**Section 10.200 Litigation**

a) The Executive Director and the Office of Legal Counsel shall not, without prior authorization of the Board:

1) commence litigation;

2) engage counsel, other than the Illinois Attorney General's Office, for the purpose of appearing on behalf of the Capital Development Board to prosecute any lawsuit;

3) incur any obligation for attorney's fees, witness fees or court costs in connection with any lawsuit in which the Board is the plaintiff;

4) authorize settlement of a pending lawsuit; or

5) file an appeal.

b) Nothing in this Section shall be construed to preclude the Executive Director from referring any lawsuits filed against the Board to the Office of the Attorney General for defense, nor to preclude the Executive Director from approving a Court of Claims stipulation in an action brought to recover the balance of a lapsed contractual obligation.

c) If litigation or an appeal must commence before the next regularly scheduled Board meeting and adequate opportunity was not provided to the Executive Director or the Office of Legal Counsel to obtain Board authorization, the Executive Director or Office of Legal Counsel may file litigation or appeal provided that the Board is given the opportunity to ratify the filing or vote to have the matter withdrawn at the next Board meeting.

(Source: Amended at 43 Ill. Reg. 14084, effective November 20, 2019)