

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**UNITED STATES SECURITIES
AND EXCHANGE COMMISSION,**

Plaintiff,

v.

**NORTHRIDGE HOLDINGS, LTD.,
SOUTHRIDGE HOLDINGS, LTD.,
EASTRIDGE HOLDINGS, LTD.,
BROOKSTONE INVESTMENT GROUP, LTD.,
GUARDIAN INVESTMENT GROUP, LTD.,
UNITY INVESTMENT GROUP, LTD.,
AMBERWOOD HOLDINGS L.P., and
GLENN C. MUELLER.**

Defendants.

Civil Action No. 1:19-cv-5957

Honorable John Z. Lee

**SUR-REPLY IN SUPPORT OF GLENN C. MUELLER’S OBJECTION TO
RECEIVER’S MOTION TO AUTHORIZE SALE (TIMBER LAKE) AND RELATED
RELIEF**

NOW COMES, the Defendant, GLENN C. MUELLER, by and through his attorneys, MONICO & SPEVACK, and files this sur-reply (the “Sur-reply”) in support of his Objection to the Receiver’s Motion to Authorize the Sale of Real Estate and Related Relief (Timber Lake) (the “Objection”) and in response to the Receiver’s Reply in Support of Receiver’s Motion to Approve Sale (Timber Lake) and Related Relief (the “Reply”). DKT No. 198. In support of the Sur-reply, Mr. Mueller states as follows:

1. In the Reply, the Receiver contends that Sapphire’s offer is inferior because it is non-binding. Reply at ¶2. But this makes no sense as all the pre-Receivership offers were non-binding letters of intent that required further due diligence as a condition of

proceeding to sale. Such offers are common in large real estate transactions. Moreover, Sapphire made their higher offer based on the same “robust” financial information that was provided to all other potential buyers of the Timber Lake Property.

2. The Receiver opines that Sapphire is attempting to take “control of the deal” in order to lower their offer after due diligence is completed. The Reply at ¶2. However, Sapphire does not have control of the deal. That power remains with this Court. Upon information and belief, Sapphire does not intend to lower the sales price excepting some defect discovered during due diligence. Nevertheless, if the Receiver is unhappy with any potential renegotiation, they may simply cancel the PSA at the time of such potential renegotiation.
3. While it is certainly true that the COVID-19 Pandemic led to many uncertainties in the economic and real estate market, it is not an excuse to deviate from the Court-approved sale procedures absent notice to the Court and Mr. Mueller. *See* the Reply at ¶3; DKT No. 183. Any deviation from the Court-approved sale procedures should have been brought before this Court for approval, allowing time for potential objections.
4. The Receiver alleges that they hit the “pause” button on marketing the Timber Lake Property because of the uncertainty surrounding the early days of the COVID-19 crisis and the risk that tours of the property would have violated “Stay at Home” orders then in effect. The Reply at ¶4. On March 20, 2020, Governor Pritzker enacted Executive Order 2020-10 (the “Stay at Home Order”), which was in effect during the time that the marketing process for the Timber Lake Property was set to begin. It is hereby attached as **Exhibit 1**. According to paragraph 12(r) of the Stay at Home Order, professional services, such as real estate services are considered essential businesses and operations.

Thus, touring the exterior of the Timber Lake Property and vacant apartments was permissible and would pose little risk to tenants in occupied areas so long as appropriate social distancing measures were followed.

5. Regarding why the Receiver failed to contact Sapphire about the Timberlake sale, the Receiver points out that it was Balance Partners Properties, LLC, and not Sapphire that bid on the Timber Lake Property prior to the Receivership taking effect. The Reply at ¶5. While this is true, Sapphire is a partner of Balance Partners Properties. More importantly, the Receiver made no attempt to contact Balance Partners Properties either. Finally, absent notice from the Receiver, neither Balance Partners Properties nor Sapphire knew about the sale of the Timber Lake Property because there was no publicly available listing or marketing campaign for the Property.
6. The Receiver states they were in constant contact with Mr. Mueller and his counsel and repeatedly invited Mr. Mueller to refer any parties interested in the Timber Lake Property to CBRE. The Reply at ¶5. Mr. Virgilio had contact with Sapphire not Mr. Mueller or his attorneys. Further, Mr. Mueller and Mr. Virgilio took the Receiver at their previous word that Balance Partners Properties, and, thus, Sapphire, would be contacted regarding the sale of the Timber Lake Property. Instead, Sapphire first received notice of the marketing of the Timber Lake Property for sale in late August. This only occurred once Mr. Virgilio was made aware of the pending sale to Turner. Mr. Virgilio hastily relayed this information to Sapphire who immediately acted upon it.
7. The Receiver says that they have given Sapphire “every opportunity” to participate fully in the sale process and conduct whatever due diligence it seeks. The Reply at ¶6. The Receiver has not, however, provided Sapphire with the same treatment as they provided

Turner. It is common practice in real estate transactions to have a signed PSA before conducting due diligence on a property. Turner was allowed a 25-day due diligence period from the date of signing of their PSA. Sapphire only asks for equal treatment.

8. The Receiver states that Mr. Mueller has provided no explanation as to why Sapphire has refused to complete its due diligence. The Reply at ¶7. From the start, negotiations between the Receiver and Sapphire were peculiar. The Receiver proposed a significantly shortened due diligence period, which was insufficient to complete due diligence on a massive, 576-unit complex. The expedited due diligence period, coupled with the fact that Sapphire was never contacted as promised, concerned Sapphire. Understandably, Sapphire was unwilling to proceed until it had a signed PSA from the Receiver allowing a reasonable due diligence period. The Receiver still refuses to sign a PSA with Sapphire.
9. The Receiver says that Sapphire's behavior suggests that Sapphire is not a credible buyer. *See* the Reply at ¶¶8-9. However, Sapphire has supplied the Receiver with proof of funds exceeding \$60 million. Further, they have only asked for what is commonly requested in large real estate transactions.
10. The Receiver characterizes Sapphire's offer as a non-binding letter of intent disguised as a PSA. The Reply at ¶8. However, the Receiver neglects to acknowledge that the PSA was prepared by the Receiver and supplied to Sapphire by the Receiver.
11. Mr. Mueller does not ask this Court to terminate the Receiver's agreement with Turner. Mr. Mueller simply asks this Court to allow Sapphire the same treatment the Receiver gave Turner. A short delay will not jeopardize the Turner sale because the Turner PSA does not contain a "drop dead" expiration date for Court approval. And, in the unlikely event a delay causes Turner to walk away, they forfeit \$5 million in earnest money.

12. In the end, a delay is warranted because a sale to Sapphire could potentially yield \$10 million more, for the benefit of investors, than the Turner sale. DKT No. 196.

13. As an added bonus to investors, if the closing of the Timber Lake Property occurs after January 1, 2021, there will be no pre-payment penalty on the mortgage of the Timber Lake Property in the amount of \$600,000.

WHEREFORE, the Defendant respectfully asks the Court to delay the proposed sale to Turner as outlined in the Objection and Sur-reply.

Respectfully Submitted,
Glenn C. Mueller

By: /s/ Michael D. Monico
One of his attorneys

Michael D. Monico
MONICO & SPEVACK
53 West Jackson Boulevard
Suite 1315
Chicago, Illinois 60604
312-782-8500

➕ View up to date information on how Illinois is handling the Coronavirus Disease 2019 (COVID-19) from the [State of Illinois Coronavirus Response Site \(https://coronavirus.illinois.gov/\)](https://coronavirus.illinois.gov/)

Illinois.gov (/)

Executive Order 2020-10

March 20, 2020

EXECUTIVE ORDER 2020-10

EXECUTIVE ORDER IN RESPONSE TO COVID-19 **(COVID-19 EXECUTIVE ORDER NO. 8)**

WHEREAS, I, JB Pritzker, Governor of Illinois, declared all counties in the State of Illinois as a disaster area on March 9, 2020 (Gubernatorial Disaster Proclamation) in response to the outbreak of Coronavirus Disease 2019 (COVID-19 (Coronavirus Disease 2019)); and,

WHEREAS, in a short period of time, COVID-19 (Coronavirus Disease 2019) has rapidly spread throughout Illinois, necessitating updated and more stringent guidance from federal, state, and local public health officials; and,

WHEREAS, for the preservation of public health and safety throughout the entire State of Illinois, and to ensure that our healthcare delivery system is capable of serving those who are sick, I find it necessary to take additional measures consistent with public health guidance to slow and stop the spread of COVID-19 (Coronavirus Disease 2019);

WHEREAS, COVID-19 (Coronavirus Disease 2019) has resulted in significant economic impact, including loss of income and wages, that threaten to undermine housing security and stability;

WHEREAS, the enforcement of eviction orders for residential premises is contrary to the interest of preserving public health and ensuring that individuals remain in their homes during this public health emergency;

THEREFORE, by the powers vested in me as the Governor of the State of Illinois, and pursuant to Sections 7(1), 7(2), 7(8), 7(10), and 7(12) of the Illinois Emergency Management Agency Act, 20 ILCS (Illinois Compiled Statutes) 3305, and consistent with the powers in public health laws, I hereby order the following, effective March 21, 2020 at 5:00 pm and for the remainder of the duration of the Gubernatorial Disaster Proclamation, which currently extends through April 7, 2020:

Section 1. Stay at Home; Social Distancing Requirements; and Essential Businesses and Operations

1. **Stay at home or place of residence.** With exceptions as outlined below, all individuals currently living within the State of Illinois are ordered to stay at home or at their place of residence except as allowed in this Executive Order. To the extent individuals are using shared or outdoor spaces when outside their residence, they must at all times and as much as reasonably possible maintain social distancing of at least six feet from any other person, consistent with the Social Distancing Requirements set forth in this

Executive Order. All persons may leave their homes or place of residence only for Essential Activities, Essential Governmental Functions, or to operate Essential Businesses and Operations, all as defined below.

Individuals experiencing homelessness are exempt from this directive, but are strongly urged to obtain shelter, and governmental and other entities are strongly urged to make such shelter available as soon as possible and to the maximum extent practicable (and to use in their operation COVID-19 (Coronavirus Disease 2019) risk mitigation practices recommended by the U.S. Centers for Disease Control and Prevention (CDC (Centers for Disease Control and Prevention)) and the Illinois Department of Public Health (IDPH (Illinois Department of Public Health))). Individuals whose residences are unsafe or become unsafe, such as victims of domestic violence, are permitted and urged to leave their home and stay at a safe alternative location. For purposes of this Executive Order, homes or residences include hotels, motels, shared rental units, shelters, and similar facilities.

2. **Non-essential business and operations must cease**. All businesses and operations in the State, except Essential Businesses and Operations as defined below, are required to cease all activities within the State except Minimum Basic Operations, as defined below. For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home).

All Essential Businesses and Operations are encouraged to remain open. To the greatest extent feasible, Essential Businesses and Operations shall comply with Social Distancing Requirements as defined in this Executive Order, including by maintaining six-foot social distancing for both employees and members of the public at all times, including, but not limited to, when any customers are standing in line.

3. **Prohibited activities**. All public and private gatherings of any number of people occurring outside a single household or living unit are prohibited, except for the limited purposes permitted by this Executive Order. Pursuant to current guidance from the CDC (Centers for Disease Control and Prevention), any gathering of more than ten people is prohibited unless exempted by this Executive Order. Nothing in this Executive Order prohibits the gathering of members of a household or residence.

All places of public amusement, whether indoors or outdoors, including but not limited to, locations with amusement rides, carnivals, amusement parks, water parks, aquariums, zoos, museums, arcades, fairs, children's play centers, playgrounds, funplexes, theme parks, bowling alleys, movie and other theaters, concert and music halls, and country clubs or social clubs shall be closed to the public.

This Executive Order supersedes Section 2 of Executive Order 2020-07 (COVID-19 (Coronavirus Disease 2019) Executive Order No. 5), which prohibited gatherings of 50 people or more.

4. **Prohibited and permitted travel**. All travel, including, but not limited to, travel by automobile, motorcycle, scooter, bicycle, train, plane, or public transit, except Essential Travel and Essential Activities as defined herein, is prohibited. People riding on public transit must comply with Social Distancing Requirements to the greatest extent feasible. This Executive Order allows travel into or out of the State to maintain Essential Businesses and Operations and Minimum Basic Operations.

5. **Leaving the home for essential activities is permitted**. For purposes of this Executive Order, individuals may leave their residence only to perform any of the following Essential Activities:
 - a. For health and safety. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, seeking emergency services, obtaining medical supplies or medication, or visiting a health care professional.
 - b. For necessary supplies and services. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as, by way of example only and without limitation, groceries and food, household consumer products,

supplies they need to work from home, and products necessary to maintain the safety, sanitation, and essential operation of residences.

- c. For outdoor activity. To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements, as defined below, such as, by way of example and without limitation, walking, hiking, running, or biking. Individuals may go to public parks and open outdoor recreation areas. However, playgrounds may increase spread of COVID-19 (Coronavirus Disease 2019), and therefore shall be closed.
- d. For certain types of work. To perform work providing essential products and services at Essential Businesses or Operations (which, as defined below, includes Healthcare and Public Health Operations, Human Services Operations, Essential Governmental Functions, and Essential Infrastructure) or to otherwise carry out activities specifically permitted in this Executive Order, including Minimum Basic Operations.
- e. To take care of others. To care for a family member, friend, or pet in another household, and to transport family members, friends, or pets as allowed by this Executive Order.

6. **Elderly people and those who are vulnerable as a result of illness should take additional precautions.** People at high risk of severe illness from COVID-19 (Coronavirus Disease 2019), including elderly people and those who are sick, are urged to stay in their residence to the extent possible except as necessary to seek medical care. Nothing in this Executive Order prevents the Illinois Department of Public Health or local public health departments from issuing and enforcing isolation and quarantine orders pursuant to the Department of Public Health Act, 20 ILCS (Illinois Compiled Statutes) 2305.

7. **Healthcare and Public Health Operations.** For purposes of this Executive Order, individuals may leave their residence to work for or obtain services through Healthcare and Public Health Operations. Healthcare and Public Health Operations includes, but is not limited to: hospitals; clinics; dental offices; pharmacies; public health entities, including those that compile, model, analyze and communicate public health information; pharmaceutical, pharmacy, medical device and equipment, and biotechnology companies (including operations, research and development, manufacture, and supply chain); organizations collecting blood, platelets, plasma, and other necessary materials; licensed medical cannabis dispensaries and licensed cannabis cultivation centers; reproductive health care providers; eye care centers, including those that sell glasses and contact lenses; home healthcare services providers; mental health and substance use providers; other healthcare facilities and suppliers and providers of any related and/or ancillary healthcare services; and entities that transport and dispose of medical materials and remains.

Specifically included in Healthcare and Public Health Operations are manufacturers, technicians, logistics, and warehouse operators and distributors of medical equipment, personal protective equipment (PPE), medical gases, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products.

Healthcare and Public Health Operations also includes veterinary care and all healthcare services provided to animals.

Healthcare and Public Health Operations shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. Healthcare and Public Health Operations does not include fitness and exercise gyms, spas, salons, barber shops, tattoo parlors, and similar facilities.

8. **Human Services Operations.** For purposes of this Executive Order, individuals may leave their residence to work for or obtain services at any Human Services Operations, including any provider funded by the Illinois Department of Human Services, Illinois Department of Children and Family Services, or Medicaid that is providing services to the public and including state-operated, institutional, or community-based settings providing human services to the public.

Human Services Operations includes, but is not limited to: long-term care facilities; all entities licensed pursuant to the Child Care Act, 225 ILCS (Illinois Compiled Statutes) 10, except for day care centers, day care homes, group day care homes, and day care centers licensed as specified in Section 12(s) of this Executive Order; residential settings and shelters for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness; transitional facilities; home-based settings to provide services to individuals with physical, intellectual, and/or developmental disabilities, seniors, adults, and children; field offices that provide and help to determine eligibility for basic needs including food, cash assistance, medical coverage, child care, vocational services, rehabilitation services; developmental centers; adoption agencies; businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged individuals, individuals with physical, intellectual, and/or developmental disabilities, or otherwise needy individuals.

Human Services Operations shall be construed broadly to avoid any impacts to the delivery of human services, broadly defined.

9. **Essential Infrastructure.** For purposes of this Executive Order, individuals may leave their residence to provide any services or perform any work necessary to offer, provision, operate, maintain and repair Essential Infrastructure.

Essential Infrastructure includes, but is not limited to: food production, distribution, and sale; construction (including, but not limited to, construction required in response to this public health emergency, hospital construction, construction of long-term care facilities, public works construction, and housing construction); building management and maintenance; airport operations; operation and maintenance of utilities, including water, sewer, and gas; electrical (including power generation, distribution, and production of raw materials); distribution centers; oil and biofuel refining; roads, highways, railroads, and public transportation; ports; cybersecurity operations; flood control; solid waste and recycling collection and removal; and internet, video, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services).

Essential Infrastructure shall be construed broadly to avoid any impacts to essential infrastructure, broadly defined.

10. **Essential Governmental Functions.** For purposes of this Executive Order, all first responders, emergency management personnel, emergency dispatchers, court personnel, law enforcement and corrections personnel, hazardous materials responders, child protection and child welfare personnel, housing and shelter personnel, military, and other governmental employees working for or to support Essential Businesses and Operations are categorically exempt from this Executive Order.

Essential Government Functions means all services provided by the State or any municipal, township, county, subdivision or agency of government and needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public, and including contractors performing Essential Government Functions. Each government body shall determine its Essential Governmental Functions and identify employees and/or contractors necessary to the performance of those functions.

This Executive Order does not apply to the United States government. Nothing in this Executive Order shall prohibit any individual from performing or accessing Essential Governmental Functions.

11. **Businesses covered by this Executive Order.** For the purposes of this Executive Order, covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function it performs, or its corporate or entity structure.
12. **Essential Businesses and Operations.** For the purposes of this Executive Order, Essential Businesses and Operations means Healthcare and Public Health Operations, Human Services Operations, Essential Governmental Functions, and Essential Infrastructure, and the following:

- a. Stores that sell groceries and medicine. Grocery stores, pharmacies, certified farmers' markets, farm and produce stands, supermarkets, convenience stores, and other establishments engaged in the retail sale of groceries, canned food, dry goods, frozen foods, fresh fruits and vegetables, pet supplies, fresh meats, fish, and poultry, alcoholic and non-alcoholic beverages, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries, medicine, including medication not requiring a medical prescription, and also that sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences and Essential Businesses and Operations;
- b. Food, beverage, and cannabis production and agriculture. Food and beverage manufacturing, production, processing, and cultivation, including farming, livestock, fishing, baking, and other production agriculture, including cultivation, marketing, production, and distribution of animals and goods for consumption; licensed medical and adult use cannabis dispensaries and licensed cannabis cultivation centers; and businesses that provide food, shelter, and other necessities of life for animals, including animal shelters, rescues, shelters, kennels, and adoption facilities;
- c. Organizations that provide charitable and social services. Businesses and religious and secular nonprofit organizations, including food banks, when providing food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this emergency, and people with disabilities;
- d. Media. Newspapers, television, radio, and other media services;
- e. Gas stations and businesses needed for transportation. Gas stations and auto-supply, auto-repair, and related facilities and bicycle shops and related facilities;
- f. Financial institutions. Banks, currency exchanges, consumer lenders, including but not limited, to payday lenders, pawnbrokers, consumer installment lenders and sales finance lenders, credit unions, appraisers, title companies, financial markets, trading and futures exchanges, affiliates of financial institutions, entities that issue bonds, related financial institutions, and institutions selling financial products;
- g. Hardware and supply stores. Hardware stores and businesses that sell electrical, plumbing, and heating material;
- h. Critical trades. Building and Construction Tradesmen and Tradeswomen, and other trades including but not limited to plumbers, electricians, exterminators, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC, painting, moving and relocation services, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses and Operations;
- i. Mail, post, shipping, logistics, delivery, and pick-up services. Post offices and other businesses that provide shipping and delivery services, and businesses that ship or deliver groceries, food, alcoholic and non-alcoholic beverages, goods or services to end users or through commercial channels;
- j. Educational institutions. Educational institutions—including public and private pre-K-12 schools, colleges, and universities—for purposes of facilitating distance learning, performing critical research, or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible. This Executive Order is consistent with and does not amend or supersede Executive Order 2020-05 (COVID-19 (Coronavirus Disease 2019) Executive Order No. 3) or Executive Order 2020-06 (COVID-19 (Coronavirus Disease 2019) Executive Order No. 4) except that affected schools are ordered closed through April 7, 2020;
- k. Laundry services. Laundromats, dry cleaners, industrial laundry services, and laundry service providers;

- l. Restaurants for consumption off-premises. Restaurants and other facilities that prepare and serve food, but only for consumption off-premises, through such means as in-house delivery, third-party delivery, drive-through, curbside pick-up, and carry-out. Schools and other entities that typically provide food services to students or members of the public may continue to do so under this Executive Order on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site due to the virus's propensity to physically impact surfaces and personal property. This Executive Order is consistent with and does not amend or supersede Section 1 of Executive Order 2020-07 (COVID-19 (Coronavirus Disease 2019) Executive Order No. 5) except that Section 1 is ordered to be extended through April 7, 2020;
- m. Supplies to work from home. Businesses that sell, manufacture, or supply products needed for people to work from home;
- n. Supplies for Essential Businesses and Operations. Businesses that sell, manufacture, or supply other Essential Businesses and Operations with the support or materials necessary to operate, including computers, audio and video electronics, household appliances; IT and telecommunication equipment; hardware, paint, flat glass; electrical, plumbing and heating material; sanitary equipment; personal hygiene products; food, food additives, ingredients and components; medical and orthopedic equipment; optics and photography equipment; diagnostics, food and beverages, chemicals, soaps and detergent; and firearm and ammunition suppliers and retailers for purposes of safety and security;
- o. Transportation. Airlines, taxis, transportation network providers (such as Uber and Lyft), vehicle rental services, paratransit, and other private, public, and commercial transportation and logistics providers necessary for Essential Activities and other purposes expressly authorized in this Executive Order;
- p. Home-based care and services. Home-based care for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness, including caregivers such as nannies who may travel to the child's home to provide care, and other in-home services including meal delivery;
- q. Residential facilities and shelters. Residential facilities and shelters for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness;
- r. Professional services. Professional services, such as legal services, accounting services, insurance services, real estate services (including appraisal and title services);
- s. Day care centers for employees exempted by this Executive Order. Day care centers granted an emergency license pursuant to Title 89, Section 407.400 of the Illinois Administrative Code, governing Emergency Day Care Programs for children of employees exempted by this Executive Order to work as permitted. The licensing requirements for day care homes pursuant to Section 4 of the Child Care Act, 225 ILCS (Illinois Compiled Statutes) 10/4, are hereby suspended for family homes that receive up to 6 children for the duration of the Gubernatorial Disaster Proclamation.
- t. Manufacture, distribution, and supply chain for critical products and industries. Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by other Essential Businesses and Operations.

- u. Critical labor union functions. Labor Union essential activities including the administration of health and welfare funds and personnel checking on the well-being and safety of members providing services in Essential Businesses and Operations – provided that these checks should be done by telephone or remotely where possible.
- v. Hotels and motels. Hotels and motels, to the extent used for lodging and delivery or carry-out food services.
- w. Funeral services. Funeral, mortuary, cremation, burial, cemetery, and related services.

13. **Minimum Basic Operations.** For the purposes of this Executive Order, Minimum Basic Operations include the following, provided that employees comply with Social Distancing Requirements, to the extent possible, while carrying out such operations:

- a. The minimum necessary activities to maintain the value of the business's inventory, preserve the condition of the business's physical plant and equipment, ensure security, process payroll and employee benefits, or for related functions.
- b. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

14. **Essential Travel.** For the purposes of this Executive Order, Essential Travel includes travel for any of the following purposes. Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements as defined in this Section.

- a. Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses and Operations, or Minimum Basic Operations.
- b. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons.
- c. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services.
- d. Travel to return to a place of residence from outside the jurisdiction.
- e. Travel required by law enforcement or court order, including to transport children pursuant to a custody agreement.
- f. Travel required for non-residents to return to their place of residence outside the State. Individuals are strongly encouraged to verify that their transportation out of the State remains available and functional prior to commencing such travel.

15. **Social Distancing Requirements.** For purposes of this Executive Order, Social Distancing Requirements includes maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.

- a. Required measures. Essential Businesses and Operations and businesses engaged in Minimum Basic Operations must take proactive measures to ensure compliance with Social Distancing Requirements, including where possible:
 - i. Designate six-foot distances. Designating with signage, tape, or by other means six-foot spacing for employees and customers in line to maintain appropriate distance;
 - ii. Hand sanitizer and sanitizing products. Having hand sanitizer and sanitizing products readily available for employees and customers;
 - iii. Separate operating hours for vulnerable populations. Implementing separate operating hours for elderly and vulnerable customers; and
 - iv. Online and remote access. Posting online whether a facility is open and how best to reach the facility and continue services by phone or remotely.

16. **Intent of this Executive Order.** The intent of this Executive Order is to ensure that the maximum number of people self-isolate in their places of residence to the maximum extent feasible, while

enabling essential services to continue, to slow the spread of COVID-19 (Coronavirus Disease 2019) to the greatest extent possible. When people need to leave their places of residence, whether to perform Essential Activities, or to otherwise facilitate authorized activities necessary for continuity of social and commercial life, they should at all times and as much as reasonably possible comply with Social Distancing Requirements. All provisions of this Executive Order should be interpreted to effectuate this intent.

17. **Enforcement.** This Executive Order may be enforced by State and local law enforcement pursuant to, inter alia, Section 7, Section 18, and Section 19 of the Illinois Emergency Management Agency Act, 20 ILCS (Illinois Compiled Statutes) 3305.
18. **No limitation on authority.** Nothing in this Executive Order shall, in any way, alter or modify any existing legal authority allowing the State or any county, or local government body from ordering (1) any quarantine or isolation that may require an individual to remain inside a particular residential property or medical facility for a limited period of time, including the duration of this public health emergency, or (2) any closer of a specific location for a limited period of time, including the duration of this public health emergency. Nothing in this Executive Order shall, in any way, alter or modify any existing legal authority allowing a county or local government body to enact provisions that are stricter than those in this Executive Order.

Section 2. Order ceasing evictions.

Pursuant to the Illinois Emergency Management Agency Act, 20 ILCS (Illinois Compiled Statutes) 3305/7(2), (8), and (10), all state, county, and local law enforcement officers in the State of Illinois are instructed to cease enforcement of orders of eviction for residential premises for the duration of the Gubernatorial Disaster Proclamation. No provision contained in this Executive Order shall be construed as relieving any individual of the obligation to pay rent, to make mortgage payments, or to comply with any other obligation that an individual may have under tenancy or mortgage.

Section 3. Savings clause.

If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

Issued by the Governor March 20, 2020

Filed by the Secretary of State March 20, 2020

GOVERNMENT (/GOVERNMENT)

Executive Branch (/government/executive-branch)

Executive Orders (/government/executive-orders)

Judicial Branch (/government/judicial-branch)

Legislative Branch (/government/legislative-branch)

Resources & Records (/government/resources-records)

Transparency & Accountability (/government/transparency-accountability)

BUSINESS (/BUSINESS)

[Consumers \(/business/consumers\)](#)

[Manage your Business \(/business/manage-your-business\)](#)

[Manage your Employees \(/business/manage-your-employees\)](#)

[Registration, Licenses, & Permits \(/business/registration-licenses-permits\)](#)

[EMPLOYMENT \(/EMPLOYMENT\)](#)

[Employee Rights \(/employment/employee-rights\)](#)

[Find Jobs \(/employment/find-jobs\)](#)

[Professional Licenses \(/employment/professional-licenses\)](#)

[Volunteering \(/employment/volunteering\)](#)

[EDUCATION \(/EDUCATION\)](#)

[Educators \(/education/educators\)](#)

[Learning Resources \(/education/learning-resources\)](#)

[Parents \(/education/parents\)](#)

[Students \(/education/students\)](#)

[RESIDENTS \(/RESIDENTS\)](#)

[Cars & Transportation \(/residents/cars-transportation\)](#)

[Citizen Resources \(/residents/citizen-resources\)](#)

[Family & Home \(/residents/family-home\)](#)

[Health & Safety \(/residents/health-safety\)](#)

[Neighborhoods/Housing \(/residents/neighborhoods-housing\)](#)

[Parent/Child Resources \(/residents/parent-child-resources\)](#)

[Senior Citizen Resources \(/residents/senior-citizen-resources\)](#)

[Veteran Resources \(/residents/veteran-resources\)](#)

[VISITING \(/VISITING\)](#)

[Arts and Culture \(/visiting/arts-and-culture\)](#)

[Family Attractions \(/visiting/family-attractions\)](#)

[Museums \(/visiting/museums\)](#)

[Outdoors \(/visiting/outdoors\)](#)

[Travel & Recreation \(/visiting/travel-recreation\)](#)

[ABOUT \(/ABOUT\)](#)

[History \(/about/history\)](#)

[State Information \(/about/state-information\)](#)

[EMAIL UPDATES \(/PAGES/COMMUNICATIONSOPTIN.ASPX\)](#)

[SEARCH \(/SEARCH\)](#)

[News \(/search/news\)](#)

[AGENCIES \(/AGENCIES\)](#)

[SERVICES \(/SERVICES\)](#)

[NEWS \(/NEWS\)](#)

[Release \(/news/release\)](#)

Stay Informed

[Emergencies & Disasters \(https://www.illinois.gov/ready\)](https://www.illinois.gov/ready)

[Flag Honors \(/Pages/News/flag-honors.aspx\)](/Pages/News/flag-honors.aspx)

[Road Conditions \(http://www.gettingaroundillinois.com/\)](http://www.gettingaroundillinois.com/)

[Traffic Alerts \(http://www.iltrafficalert.com/\)](http://www.iltrafficalert.com/)

[Get Email Updates \(https://www.illinois.gov/gov/Pages/CommunicationsOptIn.aspx\)](https://www.illinois.gov/gov/Pages/CommunicationsOptIn.aspx)

Helpful Links

[Illinois Privacy Info \(/Pages/About/Privacy.aspx\)](/Pages/About/Privacy.aspx)

[Kids Privacy \(/Pages/About/Kids-Privacy.aspx\)](/Pages/About/Kids-Privacy.aspx)

[Contact Us \(/Pages/About/ContactUs.aspx\)](/Pages/About/ContactUs.aspx)

[FOIA Contacts \(/Pages/FOIA-Contacts.aspx\)](/Pages/FOIA-Contacts.aspx)

[State Press Contacts](#)

[\(https://www.illinois.gov/cms/agency/media/relations/Pages/MediaContacts.aspx\)](https://www.illinois.gov/cms/agency/media/relations/Pages/MediaContacts.aspx)

[Tech Ready Illinois \(https://www.techreadyillinois.com/\)](https://www.techreadyillinois.com/)

Stay Connected



[\(http://twitter.com/GovPritzker\)](http://twitter.com/GovPritzker)



[\(https://www.facebook.com/GovPritzker\)](https://www.facebook.com/GovPritzker)



[\(http://instagram.com/GovPritzker\)](http://instagram.com/GovPritzker)

Translate

Select Language ▼

Powered by [Google Translate \(https://translate.google.com\)](https://translate.google.com)

[_ \(/\)](#)

🗯 [Web Accessibility \(http://www.dhs.state.il.us/page.aspx?item=32765\)](http://www.dhs.state.il.us/page.aspx?item=32765)

⚠ [Missing & Exploited Children \(http://www.missingkids.com/\)](http://www.missingkids.com/)

🔔 [Amber Alerts \(http://www.amberillinois.org/\)](http://www.amberillinois.org/) 👤 [Illinois Privacy Info \(/Pages/About/Privacy.aspx\)](/Pages/About/Privacy.aspx)

[Governor JB Pritzker \(/sites/gov\)](/sites/gov)

© 2020 [State of Illinois \(/\)](#)