

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

SPORTS BETTING ALLIANCE,)	
)	
Plaintiff,)	
)	
v.)	
)	Case No. 2025CH12984
CITY OF CHICAGO; IVAN CAPIFALI, as)	
Commissioner of Department of Business)	Hon. Cecilia A. Horan
Affairs and Consumer Protection;)	
CHICAGO DEPARTMENT OF FINANCE;)	
and MICHAEL BELSKY, as City)	
Comptroller,)	
)	
Defendants.)	

PLAINTIFF SPORTS BETTING ALLIANCE’S MOTION
FOR TEMPORARY RESTRAINING ORDER

Plaintiff Sports Betting Alliance (“SBA” or “Plaintiff”), by its undersigned counsel, brings this Motion for a Temporary Restraining Order (the “Motion”) pursuant to 735 ILCS 5/11-101, *et seq.* to enjoin defendants City of Chicago, Chicago Department of Finance, Commissioner of Department of Business Affairs and Consumer Protection Ivan Capifali, and City Comptroller Michael Belsky (collectively, “Defendants”), from enforcing against SBA members the licensing requirements set forth in the amended Chicago Municipal Code, Section 4-156-960 *et seq.* (the “Amendments”), effective January 1, 2026.

INTRODUCTION

The SBA seeks a temporary restraining order to enjoin the named Defendants from enforcing newly adopted amendments to a City ordinance that will jeopardize online sports wagering in Chicago beginning on January 1, 2026, one of the biggest sports wagering periods of the year. The State of Illinois heavily regulates online sports wagering, and the online sportsbooks

that are members of the SBA¹ have operated for years in Chicago and elsewhere in Illinois under State-issued licenses, in compliance with State regulations, collectively paying millions of dollars in taxes annually to the State.

Through an ordinance that the Chicago City Council passed just five business days ago, the City seeks to impose its own supplemental license requirement (and related tax) on any legal, licensed sportsbook operator that accept wagers placed online by bettors in Chicago. The City's attempt to impose this licensing requirement is invalid. It is unsupported by the ordinance's text, represents an unconstitutional assertion of authority that rests exclusively with the State, and would irreparably harm the SBA, its members, and the public interest.²

The Licensing Ordinance's Text Contradicts the City's Interpretation. As written, the City ordinance requires a sportsbook to obtain a license only if it is conducting sports wagering at a "physical location" in Chicago and accept online wagers "related to" and "as a result of" that physical location. Chi. Mun. Code, § 4-156-962. Thus, the imposition of a license requirement turns on the physical presence of the sportsbook in the City and associated online wagering activity as a result of such physical presence, ***not*** on whether the sportsbook operators' customers are placing bets while in Chicago. The City's misreading of the ordinance is highly consequential, as none of the SBA members satisfy the ordinance's "physical location" requirements.

The Licensing Ordinance Violates the Illinois Constitution. Separately and independently, a TRO is warranted because, under the Illinois Constitution, the City of Chicago lacks home-rule authority to impose the amended ordinance's licensing requirements on

¹ "SBA members" refers to the group of sportsbook businesses operating under the trade names Bet365, BetMGM, DraftKings, FanDuel, and Fanatics Betting and Gaming, including their State-licensed operating subsidiaries that provide sports wagering in Illinois and in other jurisdictions where sports wagering is legal.

² While the tax the City ordinance purports to impose on online sports wagering is also invalid, the SBA moves here only with respect to the license requirement, because the tax is not due to be paid until February 2026, whereas the license requirement will compromise the SBA members' businesses as of midnight on New Year's Eve.

sportsbook operators such as the SBA members. The Illinois Constitution reserves for the State exclusive authority over revenue-generating licensing and income-based taxation, unless expressly delegated. The Illinois General Assembly has never authorized the City to impose such licensing or taxes on online sportsbooks. Thus, the State has sole authority to license and tax online sports wagering in the State of Illinois.

Irreparable Injury and the Public Interest. Absent an injunction, the SBA members will be irreparably harmed, as will the public interest. Specifically, SBA members will be forced to choose between operating in Chicago without a City license, which, according to the City, would be unlawful, or shutting down all online sports wagering in Chicago. Either result would irreparably harm their businesses. An alleged violation of one jurisdiction's laws could put SBA members' compliance with requirements in the numerous states where the members have gaming licenses at risk. And shutting down operations after December 31 would cause the SBA members financial harm and would impair their reputation and goodwill, as to which the members could not obtain recovery from the City. *See* 745 Ill. Comp. Stat. 10/2-103. This result would also harm the public interest. Chicago bettors who lack legal means to place online sports wagers will be driven to illegal sports wagering alternatives readily available on the internet and through local bookies, which lack State oversight and consumer protections. Those alternatives are untaxed, therefore depriving Illinois and, derivatively, Chicago of significant revenues under existing State tax laws.

Accordingly, the SBA brings this motion to preserve the status quo until this Court has an opportunity to consider fuller briefing and evidence at a preliminary injunction hearing.

BACKGROUND

A. The State-Law Framework for Online Sports Betting

The Illinois Sports Wagering Act, enacted in June 2019, made sports betting legal in Illinois. The Sports Wagering Act's purpose is to promote public safety for sports leagues, teams,

players, and fans by making sports betting legal and regulating it at the State level. 230 ILCS 45/25-5. Prior to this legislation, sports betting in Illinois occurred only through illegal channels, including underground operations and offshore sportsbooks. The 2019 Act authorized both online and in-person sports wagering.

Under Illinois law, SBA members were required to apply for and obtain “management services provider licenses” from the State—a lengthy and costly process. *See* 230 ILCS 45/25-20; Ill. Admin. Code tit. 11, § 1900.150. These licenses permit SBA members to contract with Illinois-based casino partners—who must separately obtain master sports wagering licenses under the Sports Wagering Act—to provide sports wagering in Illinois, including wagering done online. Ex. 1, Kudon Aff. ¶ 8.

SBA members were required to submit detailed applications, disclose extensive records showing they were qualified, and cooperate in a background investigation process, all administered by the Illinois Gaming Board (“IGB”). 230 ILCS 45/25-20. Starting in 2020 for some SBA members, Illinois determined that the SBA members and their casino partners satisfied all the State requirements and licensed them to operate in Illinois. Ex. 1, Kudon Aff. ¶ 11. SBA members paid all required license fees to the State—substantial amounts, with initial fees reaching millions of dollars per license. Ill. Admin. Code tit. 11, § 1900.735; Compl. ¶ 40.

B. The Amendments

On December 20, 2025, the Chicago City Council approved a budget that included amendments to the Chicago Municipal Code, effective January 1:

License Required. It shall be unlawful for any person to conduct sports wagering at a physical location in the City ~~of Chicago~~, including related mobile sports wagering permitted under the Sports Wagering Act as a result of such person being physically located in the City ~~of Chicago~~, unless such person: (1) is an owners licensee, organization licensee, sports facility or its designee, **an online sports wagering operator**, or a management services provider of such person, and (2) holds all necessary licenses under the Sports Wagering Act, and (3) holds valid

City licenses including a primary sports license and, if applicable, necessary secondary sports licenses.

Chi. Mun. Code, § 4-156-962 (emphasis added, reflecting the Amendment's revisions).

By its terms, the licensing requirement applies to “any person” that conducts sports wagering at a “physical location” within the City, including conducting “related” mobile wagering “as a result of” the operator being “physically located in the City.” § 4-156-962. The only substantive amendment to this provision was the addition of “an online sports wagering operator” to the list of entities that may obtain a license to conduct sports wagering at a “physical location” in the City and conduct sports wagering “related to” and “as a result of” the physical presence in the City. As originally worded and as amended, the ordinance imposes no obligation on sportsbooks to obtain City licenses simply because they accept online wagers from bettors in Chicago.

The Amendments do not substantively regulate online sports wagering activity beyond the requirements the State already imposes for corresponding State licenses. And in contrast to the Sports Wagering Act and comparable state licensing regimes across the country, the Amendments lack any defined standards or procedures for licensure. They do not establish a review framework, specify application criteria, set processing timelines, or identify enforcement mechanisms associated with the licensing process. The ordinance, as amended, does not establish any substantive obligations for City-level online sports wagering licensees beyond those that State regulations already require. *See generally* Chi. Mun. Code, § 4-156-960 *et seq.*

C. The City Does Not Have Time to Issue Licenses Before January 1, 2026.

Although the Amendments do not support the City's interpretation, and the Illinois Constitution forbids it, SBA members have made concerted efforts to engage with the City and its Department of Business Affairs and Consumer Protection (“BACP”) to obtain City licenses in

FILED DATE: 12/30/2025 11:54 AM 2025CH12984

anticipation of the January 1, 2026 effective date. Ex. 1, Kudon Aff. ¶¶ 17-20. Doing so, the SBA members hoped, would eliminate the possibility that continuing to accept sports wagering bets in Chicago after December 31, 2025 would be deemed unlawful under the City’s interpretation of its last-minute amendments. *Id.* Despite prior assurances that the licenses could and would be issued on December 29, 2025, as of the time of filing this Motion, the City of Chicago has not issued the required municipal license to any SBA member or to its master license holder. *Id.* ¶ 20. Nor has the City committed to being able to issue licenses for online sports wagering by the December 31, 2025 deadline. *Id.*

ARGUMENT

To obtain a temporary restraining order, the SBA must establish that (1) it has a clearly ascertainable right in need of protection; (2) it will suffer irreparable injury in the absence of a temporary restraining order; (3) it has no adequate remedy at law; and (4) it is likely to succeed on the merits. *Falcon, Ltd. v. Corr’s Nat. Beverages, Inc.*, 165 Ill. App. 3d 815, 820 (1st Dist. 1987). The Court must “determine if the balance of hardships to the parties supports the grant of preliminary injunctive relief.” *Keefe-Shea Joint Venture v. City of Evanston*, 332 Ill. App. 3d 163, 169 (1st Dist. 2002). When considering the balance of hardships, “the court should also consider the effect of the injunction on the public.” *Clinton Landfill, Inc. v. Mahomet Valley Water Auth.*, 406 Ill. App. 3d 374, 378 (4th Dist. 2010) (quoting *Kalbfleisch v. Columbia Cmty. Unit Sch. Dist. Unit No. 4*, 396 Ill. App. 3d 1105, 1119 (5th Dist. 2009)).

A temporary restraining order preserves the status quo until the court can hear a motion for a preliminary injunction. *Passon v. TCR, Inc.*, 242 Ill. App. 3d 259, 265 (2d Dist. 1993). This Court routinely grants TROs to prevent enforcement of unconstitutional City ordinances. *See, e.g., N. Sheffield, Inc. v. City of Chicago*, 144 Ill. App. 3d 913 (3d Dist. 1986) (affirming Circuit Court’s issuance of a TRO to block the enforcement of a Chicago tax ordinance); *Peoples Gas Light &*

Coke Co. v. City of Chicago, 117 Ill. App. 3d 353 (3d Dist. 1983) (affirming Circuit Court’s issuance of a TRO to block a Chicago ordinance from taking effect).

Maintaining the status quo means maintaining SBA members’ ability to conduct their online sports wagering businesses in the City of Chicago without receiving a City license to do so, as some of them have been doing going back as far as 2020. Because the SBA members and their partners are properly licensed and in compliance with the State’s licensing and regulatory requirements, a TRO preserving the status quo will not result in unlicensed and unregulated online sports wagering in the City. In fact, it will do the opposite, by providing bettors located in Chicago with legal, regulated online sports wagering options, as the State of Illinois intended through the Sports Wagering Act, rather than exposing them to unregulated, untaxed, and illegal online sports wagering and to local bookies.

A. The SBA and Its Members Have a Certain and Clearly Ascertainable Right in Need of Protection.

To establish a clearly ascertainable right, a party need “only raise a fair question as to the existence of the right claimed.” *Continental Cablevision of Cook Cnty., Inc. v. Miller*, 238 Ill. App. 3d 774, 787 (1st Dist. 1992). “The standard for establishing a sufficient legal right [for a preliminary injunction] is not difficult.” *Id.* Specifically, “[t]o show a clear and ascertainable right [a party] must raise a fair question that it has a substantive interest recognized by statute or common law.” *Limestone Dev. Corp. v. Vill. of Lemont*, 284 Ill. App. 3d 848, 854 (1st Dist. 1996).

The SBA and its members have clearly ascertainable interests in the licenses they received from the State to operate online sportsbooks throughout Illinois, including in Chicago. *See, e.g., Kurtzworth v. Illinois Racing Bd.*, 92 Ill. App. 3d 564, 588 (5th Dist. 1981) (“Illinois recognizes that a license to do business, including an occupational license conferred by the Illinois Racing Board, constitutes a [protectable] property interest...”). And the SBA members likewise have

statutory rights to be free from an unauthorized municipal licensing scheme the City is interpreting in contravention of the ordinance's text, and that violates the Illinois Constitution.

B. The SBA Is Likely to Succeed on the Merits of Its Claim That the Amendments' Licensing Requirement Is Unconstitutional.

Where, as here, "the plaintiff only seeks to maintain the status quo until the ultimate issue is decided, an injunction may properly be allowed without establishing probable success on the merits." *Gannett Outdoor of Chicago v. Baise*, 163 Ill. App. 3d 717, 723 (1st Dist. 1987) (citations omitted). Further, if a plaintiff seeks to alter the status quo, it must "demonstrate that [it] probably will be entitled to the relief prayed for if the proof should sustain the allegations." *Id.* Although the first of these standards applies here, the SBA can satisfy either standard for two separate and independent reasons. First, the Amendments' municipal licensing requirement does not apply to SBA members. Second, even if it did, that licensing requirement is unconstitutional. Chi. Mun. Code, § 4-156-960 *et seq.*

1. *The licensing ordinance's text contradicts the City's interpretation.*

The City's assertion that the Amendments' licensing requirement (and subsequently, the tax requirement) applies to SBA members that lack a physical location in the City of Chicago is groundless. By its plain language, the ordinance—both before and after the Amendments—requires a person to obtain a license only if the person is conducting sports wagering at a "physical location" within the City, including conducting "related" mobile wagering "as a result of" the operator being "physically located in the City." Chi. Mun. Code, § 4-156-962. Under the Illinois Sports Wagering Act, certain sports facilities and their designees may be authorized to conduct sports wagering at a specific physical venue and, in limited circumstances, to offer mobile wagering within a defined geographic five-block radius tied to that venue. *See* 230 ILCS 45/25-40(f)-(h). The Amendments' reference to "related mobile sports wagering" corresponds to that

location-based authorization.

Accordingly, the touchstone of the licensing requirement is whether an operator has a physical location in the City and is providing online wagering tied to that location, not where the operator's customers are located. Under the plain language of the Amendments, an online sportsbook operator with no physical location in Chicago is not subject to the license requirement, even if it accepts online sports wagers from customers located in Chicago.

With only one exception, the SBA members have no physical location in Chicago. Ex. 1, Kudon Aff. ¶ 9. A DraftKings affiliate, Northside Crown Gaming LLC, only conducts in-person, retail betting and does so only at its brick-and-mortar location, DraftKings Sportsbook at Wrigley Field ("DraftKings Wrigley"). *Id.* ¶ 10; Ex. 2, Curtis Aff. ¶ 11. Those operations are entirely separate from DraftKings' online sports wagering offered across Chicago and Illinois, through a DraftKings affiliate, Crown IL Gaming LLC, licensed separately by the State to accept online sportsbook wagers that are unrelated to the DraftKings Wrigley license. Ex. 1, Kudon Aff. ¶ 10; Ex. 2, Curtis Aff. ¶ 12. Because DraftKings' online sports-betting operations are not "related to" or "as a result" of in-person wagering at Wrigley Field, and are conducted pursuant to a separate, online license, the ordinance, as amended, does not apply to DraftKings' online sportsbook offerings across Chicago. Ex. 1, Kudon Aff. ¶ 11.

The City has nevertheless stated that it will enforce the ordinance as if it imposes licensing and taxation obligations based solely on the location of the sportsbook's *customers*. *Id.* ¶ 17; Compl. ¶ 8. This interpretation is unfounded. Section 4-156-962 identifies "such person" as an entity that is a licensee or operator, and imposes the license requirement on "such person." Therefore, the reference to "any person" in the paragraph necessarily mean a sportsbook with a physical location in Chicago, not a customer located in Chicago who places online bets.

Given the ordinance’s text requiring a “physical location” in the City, the SBA is likely to prevail on the merits of whether the ordinance imposes a license requirement on sportsbooks based solely on whether their customers located in Chicago are placing online bets.

2. *The licensing Ordinance violates the Illinois Constitution.*

Even if Section 4-156-962 were read as requiring all online sportsbooks—regardless of whether they have any physical location in Chicago—to obtain City licenses to continue accepting online sports wagers from customers in Chicago, the City lacks constitutional authority for this paradigm-shifting ordinance. The State—not the City—has sole authority to license and tax online sports wagering in the State of Illinois. The Illinois Constitution reserves authority over revenue-generating licensing to the State unless expressly delegated. The Illinois General Assembly has never authorized the City to impose licensing fees or income-based taxes on State-licensed sportsbook operators.

Article VII, Section 6(e) of the Illinois Constitution states, in relevant part: “A home rule unit shall have only the power that the General Assembly may provide by law ... to license for revenue or impose taxes upon or measured by income or earnings or upon occupations.” Ill. Const. art. VII, § 6(e). This provision is not a grant of authority; it represents a limitation on the regulatory and taxing authority of home rule units like the City of Chicago. Unless and until the General Assembly expressly authorizes a municipality to license for revenue or to tax online sportsbook revenues, the municipality lacks the power to do so. Ill. Const. art. VII, § 6(e). No such delegation exists here.

First, the purported licensing requirement for SBA members is an attempt by the City to “license for revenue.” The Amendments establish two categories of municipal licenses: “primary sports licenses” for master sports wagering licensees, with whom SBA members partner under the Illinois regulatory framework, and “secondary sports licenses” for management services providers

under Illinois law. Chi. Mun. Code, § 4-156-960, 4-156-962.³ The City's licensing qualifications are materially the same as those imposed by the State for corresponding State licenses; thus, the license essentially adds nothing to the State's long-existing licensing process for sportsbooks operating in Chicago and elsewhere in Illinois. Further confirming the license requirement is directed at generating revenue, the City charges \$50,000 for a primary sports license in the initial year and \$25,000 for each year thereafter, and \$10,000 for a secondary sports license in the initial year and \$5,000 for each year thereafter. These fees exceed those imposed on all other types of businesses. Chi. Mun. Code, § 4-5-010. Moreover, the Amendments use the license requirement as a trigger for imposing on sportsbooks significant additional taxes—10.25% of income derived from online sports betting by customers in Chicago. *Id.* The licensing requirement, in short, has everything to do with generating fees and tax revenue, and little if anything to do with regulating already heavily regulated sportsbooks.

Second, the Illinois General Assembly has never authorized such a license of online sportsbooks. To the contrary, the General Assembly enacted a comprehensive, statewide licensing framework administered exclusively by the IGB. It imposes extensive requirements and substantial fees for obtaining a license, duties that correspond to holding a license, and regulations about how licensees should conduct their sports wagering operations. It establishes an administrative agency, the IGB, to oversee the licensure process and ensure that applicants are well qualified. Moreover, the Sports Wagering Act demonstrates that the General Assembly—not individual localities—is exclusively responsible for taxing online sports wagers placed within certain localities and redirecting revenues for local public services. *See* 230 ILCS 45/25-90(a-5)

³ Under the City's interpretation, to continue operating in Chicago under the Amendments, SBA members must obtain secondary municipal licenses, and their Illinois-licensed casino partners must obtain primary municipal licenses, each replicating licenses they hold at the Illinois level.

(“[T]he State shall impose and collect 2% of the adjusted gross receipts from sports wagers that are placed within a home rule county with a population of over 3,000,000 inhabitants, which shall be paid, subject to appropriation from the General Assembly, from the Sports Wagering Fund to that home rule county for the purpose of enhancing the county’s criminal justice system”). By superimposing its own revenue-driven licensing requirement on top of that framework, the City exceeds its constitutional authority under Article VII, Section 6(e).

Given the absence of any delegation by the General Assembly to the City of Chicago to impose its own licensing requirements on sportsbook operators, the SBA has at least raised a “fair question” and, indeed, is likely to prevail on the merits of its argument that the ordinance’s license requirement is unconstitutional.

C. The SBA and Its Members Would Suffer Irreparable Harm in the Absence of a TRO and Have No Adequate Remedy at Law.

Failure to grant a temporary restraining order will result in irreparable harm, and SBA members lack an adequate remedy at law absent such an injunction. Under Illinois law, “[a]n injury is ‘irreparable’ when it is of such a nature that the injured party cannot be adequately compensated in damages or when damages cannot be measured by any pecuniary standard.” *Falcon, Ltd.*, 165 Ill. App. 3d at 821. “To say that the injury is irreparable means that the methods of repair (remedies at law) are inadequate.” Once a protectable interest is established, “irreparable injury is presumed if that interest is not protected.” *Cameron v. Bartels*, 214 Ill. App. 3d 69, 73 (4th Dis. 1991).

Despite the SBA members’ efforts to secure City licenses or to obtain an extension of the December 31 deadline to avoid any risk of interruption of online services to customers in Chicago, those efforts have been unsuccessful. Ex. 1, Kudon Aff. ¶ 20. Given that the City Council did not pass the ordinance until December 20 and the Mayor announced he would not veto it as recently

as December 23, the City has been unable to deliver the licenses within the compressed timeframe it imposed. Consequently, absent a TRO, SBA members will be forced to choose between operating in Chicago without a City-issued license, which, according to the City, would be unlawful, or shutting down all online sportsbook operations in the City of Chicago. *Id.* ¶ 21. Either result would irreparably harm their businesses and the public interest.

To start, the harm associated with continuing to operate without a purportedly required City license is immeasurable and irreparable. Any enforcement action by the City could jeopardize other sports wagering licenses SBA members hold in various jurisdictions, including in Illinois. Compl. ¶ 13. Illinois’ sports wagering regulations, for example, impose on all licensees an ongoing general duty to “Comply with all federal, State, and local laws and regulations,” Ill. Admin. Code tit. 11, § 1900.210, and licensees must report to the IGB “[a]ny adverse action relating to any gaming license or operation in any other jurisdiction,” *id.* § 1900.220. Other state laws and regulations impose similar requirements.⁴ An enforcement action here would therefore potentially create cascading regulatory consequences, including potentially impairing SBA members’ ability to maintain licenses or obtain new ones in other jurisdictions. Compl. ¶ 13. Ultimately, SBA members should not “be required to provoke a disciplinary proceeding” to learn what their rights are with respect to the challenged City licenses; rather, “[i]t is central to the purpose of the declaratory judgment procedure that it allow ... parties to the dispute [to] learn the consequences of their action before acting.” *Buege v. Lee*, 56 Ill. App. 3d 793, 798 (2d Dist. 1978).

If SBA members elect to cease their online sports wagering offerings in the City of Chicago altogether starting January 1, they will likewise suffer irreparable harm. The City of Chicago

⁴ Even absent an enforcement action by the City, other states could make a negative suitability determination against SBA members—thus impacting SBA members’ licensing status in those other states—based on the other states’ independent determination that SBA members are operating without a required license in Chicago. *See* Compl. ¶ 13.

represents a substantial portion of online sportsbook wagering in all of Illinois. Thus, turning out the lights in Chicago would prejudice the SBA members from a financial standpoint. These harms cannot be recovered through a damages claim against the City because municipalities are immune from monetary liability arising from the enactment or enforcement of legislation. *See* 745 Ill. Comp. Stat. 10/2-103 (“A local public entity is not liable for an injury caused by adopting or failing to adopt an enactment or by failing to enforce any law.”).

In addition, a cessation of operations will cause immediate and irreparable injury to SBA members’ goodwill, customer relationships, and ongoing business operations, Compl. ¶ 13—harms that Illinois courts consistently recognize cannot be adequately measured by any pecuniary standard. *Prentice Med. Corp. v. Todd*, 145 Ill. App. 3d 692, 701 (1st Dist. 1986) (“[P]laintiffs may suffer a consequent loss of good will and damage to their competitive position . . . As a result plaintiffs sufficiently established a threat of irreparable harm.”); *Stenstrom Petrol. Servs. Grp., Inc. v. Mesch*, 375 Ill. App. 3d 1077, 1096 (2d Dist. 2007) (“[P]rolonged interruptions in the continuity of business relationships can cause irremedial damages for which no compensation would be adequate.”); *Travelport, LP v. Am. Airlines, Inc.*, 2011 IL App (1st) 111761 ¶¶ 37-41 (loss of sales and customers, and the threat of continuation of such losses to a business interest, is sufficient to constitute irreparable injury).

Finally, a January 1 cessation will also cause irreparable harm to the public, as Chicago bettors who lack legal means to place online sports wagers will be driven to illegal sports wagering alternatives readily available on the internet and through local bookies, which lack any state oversight or consumer protections. Compl. ¶ 14. Because those alternatives are untaxed, forcing SBA members to “go dark” would deprive Illinois, and, derivatively, Chicago, of significant revenues under existing State tax laws. *Id.*

D. The Balance of Harms Favors the SBA.

Generally, to issue a temporary restraining order or preliminary injunction, the court must conclude that the plaintiff will suffer greater harm without the injunction than the defendant will suffer if it issues. *Gannett Outdoor*, 163 Ill. App. 3d at 724-25. The balance of harms tilts decidedly in the SBA's favor.

As discussed, absent injunctive relief, SBA members will suffer substantial and irreparable harm. So will the public, as bettors in Chicago move to unregulated and illegal gaming online and in-person bookies. And the State—and, derivatively, the City—will be denied significant tax revenue for one of the busiest sports wagering periods of the year. Compl. ¶¶ 33-34. By contrast, the City will suffer no harm if enforcement of the licensing requirement is temporarily enjoined. Granting a TRO will merely preserve the status quo that has existed for years: SBA members will continue operating under comprehensive State licensure and regulation overseen by the IGB.

E. Good Cause Exists for Not Requiring the SBA to Post Bond.

The Court has discretion to not require SBA to post a bond in the event Defendants are found to have been wrongfully enjoined. 735 ILCS 5/11-103. There is good cause not to impose a bond requirement here. The City has been unable to grant SBA members the purportedly required City-level licenses to continue their online sports wagering operations in the City by January 1. If an injunction issues, SBA members will at least temporarily continue providing online sports wagering in the City of Chicago. This would not put Defendants in a worse monetary position than if SBA members cease operating in the City to avoid the risk of operating without licenses.

CONCLUSION

WHEREFORE, the SBA respectfully requests that this Court enter a temporary restraining order substantially in the form of the proposed order attached hereto as **Exhibit 3**.

Dated: December 30, 2025

Respectfully submitted,

/s/ Gabor Balassa

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 30th day of December 2025, he caused a true and correct copy of the foregoing Motion to be served electronically upon all counsel of record.

/s/ Gabor Balassa

Gabor Balassa