

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT ILLINOIS**

PAUL FEDER, DENISE DURAKO, )  
LATRICIA SANDERS, )  
CAROL CRAWFORD, MICHAEL ORLET, )  
and ELIZABETH RUND, )  
as representatives of similarly situated person )  
aggrieved by the Defendants, )  
)  
**Plaintiff,** )  
)  
vs. ) **NO: 3:14-cv-00761-MJR-SCW**  
)  
**CITY OF EAST ST. LOUIS, ILLINOIS,** )  
an Illinois municipal corporation, and )  
**BLUE LINE SOLUTIONS, INC.,** )  
a corporation )  
)  
**Defendant.** )

**PLAINTIFFS' FIRST AMENDED COMPAINT**

NOW COME the Plaintiffs, PAUL FEDER, DENISE DURAKO, LATRICIA SANDERS, CAROL CRAWFORD, MICHAEL ORLET and ELIZABETH RUND, by their counsel, Eric Rhein, Esq. and The Law Office of Lloyd M. Cueto, and for their FIRST AMENDED COMPLAINT SEEKING INJUNCTIVE RELIEF, DAMAGES AND CLASS ACTION STATUS, and they state as follows.

**PART I**

**INTRODUCTION**

1. This Complaint seeks class action status for Plaintiffs who are looking to stop the City of East St. Louis (hereinafter, "ESL") and its private business partner, Blue Line Solutions, Inc. (hereinafter, "Blue Line"), from operating unlawful ticketing and fine collection process under city ordinance number 14 - 10001. The Complaint also seeks to prevent Defendants from financially penalizing individuals who received speed cam notices from ESL. Plaintiffs seek economic,

injunctive, and equitable recovery from Defendants. Class action status for the Plaintiffs is sought in the form of two subclasses:

Type I: Individuals who have already suffered economic damages by sending money to Defendants as induced by Defendants' unlawful misrepresentations about city ordinance 14-10001.

Type II: Individuals who have not yet suffered economic damages but have received communications from Defendants that they owe money based on violations of city ordinance 14-10001.

Additionally, punitive damages are sought.

PART II.

FACTS COMMON TO ALL COUNTS

2. In late 2013 or early 2014, the City of ESL, and Blue Line agreed for the City of ESL to hire Blue Line to operate and administrate, in contradiction to the guidelines, mandates, and allowances of the Illinois Motor Vehicle Code, a "laser speed cam scheme." Defendants, using City employee/police officers, would ticket, fine, and punish owners of vehicles when their vehicles were allegedly clocked speeding in the City. The vehicles and their license plates would be photographed and ticketed through the mail. Although no actual drivers of the vehicles would be identified, ticketed, or held responsible, the owners were mailed tickets.

3. Beginning in March, 2014, the Defendants began to operate its' outlaw scheme. Plaintiffs call this an outlaw scheme because it was operated in total disregard of the Illinois Motor Vehicle Code, and the Illinois Constitution. Defendants instructed ESL police officers to clock allegedly offending speeding cars and trucks, without stopping those vehicles, and without making any effort to find out the identities of the drivers of those vehicles. Moreover, the operators of the

allegedly speeding vehicles were never photographed with the laser speed cam equipment.

4. The tickets issued (See Exhibit One) do not comport with the Uniform Traffic Citation requirements of the Illinois Motor Vehicle Code, do not inform the owners of the vehicles who was driving the vehicles, where the vehicles were supposedly speeding, and further presume guilt.

5. On May 21, 2014, the St. Clair County State's Attorney, on local television, went so far as to say that the speed cam system of ESL was "illegal," and urged owners of vehicles who were ticketed not to pay the fines.

6. Shortly thereafter, the City's police chief, as an agent and employee of the City, and as an agent of the City's business partner, Blue Line, announced to the public that the City was suspending the program, meaning that officers and Blue Line would not be ticketing new cases. (See Exhibit C.)

7. Defendants, by and through their employees or agents have stated publicly, that no refunds would be forthcoming. Defendants represented that the only way an individual who had paid a fine under the program would receive restitution is if they filed a civil suit against the City. (See Exhibit C.)

8. That requiring hundreds or thousands of owners of vehicles who have already paid illegal, outlaw fines and penalties to the City and its business partner, Blue Line, to individually sue the Defendants would be expensive and impractical. Filing fees in the Circuit Court would be roughly \$146 per Plaintiff. Those claimants will also need to expend monies on obtaining service of process, and would likely need to pay a lawyer to prosecute

their civil claims against the Defendants.

9. That this is an ideal case for class relief. The aggrieved individuals are easily identifiable, and have liquidated damages, based on common and identical questions of fact and law in each case.

10. Illinois law only allows for speed cameras to be used in safety zones like in parks or school zones, and only in counties populated by more than a million people. St. Clair County does not have a million residents.

11. Each Plaintiff is in a class affected by the Defendants' illegal actions. They are either: 1. People who have already paid the fines and penalties demanded by the Defendants or; 2. People who have pending tickets issued per the unlawful scheme. (See Exhibit A and B.)

12. The common questions of fact and law are: whether the scheme violated state law, whether an injunction should issue to bring enforcement of the ordinance to end; whether the claimants are entitled to restitution; and, whether the Defendants are liable for converting money which belonged to others. Additionally, Plaintiffs maintain Defendant, Blue Line, is liable for punitive damages in this case. Questions of law in this case are identical for all persons in the class of individuals who have already paid fines. Likewise, they are identical in regard to that class of individuals who still have speed cam tickets pending. Those common questions of fact and law predominate over any individual claimant's issues.

13. Innocent owners were held liable for the actions of individuals

operating their vehicle in alleged violation of an illegal city ordinance.

14. Under the scheme, guilt was presumed, (See hearing notice Exhibit B). This forced owners of a ticketed car to demand a hearing to prove his or her innocence.

15. The "hearing officer" employed by Defendants was often an employee of the city. He was not a neutral or detached magistrate, which is required by the State of Illinois.

16. At the hearings, (which were a parody of legal procedure,) no prosecutor was present, and no evidence was ever presented, including potential police officer witnesses. No notary public was present to swear in witnesses. No record of proceedings were taken, as no court reporter was present. Finally no accused person was afforded the opportunity to subpoena or compel witnesses to appear.

17. Hundreds of law abiding citizens, many without any criminal record whatsoever, were bluffed by the Defendants into thinking that some lawful authority was requiring them to actually pay these fines. As a result, the City (sharing its revenue with its business partner, Blue Line) has made potentially hundreds of thousands of dollars in illegally obtained fines and penalties. These monies lawfully belong to the vehicle owners.

18. The time to contest said ticket was only twenty one days. Objectors had to file an objection by mail to Tennessee, where the corporate defendant is based.

19. Individuals who sent in written objections to Blue Line, after the scam was exposed, in late May, were informed that their tickets were being dropped or dismissed. No dismissal letter or

administrative order was ever entered by the employee who was the "hearing officer."

20. It is fundamentally unfair to fine or seek to fine the owner of a speeding car when the city cannot possibly meet its civil (i.e., by a preponderance of evidence) burden of proof (this burden applies to all city ordinance violation cases in the state of Illinois); the City and Blue Line must prove that the owner of the speeding car was also the driver who was speeding.

21. In normal speeding ticket case which are processed through the St. Clair County Court system, the prosecution has the burden of proving the guilt of the accused operator of a speeding car. After a defendant pleads not guilty, the city or county has the burden of proving guilt with competent evidence (i.e., with a live, credible police officer who conducted the stop, proof a radar or laser gun was operational and calibrated in the recent past, and that the operator of the gun was trained in how to use it). Here, the Defendants' scheme called for no burden of proving guilt on the part of the owners ticketed.

22. Under the Defendants' ordinance, when an owner of a ticketed car demands a hearing, if he fails to appear at the hearing, not only is he held in default, but he is assessed new and additional fines.

23. Under the ordinance, if an individual demands a hearing, appears at the hearing, and has his objection overruled, then the individual is fined an additional \$100 for not meeting the fine payment deadline. This individual is also fined \$25 for demanding a hearing and losing.

24. The ordinance violates the State Court's public policy against excessive fines.

25. In Illinois, the Motor Vehicle Code requires uniform application of the rules of the road and traffic laws; this special ordinance, fails to comport with the Illinois Motor Vehicle Code.

26. Traffic enforcement is a legitimate state function which must be administered by government, as opposed to a private corporation.

27. That even though Defendants have announced a temporary suspension for new speed cam tickets, the City and Blue Line have not told holders and recipients of pending, tickets that they do not need to pay them. (See Exhibit F.) ~~See Exhibit F. That implies~~ alive in the City, unless this Court takes action.

28. The City has made more money from its speed cam ticket scheme than it would have by having its police officers issue, in person speeding tickets. Illinois municipalities are required to share fine revenue with the county and state. Conversely, in the, illegal ticket money raising program, the City only had to split the fines collected with its business partner, Blue Line.

29. None of the fines and penalties collected or sought pursuant to the scheme were ever reduced to a court judgment. Defendants were misrepresenting to the alleged violators that these individuals actually owed fines and penalties, when in fact they did not. Defendants acknowledged, on May 21, 2014, (see Exhibit C), that if the fines and penalties were not paid, then those alleged "offenders" would be sent to collection agencies.

PART III

COUNT I: SEEKING EQUITABLE AND INJUNCTIVE RELIEF AGAINST THE DEFENDANTS

30. That the Plaintiffs hereby re-allege and incorporate by reference in Count I all of the facts and statements of law alleged in the part of this suit entitled. "FACTS COMMON TO ALL COUNTS."

31. Individuals ticketed illegally by the Defendants' speed cam program have no adequate remedy at law, because:

- a) City officials have plans to enforce the ordinance in the near future;
- b) Defendants have still not indicated that individuals with pending tickets will not have to pay them; instead, Defendants told the public to "hold on to" their pending speed cam tickets; and
- c) The City and Blue Line refuse to give refunds and restitution to individuals who paid their illegal tickets.

32. Paying an attorney to file an administrative review act suit, after a losing result at the City's administrative "hearing" would be prohibitively expensive. Moreover, the ESL speed photo ticket scheme was operated entirely outside of the state court system.

33. Defendants' refusal to pay restitution to their victims creates a burdensome, expensive, and impractical process for each aggrieved person to hire counsel and file their own claim. Class action litigation is the only practical way for those car owners to recover all or part of the monies they paid to the City and Blue Line; Class relief is the fastest and most practical way to decide these issues.

Defendants possess data as to who was ticketed and who has paid fines. The Court should order public disclosure of that information so that restitution can be ordered and paid. Unlike Defendants, Plaintiffs and potential class members are not operating outside the civil court system.

34. The Court should impose a constructive trust on monies collected under the program, so that the individuals who received speed cam tickets through the mail can be made whole. Plaintiffs have no other money damages, unless punitive damages are awarded against the corporate Defendant.

35. Plaintiffs, as to their request for a preliminary injunction barring the Defendants from further attempts to enforce ESL ordinance number 14-10001, have reasonable likelihood of succeeding on the merits of their claims. Defendants have acknowledged the illegality of their speed cam scheme by suspending in addition to various public interviews.

36. Plaintiffs will suffer irreparable harm: a) Credit reputation will be damaged if the City and Blue Line insist that they are owed fines under the program; and b) Plaintiffs will incur considerable time and expense to contest the ticket.

37. The balance of hardships favors the innocent victims of the scheme. The operation of the Defendants' money raising effort is outside the law.

38. No public interest favors the Defendants; Conversely, it is in the public interest for individuals to be afforded due process as afforded by the State of Illinois in the civil or criminal justice systems as well as the state Motor Vehicle Code.

39. ESL ordinance 14-10001 is violative of the Illinois State Constitution, and the Illinois Motor Vehicle Code. The Court should enjoin the Defendants, and their agents or employees from enforcing the ordinance in any way. The Court should further enjoin the Defendants from attempting to collect fines under the ordinance or from reporting nonpayers under the ticket ordinance to collection agencies. The Court should ultimately order the Defendants to repay all previously collected fines and penalties back to the payors.

WHEREFORE, under Count I, Plaintiffs seek the following equitable relief:

A. A preliminary and permanent injunction stopping the Defendants from enforcing or attempting to enforce and collect fines and penalties from persons ticketed under ESL ordinance no. 14-10001.

B. An order directing the construction of a fund for all monies collected and not paid back to the payors of fines and penalties and an award for litigation costs and attorneys' fees.

C. For such other and further relief which the court deems just.

#### PART IV

#### COUNT II AGAINST DEFENDANTS, THE CITY OF EAST ST. LOUIS, ILLINOIS AND BLUE LINE SOLUTIONS, INC. FOR THE TORT OF CONVERSION

40. That the Plaintiffs hereby re-allege and incorporate by reference in Count II all of the facts and statements of law alleged in the part of this suit entitled. "FACTS COMMON TO ALL COUNTS" and "Count I."

41. That Blue Line conspired with ESL to draft and pass ESL city ordinance 14-10001. The ordinance was signed and it went into effect

in March, 2014. The Defendant, Blue Line, was one of the beneficiaries of this illegal ordinance.

42. That Blue Lines participation in the ESL speed cam scheme resulted in Blue Line's unlawful possession of monies during the two and half months the program was operated. The fines paid were not owed to the City or Blue Line. The monies collected were converted by the City and Blue Line.

43. Conversion of the vehicle owners' assets occurred because Blue Line and the City had no lawful rights to seek to be paid or to be paid fine monies under the speed cam ordinance.

44. Prior to collecting the money from its victims, the Defendants never disclosed to their intended victims that they did not in fact owe the City or Blue Line any money at all, as the underlying ordinance was illegal.

45. Defendants converted the Plaintiffs' monies, in that they deprived individuals of his or her property permanently and for an indefinite time.

46. Those who paid illegal fines and penalties have the immediate right to the return of their money. Defendants have been holding onto their money.

47. The individuals who paid fines under the ordinance have an absolute and unconditional right to the immediate possession of their money.

48. That the Defendants have wrongfully and without lawful authority, assumed control, dominion, and ownership of the Plaintiffs' money.

49. Individuals in the class who have already paid the demanded

illegal fines and penalties have sustained economic damages.

50. Blue Line purposefully committed such acts with intent to unlawfully deprive the owners of the use of the monies paid in this case. Defendant acted intentionally and or recklessly in regards to the car owners' rights. As such Blue Line should be required to pay punitive damages to the class.

WHEREFORE, the Plaintiff class demands judgment against the City and Blue Line in an amount in excess of \$50,000.00 in compensatory damages and against Blue Line, in an amount in excess of \$50,000.00 in punitive damages, and costs of court, and for such other and further relief as the court deems just.

Respectfully Submitted:

/s/Lloyd M. Cueto

Lloyd M. Cueto  
LAW OFFICE OF LLOYD M. CUETO  
7110 West Main Street  
Belleville, IL 62223  
Phone: (618) 277-1554  
Fax: (618) 277-0962  
Email: cuetolm@cuetolaw.com

**CERTIFICATE OF SERVICE**

Pursuant to Rule 7.1 of the Local Rules of the Southern District of Illinois, I certify that a true and correct copy of the foregoing has been properly served upon all counsel of record as required by the Federal Rules of Civil Procedure.

/s/ Lloyd M. Cueto



**CITY OF EAST ST. LOUIS**  
Citation Processing Center:  
8 North White Street  
Athens, TN 37303-3579

Physical Location:  
Photo Speed Division:  
301 River Park Drive, 2nd Floor  
East St. Louis, IL 62201

**Registered Owner:**

DENISE DURAKO  
2 DAHLIA LN  
BELLEVILLE, IL 62221-4504

**Photo Speed Division**  
**Notice of Violation**

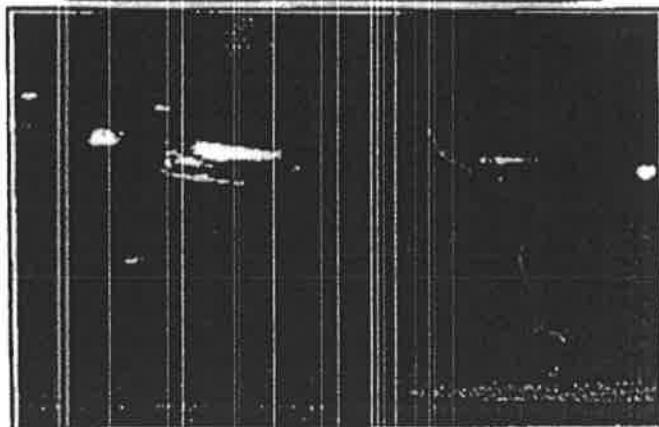
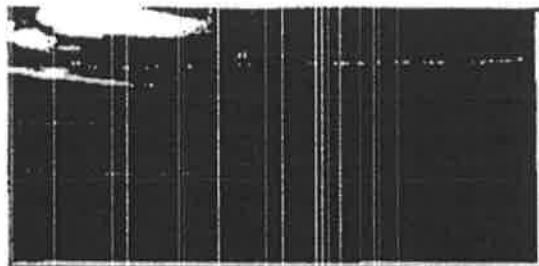
Notice Number	06-000004822
Plate Number	H986481

**Notice of Violation Information**

Payment Due: 05/30/2014	Amount Due >> \$240.00
-------------------------	------------------------

**Public Safety Violation**

Please take notice that the vehicle described and pictured herein was photographed violating public safety by exceeding the posted speed. Therefore, under City of East St. Louis Ordinance No: 14-10001, as the registered owner(s) or lessee you are liable for the violation. The penalty for this violation is \$240.00. No points will be assessed against your driver's license. Information on this program and the procedures are on the reverse of this notice. Please call 1-855-252-0088 Ext. 106, if you have any questions.



ON/AOUR DATE 06/04/2014	AT TIME 2:23:10 pm	UPON/AT OR NEAR (LOCATION) I-84 (45MPH Const. zone)	
DUCE DATE 05/30/2014	DUCE DATE 05/30/2014	PHONE NO. (266) 252-0088	
<b>NAME</b> <b>DENISE DURAKO</b>			
STREET ADDRESS 2 DAHLIA LN			
CITY <b>BELLEVILLE</b>	STATE <b>IL</b>	ZIP CODE <b>62221-4504</b>	
VEHICLE 2005	MAKE NISSAN	MODEL	
NUMBER H986481	STATE IL		
DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE, THE FACTS SUPPORTING THIS BELIEF ARE AS FOLLOWS: Violation of Public Safety on Roadways. Section I.			
VIOLATION# Ordinance No. 14-10001	E ORD D TCA	POSTED SPEED 45	DETECTED SPEED 58
OPERATING OFFICER Riggins, Hollis		DSN 240	
COMPLETED BY OFFICER Riddle, Marlon		DSN 218	

Please return this portion with your payment



DENISE DURAKO  
2 DAHLIA LN  
BELLEVILLE, IL 62221-4504

Please check box if address is incorrect or has changed, and indicate change(s) above

VISIT OUR WEBSITE FOR FREQUENTLY ASKED QUESTIONS AND PAY ONLINE  
GO TO [HTTP://VIOLATIONPAYMENT.NET](http://VIOLATIONPAYMENT.NET)  
AND LOGON WITH YOUR NOTICE NUMBER AND PLATE NUMBER

WE ACCEPT THE FOLLOWING CREDIT CARDS:  
MASTERCARD VISA DISCOVER

IF PAYING BY PHONE 1-855-252-0088 Ext. 106 TOLL-FREE

IF PAYING BY CHECK, PLEASE MAKE THE CHECK PAYABLE TO  
THE CITY OF EAST ST. LOUIS. DO NOT MAIL CASH. ENCLOSE  
REMITTANCE SLIP AND CHECK TO THE ADDRESS AS LISTED.

NOTICE DATE 06/08/2014	PAY THIS AMOUNT \$240.00	NOTICE # 06-000004822
PAY BY: 05/30/2014		SHOW AMOUNT \$ PAID HERE

06 000004822 024000 02 5

CITY OF EAST ST. LOUIS  
PHOTO SPEED DIVISION  
8 NORTH WHITE STREET  
ATHENS, TN 37303-3579

P. 238 33

The City of East St. Louis, Illinois has adopted an ordinance defining certain civil violations enforced by a photographic vehicle speed enforcement system. Accordingly, pursuant to the terms of Ordinance No. 14-10001, the Police Department is authorized to operate automated photo LIDAR (laser) units to enforce speeding violations. An officer visually observed your vehicle being driven in a manner that violated public safety by exceeding the speed limit. The speed of your vehicle was calculated using LIDAR operated by the officer. Liability is based on ownership, without regard to whether the owner was operating the motor vehicle at the time of the violation. Speeding can damage the public by endangering vehicle operators, passengers and pedestrians alike. Please drive safely.

Payment before the due date of this Notice will prevent a late fee of \$25.00 from being assessed.

IF PAID BY THE DUE DATE, THE FINE IS AS INDICATED ON THE FRONT OF THIS NOTICE  
IF PAID LATE, A LATE FEE OF \$25.00 WILL BE ASSESSED FOR EACH 30 DAY PERIOD UP TO \$100.00

This is a non-moving violation and no points will be assessed against your driver's license.

### INSTRUCTIONS

**PAYMENTS MADE AT CITY HALL:** You may pay the notice at City Hall in the Photo Speed Division office located on the 2<sup>nd</sup> Floor. A \$3.00 processing fee will be assessed for debit/credit card transactions. Checks and Money Orders will be accepted with no processing fees. Absolutely NO CASH will be accepted. Payments are accepted Monday, Wednesday and Friday from 9:00-12:00 and 1:00-5:00pm.

**ONLINE PAYMENT:** You may pay your Notice online. Go to <http://violationpayment.net> and logon with your Notice Number and Plate Number shown in the red box on the front of this Notice. Click the Pay button. Notice that a credit/debit card transaction fee of \$3.00 will be added.

**PAYMENT BY PHONE:** Call 9:00AM - 5:00PM Central Standard Time, Monday - Friday at 1-855-252-0086. Note that a credit/debit card transaction fee of \$3.00 will be added to the transaction.

**PAYMENT BY MAIL:** Complete the bottom portion of the front side of this Notice. Add your check or money order (payable to: City of East St. Louis). DO NOT MAIL CASH.

**VIEW YOUR IMAGES:** You may view your images online at <http://violationpayment.net>. You will need your Notice Number and Plate Number printed on the front of this Notice. In the event that this matter is contested the recorded images will be submitted as evidence in the City of East St. Louis Administrative Adjudication Hearing.

**ADMINISTRATIVE HEARING:** If you wish to contest the civil violation penalty, you must request to appear in an Administrative Adjudication Hearing through written notice within 21 days of receipt of this Notice of Violation. Failure to timely request an Administrative Hearing waives your right to contest the civil penalty, is an admission of liability, and the civil penalty becomes final. To request an Administrative Adjudication Hearing, please call 855-252-0086 or visit [www.violationpayment.net](http://www.violationpayment.net) to be provided the appropriate form.

**FAILURE TO APPEAR:** If a requested Administrative Adjudication Hearing is scheduled and you fail to appear, Administrative Adjudication Fees will be assessed to the fine as set forth herein.

**RETURNED CHECKS (NSF):** All returned checks will be charged a penalty of \$25.00.

**LATE PAYMENTS:** If the Notice of Civil Violation is not paid by the due date, a late fee of \$25.00 will be assessed every 30 days the fine is unpaid, up to \$100.00 as prescribed by Section II of the East St. Louis Ordinance # 14-10001.

**TRANSFER OF LIABILITY:** A Transfer of Liability shall be for the sole purpose of identifying the person who is assuming responsibility for the violation. To transfer liability to another person, you may download a Transfer of Liability form at [www.violationpayment.net](http://www.violationpayment.net). Fill out the form identifying the person assuming responsibility and mail the notarized document to the address on the form. A new Notice of Violation will be issued in the person's name who is accepting responsibility. Please note that a transfer of liability does NOT relieve the registered owner from liability if the fine remains unpaid.

**IF YOU ARE A RENTAL CAR COMPANY** send your letter identifying the driver of record on the date of the violation along with the copy of this Notice to the Photo Speed Division, 6 North White Street, Athens, TN 37303. This information must be furnished within 21 days of receipt of this Notice.

**QUESTIONS:** If you have any questions, please contact the Photo Speed Division at 1-855-252-0086.

**Please return this portion with your payment**

### TO PAY THE FINE

1. Note any corrections to your name and address as they appear on the reverse side of this form
2. Place your check or money order (made payable to: City of East St. Louis) for the amount due and mail to

**City of East St. Louis  
Photo Speed Division  
6 North White St  
Athens, TN 37303**

**DO NOT MAIL CASH**

NOTE Payment is an admission of a violation of Ordinance No. 14-10001.

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## VIOLATION INFORMATION

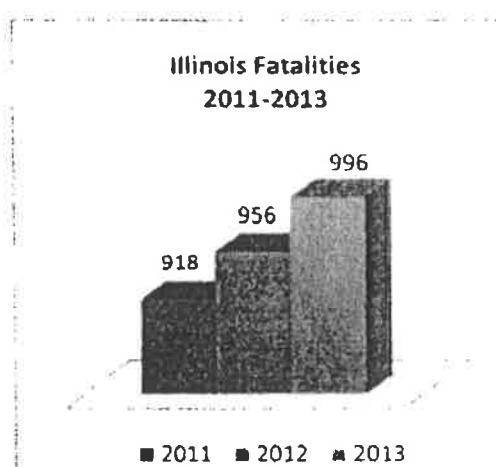
Each year in Illinois more people die in vehicle crashes than in violent crimes. In 2013 alone 996 lives were tragically lost, leaving behind their family and friends. In an effort to reduce the number of people dying on our roadways, the East St. Louis Police Department instituted a manned photo speed laser enforcement program in which officers use photo lidar/laser to detect the speed of motorists. The officer has the authority to conduct a traffic stop based on the probable cause of speeding using this technology and issue a Uniform Traffic citation or under city ordinance may elect to issue a photo speed civil violation.



Under the City of East St. Louis Ordinance, the violation is considered a civil penalty mandating a fine starting at \$100.00 for 5-10 mph over the speed limit. Penalty will increase depending upon your speed. This civil violation will not be reported to the state, nor insurance notifications made.

On the date listed in the enclosed violation, an officer of the East St. Louis Police Department observed your vehicle traveling within the city limits at a speed in excess of the posted speed limit. The officer visually observed the violation then utilized the photo lidar to verify, lock, and photograph the violation.

If you choose, you may attend an Administrative Adjudication Hearing to dispute the charge. However it should be noted that Administrative Adjudication Hearing costs will be assessed unless the hearing officer determines you did not commit the violation. If payment is not made within 30 days of the issue date, a second notice will be mailed with an assessed late fee of \$25.00. Additional late fees of \$25.00 will be added for each 30-day period the fine remains unpaid, up to \$100.00. If you have questions, please call us at 855-252-0086. You can visit [www.violationpayment.net](http://www.violationpayment.net) to remit payment using a debit or credit card.



Data Source: Illinois Department of Transportation

- Speeding is a factor in 30% of all fatal crashes.
- Speeding reduces the effectiveness of vehicle restraint systems and roadway safety barriers.
- Each month, approximately 1000 deaths result from speed related crashes nationwide.

***Please do your part, slow down, and don't drink or text while driving.***

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**CITY OF EAST ST. LOUIS**  
Citation Processing Center:  
6 North White Street  
Athens, TN 37303-3579

**Physical Location:**

**Photo Speed Division:**  
301 River Park Drive, 2nd Floor  
East St. Louis, IL 62201

**Registered Owner:**

PAUL N FEDER  
411 N 22ND ST UNIT 403  
SAINT LOUIS, MO 63103-1545

May 21, 2014

**RE: Confirmation of Requested Administrative Adjudication Hearing.**  
**PHOTO SPEED DIVISION**  
**Notice Number: 06-000001825      \$260.00**

Dear PAUL N FEDER:

As requested, we have scheduled your Administrative Adjudication Hearing with City of East St. Louis Police Department for Notice of Violation due to your vehicle operating in a manner that violated public safety by exceeding the posted speed limit.

Your case has been set for a hearing appearance on **Wednesday, August 6, 2014 at 1:00 pm**. The hearing will take place at the City of East St. Louis located at Room 205, 301 Riverpark Drive, East St. Louis, IL 62201

If you would like to pay your citation, you may do so prior to the requested court date listed. Receipt of payment will result in the cancellation of your hearing. Instructions for payment are on the back of this notice. Your payment must be received prior to your requested court date in order to be removed from the docket.

**Please make sure to write your Notice # on the check or money order so that your payment can be processed promptly.**

If you have any questions, please contact the City of East St. Louis Photo Speed Division at  
1-855-252-0086 Ext 106.

Thank you,

City of East St. Louis  
Photo Speed Division

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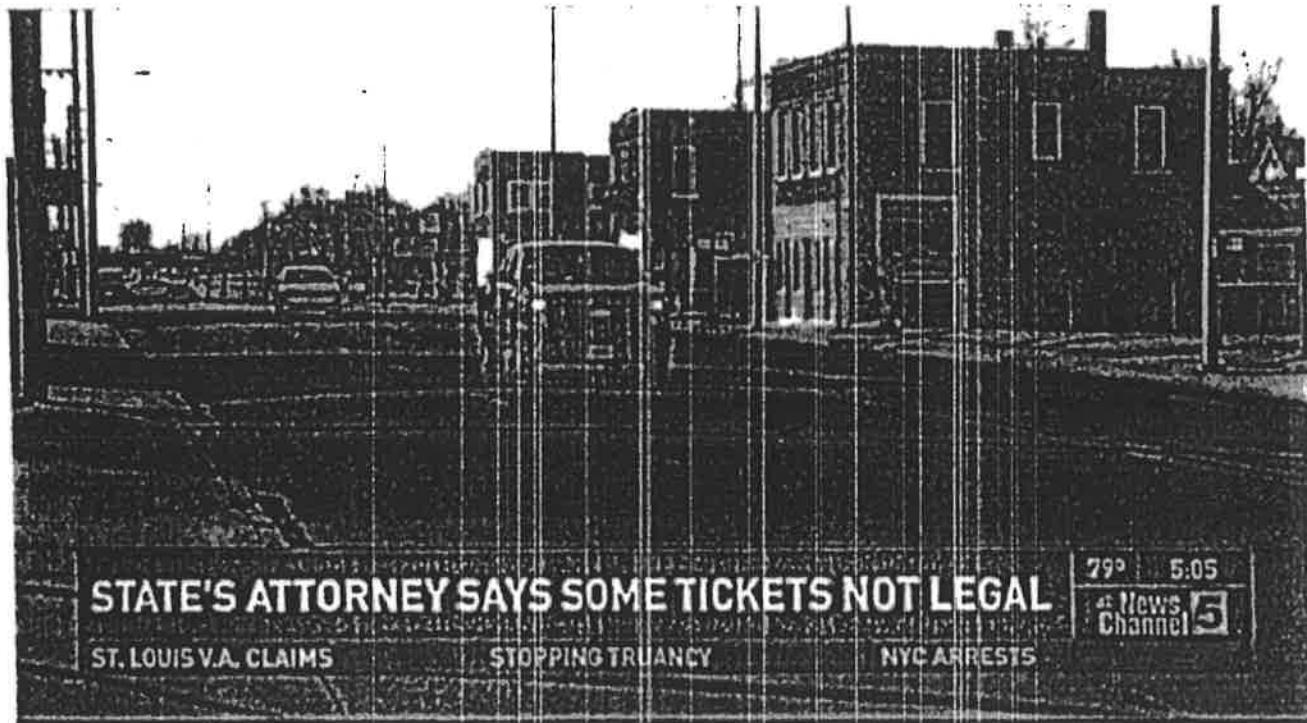
Play Now



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»

## State attorney says East St. Louis radar tickets aren't legal



**STATE'S ATTORNEY SAYS SOME TICKETS NOT LEGAL**

ST. LOUIS V.A. CLAIMS

STOPPING TRUANCY

NYC ARRESTS

790 5:05  
News Channel 5

You may have a \$200 speeding ticket, but that doesn't mean you have to pay.

Farrah Fawcett, KSDK - 6:29 p.m. CDT, May 21, 2014

**EAST ST. LOUIS (KSDK)** - The ticket was for \$240.00. It was among the bills Ruth Bennett opened. She knew she'd never driven in the construction zone in East St. Louis. She knew it had to be her husband, on one Saturday morning on his way home from work. He couldn't pay it. He wasn't around. Bennett's husband died a few weeks after he got that ticket.

She took the time off work on Wednesday afternoon to fight it. She showed up at East St. Louis at City Hall. She sat with at least 10 other people. They were all there for the same reason.

"This is about safety," Chief Michael Floore told us. But a few minutes after our interview, Floore took all 10 or so people into his office.

"All he did was take my ticket and said you can go, but they wouldn't give me anything to say I paid the ticket," Bennett said.

Chief Floore voided all the tickets. He couldn't tell us how many his officers had issued when they began contracting with a company called Blue Line Solutions a few months ago. He also wouldn't tell us how much money the city had collected.

"They are telling the drivers they have to pay fines. That's the issue we have with this company. They don't have the authority to do so. In Illinois you have to go through the court system, not anybody can start setting up and asking for money," said St. Clair County State's Attorney Brendan Kelly.

Kelly said the tickets are illegal because drivers do not have the chance to go in front of a judge to contest the tickets.

Chief Floore said a hearing officer, who is a former firefighter, hears the people who contest the tickets. But he's not a judge. And he's not in a courtroom.

We asked Floore what would happen if people didn't pay the tickets. He said it would go to a collection agency.

"You have no duty to pay for it," Kelly said.

Kelly said he's working with the Chief and the city to make the program legal.

Floore is suspending the radar program for now. He said, it could be back in a month if he can get the legal avenues worked out with the State's Attorney.

If you've already paid your ticket, your only option is to take the City to civil court.

Read or Share this story: <http://on.ksdk.com/1gQWUKA>

**FREE  
EXPRESS SHIPPING  
ON \$125+  
WITH CODE EXPRESS**



Shop While It Lasts »

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**OFFICE OF THE MAYOR**  
301 River Park Drive  
East St. Louis, Illinois 62201  
618-482-6601 Office - 618-482-6629 Fax

May 22, 2014

All Media

**Response to KSDK Report from May 21, 2014**

This provides the City of East St. Louis response to the story run by KSDK-TV on May 21, 2014 at approximately 6:29 PM CDT.

The City was surprised and disappointed to hear St. Clair County State's Attorney Brendan Kelly's comments stating that the photo-enforced speed tickets being issued by the East St. Louis Police Department are illegal. The City's attorney and police chief have been meeting with County officials, including Mr. Kelly, and the County has agreed that the City has the statutory authority to issue the citations.

What is at issue is the administrative process of handling the violations once they are issued. Again, the City and County have been meeting for the past few weeks to resolve the issue.

The City contends that the citations are valid and that the process is proper.

The City looks forward to continuing the process of working through the issues so that the program can continue.

Please contact Attorney Michael Wagner at 618-239-0187 if you have further questions.  
Thank you.

Sincerely,

A handwritten signature in black ink that reads "Alvin L. Parks, Jr." Below the signature, the name "Alvin Parks" is printed in a standard font, followed by "Mayor" and "City of East St. Louis".

Cc: City Council Members Eastern, Greenwood, Jackson-Hicks, and Mosley  
City Clerk Dorene C. Hoosman  
City Treasurer Joe W. Lewis, Jr.  
City Manager Deletra M. Hudson  
Attorney Michael Wagner  
State's Attorney Brendan Kelly

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## News Democrat

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# Kelly: Collection process used for laser speed cameras in East St. Louis is illegal

By CAROLYN P. SMITH

News-Democrat May 23, 2014 Updated 1 hour ago

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St. Clair County State's Attorney Brendan Kelly, in a 2012 file photo.

TIM VIZER/BND

EAST ST. LOUIS — The process used to collect fines for tickets issued by laser cameras used to crack down on speeders on Interstate 64 is illegal, St. Clair County State's Attorney Brendan Kelly said Friday.

The cameras snap a photo of the license plate of a motorist who speeds through work zones, then send a ticket by mail to the person to whom the car is registered.

But Kelly said Friday his problem is not with the cameras themselves, but with the collection process being used by the company that collects the fines. Drivers have the option of appearing before an administrative hearing officer in City Hall or simply paying the fines.

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Kelley said that under Illinois law, motorists caught by the cameras have the right to fight the ticket in court.

"They have every right to due process," he said. "The problem is in the way they collect the fines. The system is not in compliance with Illinois law."

East St. Louis Mayor Alvin Parks disputed Kelly's position, saying the city has been working with the state's attorney on the matter.

"The city was surprised and disappointed to hear (Kelly's) comments stating that the photo-enforced speed tickets being issued by the East St. Louis Police Department are illegal. The city's attorney and police chief have been meeting with county officials, including Mr. Kelly, and the county has agreed that the city has statutory authority to issue the citations."

The cameras were installed in March, and motorists in recent weeks began receiving tickets. Dozens of motorists have angrily complained about the tickets and the fines, some of which are more than \$200.

Kelly said he has asked the city to stop using the cameras for now. "I'm working with the city to bring the company into compliance," Kelly said.

East St. Louis Police Chief Michael Floore said the laser cameras are not a money grab for the city, but a stepped-up effort by the department to increase citizen safety and the safety of police officers who are outside of their vehicles writing tickets.

Signs are posted in work zones along I-64 warning of the presence of laser cameras, however officers have also used hand-held cameras elsewhere in the city.

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D A 3

Belleville News Democrat 5-29-14

## ESL hand held speed camera program suspended for now

By CAROLYN P. SMITH  
*News-Democrat*

**EAST ST. LOUIS** — After a meeting between city and county officials, including the East St. Louis police chief, a decision was made that the hand held speed camera in East St. Louis will no longer be used to enforce the city's speed traffic laws.

A number of angry motorists called the Belleville News-Democrat to complain that they were not getting the opportunity to go to court to contest the tickets.

Some said they were not driving their vehicles. Some said it's just a money grab.

East St. Louis maintained that the tickets were issued for the safety of the motorists and the workers in work zones.

East St. Louis Mayor Alvin L. Parks Jr. said he learned about the decision at 5 p.m. He said city and county officials and the red light camera agency "Blue

Line Solutions" had a representative at the table.

The bottom line is "The program is currently suspended. Anyone who has a ticket that has not been paid should hold on to the ticket," Parks said.

But there are no refunds planned for anyone who has already paid their tickets, Parks said.

"They've already admitted guilt when they paid the tickets. At this point, there is nothing further

that we plan to do to reimburse anyone who has already paid," he said.

"The city of East St. Louis will go back to the traditional way of enforcing the city's traffic safety laws — police stopping you," Parks said.

Parks said a lot of research went into the camera issue, and he is optimistic that the cameras will be sustainable and put back in use sometime in the future.

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East St. Louis Police Department  
Photo Speed Division  
6 N. White St.  
Athens, TN 37303

May 27, 2014

Eric Rhein, PC  
Attorney at Law  
6897 West Main St.  
Belleville, IL 62223

RE: Paul Feder

Dear Mr. Rhein:

This letter is in response to your request for a hearing as it relates to citations #06-000001825 for Paul Feder. The next available hearing date for your matter has been postponed until after August, 2014. We thank you for your patience as we process your request. You will be notified as soon as your new hearing date, time and location are set and entered into our system.

If you have any questions, please call us at 855.252.0086

Thank you.

Photo Speed Division  
East St. Louis Police Department

Photo Speed Division  
6 N. White St.  
Athens, TN 37303

E+6  
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**Jeanne Amann**

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**From:** ilsd\_nef@ilsd.uscourts.gov  
**Sent:** Friday, January 9, 2015 11:59 AM  
**To:** ilsd\_nef@ilsd.uscourts.gov  
**Subject:** Activity in Case 3:14-cv-00761-MJR-SCW Feder et al v. City of East St. Louis, Illinois et al  
Amended Complaint

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

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**U.S. District Court**

**Southern District of Illinois**

**Notice of Electronic Filing**

The following transaction was entered by Cueto, Lloyd on 1/9/2015 at 11:59 AM CST and filed on 1/9/2015

**Case Name:** Feder et al v. City of East St. Louis, Illinois et al

**Case Number:** 3:14-cv-00761-MJR-SCW

**Filer:**  
Elizabeth Rund  
Denise Durako  
Carol Crawford  
Michael Orlet  
Paul Feder  
Latricia Sanders

**Document Number:** 38

**Docket Text:**

**AMENDED COMPLAINT against All Defendants, filed by Elizabeth Rund, Denise Durako, Carol Crawford, Michael Orlet, Paul Feder, Latricia Sanders.(Cueto, Lloyd)**

**3:14-cv-00761-MJR-SCW Notice has been electronically mailed to:**

Eric M. Rhein erhein@charter.net

Heidi L. Eckert (Terminated) heckert@lowenbaumlaw.com, kseaman@lowenbaumlaw.com

John E. Sabo jsabo@cswlawllp.com, jamann@cswlawllp.com

Lloyd M. Cueto cuetolm@cuetolaw.com, lbrueggemann@cuetolaw.com, mgras@cuetolaw.com,  
mwendler@cuetolaw.com

Michael L. Wagner mwagner@cswlawllp.com, jamann@cswlawllp.com, jmuckensturm@cswlawllp.com

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