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APPENDIX A

NONPRECEDENTIAL DISPOSITION
To be cited only in accordance with
Fed. R. App. P. 32.1

UNITED STATES COURT OF APPEALS
For the Seventh Circuit
Chicago, Illinois 60604

Submitted September 27, 2024
Decided September 30, 2024

Before

JOEL M. FLAUM, *Circuit Judge*

FRANK H. EASTERBROOK, *Circuit Judge*

MICHAEL Y. SCUDDER, *Circuit Judge*

No. 24-1285

RANDALL P. EWING, JR. and YASMANY GOMEZ,
Plaintiffs-Appellants,

v.

ERIK CARRIER and D'Aprile PROPERTIES, LLC,
Defendants-Appellees.

Appeal from the United States
District Court for the Northern

District of Illinois, Eastern
Division.

No. 19-cv-03791

Sharon Johnson Coleman,
Judge.

ORDER

For the reasons stated in *Ewing v. Carrier,* 35 F.4th 592 (7th Cir. 2022), and the decision on remand, 2024 U.S. Dist. LEXIS 34002 (N.D. Ill. Feb. 16, 2024), plus the decision in *Ewing v. 1645 W. Farragut LLC,* 90 F.4th 876 (7th Cir. 2024), the judgment is summarily affirmed. Ewing and Gomez received in the *1645 W. Farragut* decision all of the relief to which they are entitled, given their delay in asserting claims against other related persons and their abandonment of alter-ego theories in the Rule 69 collection proceedings following *1645 W. Farragut.*

APPENDIX B

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT
OF ILLINOIS
EASTERN DIVISION

RANDALL EWING and
YASMANY GOMEZ,
Plaintiffs,

v. Case No. 19-cv-03791

ERIK CARRIER and D'APRILE
PROPERTIES LLC,
Defendants.

Judge Sharon Johnson Coleman

ORDER

On January 30, 2024, Plaintiffs Randall Ewing and Yasmany Gomez moved this Court to lift the stay in proceedings in this matter given the Seventh Circuit's recent ruling in *Ewing v. 1645 W Farragut LLC,* 90 F.4th 876 (7th Cir. 2024). At the hearing, Plaintiffs also requested leave to file an amended complaint. For the reasons below, this Court denies the motion and dismisses this case.

In *Ewing v. 1645 W Farragut LLC,* 16-cv-9930 *("Ewing* I"), Plaintiffs sued 1645 W. Farragut LLC ("Farragut") for breach of contract, common law fraud,

and fraud under the Illinois Consumer Fraud Act. This Court found Farragut liable for fraud and breach of contract on summary judgment, and a jury ruled in favor of Plaintiffs on the remaining claims, awarding Plaintiffs $905,000.00 in damages. Farragut then moved for judgment as a matter of law, arguing that it did not cause most of the damages, and moved for a new trial based on various evidentiary and jury instruction issues. The district court denied both motions, and Farragut appealed. On cross appeal, Plaintiffs sought to reverse this Court's denial of their motions to amend the complaint to add Erik Carrier (Farragut's principal) to the case.

During *Ewing I* discovery, Plaintiffs brought a second suit to assert its claims against Carrier and D'Aprile Properties, LLC ("D'Aprile"). *See Ewing et al v. Carrier et al.*, 19-cv-03791 "("Ewing II"). The original Ewing II Judge dismissed the lawsuit. Plaintiffs appealed that decision to the Seventh Circuit, who found that Plaintiffs engaged in impermissible judge-shopping by filing the second suit. *Ewing v. Carrier,* 35 F.4th 592, 593 (7th Cir. 2022). Therefore, it remanded the case with instructions to transfer *Ewing II* before this Court. The Seventh Circuit noted:

> Following a transfer, Judge Coleman undoubtedly would stay proceedings in the second suit until the first reached its conclusion. If the judgment against the LLC should be set aside, the basis for a separate suit against Carrier would evaporate. And if the judgment against the LLC becomes final, plaintiffs could

> enforce that judgment against any alter ego in collection proceedings under Fed. R. Civ. P. 69. If, as plaintiffs say, Carrier is the LLC's alter ego, then Carrier will be required to satisfy the judgment. A second suit is unnecessary, then, whether plaintiffs win or lose in the first.

Ewing v. Carrier, 35 F.4th 592, 594 (7th Cir. 2022).

In *Ewing I,* this Court previously granted in part and denied in part Plaintiffs' motion for Rule 69 discovery, finding that Plaintiffs may serve a citation to discover assets on Farragut as well as relevant third parties in accordance with Illinois' procedures for supplemental proceeding. The Court further held that any discovery related to alter ego determinations must be addressed in *Ewing II,* but that Plaintiffs may investigate whether there has been fraudulent transfer avoidance in *Ewing I.* The Court then permitted the parties to submit arguments "as to whether the stay should be lifted as to the veil-piercing claim only." *(Ewing I,* Dkt. 464.)

At the hearing in *Ewing II,* however, Plaintiffs abandoned their request to obtain discovery as to whether Erik Carrier is Farragut's alter ego, desiring instead to proceed on their complaint as a whole. Accordingly, the Court declined to lift the stay until the Seventh Circuit ruled on *Ewing I.* The Seventh Circuit ultimately affirmed all lower court rulings. *Ewing v. 1645 W. Farragut* LLC, 90 F.4th 876, 883 (7th Cir. 2024).

Per the Seventh Circuit's guidance in *Ewing v. Carrier,* 35 F.4th 592, 594 (7th Cir. 2022), *Ewing II* is unnecessary. With the Appellate Court's decision to affirm in *Ewing v. 1645 W. Farragut LLC,* 90 F.4th 876, 883 (7th Cir. 2024), the judgment against the LLC is final, and Plaintiff could have enforced that judgment against any alter ego in collection proceedings under Fed. R. Civ. P. 69. Accordingly, *Ewing II* is dismissed. Regarding *Ewing I,* however, this Court has already ruled on Plaintiff's Rule 69 motion and Plaintiffs have abandoned their previous request to obtain alter ego discovery. Thus, there is nothing further for this Court to address in *Ewing I.*[1]

ENTER:

Dated: 2/16/2024

/s/
Hon. Sharon Johnson Coleman
United States District Judge

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[1] Plaintiff has been awarded a judgment of $905,000.000 and should accept the award without further litigation of this matter.

APPENDIX C

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT
OF ILLINOIS
EASTERN DIVISION

RANDALL EWING and YASMANY GOMEZ,
Plaintiffs,

v. Case No. 19-cv-3791

ERIK CARRIER and D'APRILE PROPERTIES LLC,
Defendants.

Judge Sharon Johnson Coleman

ORDER

After a jury returned a verdict in favor of Plaintiffs in Ewing v. 1645 W. Farragut LLC, 16-cv-9930 ("*Ewing I*"), Plaintiffs sought to recover on the judgment. Because Plaintiffs allege that 1648 W. Farragut LLC ("1645") does not possess sufficient assets from which Plaintiffs may recover, they seek to pierce the corporate veil and enforce the judgment against Defendant Erik Carrier. Plaintiffs filed a motion for discovery under Rule 69 in *Ewing I* to initiate those proceedings. The Court denied Plaintiffs' request to initiate discovery related to alter ego determinations and held that the corporate veil-piercing claim must be addressed in this case ("*Ewing II*"). The Court then permitted the parties to submit

arguments "as to whether the stay should be lifted as to the veil-piercing claim only." (*Ewing I*, Dkt. 464.)

After hearing the parties' oral arguments and reviewing their written submissions (Dkt. 76), the Court declines to lift the stay in *Ewing II*. At hearing, Plaintiffs, through counsel, stated they no longer wished to obtain discovery in the case, effectively abandoning their request to obtain discovery as to whether Erik Carrier is 1645's alter ego at this time. Rather, Plaintiffs requested that the Court either permit Plaintiffs to move forward on the complaint as a whole or dismiss the complaint with prejudice so that they may appeal the Court's ruling. The Court will not entertain the Plaintiffs' request. The Court was clear that it would hear arguments on whether the stay should be lifted *only* as to the veil-piercing claim. Plaintiffs advanced no argument that continuing the stay in *Ewing II* would prejudice them in any way. Therefore, the Court finds no compelling reason to do so. The stay in this matter will remain until further order of court.

IT IS SO ORDERED.

/s/
SHARON JOHNSON COLEMAN
United States District Court Judge

DATED: 3/2/2023

APPENDIX D

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT
OF ILLINOIS
EASTERN DIVISION

RANDALL EWING AND YASMANY GOMEZ,
Plaintiffs/ Counter-Defendants,

v. Case No. 16-cv-9930

1645 WEST FARRAGUT, LLC,
Defendant/ Counter-Plaintiff.

Judge Sharon Johnson Coleman

ORDER

On November 10, 2021, a jury returned a verdict in favor of Plaintiffs Randall Ewing and Yasmany Gomez in relation to their breach of contract and Illinois Consumer Fraud Act ("ICFA") claims against Defendant 1645 W. Farragut, LLC ("1645"). Before the Court is Plaintiffs' motion for Rule 69 discovery and proceedings [459]. For the following reasons, Plaintiffs' motion is granted in part and denied in part.

By way of background,[1] Plaintiffs brought this lawsuit *("Ewing I")* against 1645 in October 2016. After the close of discovery in September 2018, Plaintiffs brought a motion for leave to file a second amended complaint, seeking to add additional parties-Erik Carrier and D'Aprile Properties, LLC ("D'Aprile")-and to add a claim that Erik Carrier is the alter ego of 1645. After the Court denied the motion, Plaintiffs brought a second suit to assert its claims against Carrier and D'Aprile. *See Ewing et al v. Carrier et al,* 19-cv-03791 [hereinafter *"Ewing II"].* The *Ewing II* Judge dismissed the lawsuit. Plaintiffs appealed that decision to the Seventh Circuit, who found that Plaintiffs engaged in impermissible judge-shopping by filing the second suit. *Ewing v. Carrier,* 35 F.4th 592, 593 (7th Cir. 2022). Therefore, it remanded the case with instructions to transfer *Ewing II* before this Court. In dicta, the appellate court stated that if judgment against 1645 became final in *Ewing I,* "plaintiffs could enforce that judgment against any alter ego in collection proceedings under Fed. R. Civ. P. 69." *Id.* at 592. Upon its transfer, this Court stayed *Ewing II* pending decision on *Ewing* I's appeal, which remains in effect.

In the meantime, Plaintiffs received a favorable

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[1] For a more fulsome history of the case, refer to this Court's prior rulings, including its two denials of Plaintiffs' motions for leave to file a second amended complaint [99,281] and its May 4, 2022 order denying Defendant's Rule 50(b) motion for judgment as a matter of law [304].

verdict after a jury trial in *Ewing I*.[2] Including awarded costs and attorneys' fees, Plaintiffs calculate that the unpaid judgment against 1645 totals $989,718.16, exclusive of post-judgment interest. Plaintiffs seek to recover on the judgment, but, according to Plaintiffs, 1645 represents that it has no assets from which Plaintiffs can recover. As a result, Plaintiffs seek to obtain discovery under Federal Rule of Procedure 69 to pierce the corporate veil and enforce the judgment against Erik Carrier. 1645 responds that the motion is improper because the corporate veil cannot be pierced by way of supplemental proceedings under Illinois law.

"In Illinois, 735 ILCS 5/2-1402 and Illinois Supreme Court Rule 277 govern supplemental proceedings." *Dexia Credit Loe. v. Rogan,* 629 F.3d 612,622 (7th Cir. 2010). The Seventh Circuit has held that, in Illinois, "the allegations that must be made to pierce the corporate veil do not fall within the scope of supplemental proceedings ..." *Id.* at 622-23 (citing *Star Ins. Co. v. Risk Mktg. Grp. Inc.,* 561 F.3d 656,660 (7th Cir. 2009), and *Pyshos v. Heart-Land Dev. Co.,* 258 Ill. App. 3d 618, 624, 630 N.E.2d 1054, 1057 (1st Dist. 1994)).

Plaintiffs maintain that the Court should nonetheless allow veil-piercing-related discovery for

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[2] The parties have filed cross-appeals in *Ewing I* as to the jury's verdict as well as this Court's orders on Plaintiffs' motion for partial summary judgment, Plaintiffs' motion for leave to amend the complaint, and the parties' post-trial motions.

two reasons: (1) the Illinois legislature amended 735 ILCS 5/2-1402(c)(3) after the rulings in *Star Insurance* and *Pyshos,* permitting plaintiffs to pursue veil piercing during citation proceedings; and (2) the Seventh Circuit suggested this Court could address veil piercing through the *Ewing I* Rule 69 proceedings. First, the Court finds no case in this district interpreting Section 2-1402(c)(3)'s amendment as abrogating *Pyshos'* holding. *CJ JPMorgan Chase Bank v. PT Indah Kiat Pulp & Paper,* No. 02 C 6240, 2012 WL 2254193, at *3 (N.D. Ill. June 14, 2012) (Holderman, J.) ("No court has yet addressed the effect of the amendment on *Star Insurance* or on the cases on which it relied."); *see also* Gay Macarol, *Veil Piercing and Fraudulent Transfer Avoidance in Supplemental Proceedings: How Expanding Statutory "Remedies and Enforcement Jurisdiction Can Promote Judicial Economy and Facilitate Judgment Collection,* 50 J. Marshall L. Rev. 279, 288 (2017) ("Illinois courts have refused to date to interpret these 2008 amendments as permitting veil piercing in supplemental proceedings[.]"). As to Plaintiffs' second argument, the Court agrees that addressing veil piercing as part of *Ewing I's* citation proceedings would be judicially expeditious. However, Rule 69 mandates that this Court follow proper Illinois procedure. Therefore, the Court will not allow discovery on, or decide whether, Erik Carrier is the alter ego of 1645 through supplemental proceedings in *Ewing I.*

Plaintiffs are not prohibited from pursuing any Rule 69 discovery in *Ewing* I–they can proceed to issue citations to discover assets and obtain information from third parties regarding the location of 1645's

assets. *See Dexia Credit Local,* 629 F.3d at 624 (quoting *Pyshos,* 630 N.E.2d at 1057) ("A district court may inquire as to whether third parties hold assets of the judgment debtor, and once it is discovered that a third party holds such assets, the court may order the third party 'to deliver up those assets to satisfy the judgment.'"). Plaintiffs can also address the issue of fraudulent transfer avoidance in supplemental proceedings. *See Star Ins. Co.,* 561 F.3d at 660.

For these reasons, the Court grants in part and denies in part Plaintiffs' motion for Rule 69 discovery. Plaintiffs may serve a citation to discover assets on 1645 as well as relevant third parties in accordance with Illinois' procedures for supplemental proceeding. Any discovery related to alter ego determinations must be addressed in *Ewing II,* but Plaintiffs may investigate whether there has been fraudulent transfer avoidance in *Ewing I.* In addition, Plaintiffs request in their reply brief that the Court lift the stay in *Ewing II* if-as the Court now holds-they cannot pursue the veil-piercing claim in *Ewing I.* The Court shall separately set a status in *Ewing II* to permit argument as to whether the stay should be lifted as to the veil-piercing claim only.

IT IS SO ORDERED.

Date: 1/11/2023

Entered: /s/
SHARON JOHNSON COLEMAN
United States District Court Judge

APPENDIX E

In the
UNITED STATES COURT OF APPEALS
for the Seventh Circuit

No. 21-2890

RANDALL EWING and YASMANY GOMEZ,
Plaintiffs-Appellants,

v.

ERIK CARRIER **and** D'Aprile PROPERTIES, LLC,
Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of Illinois,
Eastern Division.
No. 19-cv-03791 - **John F. Kness,** *Judge.*

ARGUED MAY 19, 2022 - DECIDED MAY 25, 2022

Before FLAUM, EASTERBROOK, and SCUDDER, *Circuit Judges.*

EASTERBROOK, *Circuit Judge.* Randall Ewing and Yasmany Gomez sued 1645 W. Farragut, LLC, for fraud and breach of contract. After District Judge Coleman denied a motion to add Erik Carrier (one of the LLC's members) and D'Aprile Properties (Carrier's employer) as additional defendants, a jury returned a verdict of $905,000 in plaintiffs' favor. Judge Coleman

has denied the LLC' s motion for judgment as a matter of law, but its motion for a new trial remains pending. 2022 U.S. Dist. LEXIS 80846 (N.D. Ill. May 4, 2022).

Instead of waiting for a final decision and taking an appeal to argue that Judge Coleman should have allowed them to add Carrier and D'Aprile, plaintiffs filed a second suit, this time against Carrier and D'Aprile. The second suit, which presents the same substantive claims as the first, was assigned to District Judge Kness. He dismissed it as barred by the doctrine of claim preclusion, even though the first suit is ongoing. 2021 U.S. Dist. LEXIS 177381 (N.D. Ill. Sept. 17, 2021). Plaintiffs call Carrier and the LLC "alter egos," which if true means that the law treats them as a single entity. Judge Kness observed that you can't sue a single entity twice for the same wrong.

Plaintiffs ask us to reverse that decision and hold that they can indeed sue a single entity twice, one name per suit. We do not reach that argument, because there is an antecedent problem. Plaintiffs are engaged in judge-shopping. They do not like Judge Coleman's decision to limit the first suit to the claims against the LLC, and they have sought the view of a second district judge. Judge Kness should not have obliged.

Local Rule 40.4 in the Northern District of Illinois permits district judges to ask the court's Executive Committee to consolidate related suits before a single judge. Rule 40.4(c) says that a motion to reassign "shall be filed in the lowest-numbered case of the claimed related set". In this set of cases the

motion should have been filed before Judge Coleman. But the LLC did not have a reason to request transfer, and the plaintiffs, who were parties to both suits, did not *want* transfer. Their objective is to have two judges consider their claims, then take the more favorable of the two outcomes.

Preventing such a resolution requires initiative by the judge assigned to the second suit. Even though Rule 40.4 calls for a motion to be filed in the lower-numbered case, the judge in a higher-numbered case can act on his own. Judge Kness knew that the two suits present identical claims by the same plaintiffs. He knew that the first suit was still pending. He therefore knew everything necessary to see that both suits should be handled by one judge.

The judiciary has an interest, independent of litigants' goals, in avoiding messy, duplicative litigation. Suppose we were to affirm Judge Kness's decision. Plaintiffs would retain a second chance on appeal from the final decision entered by Judge Coleman, where they would argue that she should have allowed them to add Carrier and D'Aprile. Win or lose on that point, plaintiffs could try to collect from Carrier in the enforcement proceedings following the first suit, as the LLC apparently does not have the assets to pay the judgment. That could yield a third appeal. There could be further proceedings to try to ascertain the basis, if any, on which D'Aprile might be liable for Carrier's acts. That might require appeals in the enforcement proceedings of the first suit, and separately in the second suit. To add still more complexity, resolving plaintiffs' claims against

D'Aprile might require a second jury trial in the second suit. Plaintiffs say that it won't, because they would be entitled to the preclusive effect of the existing jury decision, but it is not clear how these plaintiffs can use issue preclusion as a sword while denying Carrier the benefit of claim preclusion as a shield–and doubly unclear how the first jury's decision could bind D'Aprile.

Things are simplified if both suits are before a single judge. Following a transfer, Judge Coleman undoubtedly would stay proceedings in the second suit until the first reached its conclusion. If the judgment against the LLC should be set aside, the basis for a separate suit against Carrier would evaporate. And if the judgment against the LLC becomes final, plaintiffs could enforce that judgment against any alter ego in collection proceedings under Fed. R. Civ. P. 69. If, as plaintiffs say, Carrier is the LLC's alter ego, then Carrier will be required to satisfy the judgment. A second suit is unnecessary, then, whether plaintiffs win or lose in the first. Plaintiffs should not have filed this second suit; the new defendants should have asked for a transfer or a stay; the second judge should have acted even if the parties were content to duplicate the proceedings. All litigants and lawyers must avoid multiplying litigation. See 28 U.S.C. §1927; *Dugan v. R.J. Corman* R.R., 344 F.3d 662, 670 (7th Cir. 2003); *Chicago Title & Trust Co. v. Verona Sports Inc.,* 11 F.3d 678,679 (7th Cir. 1993). The judgment is vacated, and the case is remanded with instructions to request the district court's Executive Committee to transfer this suit to Judge Coleman.

APPENDIX F

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT
OF ILLINOIS
EASTERN DIVISION

RANDALL EWING and YASMANY GOMEZ,
Plaintiffs,

v. Case No. 16-cv-9930

1645 W. FARRAGUT, LLC,
Defendant.

Judge Sharon Johnson Coleman

ORDER

The plaintiffs' motion for leave to file a second amended complaint [92], which was filed after the close of discovery, is denied in light of the undue prejudice that amendment would cause to the non-moving party.

STATEMENT

The initial complaint in this matter was filed on October 21, 2016, and, soon after, a first amended complaint was filed. Fact discovery began in earnest in early 2017, and, by court order, was to be completed by August 3, 2018, with dispositive motions due by October 15, 2018. On September 11, 2018, over a

month after the close of discovery, the plaintiffs filed a motion for leave to file a second amended complaint.

After a responsive pleading has been served, a party must seek leave from the court or written consent of the adverse party in order to amend the operative complaint. Fed. R. Civ. P. 15(a). Leave to amend, although "freely given as justice requires," is not an absolute right. *Forman v. Davis,* 371 U.S. 178, 182, 83 S.Ct. 227, 229, 9 L.Ed.2d 222 (1962); *Perkins v. Silverstein,* 939 F.2d 463, 771-72 (7th Cir. 1991). Amendment may be disallowed where there is undue delay, bad faith, dilatory motive, or undue prejudice to the non-moving party, where the movant has repeatedly failed to cure prior deficiencies, or where the proposed amendment is futile. *Villa v. City of Chicago,* 924 F.2d 629, 632 (7th Cir. 1991). The decision of whether to permit amendment rests with the sound discretion of the district court. *Campbell v. Ingersoll Mill Mach. Co.,* 893 F.2d 925, 927 (7th Cir. 1990).

It is well established that undue prejudice occurs when a proposed amendment "brings entirely new and separate claims, adds new parties, or at least entails more than an alternative claim or a change in the allegations in the complaint" and when the additional discovery required will be expensive and time-consuming. *A. Cherney Disposal Co. v. Chicago & Suburban Refuse Disposal Cop.,* 68 F.R.D. 383,385 (N.D. Ill. 1975) (Austin, J.); *see also In re Ameritech Cop.,* 188 F.R.D. 280, 284 (N.D. Ill. 1999) (Kennelly, J.) (recognizing the "classic" situation in which leave to amend the complaint is denied when the motion

seeking leave to amend is filed after the close of discovery or the filing of a dispositive motion).

Here, the plaintiffs sought leave to amend their complaint more than a month after discovery had closed. They sought to add not only a new legal claim, but also two entirely new parties. There is nothing before this Court to suggest that discovery occurred with respect to the newly added claim. At least one of the newly named parties, moreover, has had no prior involvement in the litigation of this suit. The other, an individual who co-owns the limited liability corporation originally named in this case, has been involved in this litigation but has not previously faced the prospect of personal liability. Although the plaintiffs attempt to minimize the amount of discovery which will be required, the proposed amendment will require additional discovery, at least some of which will inevitably be duplicative of the discovery already completed. This delay and added expense will clearly prejudice the defendant.

The Court further questions the timeliness of the plaintiffs' actions. It appears to be undisputed that the discovery responses giving rise to this amendment were served in May of 2018, four months before the plaintiffs sought leave to amend. The plaintiffs attempt to justify this delay by noting that subsequent discovery was required in order to establish an adequate basis for the amendments to satisfy Federal Rule of Civil Procedure 11. The plaintiffs, however, identified only two declarations that they subsequently obtained. The first was obtained on June 26, 2018. The second, from the plaintiffs' own real estate broker, was

not obtained until August 17, 2018, after discovery had already closed. The plaintiffs make no attempt to explain why it took so long to obtain these declarations and altogether fail to offer specific argument as to why these declarations were necessary. The record, moreover, does not reflect any effort by the plaintiffs to disclose that amendment was a possibility prior to the close of fact discovery, notwithstanding the fact that they were actively exploring that possibility. This silence contributed to the prejudice that the proposed amendments are now poised to cause.

This Court need not decide whether or not the plaintiffs' actions constituted undue delay, although it notes that the plaintiffs conduct certainly was not expeditious. The amendments that the plaintiffs propose would add new parties and new claims to this case, requiring additional discovery. Discovery in this case, however, has closed, and the parties were preparing to file their dispositive motions when leave to amend was sought. In light of these facts, the proposed amendment will unduly prejudice the defendants, and the plaintiffs' motion for leave to amend is therefore denied.

IT IS SO ORDERED.

Date: 11/9/2018

Entered: /s/
SHARON JOHNSON COLEMAN
United States District Court Judge

APPENDIX G

UNITED STATES COURT OF APPEALS
For the Seventh Circuit
Chicago, Illinois 60604

October 30, 2024

Before

JOEL M. FLAUM, *Circuit Judge*

FRANK H. EASTERBROOK, *Circuit Judge*

MICHAEL Y. SCUDDER, *Circuit Judge*

No. 24-1285

RANDALL P. EWING, JR. and YASMANY GOMEZ,
Plaintiffs-Appellants,

v. No. 19-cv-03791

ERIK CARRIER and D'Aprile PROPERTIES, LLC,
Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of Illinois,
Eastern Division.

Sharon Johnson Coleman, *Judge.*

ORDER

Plaintiffs-Appellants filed a petition for rehearing and rehearing en bane on October 15, 2024. No judge in regular active service has requested a vote on the petition for rehearing en bane, and the judges on the panel have voted to deny rehearing. The petition for rehearing is therefore DENIED.