

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

**ABIGAILE LEBRON, a minor, by THE)
NORTHERN TRUST COMPANY, Guardian)
of the Estate of ABIGAILE LEBRON, a minor;)
and FRANCES LEBRON, her Mother and)
Next Friend; and FRANCES LEBRON,)
Individually,)**

Plaintiffs,)

v.)

**GOTTLIEB MEMORIAL HOSPITAL, a)
corporation; ROBERTO LEVI-D'ANCONA,)
M.D., and FLORENCE MARTINEZ, R.N.,)**

Defendants.)

Case No. 2006 L 12109

**Hon. Diane Joan Larsen
Judge Presiding**

**In re consolidated motions challenging the)
constitutionality of Public Act 94-677)**

ORDER

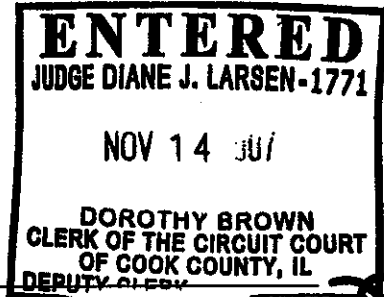
The court's order in this matter issued on November 13, 2007, is hereby amended to add the following findings in compliance with Illinois Supreme Court Rule 18:

- (1) Separation of Powers Clause of the Illinois Constitution (Ill. Const. 1970, art. II, § 1);
- (2) 735 ILCS 5/2-1706.5 as enacted by Public Act 94-677, is unconstitutional on its face and as applied to the case *sub judice*;
- (3) that the statute being held unconstitutional cannot reasonably be construed in a manner that would preserve its validity;
- (4) that the finding of unconstitutionality is necessary to the decision or judgment rendered, and that such decision or judgment cannot rest upon an alternative ground; and

(5) that the notice required by Rule 19 has been served, and that those served with such notice have been given adequate time and opportunity under the circumstances to defend the statute challenged.

Plaintiffs' lead counsel in this matter is directed to send a copy of this order to all counsel of record in this and the related cases.

So ordered:



Diane Joan Larsen
Judge of the Circuit Court of Cook County

Dated: November 14, 2007