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Suit seeks to force Illinois Lottery to pay big winners

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Plaintiff from Homer Glen questions why lottery still selling tickets when it's not paying out

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Two Illinois Lottery winners, including a Homer Glen resident, on Wednesday filed a federal lawsuit against the lottery for stopping payouts of cash prizes because the legislature and governor have failed to agree on a 2015-16 state budget.

The lawsuit was filed in U.S. District Court in Chicago by Rhonda Rasche, who's awaiting a \$50,000 payout, and Danny Chasteen, who won \$250,000, and seeks class-action status and the halt of lottery ticket sales.

Last month, the Illinois comptroller's office said that without a budget for the fiscal year that started July 1, there wasn't authority to write checks over \$25,000 and payments would be delayed.

"How the heck can they do this, and they're still selling tickets?" said Rasche, of Homer Glen, who won on a \$3 scratch-off ticket that she bought July 28 at the Circle K store at the Shell gas station at 143rd Street and Bell Road. "If I was the one selling raffle tickets and I didn't pay, I would be sued or in jail or both."

Rasche became emotional as she told of her plans to spend some of her winnings on home improvements, new furniture and a vacation for her best friend and the friend's sister who had nursed their mother during a terminal illness.

She said she buys a lottery ticket only occasionally, but this summer a friend of her fiance, who was visiting from out of town, won \$2,000 on a scratch-off ticket and promised to pass his luck on to her. And he did.

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"This is more like my typical luck, not getting paid," Rasche said. "I laugh, but it's not funny. This could

go on forever. (House Speaker Mike) Madigan and (Gov. Bruce) Rauner will never get along. It could be 2018 before I see my money. I don't trust the state."

The lawsuit names lottery Director B.R. Lane, the Illinois Lottery Control Board and Northstar Lottery Group as defendants. It seeks to force the lottery to pay winners of more than \$25,000 with 5 percent interest and asks that the lottery be barred from paying its administrative or operational costs until the winners receive their prizes. The lawsuit alleges that dozens await more than \$288 million in prizes.

"The lottery represents that you can win instantly," Rasche's attorney, Thomas Zimmerman Jr., said. "They fail to tell you as of July 1 they're not going to pay. But yet they continue to sell the tickets under those false pretenses."

Rasche said "that's what angers me most. They (lottery outlets) should at least post a sign (about not paying). If I ran a raffle and refused to pay the winners, I'd be in jail."

State Comptroller Leslie Munger says winnings can't be paid without a budget, unlike other expenses dictated by court orders.

A spokesman for the lottery declined to comment on the lawsuit, saying the agency has not yet received a copy.

State Rep. Jack Franks, D-Woodstock, said he would soon file legislation to allow the comptroller's office to cut checks to prize winners despite the lack of a state budget.

"They've got the money, they just don't have the legal authority to spend it," Franks said. "My bill will allow them legal authority to do it."

Zimmerman said several other lottery winners have contacted attorneys in his office, seeking to join the lawsuit, and he expects to add them.

The Daily Southtown's Susan DeMar Lafferty and Associated Press contributed to this report.

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