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2014-CH-10001

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NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

SRS. OF ST. CHARLES vs. GET IT ENTERTAINMENT
2014-CH-10001

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AMENDED ADDITIONAL PARTY COMPLAINT FILED

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

SISTERS OF ST. CHARLES, an Illinois not-for-profit corporation; PATRICIA ZITO, JUANA MORALES, ARNULFO GONZALEZ, individuals who are neighbors residing in Melrose Park; and said Plaintiffs, also suing in their corporate and individual capacities; and the VILLAGE OF MELROSE PARK, an Illinois home rule municipality,	)	
Plaintiffs,	)	
vs.	)	**Case No. 2014 CH 10001**
	)	**Hon. Peter A. Flynn,**
STONE LAKE PARTNERS, L.L.C., d/b/a "Club Allure" and/or "Club Allure Chicago"; GET IT ENTERTAINMENT, LLC; GET IT ENTERTAINMENT MANAGEMENT, LLC; 3801 LAKE MANAGEMENT, LLC; SR STONE PARK 1, LLC; 3801 LAKE, LLC; GET IT PR 1, LLC; GET IT PR 2, LLC; STONE LAKE OUTDOOR, LLC; ROBERT ITZKOW, an individual; SEAN O'BRIEN, also an individual, and the VILLAGE OF STONE PARK, an Illinois home rule municipality,	)	**Judge Presiding**
Defendants.	)	

AMENDED COMPLAINT IN CHANCERY FOR DECLARATORY JUDGMENT, INJUNCTION, MANDAMUS, AND/OR OTHER RELIEF TO REDRESS AND REPAIR DEFENDANTS' MULTIPLE VIOLATIONS OF ILLINOIS STATE AND LOCAL ZONING LAWS, ILLINOIS' DUE PROCESS CLAUSE, AND ILLINOIS LAW PROHIBITING BAWDY OR DISORDERLY HOUSES, HOUSES OF ILL-FAME OR ASSIGNATION, OR PLACES USED FOR LEWDNESS OR COMMERCIAL PROSTITUTION

Plaintiffs, the Sisters of St. Charles, an Illinois not for profit corporation (hereinafter "the Sisters"), Patricia Zito, an individual, Juana Morales, an individual, and Arnulfo Gonzalez, an individual, all of whom reside in the Village of Melrose Park, Illinois, and the Village of Melrose

Park, an Illinois home rule municipality ("Melrose Park"), by their undersigned counsel, hereby complain of the defendants, Stone Lake Partners, L.L.C. d/b/a "Club Allure" and/or "Club Allure Chicago" (hereinafter "Club Allure" or "the strip club"), Get It Entertainment, LLC, Get It Entertainment Management, LLC, 3801 Lake Management, LLC, SR Stone Park 1¸ LLC ("Spearmint Rhino"), 3801 Lake, LLC, Get It PR 1, LLC, Get It PR 2, LLC, Stone Lake Outdoor, LLC, Robert Itzkow, an individual ("Itzkow"), Sean O'Brien, also an individual ("O'Brien"), all of said foregoing defendants sometimes referred to herein collectively as "the strip club defendants" or "the defendants"), and the Village of Stone Park, an Illinois home rule municipality (hereinafter "Stone Park"), as follows:

NATURE OF THE CASE & PLAINTIFFS' CAUSES OF ACTION

1. This is an action by a religious missionary order of sisters, by neighboring citizens, said Sisters and individuals also suing in their corporate and individual capacities, and also an action by a neighboring municipality to secure various forms of relief against defendants including a judicial declaration of their rights pursuant to the due process clause of the Illinois Constitution of 1970, the Illinois Municipal Code, 65 ILCS 5/11-5-1, 11-5-1.5, and 11-13-15, the Illinois Lewdness Public Nuisance Act, 740 ILCS 105/1 *et seq.*, the Illinois Declaratory Judgment Act, 735 ILCS 5/2-701, and Section 1.3 of the Stone Park Zoning Ordinance. Plaintiffs also seek relief pursuant to the Illinois common law of public nuisance and the inherent equitable powers of this Court. Plaintiff, Melrose Park, in its capacity as an Illinois municipality, also seeks relief, separately and independently, pursuant to 65 ILCS 5/11-5-1.

2. The plaintiff Sisters' claims as well as the individual and municipal plaintiffs' claims arise, first, out of the illegal rezoning of the plaintiff Sisters' neighboring property from B1 zoning for a commercial land use to B2 zoning for use of the land for "adult entertainment,"

by the defendant Village of Stone Park, which Stone Park purported to effectuate without giving the Sisters any actual prior notice whatsoever. Pursuant to that illegal rezoning, which plaintiffs ask this Court to declare null and void, Stone Park deleted and amended a series of its municipal ordinances and issued a series of permits purporting over a year ago – in late summer, 2013 – to allow the opening and ensuing operation of a huge new striptease club, called "Club Allure" or "Club Allure Chicago," on property right next door to, indeed across the backyard fence of, the Sisters' property as well as other residential family homes, one or more of whom have children's swing sets or other playground equipment in their backyard. This "adult" land use by the strip club defendants was then and still remains in close and illicit proximity to the Sisters as well to the plaintiff individuals, residents of Melrose Park, and to the public property of Melrose Park itself, in blatant violation of both Illinois' statewide zoning law and Stone Park's own local zoning laws.

3. All plaintiffs sue and pray, therefore, that this Court will find and declare that the operation of "Club Allure" since late summer, 2013, has been in open, blatant, and defiant contravention of the Illinois state law that mandates a 1,000 foot buffer zone between such an adult entertainment facility and places of worship or schools. That buffer is explicitly prescribed by the Illinois Municipal Code, 65 ILCS 5/11-5-1.5, and it applies to Stone Park. Additionally, the defendant municipality's own zoning code expressly incorporates any and all zoning restrictions that are more restrictive than other provisions within the Stone Park code of ordinances. Village of Stone Park, Zoning Ordinance, §1.3. More specifically, Illinois state law deems it "prohibited" within any municipality to "locate an adult entertainment facility within

1,000 feet of the property boundaries of any school . . . and place of religious worship . . . ." *Id.*[1] Stone Park, having repealed its own buffer zone ordinance, did not thereafter enact any new home rule ordinance that negated or contradicted the statewide buffer zone law. Moreover, much of the Sisters' property, including their chapels and a school for novices, as well as the individual plaintiffs' residences, are situated outside Stone Park's own municipal borders where its own home rule powers cannot constitutionally be held to trump Illinois' statewide zoning restrictions.

4. Stone Park's outsized new strip club undoubtedly qualifies as an "adult entertainment facility." Indeed, it boasts on a massive billboard sign which towers above its parking lot that it is an "adult playground" comprising some 20,000 square feet, and it features, promotes, sponsors, and encourages "striptease" dancing on the part of many scantily clad, nude or partially nude dancers and other entertainers, both male (as advertised from time to time) and female (seven days per week, from 6 p.m. or so until 5 a.m. the next morning). Moreover, as is more fully alleged below, Club Allure aggressively advertises and sells so-called "lap dances" which, plaintiffs have determined during the pendency of this litigation, regularly and repeatedly involve "high friction" and physical full contact interactions between "entertainers" and Club Allure's customers. Said bodily interactions are commercial transactions intended to cause sexual arousal or gratification on the part of either or both the performer and/or the customer.

[1] The Illinois Municipal Code also provides that, "Notwithstanding any other requirements of this Section, it is also prohibited to locate, construct, or operate a new adult entertainment facility within one mile of the property boundaries of any school, day care center, cemetery, public park, forest preserve, public housing, or place of religious worship located in that area of Cook County outside of the City of Chicago." 65 ILCS 5/11-5-1.5. Plaintiffs proceed herein only under the 1,000-foot buffer zone that is generally applicable all throughout the State of Illinois.

5. Club Allure advertises on tall, large and lurid billboards along Chicago area expressways as well as by means of internet postings. Its advertisements offer its patrons, in exchange for additional fees, a variety of adult entertainments including *inter alia* "lap dances," "hump dances," "bed dances," or even "threesomes" with "dancers" or "entertainers." Plaintiffs are informed and believe that these entertainers are employees of Club Allure, although it purports only to hire them as "independent contractors," thereby evading its obligations mandated by Illinois law to provide said employees with minimum wages, overtime pay, unemployment benefits, workers' compensation, or other legally mandated employee benefits. Plaintiffs believe that the strip club's entertainers are even required to pay Club Allure for the "privilege" of working there. During their interactions with patrons or customers, plaintiffs have determined that Club Allure's dancers or entertainers engage in direct and immediate physical, high friction full contact with customers' or patrons' bodies, and specifically the genital or other sexually sensitive areas thereof, for the purpose of causing sexual arousal or gratification of either or both participants (and/or the arousal or gratification of any other parties who may be participating in an advertised "threesome"). These close and intimate personal sexual encounters are solicited to take place, and do take place, in secluded private curtained or otherwise shaded or concealed booths which Club Allure obviously designed and intended to be used for said purposes.

6. Plaintiffs thus further contend, and they are urging this Court to make a judicial declaration, that such bodily full contact, including touching or fondling and/or high friction rubbing, as advertised and paid for, and for the purposes indicated above, constitutes the crime of "prostitution," within the meaning of Illinois criminal law. Specifically, 720 ILCS 11-14(a), has been construed and enforced in complete accord with plaintiffs' contention herein, by the Illinois

Appellate Court, in *People v. Hill,* 333 Ill.App.3d 783, 787 (2d Dist. 2002). There the Illinois Appellate Court held that in the Illinois Criminal Code, "[S]ection 11-14(a) unambiguously prohibits 'any touching,' no matter whether that touching is direct or indirect, on skin or through clothing." *Id.* at 790. Plaintiffs further contend herein that said Illinois Appellate Court decision has never been overruled, contradicted, or even questioned by any other Illinois court of equal or higher rank or authority, and therefore, the rule laid down in *People v. Hill* constitutes the applicable Illinois law. Moreover, the rule laid down in *People v. Hill* is binding throughout the entire State of Illinois, including *inter alia* within the territorial boundaries of defendant Stone Park, as well as within the three miles radius that surrounds the outer boundaries of plaintiff Melrose Park.[2]

7. Accordingly, all the plaintiffs herein, the Sisters, the individual plaintiffs, and the Melrose Park, also now seek a judicial declaration that, in addition to its illegal location in unduly close proximity to plaintiffs' properties, Club Allure is being used illegally "for purposes of lewdness, assignation and prostitution" and, as a matter of law, it constitutes a public nuisance, pursuant to the Illinois Lewdness Public Nuisance Act, 740 ILCS 105/1 *et seq*. Furthermore, the municipal plaintiff, Melrose Park, seeks a declaration that Club Allure also qualifies as a place used for purposes of lewdness, assignation, or prostitution, a bawdy or disorderly house, or house of ill-fame or assignation, within the meaning of Section 11-5-1 of the Illinois Municipal Code (65 ILCS 5/11-5-1), as Club Allure is situated well within three (3) miles of the outermost boundaries of the plaintiff municipality, the Village of Melrose Park, and

[2] As the Supreme Court has repeatedly held, "It is the absolute duty of the circuit court to follow the decision of the appellate court." *See In Re R. C.* , 195 Ill.2d 291, 297 (2001); *In Re A. A.*, 181 Ill.2d 32, 36 (1998); *State Farm Fire and Casualty Co. v. Yapejian*, 152 Ill.2d 533, 539-40 (1992).

indeed, it virtually abuts Melrose Park's municipal border. As a result, pursuant to the statutory text, any further operation of Club Allure may be "suppress[ed]" by this Court at the behest of the plaintiff Melrose Park. *See id.* Finally, Club Allure's illicit operation as a bawdy or disorderly house and/or a house of prostitution renders it a private nuisance, causing a very substantial impairment of all the plaintiffs' quiet use and enjoyment of their nearby properties, causing them special damage separate and apart from that suffered by reason of Club Allure's lewd and disorderly operation so sharply at odds with both Illinois' public morals and statutory dictates.

8. Club Allure also advertises, sells and serves its patrons an extensive menu of alcoholic beverages, resupplied almost daily by heavy delivery trucks that have often roared through the alley-way next to the Sisters' Convent. Club Allure also has blared forth loud and raucous music and has flashed a long string of bright blinking neon lights on weekdays and weekends from early evening throughout the entire night time until dawn (5 a.m. is its advertised closing hour), bothering the Club's immediately adjacent neighbors in both Stone Park and Melrose Park who are in the target zone of said bright, intense and flashing lights. The Sisters' property is a place of worship which includes three chapels within the three buildings on their property immediately adjacent to the strip club. In addition to their Convent and mid-western headquarters building, the Sisters also operate a school for training their new candidates or "novices" to become full members of their religious congregation ("the Novice House"). They also have a large building, called "Fatima House," which is devoted to the residence and care for aged and retired Sisters.

9. Adverse secondary effects of the strip club's illicit land use afflicting the plaintiffs as well as other neighbors have been profuse and legion. Worst, of course, is the terrible, illegal

stink that Club Allure emits as a house of ill-fame and den of prostitution which smears, sullies, and spoils the reputation of, and quality of life in, plaintiffs' own neighborhood which no longer appeals to families as a place of repose and pride to which they might relocate, reside, and flourish, raising their children in an atmosphere of security, peace and decency. Club Allure's many ill effects otherwise impair the Sisters', or other plaintiffs', or other neighbors' peaceful use and enjoyment of their adjacent property in serious, substantial, and tangible ways. Such adverse effects have included *inter alia* loud pulsating and rhythmic staccato-beat vibrations, and noisy music or other loud sounds that often has continued through the night until dawn. Boisterous individuals who exit the strip club have then lingered in the club's parking lot and proved raucous and noisy. Flashing neon and/or strobe lights that are so bright and intense that they often give the illusion of daylight, sometimes repeatedly, flashing on and off in variegated colors, have often persisted into the wee hours.

10. Club Allure's ill effects also have included public violence, including an incident in which a screaming woman was beaten in the parking lot of the strip club at approximately 10:00 a.m. on a Sunday morning, and wanton public drunkenness. A review of recent Stone Park police reports has revealed a nearly constant stream of incidents requiring police intervention occurring on and around the Club Allure premises, including melees between employees of Club Allure and its owners, employees of Club Allure and its patrons, as well as between and among the patrons of Club Allure, with most such violent incidents occurring between midnight and 5:00 a.m. Within recent months these incidents have included, most notably, a fight involving 15 to 20 people that started in the club and then spilled outside to the parking lot, resulting in arrests for mob action and battery, and a battery upon a female employee of Club Allure by a co-owner of the Club, accompanied by a threat on the part of defendant

Itzkow that, if the female employee reported the battery to the police, it would be "the last thing she would do."

11. Recent Stone Park police reports also indicate that persons have been found unconscious or highly intoxicated in the environs of Club Allure, including one patron who screamed at police in the parking lot and was ultimately charged with resisting arrest. Another intoxicated patron reportedly drove around in circles in the Club Allure parking lot before driving away and then later returning to Club Allure. All of these effects infringe Stone Park Ordinances prohibiting loud, unusual noise and disturbing the peace. Village of Stone Park Ordinance, §§94.01, 95.07.

12. Additionally, plaintiffs and other neighbors have been subject to increased litter in the area of the strip club and throughout the adjacent neighborhood, comprised of, among other things, empty whiskey and beer bottles, and discarded contraceptive packages and products evidencing illicit sexual misbehavior either in the club or about its environs, as well as cigarette and cigar butts. Plaintiffs have also been subjected to loud and often unruly late night pedestrian traffic on their sidewalks as well as vehicle traffic screeching up and down their nearby residential streets.

13. Moreover, in addition to the illegal conduct of prostitution within Club Allure's own premises, women also have been observed – alone or in groups, with or without accompanying males – patrolling the sidewalk on Lake Street, especially when the strip club is nearing its closing hour or shortly thereafter. All of said occurrences and observations – never witnessed or never witnessed to such an extent prior to the opening and operation of Club Allure – have caused and engendered widespread concern and fear for plaintiffs' and other nearby residents' physical safety. The plaintiff homeowners have suffered a drastic loss of pride in their

community and its prospects for continuing as a place with a high quality of life where families may raise their children in a secure, law-abiding, and healthy environment, have been depressed, and plaintiffs believe that their property values have plummeted owing to these troublesome conditions.

14. The municipal plaintiff, Melrose Park, home to two of the Sisters' three chapels as well as private residences and its own public property within the prohibited 1,000 foot radius, has also suffered many of these resultant negative impacts on its own territory. All these ill effects have been caused by Stone Park's and the strip club defendants' illegal disregard for the applicable state law and the requirements of Stone Park's own zoning code.

15. The Sisters also complain of the deprivation by Stone Park of their fundamental due process right to have had some reasonable prior and timely notice of their opportunity to be heard at a meaningful time and in a meaningful manner when Stone Park purported – allegedly in settlement of an extortion and bribery lawsuit brought against it a few months earlier by several of the strip club defendants – to implement a rezoning of the property immediately across the Sisters' backyard fence. Contrary to the command of the Due Process Clause of the Illinois Constitution of 1970, neither Stone Park nor the strip club defendants made any remotely reasonable, common-sense efforts to give the Sisters timely written or even any mere oral notice or warning that Stone Park was to consider the rezoning of the Sisters' immediately adjacent property.

16. Finally, while all plaintiffs complain of the defendants' actions as constituting not only a statutory public nuisance pursuant to 740 ILCS 105/1 *et seq.*, and Melrose Park, plaintiff, complains of the defendants' operating a house of ill-repute, pursuant to 65 ILCS 5/11-5-1, the Sisters and individual plaintiffs also complain defendants are perpetrators of a common law

nuisance, within the meaning of Illinois law. This latter claim is premised on the profusion of seriously adverse secondary effects wreaked upon plaintiffs and on their community as a result of defendants' foregoing acts and omissions causing such substantial interference with plaintiffs' use and enjoyment of their respective properties and their systemic, open, and defiant disregard for the Illinois criminal laws against prostitution. Plaintiffs thus seek a declaration of their rights pursuant to 740 ILCS 105/1 *et seq.* as well as a declaration of their right to seizure, and any and all additional consequent relief to which they may be entitled, including, but not limited to, legal abatement of the nuisance, by permanent (*i.e.*, "perpetual") injunction and/or by writ of mandamus directing Stone Park to cancel all permits and licenses forthwith, pursuant to which Club Allure has been allowed to operate in such an illegal manner – given that no official, high or low, is vested with any discretion to disregard, let alone knowingly disobey, the commands of Illinois law. Plaintiff, Melrose Park additionally seeks a declaration of its rights pursuant to 65 ILCS 5/11-5-1 and any and all relief to which it may be entitled, including, but not limited to an order for "suppression" of said public nuisance, whether by permanent injunction or by writ of mandamus, or otherwise as the Court may direct.

17. Defendants have flagrantly disregarded the demands of plaintiffs' counsel that they cease and desist from opening, and then continuing to operate, this illegal strip club, which was initially (and tastelessly) to be called "Get It Entertainment" but then, after a dispute between the strip club's original developer and later investors, who are believed to be operatives of Spearmint Rhino, an international strip club conglomerate – a dispute that erupted into a lawsuit that featured charges of extortion and even threats of physical violence by Itzkow's apparently authorized agent, his reported bouncer, against Spearmint Rhino – was re-named as "Club Allure" or "Club Allure Chicago."

18. Defendants have adduced and proffered an entire medley of supposed, specious, and legally baseless excuses for their flagrant disregard and defiance of the applicable Illinois law. As further alleged below, defendants have claimed that Stone Park cannot enforce the state buffer law, owing to the defendants' agreement to settle the extortion and bribery lawsuit brought against Stone Park by one or more of the strip club defendants. But this Court should find and declare that no mere private agreement could suffice to overrule a duly enacted public law – both Stone Park's own zoning code as well as the statewide Illinois buffer zone law. Nor did Stone Park's officials have the authority, in any event, to regulate the territory of Melrose Park outside Stone Park's own borders. Nor did Stone Park's officials have the authority to exempt themselves from their civic obligation to abide by all duly enacted laws – both their own ordinances and statewide laws – which bound them, equally as all other citizens. In any event, said buffer zone laws are indeed constitutional – having been held valid at trial and on appeal in other cases in this state. Nor does the First Amendment's limited protection accorded to erotic "free expression" – which protects only nude or scantily clad, sexually provocative dancing – outweigh (let alone negate) such reasonable regulations which are aimed at strip club's generally recognized "adverse secondary effects," as are embodied in the eminently reasonable local and state buffer zone restrictions mandated by Illinois law. Nor, in any event, do the rights of "free expression" accord even the slightest protection for the repeated, flagrant acts of prostitution that have regularly been occurring at, and are advertised and promoted by, Club Allure as an integral part of its business. Thus plaintiffs ask this Court to address and reject each of defendants' proffered excuses or justifications for their illegal actions.

19. All plaintiffs come before this Court, therefore, praying for declaratory relief, as well as any consequent or additional relief, by way of permanent injunction or writ of

mandamus, or otherwise, as may be necessary or proper, to redress and repair these gross violations of Illinois law.

THE PARTIES

20. Sisters of St. Charles ("the Sisters") is an Illinois not-for-profit corporation through which the Missionary Sisters of St. Charles Borromeo (Scalabrini) hold title to their Illinois property and perform their charitable work. Known as "the Scalabrinians," and founded as well as headquartered in Italy, the Scalabrinian Missionary Sisters live the mission of "being witnesses of the heavenly goods to all God's People, especially to the migrants, in this way helping them discover the love the Father has for them and the hope they have been called to," as proclaimed in the Constitution of the Scalabrinian Missionary Sisters, p. 7. The Scalabrinians were founded by Blessed John Baptist Scalabrini in Piacenza, Italy, on October 25, 1895. The specific mission of the Congregation is evangelical and missionary service to the migrants and refugees, especially the poor and those in need. The charism of the Sisters arose at the time of the great Italian emigration toward the Americas at the end of the 19th century. Today it manifests itself in the Sisters' teaching, hospital work, prison ministry, and numerous other fields of charitable endeavor, across twenty-five (25) different countries and on five (5) continents as well as in Stone Park, Melrose Park, and surrounding communities.

21. The Sisters' property spans and straddles the border between the Villages of Stone Park and Melrose Park, Illinois. Their mailing address is 1414 North 37th Avenue, Melrose Park, Illinois. The Sisters' entire property, which is extensive and among the largest privately owned parcels of land in the modestly-scaled suburb of Stone Park (whose total area comprises approximately only one square mile), is immediately adjacent to the Club Allure facility in Stone Park. The Sisters' property is a place of worship, on which three different chapels may be found.

The Sisters' main chapel, which is their primary place of religious worship, is in Melrose Park. It is kept open around-the-clock for the Sisters' prayer and contemplation. It is regularly utilized by both the Sisters and members of the public for Roman Catholic religious services including Catholic Masses during the week and on Sundays as well as for other Roman Catholic religious ceremonies.

22. The Sisters' Novice House chapel is also situated, at least in part, in Melrose Park. This chapel is dedicated for use by the "novices," that is, new entrants to the Sisters' religious community who are still in training and have not yet taken permanent vows to become religious Sisters. This chapel, too, is open around-the-clock for the novices' prayer and contemplation as well as for Roman Catholic religious ceremonies.

23. The retired and aged Sisters' chapel, which is situated within the municipal boundaries of the defendant, Stone Park, is dedicated for use of those residents in the Sisters' home for retired and aged members of their religious community. This home is called "Fatima House." Its chapel is open, equally as the two others, on an around-the-clock basis for use by the resident Sisters for prayer and contemplation, as well as for Roman Catholic religious ceremonies. Fatima House is the closest of the Sisters' three main buildings in their Convent complex to Club Allure. As the retired and aged Sisters exit from their chapel, Club Allure is clearly visible just over their backyard fence, the rear of the massive building standing just 2 ½ feet on the other side of that fence. During warmer weather, these aged and retired Sisters, together with the novices, tend a large garden toward the rear of the Sisters' property. This working time was previously prayerful and meditative, as well as joyful and productive. Yet, the garden is so close to the Sisters' backyard fence that it is overshadowed by the hulking mass of

the huge strip club just a few feet away, and the meditative atmosphere has been substantially impaired or, for many Sisters, shattered.

24. The plaintiff, Melrose Park, is an Illinois home rule municipality whose borders are almost immediately adjacent to the Club Allure strip club. Melrose Park's property – the streets and sidewalks and other public property to which it holds title in trust for its citizens in service of the public good – as well as the properties of many of its residents, have suffered and will continue to suffer adverse and negative secondary effects as a direct and proximate result of the opening and operation of Club Allure. Melrose Park has had to respond to calls and complaints from the Sisters as well as from other citizens to protect their interests in curtailing the adverse secondary effects stemming from operation of Club Allure. Melrose Park thus sues to protect its own public property against these adverse secondary effects caused by Club Allure and to protect its authority to enforce the applicable law within its own municipal territory. Finally, Melrose Park also sues, as previously alleged herein, for entry of an order declaring that it has the right, pursuant to 65 ILCS 5/11-5-1, to suppress the strip club defendants' operation of a house of prostitution and ill-fame, a bawdy and disorderly house, and a house of assignation at Club Allure.

25. Plaintiffs, Juana Morales, Arnulfo Gonzalez, and Patricia Zito, each of whom is an individual, all reside on 37th Avenue in Melrose Park and own as well as occupy their respective residential properties, all of which are located within 1,200 feet of the defendant, Club Allure, and its adult entertainment facility. Thus each has standing to sue to adjudicate, enjoin, and abate zoning code violations on the property occupied by Club Allure, pursuant to 65 ILCS 11-13-15. Each of these plaintiffs has suffered significant adverse secondary effects since the opening and operation of Club Allure, which they deem attributable to its proximity to their

residences, and which they had not previously suffered. Among other things, they have observed garbage being tossed out of cars, as well as littering by pedestrians, including liquor bottles, contraceptive packages and/or wrappers, drunken people stumbling along the road or even urinating in public. Ms. Zito, a 47-year Melrose Park resident whose home is situated within a block of the strip club, who attends classes at the nearby Italian Cultural Center, "Casa Italia" (which also has a chapel inside that is within 1,000 feet of Club Allure), has found that longtime friends are afraid to visit her out of fear for the safety of the neighborhood. Ms. Zito herself now feels that she cannot walk safely to Lake Street, a mere block from her home on 37th Avenue, near the Sisters' Convent. Said plaintiffs seek a declaration of their rights pursuant to the Lewdness and Public Nuisance Act, as well as relief pursuant to their claim based on common law nuisance, and any consequent relief to which the Court may find them entitled. Finally, while these plaintiffs reside in Melrose Park, a block or more removed from the strip club, they are informed and believe that the vibratory noise accompanying noisy music emanating from Club Allure, as well as the bright, intense lights, which have persisted through the night up until dawn, often have gleamed intermittently through other neighbors' backyard windows, which are nearer to Club Allure, causing sleep loss and deprivation, emotional upset, and health risks and perils for many of the neighbors, both in Melrose Park and Stone Park, whose homes are closer and more or less adjacent to Club Allure and thus within the "target zone" of its extensive outdoor commercial light fixtures.

26. Defendant, Stone Lake Partners, L.L.C., d/b/a "Club Allure" and/or "Club "Allure Chicago" ("the strip club"), is an Illinois limited liability company whose principal place of business is in Stone Park, Illinois. Stone Lake Partners, L.L .C is now believed to be the current owner and/or the operator of Club Allure, because it is listed with the Illinois Secretary of State

as having the assumed name of "Club Allure Chicago," and formerly having the assumed name of "Get It Entertainment," by which name the strip club was previously known up until, and perhaps somewhat after, it originally opened for business. Defendant, Get It Entertainment, LLC, was an Illinois limited liability company, whose inception took place on August 24, 2011, and whose principal place of business was situated at 3801 Lake Street, Stone Park, IL, the address of the strip club, but this entity was involuntarily dissolved on May 16, 2013, and it is sued hereunder pursuant to 805 ILCS 180/1-50, as this suit was brought within five years of said dissolution.. Another defendant, Get It Entertainment Management, LLC, an Illinois limited liability company, was formed on March 23, 2013, whose principal office was also situated at the strip club premises at 3801 West Lake Street, according to records of the Illinois Secretary of State. It still exists and plaintiffs believe that it still retains some role in the ownership and operation of Club Allure, or in the alternative, that it previously had such a role, rendering it answerable in whole or in part for the causes of action that plaintiffs assert herein. The entity named Stone Lake Partners, L.L.C., or a predecessor thereof, had previously brought suit against Stone Park, complaining *inter alia* that the Village would not agree to rezone the property on which it proposed to build, and eventually did build, the strip club, unless Stone Lake Partners would agree to pay a bribe or satisfy an extortionate shakedown demand. Instead, Stone Lake Partners filed its lawsuit, which Stone Park abruptly settled by agreeing to the rezoning and repealing almost all of its own buffer zone ordinances for adult entertainment venues.

27. Defendant, 3801 Lake, LLC, is also an Illinois limited liability company and it is believed to be the majority owner of Stone Lake Partners, as its registered agent is still the individual defendant, Sean O'Brien, who is now reportedly the manager of Club Allure. 3801 Lake, LLC, was previously managed by 3801 Lake Management, LLC, a Delaware limited

liability company, which may still exist but whose license to do business in Illinois was revoked in May, 2014. Formerly, the majority owner of 3801 Lake Management, LLC, was defendant SR Stone Park 1, LLC, a Delaware limited liability company, but the Secretary of State records now show that its license to operate a business in Illinois was revoked on March 14, 2014. Plaintiffs believe that "SR Stone Park 1, LLC," has been and may still be a wholly or partly owned subsidiary or has been otherwise affiliated and financed by the large international strip club operator known as and called "Spearmint Rhino," which invested in and financed the Stone Park strip club venture at an earlier juncture when defendant Itzkow, the original developer, ran into financial difficulty. The three other entity defendants, Get It PR 1, LLC, Get It PR 2, LLC, and Stone Lake Outdoor, LLC, are all believed by plaintiffs to have some ownership or operational role in connection with the strip club, as the registered agent for each of said entities, all of which are Illinois limited liability companies, formed according to Illinois Secretary of State records, respectively, on January 22, 2014 (NGS), on March 4, 2014, and on May 14, 2014, is Sean O'Brien.

28. As for the individual defendants, Robert Itzkow, is believed to be a resident of Wood Dale, in DuPage County, and he was the original owner as well as manager and sometime attorney for "Get It," as Club Allure was originally to be called, and Stone Lake Partners. At present, plaintiffs are informed and believe that Itzkow is still a part owner, perhaps a minority owner, of Club Allure and Stone Lake Partners. Indeed, plaintiffs recently were advised that Itzkow may have entirely "sold" his ownership interest in Club Allure to one or more other partners or new investors in that venture. But plaintiffs nonetheless believe that Itzkow is still serving in some managerial capacity of Club Allure, or that otherwise he still maintains some degree of oversight or managerial or contractual control over the club's operation. Also, Itzkow

has held himself out as one of the strip club's attorneys and apparently may continue in that capacity. The other individual defendant, Sean O'Brien, has stated to news reporters that he is also a part owner as well as manager of Get It and Stone Lake Partners and its Club Allure, and his name now appears on one or more Stone Park licenses or permits for Club Allure. O'Brien's residence is unknown at this time, but he apparently is present at Club Allure during many, if not most, of its working hours, having given several interviews to reporters which led to published newspaper reports which have related that he was interviewed at or near the premises of Club Allure in Stone Park. Therefore, plaintiffs believe that both Itzkow and O'Brien continue to do business in Cook County and that personal jurisdiction may properly be exercised over them in this County.

JURISDICTION AND VENUE

29. This Court is fully vested with jurisdiction and authority to entertain and adjudicate this lawsuit for declaratory and other relief, pursuant to one of more of the following statutes or other applicable laws:

a. The Illinois Municipal Code, 65 ILCS 5/11-5-1.5, which specifically identifies places of religious worship and schools as subjects for protection by way of proximity buffers as against adult entertainment facilities;

b. The Illinois Declaratory Judgment Act, 735 ILCS 5/2-701(a), which provides that the Circuit Courts may hear and decide cases involving actual controversies between litigants, and the instant case poses several actual controversies over a series of legal issues, including several constitutional issues;

c. The Lewdness Public Nuisance Act, 740 ILCS 105/1, which provides that,

"All buildings and apartments, and all places, and the fixtures and moveable contents thereof, used for purposes of lewdness, assignation, or prostitution, are hereby declared to be public nuisances, and may be abated as hereinafter provided. The owners, agents, and occupants of any such building or apartment, or of any such place shall be deemed guilty of maintaining a public nuisance, and may be enjoined as hereinafter provided."

d. The Illinois common law of nuisance;

e. The Village of Stone Park Zoning Ordinance, Section 1.3 thereof, which provides that, "Where the conditions imposed by any of the provisions of this Title, upon the use of buildings, structures or land, or upon the bulk of buildings or structures, are either more restrictive than comparable conditions imposed by any other provisions of this Title **or any other law**, ordinance, resolution, rule or regulation of any kind, **the regulations which are more restrictive or which impose higher standards or requirements shall govern**" (emphasis supplied);

f. The Illinois Municipal Code, 65 ILCS 5/11-13-15, which allows municipalities and those private individuals owning property or residing within 1,200 feet of a property to bring suit to adjudicate, enjoin and abate zoning and building code violations on that property;

g. The Illinois Municipal Code, 65 ILCS 5/11-5-1, which provides *inter alia* that the corporate authorities of any Illinois municipality may bring lawsuits to "suppress bawdy or disorderly houses and also houses of ill-fame or

assignation," not only within the limits of the municipality, but also "within 3 miles of the outer boundaries of the municipality"; and

h. This Court's general inherent powers as a Court of Equity to do all things that the exigencies of the case require.

30. Venue is properly laid in Cook County, pursuant to 735 ILCS 5/2-101, inasmuch as the defendant limited liability companies, the individual defendants, and the subject properties are all situated and doing business within Cook County, Illinois.

NARRATIVE FACTS

31. Defendants, Itzkow and/or Club Allure (or one or more of that Club's antecedents), sought to locate a new strip club facility at 3801-3811 West Lake Street, in the Village of Stone Park ("the subject property"), just several city blocks east of Mannheim Road and not too far north of the Chicago area's main auto route along its east-west axis, the Eisenhower Expressway. That location, however, was zoned by Stone Park as B-1 Commercial, which precluded its use for adult entertainment. Indeed, this property abuts the property of the Sisters of St. Charles, who have been a fixture in the communities of Melrose Park and Stone Park and their environs since the 1940's, conducting charitable work, teaching, ministering, and providing social services for residents of Melrose Park, Stone Park, and surrounding communities for over seventy years. The subject property also abuts the backyard fences and yards of several private residences, occupied by families, one or more of whom has a swing set for children to play in its backyard, just a stone's throw from the fence bounding the subject property, now occupied by the strip club.

32. The Sisters' property straddles the border between Stone Park and Melrose Park, and their property includes three chapels within three separate buildings which at all material

times herein have been regularly used for religious services as well as individual prayer and meditation.

33. The Sisters' street address is 1414 North 37th Avenue, Melrose Park, Illinois. All of the Sisters' buildings, including their three chapels, places of religious worship, are within 1,000 feet of the strip club property.

The Initial Application for Re-Zoning in Autumn 2009 is Rejected

34. According to a letter that Stone Park sent to community members ("Dear Stone Park Resident," dated March 28, 2012), the "owners" of the subject property "first applied to the Village seeking to rezone their property, so that the [strip] club could be built." But at a hearing on the owner's rezoning application, the Stone Park Zoning Board voted to recommend that the Village Board deny rezoning. In January 2010, the Village Board also voted to deny the rezoning.

35. The Stone Park Village Board's proceedings, as recorded, reflect that defendant, Robert Itzkow, made a detailed presentation arguing that his proposed strip club would have minimal adverse impact of on the community. Itzkow elaborated that the defendant, Stone Lake Partners, LLC, planned to utilize special recessed lighting, a sound absorbing fence, and hired patrol officers to prevent or minimize the adverse effects expected to stem from the new club. Nevertheless, the Village Board made a series of very negative findings against the proposal. It found that rezoning the subject property would not promote public health, safety, comfort, and general welfare and that rezoning would not comply with Stone Park's comprehensive zoning and development plan, noting specifically that the property was surrounded by residential homes and well as the Sisters' Convent. The Board found there was no trend toward this type of adult entertainment business and, moreover, that a change in the zoning would not be "more suitable."

The comprehensive plan used a creek running near the subject property as a buffer, whereas this rezoning would eliminate that natural buffer. There was no demonstrated need, the Board further found, for any additional "adult entertainment cabarets" in the Village. The property was not vacant. Finally, it was not at all clear that there would be no adverse impact on the surrounding area. Thus all six criteria or tests for rezoning applications were not found to have been satisfied, and, therefore, the rezoning was denied on or about January 5, 2010 (Transcript, pp. 23, 36-43, 105, 106, 107, 108).

Stone Lake Partners Sues, Alleging Bribery and Extortion – a Shakedown – by Stone Park

36. On or about April 10, 2010, Stone Lake Partners and its landlord, Ralph Nicosia, filed an amended lawsuit against Stone Park and various Village officials, in Case No. 2010 CH 14317, before this Court. Stone Lake Partners and Nicosia alleged *inter alia* that they had been denied rezoning of the subject property in retaliation for their refusal to accede to a shakedown attempt on the part of Stone Park and/or its officials, involving criminal acts of extortion and bribery. Specifically, the plaintiffs charged, first, that they were told that a Stone Park businessperson would have to be the owner and holder of any new license for a strip club. When that lawless demand was rejected, it was then demanded that the strip club owners and developers hand over a 30% ownership interest in the new strip club, plus a cash payment of some $200,000, to a nominee of the Village, whereupon everything could be "taken care of."

37. Stone Lake Partners' and Nicosia's lawsuit sought injunctive and other relief from Stone Park and from the Village officials whom they sued. But those plaintiffs did not assert any legal challenge against any Stone Park ordinances in their lawsuit.

Stone Park Settles, Rezones, and Repeals Its Own Buffer Ordinance, Issues Licenses, etc.

38. Stone Park's Answer to the extortion and bribery allegations, filed in August 2010, averred that the Village "lacks sufficient information or knowledge to admit or deny the allegations" (Ans. To First Amended Complaint, file-stamped August 5, 2010, pars. 46-47). But settlement negotiations must have been underway very promptly and in earnest, because a mere two weeks later a Release and Settlement Agreement was executed between defendants Nicosia and Stone Lark Partners, on one side, and the Village of Stone Park, on other side. The Agreement was dated August 19, 2010 ("Release and Settlement Agreement"), and by it the lawsuit was settled, compromised, and dismissed.

39. Stone Park's "Dear Stone Park Resident" letter, dated March 28, 2012 (*supra,* Par. 26), purported to explain and justify the lawsuit's settlement on the ground that the Village had "engaged the services of one of the top zoning attorneys in the State of Illinois" and had spent "several months in litigation and more than $200,000 in legal fees," with the likelihood (after having "reviewed the situation with our attorneys") that "this would continue to be a long-drawn-out legal fight with no guarantee the Village would win." Therefore, according to the Village's letter to residents, the Board "made an informed decision not to continue to incur the costs of this lengthy and expensive litigation," as "[t]o do so would have required us to significantly increase taxes on Stone Park home and business owners."

40. Stone Park's letter to residents claimed that the Village Board (in the settlement) required the strip club owners to take measures to reduce the impact of noise, lights and traffic on the surrounding community, including extra soundproofing, an 8-foot double-sided fence, and low-voltage lighting directed toward the parking lot to reduce light flowing into the residential area, as well as a restriction that traffic could only enter and exit the property from Lake Street.

Also, according to the letter, there would be no signage on the building to indicate an adult use. Most, if not all, of these same concessions or accommodations had been offered by defendant, Itzkow, at the earlier hearing when the rezoning was rejected (*supra*, Par. 27). As is hereinafter alleged, however, once Club Allure opened for business and at all times since then, it has had a huge billboard towering above its parking lot, approximately 100 feet or more above ground level, touting Club Allure as an "adult entertainment complex," and– by both images and words – otherwise clearly identifying the property as "an adult use."

Stone Park Simply Deletes Its Prior Buffer Between Adult Uses & Churches, etc. While It Affirmatively Provided Against Any Buffer Zone Between Different Adult Uses

41. The Release and Settlement Agreement generally provided that Stone Park would repeal or amend substantially all of its zoning code provisions regulating adult entertainment facilities, even though none of those provisions had been targeted as legally objectionable or had even been cited in the lawsuit the parties were settling. Thus Stone Park promised to amend its zoning ordinance to delete its previous buffer restriction on the location of multiple adult land uses, adopting an ordinance that provided: "There shall be no required distances between adult uses in the B-2 [adult entertainment] zoning district" (Ordinance 10-09, Sec. 4). Section 6 of that same new ordinance simply repealed or deleted Stone Park's prior buffer restriction on the proximity of adult entertainment establishments, on one hand, and other land uses such as a school, church, park, playground, hospital, day care center, liquor establishment, residential area or other place where persons under the age of eighteen may be found. Section 6 simply provided for *repeal* of this buffer ordinance, without any affirmative statement that no such buffer or any similarly worded buffer zone should exist henceforward in Stone Park: "Paragraph F of Section IX of Ordinance 96-4 shall be, and is hereby, deleted in entirety" [sic]. *Id.* Thus this deletion

and/or repeal left a regulatory void or vacuum in Stone Park on the matter of any such buffer zone between adult uses and other land uses. The Release and Settlement Agreement was silent with respect to the church and school buffer zone requirement, as compared to the affirmative provision, *supra*, banning any buffers as between multiple adult land uses. Instead, the new ordinance simply deleted any Stone Park zoning restriction on the distances between, for example, churches and schools and adult entertainment facilities.

42. The Release and Settlement Agreement also made other provisions for amendment or repeal of certain Stone Park ordinances relating to the Village's issuance of liquor licenses to the strip club. Paragraph A1 provided that the hours of business operation for the adult entertainment facility shall be "such hours as are presently prescribed for establishments holding Class AA Liquor Licenses under the Stone Park Code of Ordinances." Paragraph C mandated Stone Park to "[a]uthorize the creation and direct the issuance to Stone Lake of a Class AA Liquor License restricted to the Subject Property." Paragraph D likewise mandated Stone Park to "[a]uthorize the creation and direct the issuance to Stone Lake of a Class C Liquor License restricted to the Subject Property." Paragraph J6 mandated that Ordinance 03-05 be amended or repealed to change the hours of operation restrictions for adult use facilities to correspond to the Class AA liquor license hours. Paragraph J7 provided, further, that Ordinance 09-06, Section 1(A)(5)(b), be amended or repealed to create an additional Class AA liquor license in Stone Park. Finally, Paragraph J8 provided that Section 111.25 of Chapter 111 of the Stone Park Liquor Code be amended or repealed to allow alcoholic beverages to be served where "sexually suggestive entertainment" is performed.

Stone Park Mails the Sisters' Notice of the Rezoning Hearing to a Non-Existent Address

43. The parties' Release and Settlement Agreement also obligated Stone Park to accept and process an application for rezoning of the subject property to become a B-2 [Adult] Entertainment zoning district. Stone Lake Partners did submit such a rezoning application, which was scheduled for hearing, and ultimately heard, on, August 11, 2010. But the Sisters never received any written or even any verbal or oral notice of this rezoning hearing, even though their property is situated a mere two city blocks from the Village Hall. Rather, their notice was improperly addressed and mailed to 1414 W. Lake St., Stone Park, IL 60160-3924 – an address which did not exist and despite the fact that the Convent's mailing address is 1414 North 37th Avenue, Melrose Park, Illinois.

Stone Park's Failure to Notify the Sisters Was Willful and Deliberate

44. The Sisters cannot help but believe, based on the facts so far disclosed, that the failure to give them any actual notice – written or verbal – was willful and deliberate as they believe that anybody reasonably desirous of actually informing the Sisters, whose vital statutory and proprietary rights were imminently at stake and in jeopardy at the upcoming hearing, would have rung their doorbell, taped a mere handwritten note on their doorway, or at least mailed or otherwise a notice to their actual address, which is well known throughout Stone Park as well as Melrose Park.

The Second Rezoning Hearing Leads to Totally Opposite Findings – Absent the Sisters, and Without Notable Objection, the Rezoning for the Strip Club Was Approved

45. The rezoning hearing proceeded on August 11, 2010, without the Sisters' having been provided even the slightest notice and without their objections being heard or considered. The Zoning and Planning Commission once again weighed and considered whether, and to what

extent, the proposed rezoning met the six tests or criteria in light of which such proposals are either granted or denied. This time around, the Commission and Village Board did a complete *volte-face*, a 180 degree turnabout from the first rezoning hearing. Now, the prior findings completely adverse to the strip club were turned on their head. The Stone Park officials now found that each of the six tests or criteria were amply satisfied. The new strip club would promote the public health, safety, comfort, convenience, and general welfare in compliance with the policies and official land use of the Village because it "take[s] an unused property and bring[s] it to a place where it can be utilized in the Village and bring in new revenues . . . ." It would not "be a detriment to the public health or welfare or safety because Mr. Itzkow sa[id] it will have personal security, and there would be fencing surrounding the property that will buffer the residents that are next to this property from any of the inconveniences of this business being operated at such times." The trend of development in the area and the subject property is consistent with the requested rezoning, as "[t]he trends in the area lean more toward entertainment district than general business area." The proposed uses were found to be more suitable than the uses permitted under the existing zoning and "storefronts and general retail do not do well in this particular area." As for consistency with Stone Park's official comprehensive plan, the project "would be an extension to the entertainment area and allow for greater tax revenue for the Village of Stone Park without being detrimental to the residents surrounding it or other businesses." Further, "the area is partly [occupied by] only one tenant in the building and [in] previous years to that, they've sold to tenants and have enticed other people to come to the property as it exists now. This would be a benefit to the Village . . . ." Finally, as for altering the essential character of the neighborhood and the club not being a substantial detriment to adjacent property, "We said the fencing will buffer us with regard to the property adjacent the alley [that

is, the Sisters' property] and also it's not changing much. [Rezoning is] not going to bring us closer to either property on the north or east side as well" (Transcript, pp. 64-65, 66, 67, 68, 69, 70). There were admissions that the new B-2 zoning classification would bring with it the negative secondary effects of people coming and going at all hours, intrusive lights, noise, litter, and other potential problems, but the Board and the Commission claimed that these effects were already present as a result of nearby B-2 establishments, with nothing said about the proximity of the other establishments or the abandonment of their prior reliance on the creek as a "natural barrier" between the properties. Only two members of the public were present who asked questions during the question and answer period. One questioner brought up the Sisters' property immediately adjacent to the proposed strip club location, but, while it was acknowledged that the property was owned by the Sisters, their property was described as "vacant" – a clearly deceptive description. The Zoning Commissioners and Village Board thus approved the rezoning. Construction commenced soon thereafter. No notice of the rezoning, even after its approval, was ever sent to the Sisters.

The Sisters' and Neighbors' Protests and Objections vs. Stone Park's Responses

46. Almost a year after construction began, the Sisters found out from news stories which were published in the wake of an investigation conducted by the Better Government Association, a public interest group serving the greater Chicago area, that the huge new building going up over their backyard fence was to be a sexually oriented adult entertainment venue. It was a huge new strip club, rather than an ordinary restaurant or other type of commercial business as the Sisters had surmised. Thereupon, the Sisters mounted a public Prayer Vigil campaign, including publicity and protest, in an effort to drum up widespread support for public morals and compliance with the applicable laws and in opposition to the Village's action in

approving the new strip club, which at that time was expected to be called "Get It." The Sisters wrote letters to Stone Park's mayor. They staged Prayer Vigils, outdoor demonstrations, and protests. They circulated, collected, and submitted signed petitions from well over a thousand persons. These communications provoked responses. In his March 28, 2012, letter ("Dear Stone Park Resident"), Stone Park's legal counsel argued that the Village could not legally (again) reverse its decision to approve the rezoning for the strip club's property owing to "serious and adverse legal and financial implications of such an action," as the Village was bound by the "settlement agreement" which, he claimed, was "under the jurisdiction of the Circuit Court of Cook County." The Stone Park attorney argued that costly litigation would ensue if Stone Park were then to change course. He also contended, apparently on behalf of the strip club defendants as much as on behalf of Stone Park, that the state law should be disregarded as it was unconstitutional as an abridgement of the strip club defendants' First Amendment rights. By the instant lawsuit, the Sisters and the other plaintiffs are asking this Court to rule that these and other contentions of Stone Park are legally baseless.

The Strip Club Defendants' Internal Dispute, Reorganization, and Name Change

47. In November 2012, defendants Stone Lake Partners and its manager, 3801 Lake Management, LLC, filed a lawsuit against defendant Robert Itzkow, charging that Itzkow was tortiously interfering with the further development of the strip club. They alleged that Itzkow extorted them, insisting on an exorbitant price for their buying out his interest in Stone Lake Partners. Itzkow, it was alleged, had told those plaintiffs that he "had connections that gave him control over whether the Club's liquor licenses would be renewed by the Village of Stone Park," and, according to Stone Lake Partners' complaint, Itzkow even "implied that he would enforce his position with physical force, if necessary," by having his bodyguard at the premises threaten

– either expressly or impliedly – actual physical violence against new investors (believed to be Spearmint Rhino's operatives) if and when they tried to enter the strip club. On July 2, 2013, Stone Lake Partners, L.L.C., successfully applied to the Illinois Secretary of State to change its assumed name from "Get It Entertainment" to "Club Allure Chicago," after which it time has been commonly referred to as "Club Allure." On August 13, 2013, the *Chicago Sun-Times* published a news article indicating that Get It/Club Allure was in financial trouble due to financial disputes among its backers. Nevertheless, apparently having secured new investors and perhaps with a change in management, Club Allure opened for business around Labor Day, 2013, and it has been open and operating ever since then.

Club Allure's Operation Includes Regular, Substantial, and Ongoing Prostitution

48. Plaintiffs, as alleged above more fully in paragraphs 4 through 7, inclusive hereof, *supra*, contend that Illinois' laws regarding prostitution prohibit the activities being carried on a Club Allure – for example full contact, friction lap dancing – because the activities constitute prostitution under Illinois law.

49. For an extra fee, Club Allure offers its male patrons "lap dances" or "private dances" and even advertises "bringing threesomes to reality" – indicating patrons may pay for dances with two "dancers" or "entertainers" at one time. Plaintiffs believe that, these "private dances" take place in separate, more isolated areas of the building, including a "VIP area" equipped with small curtained booths, each containing a small couch. The female dancers providing the "private dances" are clothed in g-strings, which cover only their vaginal areas with a small patch of cloth and which leave their buttocks approximately 90% exposed. The "private dances" typically consist of the mutual touching and fondling of the genital and other sexually sensitive areas of the bodies of both the patrons and dancers for the purpose of (advertised and

paid for) sexual arousal or gratification. Plaintiffs contend, as previously alleged, that these acts – which constitute a regular, substantial, integral, essential, and ongoing part of Club Allure's business – constitute acts of prostitution, rendering Club Allure a house of prostitution, ill-fame, and/or assignation, and bawdy or disorderly house, within the meaning of the applicable Illinois law.

Club Allure Reaps Substantial Profits from Prostitution Fees and Proceeds

50. On information and belief, defendants receive a significant portion of all amounts paid to Club Allure's entertainers and dancers for the aforesaid acts of prostitution, and further, said entertainers or dancers are required, in accordance with a common (if not the standard) practice of the strip club industry, to share their tips with various other Club Allure employees, such as doormen, bouncers, disk jockeys, bartenders, wait staff, and/or car parkers or so-called "valets." Furthermore, plaintiffs are informed and believe that the strip club defendants do not pay their entertainers or dancers any minimum wage or overtime pay, as required by Illinois law, nor do they provide said entertainers or dancers with unemployment or workers' compensation or any other monetary benefits, which plaintiffs believe also to be contrary to Illinois law. Apparently, the strip club defendants do not pay their entertainers at all, but instead the entertainers "pay" them a minimum "tip out" or "stage fee" for the privilege of working a shift at Club Allure. Nor are other employees regularly paid, as they often receive mere "Funny Money" or IOUs, and when they are paid it is often in cash and "under the table."

Club Allure's Business Model Is Based on Coercive Economics and Encourages Prostitution by "Entertainers" as Well as Sex-Trafficking by Pimps and Procurers

51. Thus while defendant O'Brien was quoted in the *New York Times* to the effect that, "We treat these girls like our daughters," referring to Club Allure's entertainers and

dancers, a copy of which article, containing that quotation is attached as Exhibit 1 hereto, plaintiffs are informed and believe that, in truth and in fact, Itzkow, O'Brien, and the other strip club defendants are exploiting these women, economically as well as sexually, by hiring more dancers or entertainers than are needed to adequately staff Club Allure, for the purpose and with the effect of promoting and inducing said entertainers or dancers to compete with one another for bigger and more generous "tips" from customers by soliciting and then complying with customers' or patrons' demands for increased, more extensive, and lucrative sexual services, both on and off the premises of Club Allure. This practice is not only exploitative in an economic sense, but it also tends to coerce many, if not all, of these women to engage in more extensive acts of prostitution to enhance their earnings and/or to enable them to meet the "tip out" fee that Club Allure charges them for the "privilege" of working there on a given day, evening, or weekend shift. Plaintiffs believe, indeed, that many of the women recruited and hired to work at Club Allure are poor and vulnerable and whose circumstances, coupled with the coercive economics of the strip club, render them nothing less than victims of "sex-trafficking" who are forced to depend on and stay in the sex trade.

O'Brien Viciously Threatens Club Allure Workers to Trigger a Cover-Up Of Club Allure's Involvement in the Fatal Crash of its Bartender After Work

52. While defendant, Sean O'Brien, has bragged that the strip club treats females who work there "like our daughters" (*supra,* ¶51), plaintiffs believe that O'Brien has conveyed raw threats of physical harm to employees, and/or possibly others, on a Facebook page which is reportedly restricted to Club Allure managers, employees, and/or "entertainers," an excerpt from which – sent to the Sisters by a friend of a deceased bartender at the Club – contains this threat, dated December 23, 2014, two days before Christmas: "I'm going to tape your mouth shut and

staple your face to the carpet . . . ." A copy of said Facebook page is appended hereto as Exhibit 2, p. 1. Plaintiffs believe, based on reports from Ms. Lugo's friend who spoke with other Club Allure employees shortly after her tragic death, that O'Brien was making this threat to back up his earlier directive to Club Allure managers, employees, and/or "entertainers," that they cease and desist from talking publicly about a terrible auto accident involving a Club bartender, Zaira (or "Zari") Lugo. Ms. Lugo was permitted to leave the Club in her automobile on or about 7:30 a.m. on or about Sunday, December 21, 2014, allegedly in an inebriated condition, owing to drugs and/or alcohol. Thereupon, within just a few minutes, according to news reports, this single mother of two young children crashed her car on 25th Avenue within the territorial boundaries of the plaintiff, Melrose Park. Crews responded and took Ms. Lugo to Loyola University Medical Center in Maywood, IL, where she was pronounced dead at 8:07 a.m. The Cook County Coroner performed an autopsy and determined Ms. Lugo's cause of death to be accidental. Indeed, Ms. Lugo's friend conducted an investigation that led him to conclude that she had been driving at approximately 50 mph over a rail crossing after which she careened into a light pole, crushing the left (driver) side of her automobile. Cell phone records have shown Ms. Lugo's friend and her family members that Club employees were calling her, even while she was driving, and she had inserted into her auto navigation unit the address of a hotel where, reportedly, Club Allure "members" had reserved space for a party. When Ms. Lugo's friends and/or family members arrived at the hospital after getting word of her crash, Club workers were already there, telling them some details about what had happened at the Club, including that another worker tried to kiss her and then wrestled with her in a failed attempt to wrest her car keys from her. But later, at the funeral home, Club workers refused to say any more about what had happened, in the wake of and apparently in light of defendant, Sean O'Brien's, web posting

that communicated his nasty violent threat on the Club's restricted Facebook page. One dancer who was noticeably weeping at the funeral home ran out when approached, saying that she couldn't talk. Another Facebook posting by a Club worker (Ex. 2, p. 2) reflects that while he had tried to prevent Ms. Lugo from leaving the Club in her auto, he gave up from trying to stop her, or get her a cab, and instead left the premises himself, leaving her to her own devices, which proved fatal. Ms. Lugo's surviving children are believed to include her daughter, age 15, and her son, age 11. Stymied in his efforts to fully determine for himself as well as for Ms. Lugo's immediate family members exactly what led up to her suddenly meeting such an untimely death, the friend advised the plaintiff Sisters that he believed that the strip club cultivated such an ambiance and atmosphere in which drugs and alcohol were so widely in vogue, and promoted, that women became more willing to engage in sexual as well as other forms of self-indulgence, posing serious and ultimately fatal physical (as well as other) risks not only to themselves but to others as well. Plaintiffs are intent on pursuing the investigation begun by Ms. Lugo's friend as to why and how she died as she did.

Club Allure's Gourmet Chef Likens It to "Sodom & Gomorrah" – the "Mile High Club"

53. Such evidence relating to the tragic death of Ms. Lugo and how it affects the "reputation" of Club Allure is relevant and admissible, pursuant to the provisions of The Illinois Lewdness Public Nuisance Act, 740 ILCS 105/1 *et seq*., and it may be taken into account in adjudicating whether a given place – such as Club Allure – is a public nuisance *vel non*. Obviously, Club Allure poses a clear and present danger to those residing about its environs that workers or patrons may indeed be driving away from the Club while seriously, perhaps even fatally, under the dreadful influence of alcohol and/or drugs, and the Club's reputation to that effect needs to be taken into account in determining that it is indeed a nuisance as a matter of

law, public as well as private. Moreover, plaintiffs also allege that Club Allure is widely reputed to be a place where intimate sexual acts are bought and sold on a regular and substantial basis and at high prices, as well as a place where sexual rendezvous appointments may be arranged (as reflected in the foregoing report about a post-closing party at a hotel near Club Allure, arranged by so-called "Club members." Indeed, Club Allure's website advertises that such Club Allure "memberships" are available in its "Mile High Club" at a price of $4,000 per year (or monthly memberships can be purchased "for as little as $350 a month"), with daily prices offered to callers on request. The website states that in the Mile High Club patrons are "tempt[ed]" into "an alluring world of comfort and personal luxury" where their "fantasies" may be made "a reality" – which text is juxtaposed with a photo of an attractive semi-nude woman – to provide "outstanding entertainment." While this website advertisement touts "exquisite gourmet dining paired with the finest wines and spirits" in the Mile High Club's "private dining room," and while Club Allure has boasted a menu developed by a "veteran North Shore chef," Michael Lachowicz, who reportedly owns and operates a high priced, gourmet restaurant in Winnetka, Illinois ("Restaurant Michael" on Green Bay Rd.), Chef Lachowicz was interviewed for an article that appeared in the *Chicago Reader* (June 30, 2014), a copy of which is appended hereto as Exhibit 3. In that published interview, Chef Lachowicz was quoted as having said that he has been in recovery from alcohol, drug, and food addictions, and that his work at Club Allure was "kind of counter recovery," adding that, "It's a kind of speakeasy type of business . . . not for everybody . . . . The business is saturated with people who could probably use some of the rooms that I go to. It's a good reminder of where I don't wanna be. You know there's a lot of stuff that goes on in those places." (Exhibit 3, p. 2). And further: Apart from the food, "the rest of it I don't know a thing about. Nor do I want to. . . . So you know, going in there and looking

at these women as objects and going in there for all the wrong reasons – I can't do that. I don't want to be a part of that. . . . So, I made it a point not to be there when there were dancers there. I didn't go there for auditions. I didn't go there to watch what was going on." (*id.*, p. 2). And finally: "Listen man, the whole thing is Sodom and Gomorrah for me, I gotta stay the f--- out of there. It's not a good place for me to be. The cheese will slide right off my cracker if I'm there too long." (*id.*, p. 3). Plaintiffs believe, and they contend, that Chef Lachowitz's words belie the false façade that the Mile High Club's lofty annual and monthly dues merely reflect its available gourmet cuisine or fine spirits, and that his references to Sodom and Gomorrah and "places where a lot of stuff goes on," only confirm Club Allure's reputation as a place of sexual excess, prostitution, and self-indulgence at high prices.

Club Allure Inflicts Increasingly Adverse Secondary Effects On Its Neighbors, While Stone Park's Officials Threaten Strip Club Opponents and Protesters With Reprisals

54. In addition to the foregoing adverse secondary effects alleged *supra* at paragraphs 9 through 14, inclusive, which plaintiffs now reallege with the same force and effect as if fully set forth herein, plaintiffs also cite increased vandalism against their property, namely, the partial destruction of the Sisters' fence around their property in the vicinity of the strip club, plus disturbances caused by police having to stop cars for potential arrests – for drunken or reckless driving or other criminal activity – outside the Convent. This Court should also take judicial notice of the extensive evidence of such secondary effects that has been repeatedly documented and recognized in numerous judicial decisions around the United States. These secondary effects constitute a legitimate target for fully lawful government regulation – contrary to Stone Park's counsel's insistence that regulation of the strip club defendants would somehow infringe on their First Amendment rights, as if the strip club were legally immune from reasonable limitations as

to time, place, and manner in which they might communicate their erotic message. The U.S. Court of Appeals for the Seventh Circuit has noted that "[e]stablishments that purvey erotica, live or pictorial, tend to be tawdry, to be offensive to many people, and to attract a dubious, sometimes a disorderly clientele . . . . The impairment of First Amendment values [to such establishments] is slight to the point of being risible . . . ." *Blue Canary Corp. v. City of Milwaukee*, 251 F.3d 1121, 1124 (7th Cir. 2001)(Posner, J.). Secondary effects from facilities such as Club Allure have been documented to include noise; traffic; decline in real estate values; increases in crime including not only prostitution and other sex crimes but also violent crimes such as robbery, assault and battery, intimidation, and exploitation in the surrounding areas, theft, vandalism, trespass, and disorderly conduct; decreased use of nearby parks and recreational areas owing to fear of confrontations and fear for personal safety; and finally, flight from the community. *See, e.g.*, *Illinois ex rel. Edward Deters v. Lion's Den, Inc.*, Fourth Judicial Circuit, Effingham County, No. 04-CH-26, at p. 26 (Modified Permanent Injunction Order, dated 7/13/05), *aff'd* 371 Ill.App.3d 1233 (Rule 23 Order, dated July 28, 2006)(5th Dist. 2007), *pet. for leave to appeal den'd* 222 Ill.2d 599 (2006); *Andy's Rest. & Lounge, Inc. vs. City of Gary,* 466 F.3d 550, 555 (7th Cir. 2006) ("The evidence relied on by the City is more than adequate to establish the secondary effects regulated by the Ordinance. The record contains numerous studies evidencing the secondary effects of sexually oriented businesses"); Richard McCleary and Lori Sexton, Testimony on SB 3348, March 2, 2012, available online;[3] Alan C. Weinstein & Richard McCleary, The Association of Adult Businesses with Secondary Effects: Legal Doctrine, Social Theory, and Empirical Evidence, 29 Cardozo Arts & Ent. L.J. 565, 588 (2011).

[3] http://secondaryeffectsresearch.com/files/Testimony,%20Illinois%20SB%203348.pdf.

Moreover, even as defendant O'Brien purports to disguise his, Itzkow's, and the other strip club defendants' lawless and shameful recruitment of women and girls to engage in acts of prostitution and their earning profits stemming from such acts of prostitution, as acts of sheer benevolence (*e.g.*, "We treat these girls like our daughters," as quoted in the *New York Times*, *supra*), defendant Itzkow has falsely misrepresented the strip club defendants' illicit activities as mere "erotic dancing," protected by the First Amendment. What plaintiffs complain of, however, is not mere artistic or sexual expression, but rather blatant, defiant, and flagrantly illegal conduct and activities that are outrageously contrary to law, under established precedent.

55. Prostitution is clearly illegal no matter where it occurs, and there is not the slightest First Amendment protection for the conduct of illicit and illegal activity, contrary to law, let alone the commission of criminal acts of whatsoever kind or character. Club Allure, as a house of prostitution, a bordello, a house of ill-fame, and a bawdy or disorderly house, must be suppressed and shut down.

56. Furthermore, plaintiffs allege that the Sisters' and other neighbors' opposition to the opening and continued operation of the strip club has met with a series of threats and intimidation. Stone Park officials have threatened the Sisters that they will be arrested should they commence any protest activities on the public sidewalk on Lake Street directly in front of the strip club. Stone Park, through its Mayor, also retaliated against the Sisters by refusing to grant permission for the Sisters to hold one of their Stations of the Cross in the public right of way (in anticipation of Holy Week on Palm Sunday before Easter on March 24, 2013) without giving any plausible reason for the denial. The Mayor of Stone Park personally came to observe and ensure that the Sisters did not erect a Station of the Cross – as part of a religious dramatization of the "Way of the Cross" – in the public way adjacent to their property, which is,

as explained above, also close to the strip club. The Village authorities also recently – and for the first time ever – refused permission for a parish festival that always has been held in years past. Plaintiffs continue to fear further retaliatory actions against them on the part of Stone Park once they carry on with the vigorous prosecution of this lawsuit and as they dare to conduct further public prayer vigils and protests against what they deem to be blatantly illegal activity on the part of both the strip club defendants and Stone Park.

PLAINTIFFS' CAUSES OF ACTION

COUNT I
(Declaratory Judgment – Stone Park's And The Strip Club Defendants' Violation of Stone Park's Own Buffer Zone Ordinance Which It Never Amended Or Repealed)

1-56. Plaintiffs hereby repeat and reallege each and every allegation contained in paragraphs 1 through 56 hereof with the same force and effect as if fully set forth in this Count I herein.

57. Plaintiffs bring this claim pursuant to the Illinois Declaratory Judgment Act, 735 ILCS 5/2-701(a), because they are engaged in several ongoing actual controversies with the defendants, which they are asking this Court to address and adjudicate. Upon such an adjudication, plaintiffs ask this Court thereupon to proceed to fashion a proper and adequate remedy to redress the defendants' violations of plaintiffs' legal rights.

58. Plaintiffs each have standing to sue to redress the legal violations complained of, as each of them is a beneficiary of rights accruing to them pursuant to the Illinois Municipal Code, 65 ILCS 5/11-5-1.5, which specifically mandates a 1,000 foot buffer zone between the strip club defendants' Club Allure, which has been open and operating since last Labor Day, 2013, and their chapels as well as other nearby places of worship. The strip club's operation is in blatant violation of this Illinois buffer zone law. This is also a direction violation of Stone

Park's own Zoning Ordinance, namely Section 1.3 thereof, which provides that, with respect to land use, whenever there is "any other law" which sets forth applicable "regulations which are more restrictive or which impose higher standards or requirements" on property in Stone Park, the latter "shall govern." As this is a zoning code requirement, therefore, plaintiffs – each of whom resides within 1,200 feet of the subject property occupied by Club Allure – are entitled to file suit to enforce this "more restrictive" Illinois state buffer zone mandate, pursuant to 65 ILCS 5/11-13-15 and the Stone Park zoning code.

59. Plaintiffs, therefore, ask this Court to declare that, pursuant to Stone Park's own zoning code, the buffer zone mandated by the foregoing Illinois law is applicable to the defendants herein, and their allowance and operation of Club Allure within 1,000 feet of the Sisters' property and places of worship and school, as well as other places of worship, is illegal. Each of the defendants' objections and excuses for failing to honor and obey this buffer zone requirement should be addressed, adjudicated, and rejected. This Court should take appropriate remedial action against the defendants, and each of them, including permanent injunctive relief, and/or the issuance of a writ of mandamus to Stone Park pursuant to 735 ILCS 5/14-104, *et seq*., compelling it and its officials to comply with 65 ILCS 5/11-5-1.5, to cease permitting and allowing the strip club defendants to continue to operate at the strip club's current location, because such operation is contrary to the applicable law. Plaintiffs likewise pray for any additional relief as may be necessary and appropriate to enforce and protect the plaintiffs' rights.

WHEREFORE, pursuant to Count I, plaintiffs pray that the Court find and declare that defendants' actions and omissions in allowing the opening of Club Allure and operating said strip club within 1,000 feet of places of worship and the Sisters' school is illegal and must cease henceforward; that defendant Stone Park be permanently enjoined from and/or directed and

mandated to cease and desist from further permitting Club Allure to operate at its current location; and that plaintiffs should have all other relief to which they may be entitled upon the premises in accordance with law.

COUNT II
(Declaratory Judgment-Stone Park's And The Strip Club Defendants' Violation of the Illinois Municipal Code Buffer Zone)

1-59. Plaintiffs hereby repeat and reallege each and every allegation contained in paragraphs 1 through 59 inclusive hereof with the same force and effect as if fully set forth in this Count II herein.

60. Plaintiffs bring this claim pursuant to the Illinois Declaratory Judgment Act, 735 ILCS 5/2-701(a), because they are engaged in several ongoing actual controversies with the defendants, which they are asking this Court to address and adjudicate, and then to proceed to fashion a proper and adequate remedy to redress the defendants' violations of plaintiffs' legal rights.

61. The Illinois Municipal Code, 65 ILCS 5/11-5-1.5, which specifically mandates a 1,000 foot buffer zone between an adult entertainment facility, such as Club Allure, and the property boundaries of any school or place of religious worship, etc., such as on the Sisters' property, operates directly upon all people in the State of Illinois, including all of the parties to this litigation. No ordinance of defendant Stone Park has or could negate or trump this state law, insofar as it applies to and protects these plaintiffs.

62. This Court should find and declare that the strip club defendants' operation of Club Allure is in violation of this law, as was Stone Park's allowance of said defendants' opening and operation of said adult establishment to date. The Court, moreover, should fashion a remedy to be imposed against the defendants, and each of them, including issuance of a

permanent injunction barring any further permission or allowance of such illegal operation of Club Allure, and any additional relief as may be necessary and proper to enforce and protect the plaintiffs' rights.

WHEREFORE, pursuant to Count II, plaintiffs pray that this Court find and declare that the defendants' allowance and operation of this striptease club within 1,000 feet of places of worship and the Sisters' school is illegal and must cease henceforward; that this declaratory judgment be enforced and the infringement of plaintiffs' rights be remedied and repaired by issuance of a permanent injunction, barring any further such wrongdoing; and that plaintiffs should have all other relief to which they may be entitled upon the premises in accordance with law.

COUNT III
(Writ of Mandamus – Stone Park Should Be Compelled To Comply With 65 ILCS 5/11-5-1.5 And 735 ILCS 5/14-104 *et seq.* And Ordered To Rescind Any And All Permits Issued In Connection With The Operation Of Club Allure)

1-62. Plaintiffs hereby repeat and reallege each and every allegation contained in paragraphs 1 through 62 inclusive hereof with the same force and effect as if fully set forth in this Count III herein.

63. As set forth above, in violation of Stone Park's own zoning code and the buffer zone mandated by 65 ILCS 5/11-5-1.5, Stone Park has permitted the strip club defendants to operate Club Allure within 1,000 feet of the Sisters' property and places of worship and school, as well as other places of worship. This Court should issue a writ of mandamus to Stone Park pursuant to 735 ILCS 5/14-104, *et seq.*, compelling it and its officials to comply with the Stone Park zoning code and the governing Illinois statute (65 ILCS 5/11-5-1.5), and requiring Stone Park to rescind and expunge any and all licenses and permits issued by Stone Park in connection

with the operation of Club Allure, compel Stone Park to take any actions necessary to enforce its zoning code and Illinois law, and grant any additional relief as may be necessary and appropriate to enforce and protect the plaintiffs' rights.

WHEREFORE, pursuant to Count III, plaintiffs pray that this Court issue a writ of mandamus as aforesaid and grant plaintiffs all other relief to which they may be entitled upon the premises in accordance with law.

COUNT IV
(Declaratory Judgment – The Strip Club Defendants' Conduct Constitutes A Statutory Public Nuisance Pursuant To 740 ILCS 105/1, *et seq.*)

1-63. Plaintiffs hereby repeat and reallege each and every allegation contained in paragraphs 1 through 63 inclusive hereof with the same force and effect as if fully set forth in this Count IV herein.

64. The Sisters and individual plaintiffs bring this claim pursuant to the Illinois Declaratory Judgment Act, 735 ILCS 5/2-701(a), because they are engaged in several ongoing actual controversies with the strip club defendants, which they are asking this Court to address and adjudicate, and then to proceed to fashion a proper and adequate remedy to redress the defendants' violations of plaintiffs' legal rights.

65. Plaintiffs each have standing to sue to redress the legal violations complained of, as each of them is a beneficiary of rights accruing to them, pursuant to the Lewdness Public Nuisance Act, 740 ILCS 105/1 *et seq.*, but now they sue for a declaratory judgment that Club Allure constitutes a public nuisance within the meaning of this Act because it is a place used for purposes of "lewdness, assignation or prostitution".

66. The Illinois Criminal Code provides, "Any person who knowingly performs, offers or agrees to perform any act of sexual penetration as defined in Section 11-0.1 of this

Code for anything of value, **or any touching or fondling of the sex organs of one person by another person, for anything of value, for the purpose of sexual arousal or gratification commits an act of prostitution."** 720 ILCS 5/11-14(a)(emphasis supplied). The "any touching or fondling" language of 720 ILCS 5/11-14(a) unambiguously prohibits "any" touching "no matter whether that touching is direct or indirect, on skin or through clothing." *People v. Hill*, 333 Ill.App.3d 783, 790 (2d Dist. 2002). In *People v. Hill*, the Court found that a "fantasy dance" and "sensual massage" performed at a night club in exchange for money, which conduct included the rubbing of the defendant's body parts against a patron's genital area for the purpose of sexual arousal or gratification, albeit through the patron's clothing, constituted prostitution. Plaintiffs contend that *People v. Hill* remains good, fully effective, and binding law throughout the entire state of Illinois, including in Stone Park.

67. The conduct of Club Allure's dancers or entertainers during the course of "lap dances" or "private dances" has constituted prostitution conducted on the Club Allure premises. Defendants very obviously have knowledge of this and, in fact, support and encourage it by advertising and promotion, by staffing, by tolerance, by design of the premises, and by deriving income from such acts of prostitution.

68. The Lewdness Public Nuisance Act, provides:

> All buildings and apartments, and all places, and the fixtures and movable contents thereof, used for purposes of lewdness, assignation, or prostitution, are hereby declared to be public nuisances, and may be abated as hereinafter provided. The owners, agents, and **occupants** of any such building or apartment, or of any such place shall be deemed guilty of maintaining a public nuisance, and may be enjoined as hereinafter provided. (Emphasis supplied).

740 ILCS 105/1.

69. Should this Court find and declare that Club Allure is covered by the Lewdness Public Nuisance Act, upon establishing the existence of such a nuisance, the club would be subject to "a judgment perpetually restraining all persons from maintaining or permitting such nuisance," *id.* at 105/5, or an order of legal abatement against the **"occupants"** of said premises, namely the strip club defendants, *id.* at 105/1 (emphasis supplied).

WHEREFORE, pursuant to Count IV, plaintiffs pray that this Court find and declare that the defendants' operation of the strip club, Club Allure, violates the Lewdness Public Nuisance Act and that the plaintiffs should have all other relief to which they may be entitled upon the premises in accordance with the law, including, but not limited to, permanent injunctive relief and the legal abatement of said nuisance on the part of the occupants of Club Allure, past and present.

COUNT V
(Common Law Private Nuisance – Suit for Injunction, Abatement, or Other Remedy)

1-69. Plaintiffs hereby repeat and reallege each and every allegation contained in paragraphs 1 through 69 inclusive hereof with the same force and effect as if fully set forth herein in Count V hereof.

70. The opening and ensuing operation of the Club Allure or Club Allure Chicago amounted to, and continues to amount to, a public nuisance within the meaning of the Illinois common law of nuisance, given the profusion of adverse secondary effects that Club Allure has inflicted on plaintiffs and on other nearby residents of both Stone Park and Melrose Park, as well as the strip club's pervasive illegality in the conducts of its operations.

71. Said adverse secondary effects stemming from the opening and operation of Club Allure have caused and continue to cause a substantial interference with the peaceable use and

enjoyment of their respective properties by the plaintiffs, especially the Sisters, their novices and aged and retired Sisters, and nearby residents and their children. Those secondary effects have included *inter alia* the following: noise including musical sounds and vibrations caused by a pulsating staccato beat and loud music all through the night until dawn, affecting many neighbors, as well as the noise from boisterous individuals who exit the strip club and then linger in the club's parking lot; flashing neon or strobe lights, intensely bright, going on and off or simply beaming into neighbors' backyards and back windows throughout the night until dawn; lights at night so bright they give the illusion of daylight, making it difficult for many of the strip club's neighbors to sleep; public violence consisting of fist fights and loud yelling and screaming, mostly during night time hours, including an incident in which a screaming woman was beaten in the parking lot of the strip club; and public drunkenness on the sidewalks and streets in plaintiffs' residential neighborhood as Club Allure patrons stagger back toward their automobiles, trying to find and retrieve them at all hours of the night, in endeavoring to escape the mandatory valet charges at Club Allure. These effects violate the Stone Park Ordinance which makes it "unlawful to use or to permit to be used by any person owning or in possession or control of any building or premises or rent[ing] the same to be used for any business or employment or for any purpose of pleasure or recreation if the use shall, by its boisterous nature, disturb or destroy the peace of the neighborhood in which the building or premise is situated to be dangerous or detrimental to health." Village of Stone Park Ordinance, §95.07. Many of the effects also violate the Stone Park Ordinance which makes it "unlawful for any person in the Village to make, continue or cause to be made or continued any loud, unnecessary or unusual noise which annoys, disturbs, injures or endangers the comfort, repose, convenience, health,

peace or safety of others within the limits of the Village." Village of Stone Park Ordinance, §94.01.

72. Those adverse secondary effects stemming from the opening and operation of Club Allure which have caused and continue to cause a substantial interference with the peaceable use and enjoyment of their respective properties by the plaintiffs, especially the nearby neighbors as well as the Sisters, their novices and aged and retired Sisters, and nearby residents and their children, have caused plaintiffs special and ongoing damage including, for example, having to put up with lawlessness, including public violence and wanton public drunkenness. Adverse effects have also included, *inter alia* the following: littering of refuse and garbage, including, for example, empty whiskey, vodka, and other liquor bottles, cigarette and cigar butts, discarded contraceptive packages and products; excessive and loud vehicle traffic on nearby streets; excessive and loud delivery truck traffic in the alley between the Convent and Club Allure, making the alley dangerous for pedestrians, including young children, who used to use that alley-way; public urination; in addition to the acts of prostitution being committed *inside* Club Allure, women patrolling the sidewalk and streets at or near Club Allure, especially near its closing hour (5 a.m.), sometimes accompanied by men but often unaccompanied; and the presence of strangers, especially high or semi-drunk males, causing residents and their friends and visitors fear for their physical safety in walking around their own neighborhood.

73. Other effects include an increasing fear on the part of many residents that the quality and caliber of family life in their neighborhood has been, or soon will be, so depressed as to be irretrievably lost, worry that families will move away and that new families will be afraid to relocate to and buy homes in their neighborhood, and that property values will be depressed. Vandalism also has already occurred on the Sisters' property, with damage done to their fence

near Club Allure. All these, and other negative observations and occurrences, have caused increased fear and worry that conditions will only get worse, not better, given the continued operation of Club Allure.

74. Said private nuisance, stemming from the defendants' allowance and operation of a legally prohibited land use in such close proximity to the plaintiffs and nearby neighbors, not to mention the foregoing acts of the strip club defendants in operating a house of prostitution, ill-fame, and/or assignation, and/or a bawdy or disorderly house, within the meaning of the applicable Illinois law, must be remedied by permanent injunction, legal abatement, and/or by other appropriate remedies as this Court may deem necessary and proper to enforce and protect the plaintiffs' rights.

WHEREFORE, plaintiffs hereby pray, pursuant to Count V hereof, that this Court adjudicate and uphold plaintiffs' claim and find and declare that the defendants' operation of the defendant striptease club, Club Allure, at its present location constitutes a private nuisance, causing and threatening to continue to cause legally cognizable injury and damage to the plaintiffs; that the Court provide for an injunction against, and the abatement of said nuisance; and that it grant plaintiffs such other and further relief to which they may be entitled upon the premises in accordance with law.

COUNT VI
(Declaratory Judgment – Melrose Park Is Entitled, Pursuant to 65 ILCS 5/11-5-1, To Suppress Club Allure Either By Injunction Or By Writ of Mandamus)

1-74. Plaintiff, Melrose Park, hereby repeats and realleges each and every allegation contained in paragraphs 1 through 74 inclusive hereof with the same force and effect as if fully set forth.

75. Melrose Park brings this claim pursuant to the Illinois Declaratory Judgment Act, 735 ILCS 5/2-701(a), because it is engaged in several ongoing, actual controversies with the strip club defendants, which it is asking this Court to address and adjudicate, and then to proceed to fashion a proper and adequate remedy to redress the defendants' violations of Melrose Park's legal rights.

76. Melrose Park has standing to sue to redress the legal violations complained of, as it is a beneficiary of rights accruing to it, pursuant to the Municipal Code, 65 ILCS 5/11-5-1, which provides, "The corporate authorities of each municipality may suppress bawdy or disorderly houses and also houses of ill-fame or assignation, within the limits of the municipality and within 3 miles of the outer boundaries of the municipality." The strip club constitutes a "bawdy or disorderly house" and/or a "house of ill-fame or assignation" within the meaning of the Illinois Municipal Code, and is located within three miles of the outer boundaries of Melrose Park, Illinois.

77. Pursuant to 65 ILCS 5/11-5-1, upon establishing that the strip club constitutes a "bawdy or disorderly house" and/or a "house of ill-fame or assignation" within the meaning of the Municipal Code, plaintiff Melrose Park is entitled to, among other forms of relief, an order for suppression, either by permanent injunction or by issuance of a writ of mandamus, commanding that Stone Park cease and desist from any further issuance or enforcement of permits which purport to allow the strip club to operate.

WHEREFORE, pursuant to Count VI, plaintiff, Melrose Park, prays that this Court find and declare that the defendants' strip club, Club Allure, constitutes a "bawdy or disorderly house" and/or a "house of ill-fame or assignation" within the meaning of the Municipal Code, that the strip club is located within three miles of the outer boundaries of Melrose Park and that

Melrose Park is entitled to suppress – by permanent injunction or writ of mandamus or otherwise as the Court may direct – the operation of Club Allure, and that Melrose Park should have all other relief to which it may be entitled upon the premises in accordance with the law.

COUNT VII
(Declaratory Judgment – Due Process – Stone Park Deprived The Sisters Of Their Due Process Rights to Reasonable Efforts to Give Them Timely Notice And Hearing)

1-77. Plaintiffs, the Sisters, hereby repeat and reallege each and every allegation contained in paragraphs 1 through 77 with the same force and effect as if fully set forth in Count VII herein.

78. The Sisters of St. Charles bring this claim pursuant to the Illinois Declaratory Judgment Act, 735 ILCS 5/2-701(a), because they are engaged in several ongoing actual controversies with Stone Park and the strip club defendants, which they are asking this Court to address and adjudicate, and then to proceed to fashion a proper and adequate remedy to redress the defendants' violations of the Sisters of St. Charles' legal rights, including their right to due process under the Illinois Constitution of 1970.

79. On information and belief, the failure and refusal of Stone Park to give the Sisters actual and timely pre-deprivation written notice of the Village's upcoming rezoning hearing was willful and deliberate.

80. In the alternative, Stone Park's failure to give the Sisters' timely prior notice of the rezoning hearing was grossly unreasonable, under the circumstances, for anyone truly desiring to communicate actual notice to the Sisters, whose address and location – no less than two city blocks from the Stone Park Village Hall – were all too well known to Stone Park's officials and employees, was willful and wanton and amounted to a fatally unreasonable effort to notify and apprise them of their right to be heard at a meaningful time and in a meaningful

manner as to this imminent and substantial effort to rezone their adjacent property and to deprive them of their rights under the Stone Park zoning code and the applicable Illinois law as to buffer zones between the proposed adult entertainment land use and their property and places of worship.

81. Stone Park's failure and refusal to give the Sisters prior reasonable notice of the rezoning hearing is by itself an adequate and compelling ground for voiding each and every action purportedly taken by Stone Park at that meeting, and holding all said actions and decisions, and all ensuing actions and decisions based thereon, to be null and void and of no further legal force of effect whatsoever.

82. Plaintiffs believe that the strip club defendants aided, encouraged, and conspired with Stone Park in contriving to avoid giving the Sisters any reasonable prior notice and opportunity to be heard and object to Stone Park's rezoning of the strip club site over the Sisters' backyard fence. Plaintiffs charge, therefore, that this constituted bad faith that negates and precludes any claim by the strip club that Stone Park should be estopped from ceasing and desisting from allowing any further operation of Club Allure on said rezoned parcel.

83. There is now an actual controversy between the Sisters and Stone Park and the strip club defendants as to whether the Sisters' fundamental rights to procedural due process were violated and infringed by Stone Park's action in collusion and conspiracy with the strip club defendants, and the Sisters thus urge the Court to find either that said failure to give the Sisters actual notice was willful and deliberate, or, at least, that it was so unreasonable under the circumstances, that the plaintiff Sisters' due process rights, pursuant to the Due Process Clause of the Illinois Constitution of 1970, were violated and infringed.

84. The Sisters further pray that the Court accordingly find and declare that the Village's rezoning of the subject property from B1 to B2 Adult Entertainment be voided and held for naught, and that any and all permits granted or purportedly granted by Stone Park, pursuant to said rezoning and in favor of the strip club defendants and Club Allure, be likewise held void and of no further force or effect and that said defendants be permanently enjoined from seeking such rezoning in the future.

WHEREFORE, pursuant to Count VII, the plaintiff Sisters pray that the Court issue a declaratory judgment to the effect that the plaintiff Sisters' due process rights were violated; that any and all actions taken by Stone Park at the rezoning hearing relative to the subject property were void and of no further force or effect; and that all further actions taken by the strip club defendants, or any of them, pursuant to said rezoning or any other action taken by the Village against the Sisters at that meeting, likewise be held void and of no further force or effect; and that the Sisters have all other relief to which they may be entitled on said premises in accordance with law.

Respectfully submitted,

/s/ Thomas Brejcha
One of the attorneys for the plaintiffs

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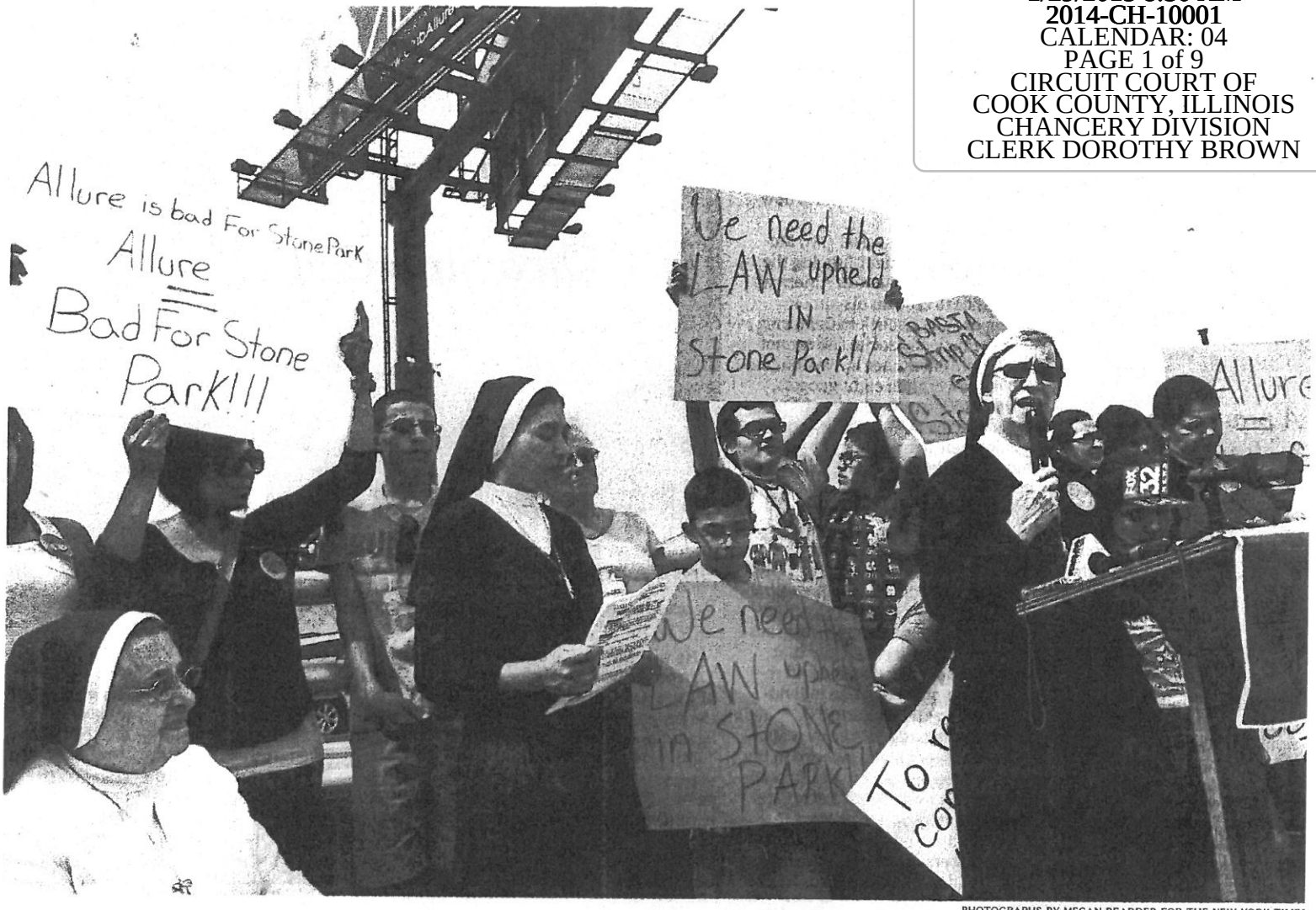

PHOTOGRAPHS BY MEGAN BEARDER FOR THE NEW YORK TIMES

Sister Noemia Silva addressed those supporting her and the Sisters of St. Charles in a legal battle against Club Allure, a strip club in Stone Park, Ill.

STONE PARK JOURNAL

Those Who Took the Veil vs. Neighbors Who Take It All Off

By JULIE BOSMAN

STONE PARK, Ill. — It was a muggy afternoon, but the Sisters of St. Charles were wearing turtlenecks, long-sleeved habits and stockings as they gathered next to a microphone and an unsavory stretch of four-lane highway. They stood on the sidewalk below a billboard picturing a blonde who appeared to be wearing only eyeliner and a come-hither look: a jumbo-size invitation to Club Allure, a 20,000-square-foot strip club that is a newcomer to the neighborhood.

The nuns want to see the strip club gone. Last week, they filed a lawsuit against the owners of Club Allure, which opened last year just over the backyard fence from the quiet convent where close to two dozen nuns live.

The nuns aired a long list of grievances: They have been forced to endure loud, pulsating music at night that interrupts their prayers; blinking neon lights that are visible from outside the club; and trash littering the area, including used syringes, empty whiskey bottles and discarded condoms. They also charge that the Village of Stone Park, which is named in the lawsuit, illegally permitted the club to be built despite an Illinois requirement of a 1,000-foot buffer between adult entertainment businesses and places of worship.

"It's not respectful," said Sister Noemia Silva, one of the nuns who is leading the charge against Club Allure, her voice rasping from exhaustion. "We've tried everything else for two years while they were planning it. They shouldn't be there. Enough is enough."

The proprietors of the club insist that their presence is perfectly legal and that they have no reason to leave. Sean O'Brien, a managing partner, watched the nuns from the club's nearly empty parking lot on Wednesday, taking nervous sips from a bottle of Fiji water.

"I grew up Catholic, so I do understand all of this," said Mr. O'Brien, 40. "They make us out to be monsters. But we treat the girls who work here like daughters." (He then admitted to feeling "a little bit" like a bad Catholic.)

Robert Itzkow, a lawyer for the club, said the nuns' charges of loud noise and bothersome lights were "an absolute fabrication."

"Our presence bothers them on an ideological level," Mr. Itzkow said, adding that the Thomas More Society, a religious nonprofit firm that is providing legal services to the nuns, "will have about as much success with this as they did attacking same-sex marriage in Illinois."

The dispute in this slightly run-down, working-class enclave just west of Chicago has drawn the attention of neighbors, many of whom have rallied to the nuns' side, complaining about late-night noise and increased traffic. Several of them said there were plenty of strip clubs in the area already, pointing to Scores, a club down the street that promises "Chicago's best exotic dancers."

On Wednesday, a handful of neighbors and community activists trailed behind several nuns as they marched down a side street from their convent to the entrance of Club Allure, where they faced local news cameras and held handwritten signs reading, "Ya

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Exh. 1

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An Illinois Convent Takes On a Strip Club

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basta de strip clubs en Stone Park" ("Enough already with strip clubs in Stone Park") and "Allure is bad for Stone Park."

"I know it breaks their heart over there," said Boyd Pletcher, 61, who lives in a brick house across the alley from the convent. "This is a peaceful neighborhood. People are trying to raise their families, and they've got adult entertainment to deal with? It's not right."

The drama over Club Allure goes back to 2009, when Mr. Itzkow applied to the Village of Stone Park, asking for a property to be rezoned so that he could open a strip club there. The village denied his application, in part because of the property's proximity to the convent, said Dean W. Krone, the lawyer for Stone Park.

Mr. Itzkow then sued the village, prompting it to spend more than $200,000 in legal fees fighting him off. Eventually, the village settled the lawsuit and in 2010 agreed to allow Mr. Itzkow to build his strip club.

It was six months later, in early 2011, that the village received a letter from the nuns next door. "The letter said they were very upset to learn that there was a club being built next door to them," Mr. Krone said.

Mr. Krone discovered that the village, using Cook County records, had sent a letter notifying the nuns about a public hearing to the wrong address, so they did not know about the plans for the club. By the time the nuns sent the letter to Stone Park, it was too late, he said.

Stone Park officials claim that the state requirement invoked by the nuns in their lawsuit actually requires adult entertainment facilities to be at least one mile from places of worship, a law they say is unconstitutional, since it would effectively prohibit the businesses in the tiny village of Stone Park.

Mr. O'Brien insisted that the extensive soundproofing in the club drowned out the music. Mr. Krone said there had been only seven complaints to the police department regarding the club, which attracts 30 to 200 people on any given night. One complaint involved a fight that had spilled out to the parking area.

The nuns said in their lawsuit that the presence of the club had taken a toll on them, particularly the nuns who are in their 90s and no longer active.

"The impact on the aged and retired sisters, however, has been cause for sleep deprivation, emotional upset, and health risks and perils," the lawsuit said, adding that a garden tended by the nuns had been "overshadowed from time to time by the hulking mass of the huge strip club just a few feet away."

Some neighbors who attended the rally on Wednesday said they had heard stories of fights and violence around the club. "I don't want the place in our community," said Estela Vara, 42. "It's not good for my children to see it there."

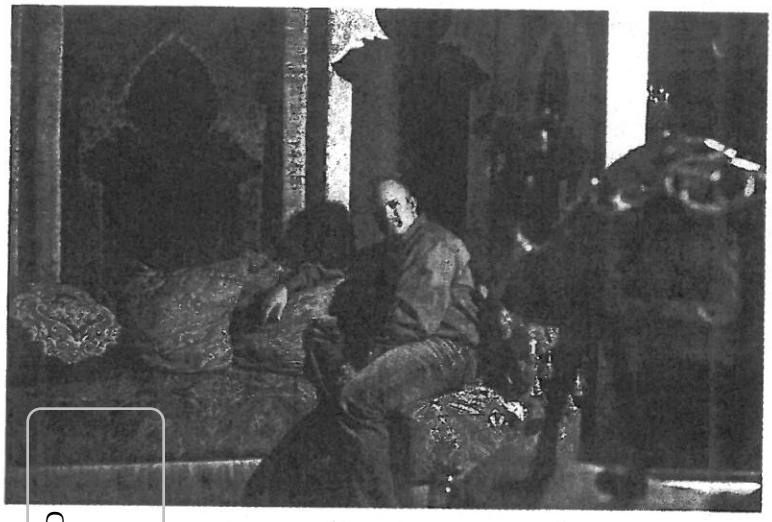
Tom Brejcha, a lawyer at the Thomas More Society, said he expected to prevail in court.

"The sisters' position is, if they want to have a strip club, fine," he said. "But let them put it in their own backyard."

MEGAN BEARDER FOR THE NEW YORK TIMES

Nuns from the Sisters of St. Charles carried a sign reading, in Spanish, "We want a Stone Park safe for our children."

Complaints of traffic, litter, neon lights and pulsating music that interrupts prayers.



Sean O'Brien, left, a managing partner at the 20,000-square-foot Club Allure, said it was soundproofed, but the nuns "make us out to be monsters."

Exh. 2

12/21/2014 Sun

OK I feel were you are coming from. I tried to keep her from leaving but she wasn't having it. I can not force some one to do something they don't want to do. I eventually had leave . Believe me if I could have stayed there all night I would have i tried putting her in a cab and taking her keys from her.when I left she was past out in her.

9:48 AM

Do me a favor and delete that post immediately off of a page

10:52 AM

Yes mam.

10:52 AM

Because you couldn't take my girls keys away or at least get her a cab she's dead now I hope all your

Food Chain / Food & Drink How chef Michael Lachowicz created a stripped-down steak house in a tricked-out strip club

chicagoreader.com/Bleader/archives/2014/06/30/how-chef-michael-lachowicz-created-a-stripped-down-steakhouse-in-a-tricked-out-strip-club

Mike Sula

- Julia Thiel
- Michael Lachowicz

If there's anything more ridiculous than a group of food nerds in a strip club ignoring everything else around them while taking pictures of their steaks, I can't think of it. But not long ago I journeyed out to the suburban Stone Park "gentleman's club" Club Allure. That's the one next to the convent, whose nuns have raised their proverbial pitchforks against it. But I wasn't there for the entertainment, inside or outside. Honest. I was there to eat from the steak-house-style menu developed by veteran North Shore chef Michael Lachowicz, whom you might know from his work at the late Le Francais, Le Deux Gros, or the current Restaurant Michael—or perhaps even from this week's Key Ingredient, in which he cooks up some calves' brains.

What you might not know about Lachowicz is that he's a recovering alcoholic, addict, and overeater. Near the height of his problems, current Club Allure attorney (and former owner) Bob Itzkow, who was a fan of the chef's food, tapped him to open a kitchen in his first strip club, the Pink Monkey. A year and a half ago Lachowicz was stone-cold sober when the sprawling, glitzy, Moulin Rouge-style Club Allure opened. When I sat down to talk with him about what it's like to open a restaurant inside a strip joint—which turns out to have the Best Food at a Gentleman's Club—he was looking lean, mean, and fairly ripped in a sleeveless Harley Davidson T-shirt. Here's an edited version of our conversation.

You've been in recovery for three and a half years now. What prompted you to get help?

Fuck, I was a mess, dude. I was petrified. Part of it was death. I was afraid of dying. I was taking 40 pills a day, a couple bottles of scotch, and I was 430 pounds. The writing was on the wall. I was not even 41 years old. I could feel my heart popping out of my chest, my liver was huge, it was a fucking mess. So I just got scared. I decided I gotta do something. My body was just laying on the carpet in this disgusting condo that I had, looking for pills under the couch because my guy didn't show up. Surrounded by wrappers and shit, and a fucking mess, man.

I go to Overeaters Anonymous as well as Narcotics Anonymous. And trainers and—I go to a lot of meetings now. It's good. It's better.

You were sober by the time you started working for Club Allure. How did that environment reconcile with your recovery?

That's kind of counterrecovery. I wasn't secretive about it. It's kind of a speakeasy type of business. And it's not for everybody. I'm like, fuck, I can see what everybody's going through. The business is saturated with people who could probably use some of the rooms that I go to. It's a good reminder of where I don't wanna be. You know there's a lot of stuff that goes on in those places.

They contracted me to come in and help them open up the food operation. That's the part that I concentrate on; the rest of it I don't know a thing about. Nor do I want to. That's how I had to put it in my head. It's kind of in direct contrast with my program. The whole idea is not to be a self-centered, narcissistic jack-off, which is exactly what I was. I try not to be that anymore. So you know, going in there and looking at these women as objects and going in there for all the wrong reasons—I can't do that. I don't want to be a part of that. Plus, I was engaged. I'm now married, and I don't want my wife to think that that's why I'm going there. And that's not why I was going there. So I made it a point not to be there when there were dancers there. I didn't go there for auditions. I didn't go there to watch what was going on, I didn't give a shit about that stuff. What I cared about was, I opened it as a restaurant, it was a venue within a venue, and that's how I was able to justify it in my own mind. And I didn't have to justify it. I actually rationalized that that's what I'm doing. That's what I did, and when my job was done—I left.

What kind of research did you do before you got started?

They have steak houses that are gentleman's clubs all over the south, but Atlanta's the hot center for that. They flew me out to Atlanta to look at the one they had in mind. They didn't copy it but that's how we got a lot of ideas. That's how we learned, wow there are places out here that are really—they're not for everyone—but they're definitely not sawdust joints. They're not peanut shells on all the floors of these different places. They're well kept, and they smell nice and the bathrooms are immaculate. And they're really pretty cool.

I signed on for six months. We installed the kitchen, we installed the menu, we installed the staff. I trained everybody for a couple weeks, I monitored everything for the remainder of the time I was there, and now it's kind of running on its own volition. It's going very well.

It's sort of a dissected version of a steak-house menu, with really nice sauce work. The first couple times I showed [Itzkow] the menu, he was like, "Ahh, this is not gonna work. This is not Winnetka. Let's not do Le Francais." OK, I get it, so I scaled it back, I scaled it back, I scaled it back. And we ended up with this really stripped-down version of my style of cooking—it's not remedial, it's just more mainstream. It's not quite as foodie driven. It's more, just, "I like to eat, I like good food, wow, this is here, let's eat."

Bob comes to me and says, "Give me chicken wings with ranch dressing." I'll give you the best fucking ranch dressing ever manufactured. I'll make it myself and I'll give you the recipe. And that's what I did. All the plans that I put together for them, all of the recipes, all of the details, they all go into a book for them. It's a manual. I hire the kitchen staff and I train them, but that all goes with the program. One of the guys, he came from Smith & Wollensky and the other guy came from McCormick and Schmick's. And they work day jobs, and they're there until six in the evening. And you don't get hopping in a club like that until after ten at night. It's very European in the way it presents itself in the kitchen. They don't even start the kitchen until after 7:30, eight o'clock at night. So these guys go home, have dinner with their families, take a nap for an hour and a half, go back to work for ten hours. You know, I mean, they could work all night long.

You mentioned you had to consider certain aspects of human nature when you were developing the restaurant.

There's a whole bunch of science that goes into it. And there's a lot of what people's expectations are before they come in the door there. And one thing they're not expecting is great food. You know, it's not a traditional titty bar, that's not what they do. It's more of an entertainment venue. They have live dancers. That's where they make their money. And you know they have a full liquor license.

At the end of the day [the food] ends up giving it credibility because it's not just gonna be, you know, live nude dancers. It's gonna be a venue where you can actually come and sit down and have a nice meal and a cocktail. The whole idea was trying to bring in couples, and have, you know, people come in as a group, and enjoy dinner and not have to bring in things from the outside. You know, or just have bags of chips and buffalo wings because who gives a shit about that? Everybody's got that.

We had to engage [customers] in something other than what's on the stage. So we had to entice them another way. And the whole idea behind the psychology of this is that they're staying longer because of the food. The longer you stay, it's just like gambling. The more you stay, the more money you spend. There's a philosophy there. And it works. It works because the average person who goes into a gentleman's club, their duration is an hour to, maybe, an hour and fifteen minutes. At this place and at the Pink Monkey, it was creeping up on three hours. Take a break in between, you know, watching shows or lap dances or whatever else you're doing there to have dinner. It works. They stay longer.

Some of these guys will go in there, and there's chess boards and there's backgammon boards set up in their VIP lounge upstairs, and they'll just go upstairs and play chess with some girl for three hours. And pay $2,000 for the privilege to do so. It's like a date that you're paying for. To me, it's nutty. You know, I don't get it. But when you have so much money that it's almost like Monopoly money, I guess you don't give a fuck.

Or, you know, it's an interesting cross-addiction I'm sure. You know, a lot of people share about that in the rooms that I'm in. You know: "I used to do nothing but drink and drug. And now it's morphed into, I never had a problem with food, and now I overeat constantly, or I am on Web searches for porn, or I shop incessantly."

Listen man, the whole thing is Sodom and Gomorrah for me, I gotta stay the fuck out of there. It's not a good place for me to be. The cheese will slide right off my cracker if I'm there too long.

But will you help Itzkow out with the next one he opens?

Absolutely. Listen, man—the guy pays.

- Club Allure
- Club Allure