

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

Mary Smith as Special)
Administrator of the Estate of)
Christopher Smith,)
) 14-cv-7718
Plaintiff,)
) (Judge Wood)
-vs-)
)
City of Chicago and Chicago Police)
Officer Brownfield, #15752,)
)
Defendants.)

**PLAINTIFF'S MOTION TO SET MOTION ECF No. 118 FOR
TELEPHONIC HEARING AND VACATE BRIEFING SCHEDULE**

Plaintiff respectfully requests that the Court hold a prompt telephone hearing and vacate the briefing schedule on plaintiff's pending Motion to Compel Payment of Settlement Without Face-To-Face Contact, ECF No. 118. The Court can resolve this dispute in a short telephonic hearing without any briefing.

As explained in the pending motion, the City of Chicago has written a check to pay the settlement in this case. The City, however, refuses to convey the check to plaintiff's counsel other than through a face-to-face meeting unless counsel signs a broad and unreasonable waiver of liability. This very narrow dispute is preventing plaintiff from receiving the settlement for which she bargained.

Defendants do not oppose a telephonic hearing, but ask that they be granted a week to file a written response to plaintiff's modest request to mail the already written check.

Plaintiff submits that an immediate and brief telephone hearing would resolve this dispute about sending a check by mail.

Respectfully submitted,

/s/ Joel A. Flaxman
Joel A. Flaxman
Kenneth N. Flaxman
200 S Michigan Ave Ste 201
Chicago, IL 60604-2430
(312) 427-3200
Attorneys for Plaintiff