h) awarding such other, further, and different relief as this Court deems reasonable and just.

REQUEST FOR RELIEF

Wherefore, the City requests that the Court grant judgment in its favor, as follows:

- i. Enjoining Glock from marketing and selling pistols that can easily be converted to fully automatic to non-law enforcement Chicago residents through its website and Illinois gun stores that serve the Chicago market;
- ii. Enjoining each of the Eagle Store Defendants from marketing Modified Glocks at its location and online, and from selling Glock pistols that can easily be converted to fully automatic to non-law-enforcement Chicago residents;
- iii. Enjoining Midwest Sporting Goods from selling and marketing Glock pistols that can easily be converted to fully automatic to non-law enforcement Chicago residents;
- iv. Ordering Defendants to implement reasonable controls, safeguards, and procedures to prevent easily converted Glock pistols from being possessed, used, marketed, and/or sold unlawfully to non-law-enforcement Chicago residents.
- v. Enjoining Defendants from engaging in unfair and/or deceptive practices, as described in this Complaint, in violation of MCC § 2-25-090;
- vi. Awarding fines against Defendants under MCC § 2-25-090;
- vii. Ordering Defendants to disgorge profits obtained through unlawful conduct;
- viii. Awarding the City pre- and post-judgment interest, to the extent allowable;
- ix. Awarding the City its costs of investigation and suit, including any reasonable attorneys' fees and costs;
- x. Providing such further relief as the Court deems appropriate.

Dated: July 22, 2024

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**Pro hac vice forthcoming*

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