

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

**IN THE MATTER OF THE** )  
**CONSERVATION OF NEXTLEVEL** ) **No. 2020 CH 4431**  
**HEALTH PARTNERS, INC.** )

**NEXTLEVEL HEALTH PARTNERS, INC.’S OPPOSITION TO  
INTERVENOR’S JUNE 21, 2022 MOTION**

NextLevel Health Partners, Inc. (“NextLevel”) respectfully requests that the Court deny as moot the motion that Intervenor Jacqueline Stevens (“Intervenor”) filed on June 21, 2022.

**I. Background**

Intervenor moved to intervene in this case on August 30, 2021, and filed a motion the same day seeking to vacate all orders making any documents confidential, make all records filed in this case public, and declare 215 ILCS 5/188.1(4) and (5) unconstitutional. The Court granted Intervenor permission to intervene for the “limited purpose of making arguments regarding the public nature of these proceedings” and gave Intervenor “leave to review the court file once it becomes public and to amend her Motion by January 28, 2022.” The court file became public on November 29, 2021, and Intervenor amended her motion on January 31, 2022. The Court denied Intervenor’s amended motion on June 13, 2022.

Intervenor now seeks a ruling on another motion she filed on April 4, 2022, requesting that the Court “declare public all records of the proceeding . . . released to [I]ntervenor or the public by the Chancery Division, the court, or parties, including those that were ordered sealed or redacted and released inadvertently.”

**II. Argument**

Courts “do not decide moot questions.” *In re Alfred H.H.*, 233 Ill. 2d 345, 351 (2009).

The Court’s June 13, 2022 order mooted Intervenor’s April 4, 2022 motion, so Intervenor’s request for a ruling on that motion should be denied. Intervenor’s amended motion—the reason the Court allowed her to intervene—sought to “vacate all orders that have the effect of denying to [I]ntervenor . . . and the public access to any documents or portions thereof filed with this court,” “order the immediate release to [Intervenor] and the public all documents filed in this case without redactions,” and “declare [215 ILCS 5/188.1(4) and (5)] unconstitutional.” The Court’s June 13, 2022 order denied all of that relief. Thus, the limited purpose for which the Court allowed Intervenor to participate in this case is complete.

Intervenor’s April 4, 2022 motion was styled as a motion to “declare public all records of the proceeding,” but it seeks substantially the same relief as the motion the Court already denied earlier this month. This is an “inappropriate attempt to circumvent [a prior] order[.]” by motion. *See Gillard v. Nw. Mem. Hosp.*, 2019 IL App (1st) 182348, ¶ 56. The Court has definitively settled the question of which documents in this case are confidential or publicly available only in redacted form. There is no reason to allow Intervenor to continue to relitigate that question by filing additional motions seeking the same relief. Intervenor already had a full and fair opportunity to challenge the Court’s previous decision to keep certain information in this case confidential, and the Court rendered a reasoned decision on the merits of that challenge. Continuous collateral litigation related to that challenge does nothing more than waste judicial resources.

### **III. Conclusion**

For all of these reasons, and those set forth in its briefs responding to Intervenor’s various prior motions, NextLevel respectfully requests that the Court deny Intervenor’s June 21, 2022 motion.

Dated: June 24, 2022

Respectfully submitted,

By: /s/ Stephen W. Schwab

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**CERTIFICATE OF SERVICE**

I certify that on June 24, 2022, I caused the foregoing document to be filed and served on all counsel of record.

/s/ Stephen W. Schwab

*Attorney for NextLevel Health Partners, Inc.*