

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

KYLE HADLEY,)	
)	
<i>Plaintiff,</i>)	
)	Case No. 2025-CH-05527
v.)	
BRANDON MCGIVERN,)	Judge Eve M. Reilly
)	Courtroom 2405
<i>Defendant.</i>)	
)	

**MOTION TO CLARIFY HEARING SCHEDULE AND ESTABLISH PROPER
BRIEFING TIMELINE**

TO THE HONORABLE COURT:

NOW COMES Defendant, BRANDON MCGIVERN, pro se, and respectfully moves this Court for clarification of hearing schedules and establishment of proper briefing timelines, and in support thereof states:

PROCEDURAL BACKGROUND

1. On June 6, 2025, this Court entered an Agreed Order establishing a briefing schedule for “Defendant's Motion to Strike Exhibit B and for Sanctions”:

- Plaintiff response due: July 7, 2025
- Defendant reply due: July 25, 2025
- Hearing date: August 1, 2025 at 9:30am

2. On July 8, 2025, Plaintiff filed a separate “Motion to Strike Defendant's Affirmative Defenses” - a completely different motion addressing different legal issues.

3. Plaintiff improperly scheduled this NEW motion for the same August 1, 2025 hearing date established for Defendant's pending motion.

PROCEDURAL VIOLATION

4. **Denial of Due Process:** Plaintiff's notice gives Defendant only 24 days to respond to his new motion, violating Illinois rules providing 30 days for responses.

5. **Hijacking Established Hearing:** Plaintiff attempts to use Defendant's established hearing date for his own new motion without court approval.

6. **Unequal Treatment:** Plaintiff received full 30 days to respond to Defendant's motion, but now seeks to deny Defendant the same courtesy.

7. **Ambush Tactics:** This appears calculated to prevent Defendant from adequately responding to a motion containing multiple false statements that require detailed factual rebuttal.

8. **Targeting Pro Se Defendant:** Plaintiff, a licensed real estate professional represented by counsel, is using procedural manipulation to confuse and overwhelm Defendant, who appears pro se and lacks legal training.

9. **Pattern of Litigation Abuse:** This procedural trickery follows Plaintiff's filing of a retaliatory complaint in this Chancery case just three (3) hours after receiving notice of Defendant's legitimate eviction case, followed immediately by Plaintiff's counsel explicitly demanding that Defendant "voluntarily withdraw" the eviction case. This demonstrates calculated forum shopping and litigation pressure tactics designed to leverage professional and legal advantages against an unrepresented defendant who lacks the financial resources to hire counsel.

10. **Document Fabrication Context:** Plaintiff has already been caught fabricating court documents (Exhibit B subject of pending motion), and now employs procedural violations to avoid proper scrutiny of additional false statements in his new motion.

RELIEF REQUESTED

WHEREFORE, Defendant respectfully requests this Court:

A. **DENY** Plaintiff's improper attempt to schedule his new Motion to Strike Affirmative Defenses for the August 1, 2025 hearing date, which was established by this Court's June 6, 2025 Agreed Order exclusively for Defendant's pending Motion to Strike Exhibit B and for Sanctions;

B. **PROCEED** with the August 1, 2025 hearing as scheduled for Defendant's Motion to Strike Exhibit B and for Sanctions, which will be fully briefed upon Defendant's filing of his reply by July 25, 2025, as established in this Court's June 6, 2025 Agreed Order;

C. **ESTABLISH** a separate briefing schedule for Plaintiff's new Motion to Strike Affirmative Defenses providing Defendant with the same thirty (30) day response period that Plaintiff received, with appropriate hearing date to be set by the Court;

D. **IMPOSE SANCTIONS** against Plaintiff for attempting to deny Defendant due process and equal treatment under court rules through procedural manipulation;

E. **EXPEDITED CONSIDERATION** of this motion given the upcoming August 1, 2025 hearing date and the need to clarify scheduling before that date; and

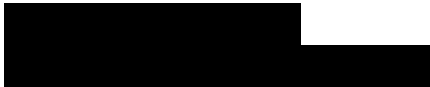
F. Grant such other relief as this Court deems just and proper.

RESPECTFULLY SUBMITTED,

/s/ Brandon McGivern

Brandon McGivern, Defendant

Brandon McGivern, Pro Se
5701 N Sheridan Rd #23G
Chicago, IL 60660



CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served upon Plaintiff's counsel by email to mcole@colesadkin.com on July 8, 2025.

/s/ Brandon McGivern

Brandon McGivern, Pro Se