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

SUZET MCKINNEY,

Plaintiff,

v.

GERALD MORRISON, an individual, and
PROGRESS ILLINOIS, LLC, an Illinois
limited liability company,

Defendants.

Case No.
2022L007633

COMPLAINT AT LAW

Plaintiff Suzet McKinney (“Dr. McKinney”), by and through her undersigned counsel, respectfully submits this Complaint at Law and Jury Demand seeking an award of damages against Gerald Morrison and Progress Illinois (“Defendants”), and alleges as follows:

INTRODUCTION

1. This is an action for defamation against Defendants for making and publishing intentionally or, at a minimum, recklessly false and defamatory statements, purportedly as of “fact”, of and concerning Dr. McKinney, a highly regarded public health expert, community leader, and public servant, intending to damage her reputation among the thousands of individuals among whom these false statements were circulated, and inflicting serious harm to her. She seeks damages as a result, as well as an order that Defendants’ defamatory posts be removed from social media.

THE PARTIES

2. Dr. McKinney, who resides in Chicago, IL, is a distinguished public health expert, business executive and community leader, and a nationally recognized expert in emergency preparedness and response. She has a Ph.D in public health leadership from the University of

Illinois in Chicago, is an Instructor at Harvard University, and an Adjunct Assistant Professor at the School of Public Health at the University of Illinois. Presently a Principal and the Director of Life Sciences at a prominent life sciences company, she previously served as the CEO and Executive Director of the Illinois Medical District (“IMD”), where she managed a complex that included 560 acres of medical research facilities, labs, a biotech business incubator, universities, raw land development areas, four hospitals, and more than 40 healthcare-related facilities. She has earned widespread praise for her achievements at the IMD, including, inter alia, for her financial management of the entity, which included successfully retiring more than \$40 million of debt. Prior to leading the IMD, Dr. McKinney served as the Deputy Commissioner of the Bureau of Public Health Preparedness and Emergency Response at the Chicago Department of Public Health. She was subsequently appointed by Illinois Governor J.B. Pritzker as Operations Lead for the State of Illinois’ Alternate Care Facilities, a network of alternate medical locations designed to relieve an overly burdened hospital system during the COVID-19 pandemic.

3. Gerald Morrison is an individual who, on information and belief, resides at 559 E. 50th Street, Chicago, Illinois 60615.

4. Progress Illinois is a group which runs a Twitter account found @progressIL, operated and controlled by Gerald Morrison, and headquartered at 4134 North Parkside Avenue, Chicago, Illinois 60634.

JURISDICTION AND VENUE

5. Jurisdiction is proper under 735 ILCS 5/2-209 because all of the material acts complained of occurred within the state of Illinois, Defendants are residents of Illinois, and Defendants conduct business in Illinois.

6. Under Section 5/2-101 of the Illinois Code of Civil Procedure (735 ILCS 5/2-101), venue is appropriate in Cook County, Illinois, because the acts complained of, and out of which this action arose, occurred in Cook County, Illinois.

FACTS RELEVANT TO ALL COUNTS

7. Dr. McKinney enjoys an excellent reputation for probity, competence, commitment to public service, and integrity. Because of that reputation, as well as a lifetime of public achievement, she is frequently called upon to teach, consult, speak, and write about a variety of health care and public policy issues.

8. In the spring of 2022, the Defendants undertook a campaign to use social media to damage Dr. McKinney's reputation and, in particular, to use their social media accounts to issue tweets, which they knew would reach many thousands of individuals, including individuals involved in journalism, government, and business in the Chicago area and beyond, by accusing Dr. McKinney of having "awarded" a multi-million dollar contract to a company whose principal was the husband of a friend of Dr. McKinney's, Anna Valencia. The Defendants made the following false and defamatory statements, among others, each of which was intentionally false or made with reckless disregard of its falsity.

9. A tweet on or about April 15, 2022 stating that Dr. McKinney "gave Ana [Valencia]'s husband a multi-million dollar contract [and] tried to convince [others] to do the same," and that she participated in a "scheme to enrich Valencia and her husband."

10. Another tweet on or about April 15, 2022 stating that Dr. McKinney "awarded" Ms. Valencia and her husband "a \$15 million no bid contract."

11. Another tweet on the same date with a picture of Dr. McKinney, again stating falsely that she awarded a \$15 million contract to Ms. Valencia's husband.

12. A tweet on or about April 19, 2022 stating that Dr. McKinney had been “hiding the truth about the \$15 million no-bid contract” she purportedly “awarded” to Ms. Valencia’s husband.

13. A tweet on or about April 19, 2022 stating that Dr. McKinney participated in “five business schemes.”

14. A tweet on or about May 19, 2022 stating that Ms. Valencia “set up” her husband with Dr. McKinney, “and got him awarded almost \$100K in fees” and that the IMD “complained that he did nothing for the money.”

15. A tweet on the same day stating that Dr McKinney paid Ms. Valencia’s husband “nearly \$100K for doing nothing,” constituting “ghost contracting.”

16. A tweet on or about May 20, 2022 stating that “lying Ana Valencia got her pal Suzet McKinney to pay her husband \$100K and he didn’t have to do any work for it.”

17. A tweet on May 22, 2022 stating that “Here is a FACT: Ana Valencia got her friend Suzet McKinney to give her husband a \$100K contract for no work.”

18. A tweet on May 26, 2022 stating that “Newly released documents show the CFO of the Illinois Medical District knew the contract Ana Valencia clouted for her husband was a ‘burden’ for IMD. Suzet McKinney made 29 payments of \$3,500 to Valencia’s husband for no work. Don’t people go to jail for this?”

19. A tweet on or about May 26, 2022 stating that “newly released documents show the leadership of the Illinois Medical District abruptly cancelled the no work contract given to Ana Valencia’s husband by her campaign co-chair.”

20. A tweet on May 27, 2022 stating that Ms. Valenica’s husband was awarded “a \$100K no work contract” by the IMD and implying that Dr. McKinney had engaged in criminal conduct: “Isn’t that the sort of thing that federal grand juries look at?”

21. Each of the statements conveyed that Dr. McKinney had engaged in, participated in, authorized, approved and/or permitted corruption, dishonesty, favoritism, cronyism and procurement violations, and, indeed, even criminal activity. Each of the statements of purported fact were of and concerning Dr. McKinney. Each was false. Each defamed Dr. McKinney by harming her reputation by lowering her in the eyes of others, and/or tended to deter certain others from associating with her. Each statement was unprivileged and conveyed to thousands, tens of thousands, and perhaps hundreds of thousands of people, false and defamatory accusations. Each falsely stated or, at a minimum, implied and insinuated that Dr. McKinney had engaged in fraudulent, dishonest, corrupt or even illegal conduct. Each was made with actual malice.

22. If they did not already know their falsity, the Defendants could easily have ascertained the falsity of their statements by contacting officials of the IMD, reviewing its public records, contacting Dr. McKinney, contacting Ms. Valencia, or contacting her husband. They deliberately did none of these things, acting in reckless disregard of the falsity of their statements. Indeed, their motivation in publishing these statements was malicious in the classic sense -- to damage Dr. McKinney and thereby to also inflict harm on Ms. Valencia, harming their reputation by conveying that Dr. McKinney, who as a public official has been especially scrupulous about the importance of preserving her reputation for integrity, was dishonest, corrupt, and worse.

23. Had they done any of the above they would have known -- assuming that they did not already know -- that Dr. McKinney did not "award" contracts, that any contracts had to be supported in presentations to the IMD Board and approved by the Board, that Dr. McKinney has never been a member of the IMD Board, that there was never any multi-million dollar contract, let alone a \$15 million dollar contract, that the contract in question involved payment of approximately \$100,000 over several years to an entity neither owned nor controlled by Ms.

Valencia's husband, that Ms. Valencia had nothing to do with the decision to approve the contract in question, that the contract was most certainly not a "no-work" contract, and that Dr. McKinney never tried to convince anyone to award this contract. Nor did Dr. McKinney participate in (or know of any) "scheme" to "enrich" the company with which Ms. Valencia's husband was affiliated. Indeed, in publishing their false and defamatory statements, the defendants deliberately chose to disregard the facts, known to them, that the Board meetings regarding this matter were public, that formal minutes were taken, and that both the meetings and the minutes have always been and are entirely open to the public and available to it. That Defendants acted and continue to act with actual malice is reinforced by the fact that they have refused to delete and retract these defamatory statements, despite requests that they do so.

24. On information and belief, Defendants, who have been closely affiliated with Alexi Giannoulias and his campaign for Secretary of State, actively attempted to assist the Giannoulias campaign by defaming Dr. McKinney as a way of also harming his opponent in the Democratic primary for Secretary of State, Ms. Valencia. On information and belief, Mr. Giannoulias and his close advisors knew of and approved the defamation campaign waged against Dr. McKinney by Defendants.

COUNT ONE
(Defamation Against Gerald Morrison)

25. Dr. McKinney incorporates by reference in their entirety paragraphs 1-24 herein.

26. Gerald Morrison has defamed Dr. McKinney, and has done so by means of false and defamatory statements of and concerning her, made with actual malice, causing her significant harm. Accordingly, he is liable to Dr. McKinney for the damages his conduct has caused her.

WHEREFORE, Plaintiff, Dr. Suzet McKinney, respectfully requests that the Court:

- i. enter judgment after trial in her favor and against Gerald Morrison;

- ii. award her damages against Gerald Morrison in an amount determined by the Jury, plus interest and costs;
- iii. order Gerald Morrison to permanently remove all defamatory posts from social media and issue a retraction; and
- iv. grant Plaintiff such other further relief as the Court deems just and proper.

COUNT TWO
(Defamation Against Progress Illinois)

27. Dr. McKinney incorporates by reference in their entirety paragraphs 1-26 herein.

28. Progress Illinois has defamed Dr. McKinney, and has done so by means of false and defamatory statements of and concerning her, made with actual malice, causing her significant harm. Accordingly, it is liable to Dr. McKinney for the damages its conduct has caused her.

WHEREFORE, Plaintiff, Dr. Suzet McKinney, respectfully requests that the Court:

- i. enter judgment after trial in her favor and against Progress Illinois;
- ii. award her damages against Progress Illinois in an amount determined by the Jury, plus interest and costs;
- iii. order Progress Illinois to permanently remove all defamatory posts from social media and issue a retraction; and
- iv. grant Plaintiff such other further relief as the Court deems just and proper.

JURY DEMAND

Plaintiff demands a trial by jury on all counts so triable.

Respectfully submitted,

Suzet McKinney, Plaintiff

By: /s/ Michael A. Jacobson
 One of Her Attorneys

Nancy DePodesta
(nancy.depodesta@saul.com)
Michael A. Jacobson
(michael.jacobson@saul.com)
Saul Ewing Arnstein & Lehr LLP
161 North Clark Street, Suite 4200
Chicago, IL 60601
312-876-7100
Firm ID No. 62702