

UNITED STATES DISTRICT COURT  
The Northern District of Illinois  
Eastern Division

U  
P/Clerk

Anjenai Bolden 1131931/Class  
Member of Class Action  
Michael Perish  
Plaintiff

Case No. 07-cv-4369

VS.

Sheriff of Cook County  
Defendant

**FILED**

FEB 02 2021 *JK*

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

Anjenai Bolden, Class Member of Class Action  
Michael Perish vs. Sheriff of Cook County,  
(Response) To Class Counsel's Motion in  
response to Class Member Anjenai Bolden  
Motion, ECF Nos. 436 and 440

Class Counsel's response lacks Interpretation and Merits. A presumption of Undue influence may be raised where Class Counsel seeks to mis-lead the Court to believe that Class Member Anjenai Bolden, agreed to and dose not Object to the amount he received from the Settlement. Also, The poor lack of Communication between Class Counsel and Class Member. The Court should deny Class Counsel's response and Grant Class Member's request.

Class Member, Anjenai Bolden, in His Motion, Comment/d Plea in support of the Proposed Settlement for the above Law Suit On page 3 of 4, explains to this Court that He dose seek to Interview and was told by Class Counsel that His grievances was accepted granting Him His Plea. This motion was filed with an Affidavit of Affirmation on May 4th, 2020, see attachment (1), and Class Member Motion to intervene etc. comment/d.

In class Member Arjenai Bolden's Motion Comment and Plea in Support of the Proposed Settlement, also explains to the Court that He received an amount of the settlement based on the number of points on page 1 of 4 and on page 3 of 4 that He should receive none less than (50) points which is according to the claim form in the amount of \$ 5,000.00. In order to receive that amount, class Member must sign and turn in the Claim Form by May 8, 2020. Also The claim form instructs that in order to Object or comment, class member must file His motion to the Court as or before May 15, 2020.

In class Member Arjenai Bolden's Motion to Object, Intervene, and Present claims or defenses or remove Counsel filed on 11/30/20, class member in # 3) of that motion explains to the Court in His previous motion comment/plea that He supports the fact that this should be and is a class action but that He objects to the \$ 200.00 and that He should be awarded \$ 5,000.00. See attachment (1) and Motions to object etc...

Not until class member received a copy of the check stub, did He know or was aware that the "amount" that He would receive was only \$ 175.00 which was after the date of the deadline to Object and How could class Member Arjenai Bolden have received His share of the settlement if He does not agree with the payment amount and has "firmly" expressed His unsatisfaction with in the grounds that He has been given minutes to the claim form's deadline, but

not according to the class action motions  
and there lack of communication to class  
member Anjeanai Bolden, that interrupts the  
claim form's deadline. More Expressly, How  
can the representative of this class action  
adequately represent class member, Anjeanai  
Bolden, by asking this Court to deny  
class member, Anjeanai Bolden's request.

See attachments (1). Lewis v. Casey, 518 U.S. (1996).  
See also 1st Amendment and 6th Amendment of the  
UNITED STATES Constitution.

Respectfully Submitted,

151 Anjeanai Bolden m31931

Anjeanai Bolden

ID # m31931

Taylorville C.C.

1144 Route 29 South

Taylorville IL 62568

UNITED STATES DISTRICT COURT

For The Northern District of Illinois  
Eastern Division

Anjena Bolden m31931 / class  
Plaintiff, member of class Action  
Michael Parish

)  
Case No. NO. 07-CV-4369

v.  
)  
)  
)

Sheriff of Cook County  
Defendant

**PROOF / CERTIFICATE OF SERVICE**

TO: Clerk of The UNITED STATES TO: \_\_\_\_\_  
DISTRICT COURT For the  
Northern District of Illinois  
219 South Dearborn street  
Chicago Illinois  
60602

PLEASE TAKE NOTICE that on Thursday Jan. 21, 2021, I have placed the documents listed below in the institutional mail at Taylorville Correctional Centers, Properly addressed to the Parties above for mailing through the United States Postal Service: Anjena Bolden, class Member of  
Class Action Michael Parish vs. Sheriff of Cook  
County (Response) To Class Counsel's Motion in Response to  
Class member Anjena Bolden's Motion, ECF Nos. 436 and 440  
Attachments.

Pursuant to 28 USC 1746. 18 USC 1621 or 735 ILCS 51/09, I declare, under Penalty of Perjury that I am a named Party in the above actions that I have read the above documents, and that the Information contained therein is true and correct to the best of my Knowledge.

Date: 1/21/2021

151 Anjena Bolden

NAME: Anjena Bolden

IDOC#: m31931

Taylorville Correctional Center

P.O. Box 1144 Route 29 South

Taylorville - IL



Attachment  
# (1)

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

**RESPONSE TO MOTIONS OF  
ANJENAI BOLDEN, ECF Nos. 436 and 440**

Anjenai Bolden, who submitted a timely claim form (attached as Exhibit 1) and acknowledges that he received his share of the settlement (ECF No. 436 at 9), seeks to intervene to obtain a larger share of the settlement. (ECF No. 436 at 9; ECF No. 440 at 9.) The Court should deny this request.

Mr. Bolden submitted a timely claim form on March 31, 2020 and filed a memorandum in support of the proposed settlement. (ECF No. 416.) The claim form (Exhibit 1) includes a general release that bars any attempt by Mr. Bolden to continue to litigate the claims resolved in this case. *See Crosby v. City of Chicago*, 949 F.3d 358, 359 (7th Cir. 2020).

Mr. Bolden's request to intervene is also not timely, because he could have sought to intervene when he filed his memorandum in support of the

proposed settlement on May 11, 2020. *See Illinois v. City of Chicago*, 912 F.3d 979, 984 (7th Cir. 2019).

Respectfully submitted,

/s/ Kenneth N. Flaxman  
KENNETH N. FLAXMAN  
ARDC No. 830399  
200 S Michigan Ave Ste 201  
Chicago, IL 60604-2430  
(312) 427-3200

*An Attorney for the Plaintiff Class*

Parish v Sheriff of Cook County  
 c/o Atticus Administration  
 PO Box 64053  
 St. Paul, MN 55164

RECEIVED APR 06 2020

## CLAIM FORM



636896\_N

ANJENAI BOLDEN M31931  
 1144 IL ROUTE 29  
 TAYLORVILLE IL 62568-7879



**YOU MUST FILL OUT THIS FORM TO PARTICIPATE IN  
 THE SETTLEMENT OF PARISH V. SHERIFF OF COOK COUNTY**

**THIS FORM MUST BE RECEIVED BY MAY 8, 2020**

I certify under penalties of perjury as provided by law that I was detained at the Cook County Jail between August 3, 2005 and August 31, 2013, that I provided notice that I was taking prescription medication for a serious health need, and did not receive appropriate medication within 24 hours thereafter.

By signing below, I hereby promise not to sue and to release and forever discharge Cook County, Cook County's counsel, the Sheriff of Cook County, the Sheriff's counsel, and any of their past, present or future boards, commissions, members, directors, officers, agents, employees and/or independent contractors, and/or any other successors, assigns, or legal representatives thereof for any and all Unknown Claims, known claims, and rights, demands, actions, causes of action, suits, debts, liens, contracts, liabilities, agreements, interest, costs, expenses or losses, for the acts alleged or which are or could have been alleged by the Named Plaintiff or the Potential Class Members in this action, or relate in any way whatsoever to denial of previously prescribed medication at the Cook County Jail between August 3, 2005 and August 31, 2013.

My social security number is: \_\_\_\_\_ **3 0 6 6**

**Claim Verification and Substitute W9:**

Under penalties of perjury, I certify that:

1. The Social Security number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. Person (including a U.S. resident alien).

Signature

Date Signed

M	M	D	D	Y	Y	Y	Y
0	3	3	1	2	0	2	0

Note: if you have been notified by the IRS that you are subject to backup withholding, you must cross out item 2 above. The IRS does not require your consent to any provision of this document other than this Form W-9 certification to avoid backup withholding.

**IF YOU HAVE AN ADDRESS CHANGE, PLEASE FILL OUT THE FORM BELOW:**

Mailing Address

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

City

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

State

--	--

Zip Code

--	--	--	--	--	--

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

## **CERTIFICATE OF SERVICE**

The undersigned, an attorney for the plaintiff class, certifies that on January 9, 2020 he mailed a copy of "Response to Motions of Anjenai Bolden, ECF Nos. 436 and 440" to Anjenai Bolden, M31931 at 1144 Illinois Route 29 Taylorville, IL 62568, by first class mail, postage prepaid, from Evanston, Illinois 60201.

/s/ Kenneth N. Flaxman  
KENNETH N. FLAXMAN  
ARDC No. 830399  
200 S Michigan Ave Ste 201  
Chicago, IL 60604-2430  
(312) 427-3200  
*An Attorney for the Plaintiff Class*

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

Michael Parish, et al.,	)	
<i>Plaintiffs</i>	)	07-cv-4369
- <i>vs-</i>	)	
Sheriff of Cook County and Cook County, Illinois,	)	<i>(Judge Lee)</i>
<i>Defendants</i>	)	

**NOTICE OF HEARING ON SETTLEMENT OF CLASS ACTION**

TO: All persons who entered the Cook County Jail from August 3, 2005 through August 31, 2013 who were taking prescription medication for a serious health need and who were not provided with appropriate medication within 24 hours thereafter.

A proposed settlement of this case, *Parish v. Sheriff of Cook County, et al*, 07-cv-4369, has been submitted to the Court for approval. This document describes the proposed settlement and tells you what to do if you are a class member and (a) wish to participate in the settlement, (b) wish to exclude yourself from this case, or (c) if you believe that the proposed settlement should not be approved.

**THIS IS NOT A NOTICE OF A LAWSUIT AGAINST YOU  
YOU MAY BENEFIT FROM READING THIS NOTICE  
PLEASE READ THIS NOTICE CAREFULLY**

**WHAT THIS CASE IS ABOUT**

The plaintiffs in this case were detainees who entered the Cook County Jail from August 3, 2005 through August 31, 2013. The defendants are the Sheriff of Cook County and Cook County, Illinois. The action is pending in the United States District Court for the Northern District of Illinois and alleges violations of rights secured by the United States Constitution. The Court ordered that the case may proceed as a class action on October 24, 2008.

**THE PROPOSED SETTLEMENT**

With the assistance of the Court, the lawyers for the parties have agreed to a settlement of all claims in this case. Defendants have agreed to establish a settlement fund in the amount of \$7,500,000 (seven million five hundred thousand dollars) to cover damages for class members, incentive awards, fees and costs of counsel, and administration of this settlement. A total of \$3,965,000 (three million nine hundred sixty-five thousand) is available to pay class members.

If the Court approves the proposed settlement, member of the class who entered the Jail before January 1, 2011 will, in the view of class counsel, likely receive an award of \$200; class members who entered the Jail on and after January 1, 2011 will likely receive an award of \$100. The actual size of the awards will be computed by assigning two points to each class member who entered the Jail before January 1, 2011 and one point for each class member who entered the Jail on and after January 1, 2011 through August 30, 2013. Awards for each

class members will be computed by dividing \$3,965,000 by the total number of points, provided however, that the maximum award will be \$200. The original plaintiff Michael Parish will receive \$25,000; each of the 11 additional named plaintiffs will receive \$15,000, and each the 19 exemplar class members (who appeared for deposition) will receive \$5,000. Attorneys' fees, which were negotiated after an agreement had been reached on the monetary relief for the class, will be paid from the settlement fund in an amount not to exceed one-third of the fund, or \$2,500,000 as approved by the Court. Class counsel will also receive reimbursement for actual litigation costs up to \$250,000.

### **RELEASE**

If you want to participate in this settlement, you must complete the enclosed Claim Form and "release," which means that you cannot sue about anything that arises out of your incarceration related to not receiving medication at the Cook County Jail. The release does not extend to any claim that has not yet accrued or that is already pending in Court.

### **CLASS COUNSEL'S OPINIONS**

The class is represented by attorneys Joel A. Flaxman, and Kenneth N. Flaxman, 200 South Michigan Avenue, Suite 201, Chicago, Illinois 60604, (312) 427-9245, and by Thomas G. Morrissey and Patrick W. Morrissey, 10150 S. Western Avenue, Chicago, Illinois 60643, (773) 238-4235. Class Counsel have investigated the facts and the applicable law and consider this settlement to be in the best interest of the class.

### **NO ADMISSION OF LIABILITY**

By settling this lawsuit, Defendants do not admit that they have done anything wrong. Defendants expressly deny any wrongdoing and/or violation of any individual's constitutional rights. Defendants, by agreeing to resolve this case, do not agree to resolve claims of detainees held at the Cook County Jail outside the time period of this class and will vigorously defend any such claims.

### **FINAL APPROVAL HEARING**

A hearing will be held on **June 5, 2020 at 11:00 a.m.** in Courtroom 2125, United States Courthouse, 219 South Dearborn Street, Chicago, Illinois 60602. The hearing will decide whether the proposed class settlement is fair, reasonable, and adequate, and whether the proposed settlement should be approved by the Court. The date and time of the hearing may be changed without further written notice to the class.

Any class member who wishes to be heard either in support of or in opposition to the proposed settlement must file a written objection or comment with the Clerk of the United States District Court for the Northern District of Illinois, 219 South Dearborn Street, Chicago, Illinois 60602 on or before **May 15, 2020**. Written objections or comments will be considered whether or not the class member attends the hearing.

### **YOUR OPTIONS**

If you are an eligible class member and wish to receive a portion of the settlement proceeds, you **must** return the enclosed claim form to the Claims Administrator. A pre-addressed return envelope is provided. **The claim form must be received by May 8, 2020.** If the

settlement is finally approved by the Court, and if you are an eligible class member, you will receive a check. **YOU WILL NOT RECEIVE ANY MONEY IF YOU DO NOT SUBMIT A CLAIM FORM.**

If you do not wish to participate in this settlement, you can opt-out, which means to exclude yourself from both the class action and the settlement. If you opt-out you will not be represented by class counsel, you will not share in any settlement in this case, and, if you wish to assert any claim, you must file your own lawsuit.

To opt-out, you **must** return the opt-out form to counsel for the class, Kenneth N. Flaxman, P.O. Box 2286, Chicago, Illinois 60690-2286. **The opt-out form must be received by May 8, 2020.** If you do **not** timely opt-out of the class, you will be a class member and bound by the terms of the settlement and the Court's orders. You will be bound by any judgment approving or disapproving the settlement, and you will receive the benefits of the settlement, if approved by the Court.

### **MORE INFORMATION**

The settlement agreement and all other papers filed in this action may be examined and copied in the Office of the Clerk of the U.S. District Court for the Northern District of Illinois, 219 South Dearborn Street, 20th floor, Chicago, Illinois 60602 between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday.

Do not call either the Court or Office of the Clerk for information about the case.

You may contact the Settlement Administrator at 1-800-644-0558 for more information.

STATE OF ILLINOIS )  
COUNTY OF *Christians* )  
ss

## AFFIDAVIT

M31431

I, Argenai Bolson, do hereby declare and affirm that the following information within this affidavit is true and correct in substance and in facts.

All that are in and Pertains to  
THIS Motion "Arijenai Bolden, class member  
of class Action Michael Perish VS. Sheriff  
of Cook County, (Response) To Class Counsel's  
Motion in response to class member Arijenai  
Bolden's Motion, ECF Nos. 4136 and 440"  
is true and correct in substance and  
in facts. —

Pursuant to 28 USC 1746, 18 USC 1621, or 735 ILCS 5/1-109, I declare, under penalty of perjury that everything contained herein is true and accurate to the best of my knowledge and belief. I do declare and affirm that the matter at hand is not taken either frivoulously or maliciously and that I believe the foregoing matter is taken in good faith.

Signed on this 21<sup>st</sup> day of Jan. 2021.

*Trjenai Bobber* M3193  
Affiant

Angela Bolder M31931  
Taylorville C.C.  
1144 Route 29 South  
Taylorville IL 62568

RECEIVED  
FEB 02 2021  
THOMAS G. BRUNTON  
CLERK, U.S. DISTRICT COURT

Clerk of the UNITED STATES  
DISTRICT COURT For the Northern  
District of Illinois  
219 South Dearborn Street  
Chicago Illinois 60602



02/02/2021-20

LEGAL MAIL

LEGAL MAIL

(LEGAL MAIL)

U.S. POSTAGE ▶ PITNEY BOWES  
CORRESPONDENCE  
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