

Drafting and Issuing Discovery Subpoenas: Illinois

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A Q&A guide to drafting, issuing, serving, and enforcing a discovery subpoena in an Illinois civil proceeding. This Q&A addresses the state statutes and rules governing discovery subpoenas, the types of discovery subpoenas available, the requirements for drafting and serving a discovery subpoena, and the methods of enforcing a discovery subpoena. Answers to questions can be compared across a number of jurisdictions (see [Drafting and Issuing Discovery Subpoenas: State Q&A Tool](#)).

Due to public health concerns relating to the 2019 novel coronavirus disease (COVID-19), the Illinois Supreme Court has issued orders allowing circuit courts to continue trials, extending filing deadlines for the Appellate Court and Supreme Court, and giving parties extra time to file paper copies of certain e-filed documents. The Illinois Appellate Districts and the circuit courts have also issued orders that affect court operations and procedures. For more information, see [Illinois Courts: COVID-19 Information and Updates](#).

For additional information and updates, see [Practice Note, Impact of COVID-19 on Illinois Practice: Overview \(W-024-8124\)](#).

OVERVIEW OF DISCOVERY SUBPOENAS

1. What are the laws or rules in your jurisdiction that generally govern subpoenas to non-party witnesses in discovery?

The procedures for drafting and serving subpoenas in Illinois are primarily governed by:

- The Illinois Civil Practice Law.
- The Illinois Supreme Court Rules.

Provisions of the Illinois Civil Practice Law (ILCS) on subpoenas include:

- 735 ILCS 5/2-1101 (subpoenas for trials and evidentiary hearings).
- 705 ILCS 35/4.3 (witness fees).
- 735 ILCS 35/1 to 35/9.5 (Uniform Interstate Depositions and Discovery Act).

Provisions of the Illinois Supreme Court Rules (Ill. S. Ct. R.) on subpoenas include:

- Ill. S. Ct. R. 12 (proof of service in the trial and reviewing courts; effective date of service).
- Ill. S. Ct. R. 201 (general discovery provisions).
- Ill. S. Ct. R. 202 (purposes for which depositions may be taken in a pending action).
- Ill. S. Ct. R. 203 (where depositions may be taken).
- Ill. S. Ct. R. 204 (compelling appearance of deponent).
- Ill. S. Ct. R. 206 (temporarily amended Apr. 29, 2020; for more information, see [Practice Note, Impact of COVID-19 on Illinois Practice: Overview: COVID-19's Effect on Discovery: Remote Depositions \(W-024-8124\)](#)) (method of taking depositions on oral examination).
- Ill. S. Ct. R. 208 (fees and charges; copies).
- Ill. S. Ct. R. 219 (consequences of refusal to comply with rules or orders relating to discovery or pretrial conferences).
- Ill. S. Ct. R. 237 (service of subpoenas).
- Ill. S. Ct. R. 303 (timing of appeals).
- Ill. S. Ct. R. 304 (appealability).

Local rules in the circuit courts may also govern subpoenas.

2. Please identify and describe the different types of discovery subpoenas available in your jurisdiction (for example, document subpoenas, subpoenas for deposition only, or combined deposition and document subpoenas).

DEPOSITION SUBPOENA

A deposition subpoena requires the recipient to testify at a deposition. A deposition subpoena may also require the deponent to bring documents or tangible things containing or constituting evidence relating to matters within the scope of the examination. (Ill. S. Ct. R. 204(a)(1).) A deposition subpoena may require a non-party to designate one or more officers, directors, managing agents, or other persons to appear to testify on its behalf if the non-party is:

- A public or private corporation.
- A partnership.
- An association.
- A government agency.

(Ill. S. Ct. R. 206(a)(1) (temporarily amended Apr. 29, 2020).)

DOCUMENT SUBPOENA (SUBPOENA DUCES TECUM)

A document subpoena requires a non-party to produce documents or other tangible things relevant to the facts at issue in a pending action for discovery purposes. In Illinois, a subpoena seeking documents and other tangible things during discovery must be included as part of a deposition subpoena, even if the party seeking the documents or tangible things has no intention of deposing the recipient of the subpoena (Ill. S. Ct. R. 204(a)(1), (4).) If so, the subpoena should indicate that no deposition will be taken if copies of the specified documents or tangible things are served on the attorney requesting them by a certain date (Ill. S. Ct. R. 204(a)(4)).

This type of subpoena often states “THIS IS FOR RECORDS ONLY.”

3. Who has the authority to issue a discovery subpoena?

A subpoena may be issued by:

- A court clerk.
- An attorney admitted to practice in Illinois who is counsel of record in the pending action.

(Ill. S. Ct. R. 204(a)(1).)

4. Are there any situations when a discovery subpoena must be issued from a court?

Only courts may issue discovery subpoenas compelling non-party physicians to give deposition testimony in their professional capacity, unless both:

- The parties agree to the deposition.
- The physician consents to the deposition.

(Ill. S. Ct. R. 204(c).)

A subpoena compelling discovery from an Illinois resident for an action pending in another state, territory, or country must be issued by a circuit court in the Illinois county in which the subpoenaed party either:

- Resides.
- Is located.
- Is employed.
- Transacts business in person.

(Ill. S. Ct. R. 204(b); 735 ILCS 35/3; *Eskandani v. Phillips*, 61 Ill. 2d 183, 197 (1975).)

DRAFTING A STATE SUBPOENA

5. What information must be included in each type of discovery subpoena?

The Illinois Supreme Court Rules do not specify the information that must be included in all subpoenas. Generally, a well-drafted subpoena contains:

- The case caption of the underlying action, which includes:
 - the name of the court where the action is pending;
 - the county of venue;
 - the parties;
 - the judge’s name; and
 - the case number.
- The type of subpoena being issued (a subpoena for testimony or a subpoena for testimony and documents).
- The name, address, and telephone number of the party issuing the subpoena.
- Sufficient information to identify the intended recipient, including name and address, if known (typically unknown if requesting a designee under Ill. S. Ct. R. 206(a)(1) (temporarily amended Apr. 29, 2020)).
- The time, date, and place that testimony must be given or documents or tangible things must be produced.
- A warning indicating that failure to comply with the subpoena may subject the recipient to punishment for contempt of court.
- The seal of the clerk or signature of the attorney who issued the subpoena.
- A notarized certificate of service.

Counsel should also check the local circuit court rules for additional requirements.

DEPOSITION SUBPOENA

In addition to the requirements above, deposition subpoenas should contain:

- A proper location for the deposition of a non-party witness (Ill. S. Ct. R. 203). A proper location is the county in which the witness:
 - resides;
 - is employed; or
 - conducts business in person.
- A description of any documents or tangible items that the party is required to produce at the deposition (Ill. S. Ct. R. 204(a)(1)).

- A statement indicating that the deposition is for the purposes of discovery, evidence, or both. If the purpose is not specified, the deposition will be for discovery purposes only. (Ill. S. Ct. R. 202.)
- A statement indicating the issuing party's intent, if any, to use audio-visual recording or conduct the examination by remote electronic means (Ill. S. Ct. R. 206(a)(2), (h) (temporarily amended Apr. 29, 2020)).
- If the deposition subpoena is issued to a non-party organization:
 - a statement advising the non-party organization of its duty to designate one or more officers, directors, agents, or other persons to give deposition testimony; and
 - a reasonably particular description of the matters on which examination is requested.
 (Ill. S. Ct. R. 206(a)(1) (temporarily amended Apr. 29, 2020).)

DOCUMENT SUBPOENA (SUBPOENA DUCES TECUM)

Document subpoenas for discovery must be included as part of a deposition subpoena, although the subpoena may state that appearance at the deposition will be excused if specified documents or tangible things are produced (Ill. S. Ct. R. 204(a)(4); *In re Marriage of Riemann*, 217 Ill. App. 3d 270, 272-73 (1991)). This type of subpoena usually states "THIS IS FOR RECORDS ONLY."

Requests for any documents or tangible items must be sufficiently particular, under the circumstances, to:

- Enable the recipient of the subpoena to know what is being demanded of them (categorical designations are permissible in some circumstances).
- Allow the trial court to determine whether the discovery should be permitted.

(*Monier v. Chamberlain*, 35 Ill. 2d 351, 355-56 (1966).)

The party issuing the subpoena should be reasonably specific because it both:

- Places the burden of identifying relevant documents on the recipient.
- Makes it more likely that the proper documents will be produced.

The term "document" is defined broadly under the rules and includes electronically stored information (Ill. S. Ct. R. 201(b)(1)). If electronically stored information is sought, it is best practice to specify in the subpoena how the information should be produced.

6. Are there any official forms for any of the different types of discovery subpoenas?

The websites of the various Illinois circuit courts contain subpoena forms. However, parties are not required to use these forms.

SERVING A DISCOVERY SUBPOENA

7. Who may serve a discovery subpoena?

A subpoena may be served by:

- Mail.
- A private person.
- A sheriff.

(*Chicago & A.R. Co. v. Dunning*, 18 Ill. 494, 495 (1857).)

Where service by mail is not used or is not effective, process servers are commonly used to effect service of subpoenas.

8. Are there any restrictions on who may be served with a discovery subpoena?

An Illinois subpoena generally may not be served outside of the state (*Price v. Grefco, Inc.*, 187 Ill. App. 3d 514, 516 (1989)).

9. How is a discovery subpoena served on a non-party witness?

In Illinois, subpoenas may be served by:

- Personal service.
- Mail.

(Ill. S. Ct. R. 204(a)(2); *Creditors Disc. & Audit, Inc.*, 130 Ill. App. 3d 402, 405 (1985)).

The Illinois Supreme Court Rules set out the requirements for service of subpoenas. The rules do not require service of a subpoena in the same manner as a summons. However, in practice, service of a subpoena is generally conducted in the same manner as service of a summons, with the additional option of mail. (Ill. S. Ct. R. 204(a)(2); see *Grant v. Rancour*, 2020 IL App (2d) 190802, ¶¶ 21-22 (personal jurisdiction is acquired only by service of process in a manner directed by statute, and process can take the form of a summons or a subpoena, with a subpoena conferring power on the court to compel discovery from non-parties).)

Valid service requires that the person or entity identified in the subpoena have actual knowledge of the subpoena (Ill. S. Ct. R. 204(a)(2)).

SERVICE ON INDIVIDUALS

Subpoenas may be served by personal service or by mail.

A party may serve a subpoena on an individual by:

- Leaving the subpoena with the witness personally.
- Leaving a copy of the subpoena at the witness's residence, if:
 - the subpoena is left with a person residing there who is at least age 13 and that person is informed of the contents of the subpoena; and
 - a copy is mailed to the residence in a sealed envelope with prepaid postage.
- Mailing the subpoena to the individual.

(735 ILCS 5/2-203; Ill. S. Ct. R. 204(a)(2).)

SERVICE ON ORGANIZATIONS

Subpoenas may be served in the same manner as a summons or by mail.

A party may serve a subpoena on a private corporation by:

- Leaving the subpoena with:
 - a registered agent of the corporation; or
 - any officer or agent of the corporation found anywhere in Illinois.
- Publication.
- Mailing the subpoena to the corporation.

(735 ILCS 5/2-204; Ill. S. Ct. R. 204(a)(2).)

A party may serve a subpoena on a partnership by:

- Leaving the subpoena with:
 - any partner; or
 - any agent of the partnership found anywhere in Illinois.
- Publication.
- Mailing the subpoena to the partnership.

(735 ILCS 5/2-205; Ill. S. Ct. R. 204(a)(2).)

A party may serve a subpoena on a voluntary unincorporated association by:

- Leaving the subpoena with:
 - an officer of the association; or
 - an agent of the association, at the association's office.
- Publication.
- Mailing the subpoena to the association.

(735 ILCS 5/2-205.1; Ill. S. Ct. R. 204(a)(2).)

SERVICE ON PUBLIC ENTITIES

Subpoenas may be served in the same manner as a summons or by mail.

A party may serve a subpoena on a public, municipal, governmental, or quasi-municipal corporation by:

- Leaving the subpoena with:
 - the chairperson of a county board or county clerk, for a county;
 - the mayor or city clerk, for a city;
 - the president of the board of trustees or village clerk, for a village;
 - the supervisor or town clerk, for a town; or
 - the president, clerk, or other corresponding officer, for any other public, municipal, governmental, or quasi-municipal corporation or entity.
- Mailing the subpoena to the public entity.

(735 ILCS 5/2-211; Ill. S. Ct. R. 204(a)(2).)

SERVICE ON INDIVIDUALS WITH LEGAL DISABILITIES

Subpoenas may be served in the same manner as a summons or by mail.

To serve a subpoena on an inmate in Illinois, a party:

- May, for personal service, need to coordinate a date and time for a process server to meet with a representative designated by the correctional institution to receive service (735 ILCS 5/2-203.2).
- May serve the subpoena by mail (Ill. S. Ct. R. 204(a)(2)).

PROOF OF SERVICE

Proof of personal service of a subpoena includes either:

- A certificate from:
 - the attorney who served the subpoena; or
 - the person, other than an attorney, who served the subpoena.
- A written acknowledgement signed by the recipient.

(Ill. S. Ct. R. 12(b)(3), (4); 735 ILCS 5/1-109.)

Proof of service by mail includes either:

- A return receipt showing delivery by certified or registered mail at least seven days before the date of the required appearance, plus an affidavit stating that:
 - the mailing was prepaid;
 - the mailing was addressed to the deponent;
 - the mailing was restricted delivery;
 - return receipt was requested showing to whom the mailing was sent, the date of delivery, and the address of delivery; and
 - a check or money order for the witness and mileage fee was enclosed in the mailing.
- A written acknowledgement signed by the recipient.
- A certificate from the person who deposited the document in the mail or delivered it to a third-party commercial carrier or courier, stating:
 - the time and place of the mailing or delivery;
 - the complete address on the package; and
 - that proper postage was prepaid.

(Ill. S. Ct. R. 12(b)(3), (5) and Ill. S. Ct. R. 204(a)(2).)

10. How far in advance must the issuing party serve a discovery subpoena on a non-party witness before the compliance date stated in the subpoena (for example, a specific number of days before the compliance date or a reasonable time before the compliance date)?

DEPOSITION SUBPOENA

In Illinois, deposition subpoenas must be served on the deponent at least seven days before the date of the deposition, if the subpoena does not also seek documents from the non-party witness (Ill. S. Ct. R. 204(a)(2)). Counsel generally serve subpoenas well in advance of the seven-day requirement.

If documents are requested in addition to testimony, counsel typically attempts to have a conference with the deponent to determine the relevant dates and scope of documents. The subpoena (or amended subpoena) is then generally served several weeks in advance of the deposition and date of production. When documents are involved, counsel often try to conform to notice requirements for standard discovery, which is 28 days (Ill. S. Ct. R. 214).

DOCUMENT SUBPOENA

For a document subpoena, the issuing party must specify a “date certain” for the recipient to serve responsive documents on the issuing party. The document-return date must allow the party requesting documents to serve true and correct copies of all produced documents on all parties requesting them at least three days before the scheduled deposition (Ill. S. Ct. R. 204(a)(4)).

Although not stated in the rules relevant to subpoenas, counsel should serve a subpoena at least 28 days before the date certain specified in the subpoena, as that is the minimum time provided to parties to respond to requests for production under Ill. S. Ct. R. 214(a).

11. When and how must the issuing party notify other parties in the case that a discovery subpoena will be or has been served on a non-party witness? If no notice of that kind is required, please state that in your answer.

NOTICE OF DEPOSITION

In Illinois, a party desiring to depose any person must serve notice in writing on all other parties within a reasonable time before the deposition (Ill. S. Ct. R. 206(a) (temporarily amended Apr. 29, 2020)).

REQUIRED INFORMATION IN NOTICE OF DEPOSITION

Notice of a subpoena for deposition must include:

- A copy of the subpoena.
- The time, date, and place of the deposition.
- The name and address of each person to be examined, if known, or, if unknown, sufficient information to identify each deponent.
- Whether the deposition is for purposes of discovery or evidence.
- If the party serving notice of the deposition intends to use audio-visual recording:
 - a statement notifying all parties to the deposition that an audio-visual recording device will be used; and
 - the name of the recording-device operator.
- If the deposition is to be taken by remote electronic means, the specific electronic means.
- If the deponent is an organization, a reasonably particular description of the matters on which the deponent will be examined.

(Ill. S. Ct. R. 202 and 206(a), (h) (temporarily amended Apr. 29, 2020).)

NOTICE FOR A DOCUMENT SUBPOENA

The notice for a document subpoena must contain the same information as a notice of deposition, but state that appearance at the deposition will be excused if specified documents or tangible things are produced (Ill. S. Ct. R. 204(a)(4) and 206(a), Committee Comment (Rev. 1999) (temporarily amended Apr. 29, 2020); *In re Marriage of Riemann*, 217 Ill. App. 3d at 272; see Required Information in Notice of Deposition).

WHEN AND HOW NOTICE IS SERVED

Notice must be served on all parties (Ill. S. Ct. R. 206(a) (temporarily amended Apr. 29, 2020)). Service must be made on:

- An attorney of record, if the party is represented by counsel.
- The party, if not represented by counsel.

(Ill. S. Ct. R. 11(a).)

Notice to parties (as distinguished from service of the actual subpoena on the non-party) must be served electronically, unless otherwise specified by rule or order of court. Electronic service may be made either through the court electronic filing manager or an approved electronic filing service provider, if available. For all parties for which electronic service is not available, the party must make service to the email address or addresses identified by the party’s appearance in the matter. If service is made by email, the documents may be transmitted via attachment or by providing a link within the body of the email that will allow the party to download the document through a reliable service provider. (Ill. S. Ct. R. 11(c).)

The notice may be served by alternative means if:

- A self-represented party opts out of electronic service.
 - Service other than electronic service is specified by rule or order of court.
 - Extraordinary circumstances prevent timely electronic service in a particular instance.
- (Ill. S. Ct. R. 11(c).) Alternative service means include:
- Personal service.
 - Leaving the notice:
 - with an authorized person at the attorney’s office;
 - in a reasonable receptacle or location at or within the attorney’s office; or
 - at the party’s residence with a family member aged 13 or older, if the party is not represented by an attorney.
 - US mail or third-party commercial carrier, with the delivery charge fully prepaid, plainly addressed to the party’s address as identified by the party’s appearance in the matter.

(Ill. S. Ct. R. 11(c).)

Counsel should retain proof of service in case service is contested.

Proof of service includes:

- An automated verification of electronic service, specifying the time of transmission and email address of each recipient.
- A certificate of the attorney or the person who made the email transmission, if service was made by email.
- A written acknowledgment signed by the recipient.
- A certificate of the attorney or person other than an attorney attesting that service was made by alternative means consistent with the rules. This should include:
 - the time, date, and place that notice was delivered or mailed; and
 - any other relevant information.

(Ill. S. Ct. R. 12(b).)

WHEN NOTICE OF A DEPOSITION MUST OCCUR

Notice of a deposition must be provided reasonably in advance of the deposition (Ill. S. Ct. R. 206(a) (temporarily amended Apr. 29, 2020)). Circuit courts may have additional requirements.

WHEN NOTICE FOR A DOCUMENT SUBPOENA MUST OCCUR

Notice for a document subpoena issued for discovery must be:

- Served on all other parties immediately and at least 14 days before the scheduled date of the deposition.
- Immediately filed with the court, along with a copy of the subpoena.

(Ill. S. Ct. R. 204(a)(4).)

A copy of all discovery subpoenas must be filed with the clerk with either:

- A certificate of counsel.
- Other proof that copies have been served on all parties.

(Ill. S. Ct. R. 104(b) and 201(o).)

FORM OF NOTICE

A notice of deposition must be in writing (Ill. S. Ct. R. 206(a) (temporarily amended Apr. 29, 2020)).

12. Are there any territorial limits for service of a discovery subpoena? If so, please describe:

- Any limits on service within the state.
- Any limits on service outside the state.
- The procedure for obtaining discovery from a non-party witness located outside of the issuing court's jurisdiction.

IN-STATE LIMITS ON SERVICE

A subpoena may be served anywhere in Illinois (735 ILCS 5/2–202 to 735 ILCS 5/2–205).

OUT-OF-STATE LIMITS ON SERVICE

An Illinois subpoena served outside of the state is generally not valid (*Price*, 187 Ill. App. 3d at 516).

OBTAINING DISCOVERY LOCATED OUTSIDE ISSUING COURT'S JURISDICTION

Where a party has access to out-of-state but otherwise discoverable material in the possession of a third party, the court may order the party to produce the material. The party seeking the materials must attempt to obtain the discovery informally or rely on the discovery rules of the jurisdiction in which the discoverable material is located. (*Price*, 187 Ill. App. 3d at 516-17.)

Counsel seeking discovery from out-of-state non-parties should check whether the state in question has adopted the Uniform Interstate Depositions and Discovery Act, or has some other non-uniform discovery process.

WITNESS FEES**13. What are the applicable witness fees for a deposition in your state? In particular, please describe:**

- How the fees are calculated.
- In what form fees are paid (for example, cash or check).
- When the fees must be paid.
- The consequences for failing to pay the fees.

APPLICABLE FEES

Under Illinois law, deposition witnesses are entitled to:

- \$20 per day.
- \$0.20 per mile for travel to and from a deposition or trial. (705 ILCS 35/4.3(a); Ill. S. Ct. R. 208(b).)

DEPOSITION OF A NON-PARTY WITNESS

A party who issues a deposition subpoena must pay any witness fees, unless the deponent is an expert witness retained by a party. In that case, the party who retained the expert must pay the witness fees, unless manifest injustice would result (Ill. S. Ct. R. 208(a), (e) and 213(f)(3)).

A party who issues a deposition subpoena to a non-party physician in their professional capacity must pay the physician a reasonable fee for time spent testifying at deposition, unless:

- The physician was retained for the purpose of rendering an opinion at trial.
- The court orders otherwise.

(Ill. S. Ct. R. 204(c).)

DOCUMENT SUBPOENA FOR DISCOVERY

Absent an order or agreement to the contrary, a party requesting documents or tangible things in lieu of appearance at a deposition must pay any formal requests for reasonable charges the deponent incurs for the production of documents (Ill. S. Ct. R. 204(a)(4); see *Dore v. Sweports Ltd.*, 2015 IL App (1st) 150872-U).

MEDICAL RECORDS

Medical records are subject to a reasonable copying fee (735 ILCS 5/8-2001(d)).

The fees for medical records change with inflation each year. The current rate is:

- A base handling fee of \$28.44.
- An additional "per page" charge ranging from \$0.36 to \$1.07.

The updated rates can be found at the Illinois Comptroller's website.

CALCULATING FEES

Expenses charged in relation to producing documents or tangible things under subpoena must be reasonable (Ill. S. Ct. R. 204(a)(4)).

FORM OF FEES

There is no requirement that fees take a particular form.

TIMING

Fees and mileage should be paid in advance of the appearance at the deposition because deponents are not compelled to answer a subpoena before the attendance fee is paid (Ill. S. Ct. R. 204(a)(2)).

CONSEQUENCES FOR FAILURE TO PAY

If fees and mileage are not paid, the deponent is not compelled to respond to the subpoena (Ill. S. Ct. R. 204(a)(2)).

ENFORCING A STATE SUBPOENA

14. What are the available methods for enforcing a discovery subpoena against a non-party witness (for example, motion to compel, motion for contempt)?

A party may move to compel a non-party that refuses to comply with a subpoena (Ill. S. Ct. R. 219(a)). Any motion to compel must incorporate a statement that the issuing party made reasonable attempts to resolve the discovery dispute before filing the motion (Ill. S. Ct. R. 201(k)).

A party may move for sanctions or the court may impose sanctions, which may include:

- Reasonable expenses incurred in obtaining the court's order.
- Reasonable attorneys' fees.
- A monetary penalty, if the misconduct was willful.

(Ill. S. Ct. R. 219(c).)

Illinois courts may also compel compliance with subpoenas issued under the Supreme Court Rules through contempt proceedings (Ill. S. Ct. R. 219(c)). Counsel should review the local rules of the

circuit courts, which may provide additional, specific procedures on compelling compliance with a non-party subpoena (for example, IL R 23 CIR Rule 5.55).

APPEALING A COURT DECISION ON A DISCOVERY SUBPOENA

15. May a court's decision concerning a discovery subpoena be appealed? If so, please indicate:

- Whether the decision may be appealed.
- When the decision may be appealed.
- The standard of review for an appeal.

APPEALABILITY

In Illinois, decisions regarding discovery are generally not appealable until after final judgment (*Eskandani*, 61 Ill. 2d at 194). However, an order of contempt imposing sanctions is a final and appealable order, and exposing oneself to contempt proceedings is an appropriate method of testing the validity of a discovery order (*Direct Auto Ins. Co. v. Bahena*, 2019 IL App (1st) 172918, ¶ 38; Ill. S. Ct. R. 304(b)(5)). In addition, decisions regarding discovery in aid of actions pending in other states are final and appealable (*Eskandani*, 61 Ill. 2d at 194-95).

TIMING OF APPEAL

A party must file a notice of appeal with the clerk of the circuit court within 30 days of the entry of a final, appealable order (Ill. S. Ct. R. 303(a)).

STANDARD OF REVIEW

The appellate court applies an abuse of discretion standard of review to decisions regarding discovery and the imposition of related sanctions (*City of Chicago v. St. John's United Church of Christ*, 404 Ill. App. 3d 505, 516 (2010); *Martinez v. Pfizer Labs. Div.*, 216 Ill. App. 3d 360, 373 (1991)).

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