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MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

**UNITED STATES OF AMERICA  
IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

I.A. RANA ENTERPRISES, INC., an )  
Illinois corporation, IQTIDAR RANA, an )  
individual, )

Plaintiffs, )

vs. )

CITY OF AURORA, an Illinois municipal )  
corporation, TOM WEISNER, an individual,) )  
ROBERT O'CONNOR, an individual, )  
MIKE SAVILLE, an individual, )

Defendants. )

07CV1149  
JUDGE GETTLEMAN  
MAG. JUDGE DENLOW

**JURY TRIAL DEMANDED**

**COMPLAINT**

NOW COMES the Plaintiffs, IA ENTERPRISES, INC. and IQTIDAR RANA, by and through their attorneys RATHJE & WOODWARD, LLC, and respectively submit the following as their complaint against the Defendants named herein:

INTRODUCTION

1. This matter arises from a conspiracy to deprive IA Rana Enterprises and Iqtidar A. Rana of their civil rights and violations of the plaintiffs' civil rights under the First Amendment of the United States Constitution and 42 USC Sec. 1983.
2. IA RANA ENTERPRISES, INC. is an Illinois corporation doing business as Hilltop Citgo Gas Station situated at 287 South Broadway, Aurora, Kane County, Illinois.
3. IQTIDAR A. RANA is an individual with his residence in DuPage County, Illinois.
4. The CITY OF AURORA is an Illinois municipal corporation with its principal offices in Kane County, Illinois.

5. TOM WEISNER serves as the Mayor of the CITY and resides in Aurora, Kane County, Illinois.
6. ROBERT O'CONNOR is a resident who is a duly elected Alderman within the City of Aurora, Kane County, Illinois and resides therein.
7. MICHAEL SAVILLE is a resident and duly elected Alderman of the City of Aurora, Kane County, Illinois and resides therein.

JURISDICTION

8. Jurisdiction over this suit arises under 28 USC Sec. 1331 in that this lawsuit alleges claims arising under the First Amendment and 42 USC Sec. 1983.
9. Venue in this lawsuit resides in the United States District Court, Northern District of Illinois, Eastern Division, to the extent that substantially all of the conduct at issue in this lawsuit occurred in Kane County, Illinois. See 28 USC Sec. 1391.

COUNT ONE-VIOLATION OF FIRST AMENDMENT

10. On May 19, 2005, Rana Enterprises acquired real property commonly known as 287 South Broadway, Aurora, Kane County, Illinois, bearing the property tax identification number 15-27-102-004-0000 which property is legally described as follows:

“Parcel 1: The easterly 70 feet of the southerly 94 feet of Lot 1 in Block 3 of F.W. Allen’s Subdivision of part of Blocks 4 and 12 of D.K. Town’s addition to Aurora and part of blocks 15 16 and 17 of Jenks’ addition to Aurora. In the City of Aurora. Kane County, Illinois.

Parcel 2: That part of Lots 1 and 2 in block 3 of D.W. Allen’s Subdivision of part of blocks 4 and 12 of D.K. Town’s addition to Aurora, and part of blocks 15 16 and 17 of Jenks’ addition to Aurora, described as follows; commencing at the most southerly corner of said Lot 1 thence northeasterly along the southeasterly line of said Lot 1, 94 feet for the point of beginning; thence northeasterly along the southeasterly line

of said Lots 1 and 2, 60 feet; thence northwesterly parallel with the northeasterly line of said Lot 2, 100 feet; thence southwesterly parallel with the southeasterly line of said Lots 2 and 1, 62.38 feet to a line drawn northwesterly, parallel with the southwesterly line of said Lot 1, from the point of beginning; thence southeasterly along said parallel line 100.36 feet to the point of beginning; in the City of Aurora, Kane County, Illinois.”

11. The above described real property is referred to herein as the “**Subject Property**” pursuant to the real estate contract for the sale of the subject property and transfer of title to the subject property, Rana Enterprises invested in excess of one million dollars (\$1,000,000) towards the purchase of the subject property and related business assets for the gasoline service station located thereon.
12. RANA ENTERPRISES and its principal, IQTIDAR RANA, retained counsel to speak in their behalf at a joint meeting of the Finance Committee and the Planning and Development Committee on February 15, 2007 at which time counsel was afforded roughly three minutes to comment on a matter of significant public concern at a meeting that opened a public forum on the topic of redevelopment of a large tract of land that was adjacent to land owned by PLAINTIFFS and, under some plans, includes PLAINTIFFS’ land.
13. The joint meeting chairs were O’CONNOR and SAVILLE and both enforced the three-minute time limit by watching time and closing matters of PLAINTIFFS input shortly after the three minutes.
14. Other opponents near downtown were unable to speak at all while one was limited to three minutes in a fashion similar to PLAINTIFFS’ attorney who appeared and spoke on their behalf.

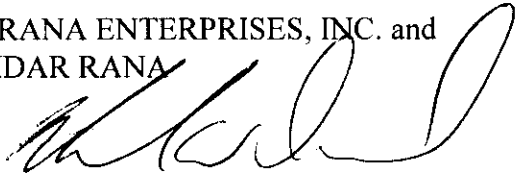
15. Proponents of redevelopment were allotted unlimited time even though they neither sat on the joint committees, held employment with the CITY or held a position as a representative of the CITY.
16. On February 20, 2007, the CITY COUNCIL, chaired by WEISNER, afforded unlimited time to proponents of development of the same property addressed at the February 15, 2007 meeting who were not affiliated with the City as employees, agents or representatives.
17. On February 20, 2007, RANA ENTERPRISES and RANA appeared through counsel to address the same issues in the public forum created by the City Council and WEISNER refused to allow counsel for PLAINTIFFS to speak.
18. The CITY's conduct in affording access to speak in the public fora created discriminated against PLAINTIFF on the basis of the content of their speech

WHEREFORE, the PLAINTIFFS respectfully request that the Court enter an order enjoining further conduct similar to that pattern described above which allows access to a public forum at the CITY based on the content of speech, awarding PLAINTIFFS damages against established at trial, awarding PLAINTIFFS their fees, expenses and costs under 42 USC Sec. 1983, 1988, entering the foregoing relief against all parties directly and in their individual capacities and allowing such other and further relief as this Court deems justified under the facts.

\* \* \* \* \*

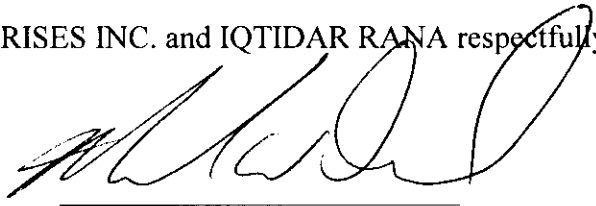
Respectfully submitted,

I.A. RANA ENTERPRISES, INC. and  
IQTIDAR RANA

By:   
One of Their Attorneys

**JURY DEMAND**

The PLAINTIFFS I.A. RANA ENTERPRISES INC. and IQTIDAR RANA respectfully  
request a trial by jury.



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