

Exhibit 8

<p style="text-align: right;">Page 1</p> <p style="text-align: center;">IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION</p> <p>JERMAINE WILSON and) DAMEON SANDERS,)) Plaintiffs,) -vs-) No. 14-cv-08347) CITY OF EVANSTON,)) Defendant.)</p> <p>The deposition of DAMEON SANDERS, taken for the purpose of discovery, before SILVANA R. TURANO, C.S.R., and Notary Public within and for the County of Cook and the State of Illinois, at 2100 Ridge Avenue, Evanston, Illinois, commencing on September 20, 2016, at the hour of 1:00 o'clock p.m.</p>	<p style="text-align: right;">Page 3</p> <p style="text-align: center;">I N D E X</p> <p>1 2 3 4 WITNESS 5 6 DAMEON SANDERS 7 8 By Mr. Ford 7 - 61 9 10 By Mr. Flaxman 61 - 65 11 12 By Mr. Ford (Continued) 66 - 69 13 14 By Mr. Flaxman (Continue) 69 - 70 15 16 17 18 19 20 21 22 23 24</p>
<p style="text-align: right;">Page 2</p> <p>1 PRESENT: 2 3 LAW OFFICE OF KENNETH FLAXMAN, 4 BY: MR. KENNETH FLAXMAN 5 200 South Michigan Avenue 6 Suite 201 7 Chicago, Il 60604 8 (312) 427-3200 9 10 Appeared on behalf of the Plaintiffs; 11 12 CITY OF EVANSTON - LAW DEPARTMENT, 13 BY: MR. HENRY J. FORD, JR. 14 2100 Ridge Avenue, 4th floor 15 Evanston, Illinois 60201 16 (847) 448-8091 17 18 Appeared on behalf of the Defendant. 19 20 21 22 23 24</p>	<p style="text-align: right;">Page 4</p> <p style="text-align: center;">E X H I B I T S</p> <p>1 2 3 4 5 Deposition Exhibit No. Page 6 7 8 9 (There were no deposition exhibits marked.) 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24</p>

1 (Whereupon, the witness was
2 first duly sworn.)

3 MR. FORD: Let the record reflect that this
4 is the deposition of Dameon Sanders who's a
5 plaintiff in the case of Jermaine Wilson and
6 Dameon Sanders versus the City of Evanston in
7 Federal Court.

8 This is brought pursuant to notice to
9 plaintiff's counsel.

10 Mr. Sanders, can you give us your full
11 name and spell it for the record, please.

12 THE WITNESS: Dameon Sanders, D-a-m-e-o-n,
13 S-a-n-d-e-r-s.

14 MR. FORD: Okay. Have you ever been deposed
15 before?

16 Have you ever taken a deposition before?

17 THE WITNESS: No, sir.

18 MR. FORD: So I'm going to go over some
19 ground rules real quick so we can kind of
20 streamline this and kind of more forward, okay?

21 Is that fair?

22 THE WITNESS: Yes.

23 MR. FORD: One of the primary things you need
24 to do is give all your answers in a verbal

1 need one here, but if you do need one just let us
2 know and we can take one, all right?

3 THE WITNESS: All right.

4 MR. FORD: All right.

5
6
7 DAMEON SANDERS,
8 called as a witness herein, having been first duly
9 sworn, was examined upon oral interrogatories and
10 testified as follows:

11 EXAMINATION

12 By Mr. Ford:

13 **Q Now, what's your date of birth?**

14 A 5-21-80.

15 **Q What's your social security number?**

16 A 335-72-0304.

17 **Q And your current address is 1423 Darrow
18 in Evanston?**

19 A Yes. Yes, sir.

20 **Q A lot of questions I'm going to ask you
21 today are regarding your arrest by the Evanston
22 police department on or about July 25th, 2013, do
23 you understand?**

24 A Yes.

1 response so the court reporter, Silvana here,
2 cannot take down head bobs, nods, movement of the
3 hands so just make sure to answer with words,
4 okay?

5 THE WITNESS: Yes.

6 MR. FORD: At any time if you do not
7 understand my question, please ask me to rephrase
8 it, is that fair?

9 THE WITNESS: Yes.

10 MR. FORD: Okay. Because to the extent that
11 you answer my question it's assumed that you
12 understood it, okay?

13 THE WITNESS: Okay.

14 MR. FORD: Do you understand?

15 THE WITNESS: Yes.

16 MR. FORD: Okay, and just hold on a second
17 until I get my question out before you answer
18 because I want to make sure that for the record I
19 get my full question out and you're answering the
20 question that I'm asking you as opposed to what
21 you assume that I'm asking you, okay?

22 THE WITNESS: Yes.

23 MR. FORD: Okay. If at any time you need a
24 break, I don't anticipate that you possibly will

1 **Q So on July 25th, 2013 did you live at
2 1423 Darrow?**

3 A Yes.

4 **Q With whom did you live there with?**

5 A My mother.

6 **Q What's your mother's name?**

7 A Lisa Sanders.

8 **Q Anyone else reside with you at 1423
9 Darrow on July 25th, 2013?**

10 A Yes, my grandmother and my brothers.

11 **Q What's your grandmother's name?**

12 A Thelma Sanders.

13 **Q Thelma?**

14 A Yes.

15 **Q T-h-e-l-m-a?**

16 A Yes.

17 **Q And what are your brothers' names?**

18 A Robert Sanders, Caron Sanders, Jaron
19 Watkins.

20 **Q How do you spell Jaron?**

21 A J-a-r-o-n.

22 **Q Okay, and what's the last name?**

23 A Watkins.

24 **Q Watkins, all right.**

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1 **Anyone else reside there?**
2 A Antonio Sanders.
3 **Q That's another brother?**
4 A Yes.
5 **Q Sanders.**
6 A And Jeffrey Clark.
7 **Q That's another brother?**
8 A Yes.
9 **Q Where do you fall in line among the**
10 **brothers in terms of age?**
11 A Second oldest.
12 **Q Who's the first oldest?**
13 A Robert.
14 **Q Is your father's name Robert Sanders?**
15 A No.
16 **Q What is your father's name?**
17 A Ronnie Long, R-o-n-n-i-e, L-o-n-g.
18 **Q Where was your father living?**
19 **Did he live in Evanston in July, 2013?**
20 A No. He stays in South Carolina.
21 **Q Where you born and raised in Evanston?**
22 A Yes, sir.
23 **Q I mean you've been living at the Darrow**
24 **address. You currently live at the Darrow**

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1 **address.**
2 **Have you lived at the Darrow address all**
3 **your life?**
4 A Yes.
5 **Q Now, the people that you named, your**
6 **family members that you named that were living**
7 **with you at the time of your arrest on July 25th,**
8 **2013, are they currently living with you at 1423**
9 **Darrow now?**
10 A Yes.
11 **Q Okay, what's your marital status?**
12 A Single.
13 **Q Have you ever been married?**
14 A No, sir.
15 **Q Do you have any children?**
16 A Yes.
17 **Q How many children do you have?**
18 A Four children.
19 **Q What are the ages?**
20 A 17, 10, 8, 6.
21 **Q Do you they live with you at 1423 Darrow?**
22 A No, sir.
23 **Q Where do they live?**
24 A They reside with their mother.

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1 **Q Now, so four kids, all from the same**
2 **mother?**
3 A No, sir.
4 **Q Are any of your children's mothers, do**
5 **they reside in Evanston?**
6 A Yes.
7 **Q Which ones reside in Evanston?**
8 A My oldest son's mother.
9 **Q What's your oldest son's mom name?**
10 A Carla.
11 **Q Carla what?**
12 A Carla Nickels.
13 **Q Carla Nickels?**
14 A Yes, Nickels.
15 **Q Any other of your childrens' mothers that**
16 **live in Evanston?**
17 A No. Stay in Chicago.
18 **Q What are the names of your other lady**
19 **that you have children with?**
20 A Sheronda Bass, B-a-s-s.
21 **Q And who else?**
22 **That's it?**
23 A And Aniesha Long.
24 **Q Aniesha Long, okay.**

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1 **You went to ETHS?**
2 A Yes.
3 **Q What year did you go to ETHS?**
4 A '96 or '97.
5 **Q For the record ETHS is Evanston Township**
6 **High School.**
7 **Do you have a GED? Have you ever had a**
8 **GED?**
9 A No, sir.
10 **Q Have you ever been in the military?**
11 A No, sir.
12 **Q Have you ever gone to any sort of**
13 **vocational or trade schools?**
14 A No, sir. No, sir.
15 **Q Have you taken any college courses?**
16 A With Phoenix University.
17 **Q What with Phoenix University, what**
18 **courses?**
19 A Business management.
20 **Q Do the best that you can. Please try so**
21 **that way it's not going to take as much time, all**
22 **right?**
23 A Okay.
24 **Q So business management. When did you**

1 **take that course?**

2 A In -- I do believe in 2009.

3 **Q Any other sort of courses that you've**
4 **taken?**

5 A No, sir.

6 **Q Okay. Do you currently work?**

7 A Yes, sir.

8 **Q Where do you work?**

9 A Breakers of Edgewater.

10 **Q Workers of Edgewater?**

11 A Breakers of Edgewater.

12 Senior citizens centers on Sheridan Road.

13 Prep cook.

14 **Q What do you do for them?**

15 A Prep cook.

16 **Q How long have you had that job?**

17 A For about six - seven months.

18 Before I worked at a hotel.

19 **Q What hotel?**

20 A The Comfort Suites Hotel in Schiller

21 Park.

22 **Q Okay. How long did you work at the**
23 **Comfort Inn?**

24 A Comfort Suites.

1 **Q Comfort Suites, sorry.**

2 A Like a year.

3 **Q What did you do at the Comfort Suites?**
4 **What was your job?**

5 A Housekeeping.

6 **Q Housekeeping. Why did you leave that**
7 **job?**

8 A Got a better job.

9 **Q Okay. Where did you work prior to**
10 **Comfort Suites?**

11 A American Needle in Buffalo Grove.

12 **Q What type of job was that?**

13 A Factory.

14 **Q And what year did you work at American**
15 **Needle?**

16 A End of this year.

17 **Q Do you still work for American Needle?**

18 A No.

19 **Q When did you stop working for American**
20 **Needle?**

21 A I only worked for them for like a couple
22 of months.

23 **Q What type of position?**

24 A Shipping and receiving and packaging.

1 **Q Why did you leave that job?**

2 A Got a better job.

3 **Q So after American Needle you went to work**
4 **for Breakers of Edgewater?**

5 A Yes. Oh, no, no, no. I mean went to
6 work for -- it was a little side job I did in
7 Evanston, Spex Car Wash.

8 **Q The one on Dempster and Dodge?**

9 A Yes, sir.

10 **Q How long did you work at Spex?**

11 A Briefly, not long at all.

12 **Q To the best of your knowledge how many**
13 **months, how many weeks?**

14 A Like probably a couple of months.

15 **Q What was your position there?**

16 A I washing and detailing cars.

17 **Q How long did you work there at Spex?**

18 A You just asked me that question.

19 **Q You said couple of months?**

20 A Yes.

21 **Q Very good.**

22 **Why did you leave that job?**

23 A Didn't really work out with me and the
24 boss.

1 **Q Who was your boss?**

2 A Shaheed.

3 **Q Do you have a last name or is that his**
4 **first name?**

5 A That's his first name.

6 **Q What's his last name?**

7 A I don't recall his last name.

8 **Q Were you terminated from that position at**
9 **Spex?**

10 A No, I left.

11 We weren't seeing eye to eye.

12 **Q So after Spex then you came to work at**
13 **Breakers or did you work anywhere else after**
14 **working for Spex this year?**

15 A No, after that I went to Breakers.

16 **Q Okay. Now, you've been at Breakers for**
17 **six or seven months?**

18 A Just about.

19 **Q Okay. And you're a prep cook?**

20 A Yes, sir.

21 **Q Okay. Just for clarity of record what**
22 **are your job duties as a prep cook?**

23 A I cut up celery, unions, basically
24 prepare the food for what we're eating later that

1 day or the next day.

2 So I cut up stuff. I take out food, wash
3 it off, season it and stuff like that and prepare
4 it for to be cooked.

5 **Q Have you had any cooking positions prior**
6 **to Breakers?**

7 A No.

8 **Q What's your work hours?**

9 A Is 11:30 to 8:00.

10 **Q Is 11:30 a.m. to 8:00 p.m.?**

11 A Yes.

12 **Q How many days a week?**

13 A It varies, sometimes six, sometimes
14 seven; nothing less than five.

15 **Q Do you report to someone there,**
16 **supervisor or --**

17 A Yes.

18 **Q Who's your supervisor?**

19 A Adam.

20 **Q What's his last name?**

21 A Don't know it.

22 **Q Any other people that you report to at**
23 **Breakers other than Adam?**

24 A John and Eric.

1 A No. This is I consider my real father.
2 This is my grandfather having take care of me
3 before to watch after me when he passed.

4 **Q So what's the name?**

5 A His name is William Lee.

6 **Q Okay. And who did William Lee work for**
7 **delivering telephone books?**

8 A I think the Yellow Pages. I don't recall
9 exactly which telephone it was, but we were
10 delivering telephone books.

11 **Q Okay. How often were you doing that with**
12 **Mr. Lee?**

13 A Whenever I needed money.

14 Like if I needed money to help out with
15 my kids and stuff like that, I would ask him and I
16 come work for him.

17 **Q In terms preparing for today's**
18 **deposition, did you review any documents?**

19 A No, sir.

20 **Q And other than speaking to your attorney**
21 **did you speak to anyone else about today's**
22 **deposition?**

23 A No, sir.

24 **Q How did you learn about this lawsuit?**

1 **Q John and Eric?**

2 A Yes.

3 **Q Do you know the last names of John and**
4 **Eric?**

5 A No, sir.

6 **Q On July 25th, 2013 at the time of your**
7 **arrest were you employed?**

8 A No, sir.

9 **Q What's the last job that you had prior to**
10 **your July 25th, 2013 arrest?**

11 A You say what?

12 **Q What was the last job that you had prior**
13 **to your July 25th, 2013 arrest?**

14 A I don't recall.

15 **Q In 2013 how were you supporting yourself?**
16 **Were you receiving any sort of disability**
17 **payment or public aid?**

18 A No, I helping my father.

19 **Q Excuse me?**

20 A Helping my father.

21 He worked at delivering books for --
22 telephone books and I just used to help him out
23 and he will pay me when they paid him.

24 **Q Your father in South Carolina?**

1 **I don't want to know what your attorney**
2 **told you, but how did you learn about it?**

3 A From my attorney.

4 **Q Do you know a person by the name of**
5 **Jermaine Wilson?**

6 A No, sir, not that I can recall.

7 **Q I take it you've never had any**
8 **conversations -- well, do you know a guy by the**
9 **name of Shoe Shine --**

10 A Not that I can recall.

11 **Q Have you been a party to any civil**
12 **lawsuits, not criminal, civil lawsuits other than**
13 **this one that you're here for today?**

14 A The one with the county like the -- the
15 lawsuit they had against the county for strip
16 search and stuff like that.

17 **Q Okay.**

18 A Besides that I haven't had any.

19 **Q And when you say they, which attorney**
20 **represented you in the strip search case?**

21 A I don't recall.

22 He just really talked to me, like I said
23 he talked to other people, asked me my -- asked me
24 exactly what happened.

1 Like when we were down in the hallway and
2 getting strip searched and stuff like that and
3 gave my description about what happened and that
4 was it.

5 **Q Do you recall the name of the person that**
6 **you talked to about --**

7 A No, sir.

8 **Q Okay.**

9 A That was awhile ago.

10 **Q Was it in person? Was it over the phone?**

11 A Yes, sir.

12 **Q Yes to which?**

13 A Over the phone.

14 **Q Did you have to partake or participate in**
15 **any sort of deposition like the one you're sitting**
16 **for here today?**

17 A No, sir.

18 **Q Did you have to appear in court and**
19 **testify at trial in any form or fashion in**
20 **connection with this strip search case?**

21 A No, sir.

22 **Q All right. Handing you what's been**
23 **previously marked as Defendant's Exhibit Number 1.**

24 **Have you seen this document before,**

1 **Q Have you ever seen this document before**
2 **other than outside of today?**

3 A Yes.

4 **Q Okay. And going to page Number 4 of this**
5 **document, do you see page Number 4?**

6 A Yes.

7 **Q Okay. Do you see your signature anywhere**
8 **on Page 4?**

9 A Yes, I do.

10 **Q What's the signature that's reflected on**
11 **Page 4, that indeed is your signature, is that**
12 **correct?**

13 A Yes, it is, sir.

14 **Q Drawing your attention to Defendant's**
15 **Exhibit Number 6. Have you seen this document**
16 **before this, Mr. Sanders, Defendant's Exhibit**
17 **Number 6?**

18 A I don't recall.

19 **Q Okay, if I represent to you that this is**
20 **responses that your attorney submitted on your**
21 **behalf in this matter to what's called request to**
22 **admit from the City of Evanston --**

23 A Okay.

24 **Q Okay. I will ask you some questions**

1 **Mr. Sanders?**

2 A No, sir.

3 **Q I represent to you that this is the**
4 **second amended complaint filed by your attorney in**
5 **this lawsuit, okay?**

6 A (Nodding), yes.

7 **Q And it contains certain allegations**
8 **concerning your case against the city, do you**
9 **understand?**

10 A Yes.

11 **Q Okay. So my question to you you've never**
12 **seen this before today, Exhibit Number 1?**

13 A No, I haven't seen.

14 **Q Okay. Handing you what's been marked as**
15 **Defendant's Exhibit Number 5, Mr. Sanders, take a**
16 **look at that document.**

17 **Let me know when you're done. It's a few**
18 **pages so if you want to scroll through it real**
19 **quick just to make sure what I've given you.**

20 **Do you see it?**

21 A Yes.

22 **Q Now, what is this document, Mr. Sanders?**

23 A This is like the document saying that the
24 things that the police had withheld from me.

1 **about that. Hold on to it.**

2 **Now, getting back to the testimony.**
3 **Going back to Exhibit Number 5, look on the first**
4 **page, Paragraph Number 3.**

5 **In that document, "Identify any civil**
6 **action, other than this lawsuit or administrative**
7 **complaint or charge, other than involving this**
8 **lawsuit, you have been involved in as a plaintiff,**
9 **defendant or class representative."**

10 **Do you see that you identified none?**

11 A Yes.

12 **Q So you now have identified a strip search**
13 **case that you were involved.**

14 **Is that the civil action?**

15 A I'm not sure. I don't --

16 **Q Okay. You don't recall whether you were**
17 **a plaintiff -- you don't recall whether you were a**
18 **party to that lawsuit?**

19 **MR. FLAXMAN: Let me object to the form of**
20 **the question.**

21 **What do you mean by a named party?**

22 **BY MR. FORD:**

23 **Q Were you a named party to a lawsuit?**

24

1 BY THE WITNESS:

2 A A named party in a lawsuit? Meaning --

3 Q Let me explain.

4 A Yes.

5 Q In this lawsuit that you're here for
6 today --

7 A Yes.

8 Q -- Jermaine Wilson and yourself, Dameon
9 Sanders are named plaintiffs in the lawsuit
10 against the City of Evanston, understood?

11 A Okay. I see what you're saying now.

12 Q Okay. So I'm asking you for the strip
13 search case whether you were named as a --

14 A No. No.

15 Q Okay. Were you a class member in the
16 strip search lawsuit?

17 Were you part of the plaintiff class? So
18 well, that's the question.

19 A You say was I part of the plaintiff class
20 meaning --

21 Q The individuals who had claims against
22 the county concerning any sort of activities?

23 A The ones that made a claim?

24 Q Yes.

1 strip search case?

2 A No.

3 Q You previously mentioned it was the
4 county?

5 A It was against the -- oh, I thought you
6 was asking who, the basis of the plaintiff or
7 whatever that complained about them, the people it
8 was against. Yes, it was against the 26th and
9 California.

10 Q So whoever handled the department of
11 correction?

12 A Yes, I'm assuming.

13 Q Okay.

14 A I don't know exactly who --

15 Q Okay.

16 A -- who it was directed.

17 Q Okay. So based on what I asked in
18 Deposition Exhibit Number 5, okay, and the
19 question Number 3, do you recall any other civil
20 matters that you have been a party to either as a
21 plaintiff, as a defendant?

22 A No, sir.

23 Q Have you ever filed for bankruptcy?

24 A No, sir.

1 A No, I didn't make a claim.

2 Q So what was the reason why you referenced
3 the strip search?

4 A I was wondering if they made something --
5 I got money from due to something that --

6 Q You received money from the strip search
7 case?

8 A Yes.

9 Q Okay. How much money did you receive
10 from the strip search case?

11 A I don't recall exactly.

12 Q When did you receive money from the strip
13 search case?

14 A I don't recall exactly what year.

15 Q From whom did you receive money from the
16 strip search case?

17 A I'm not sure exactly. I just got a check
18 to me and several other people for the strip
19 search case.

20 Q Do you recall any other individuals who
21 were a part of this lawsuit, so people in the same
22 position as yourself or a named plaintiff?

23 A No, I don't recall the other people.

24 Q Do you know who the case was against the

1 Q You've been arrested prior to July 25th,
2 2013 by Evanston police, correct?

3 A Yes.

4 Q Do you recall how many times you've been
5 arrested by the Evanston police prior to July
6 25th, 2013?

7 A No, sir.

8 Q Was it one additional time, more than
9 one?

10 A I'm not sure, sir.

11 Q Okay. You have to rely on whatever
12 record the City of Evanston has in terms of their
13 records --

14 A Yes.

15 Q Okay. What was the circumstances, in
16 your own words, surrounding your July 25th, 2013
17 arrest?

18 A I don't know what you're saying.

19 Q Why were you arrested on July 25th, 2013
20 by the Evanston police department?

21 A For disorderly conduct and false police
22 report.

23 Q You don't recall which officer or
24 officers arrested you?

1 A No, sir.

2 **Q Did you ever file a complaint, an**
3 **internal complaint with the Evanston police**
4 **department concerning your July 25th, 2013 arrest?**

5 A Excuse me?

6 **Q Did you ever file a complaint, an**
7 **internal complaint with the police department**
8 **against any officer or officers that arrested you**
9 **on July 25th, 2013?**

10 A Not that I recall.

11 **Q Handing you what's been marked as**
12 **Defendant's Exhibit Number 7.**

13 **I represent to you that this is the**
14 **Evanston police department prisoner property**
15 **receipt.**

16 **Do you see this document?**

17 A Yes, sir.

18 **Q Okay. What is this document?**

19 A This is asking me saying that my --
20 basically has all my personal belongings in there.

21 **Q Do you recall receiving this document on**
22 **or about July 25th, 2013 when you were arrested by**
23 **the Evanston police department?**

24 A Excuse me. Could you repeat that again?

1 **Q What?**

2 A I don't recall.

3 **Q You identified her in that sheet as a**
4 **person authorized to retrieve your belongings in**
5 **your absence, correct?**

6 A Yes.

7 **Q Was she living with you at that time?**

8 A We -- yes. We were staying together.

9 **Q Where?**

10 A I was staying with -- she wasn't staying
11 with me, I was staying with her and her mother.

12 **Q Where?**

13 A I don't recall the address or the name of
14 the street.

15 **Q You said you don't recall the address?**

16 A Yes.

17 **Q You recall the name of the street or you**
18 **don't?**

19 A I don't recall either one, sir.

20 **Q Okay. Was it in Evanston?**

21 A Yes, it was.

22 **Q General location in Evanston?**

23 A By Main Street, by Main and Chicago
24 Avenue.

1 **Q Do you recall receiving Exhibit Number 7**
2 **when you were arrested by the Evanston police**
3 **department?**

4 A Yes, I recall -- I recall signing this
5 when I was arrested, yes.

6 **Q So you have two signatures on there,**
7 **correct?**

8 A Right.

9 **Q Okay, so you recall signing those**
10 **documents, correct?**

11 A Not both of those, just the one at the
12 top. The one at the bottom that's not my
13 signature.

14 **Q Which one is at the bottom?**

15 A The bottom one says -- it's the bottom,
16 that's not my signature.

17 **Q Okay. Who is Jessica Moseley?**

18 A My girlfriend. Well, she was at the
19 time.

20 **Q How long was she your girlfriend at that**
21 **time?**

22 A I'm not sure.

23 **Q Was it a month, two months?**

24 A I don't recall, sir.

1 **Q You said your girlfriend and her mother?**

2 A Yes, sir.

3 **Q What's Jessica's mother's name?**

4 A Don't recall.

5 **Q You don't remember the first name of a**
6 **person that you were staying with?**

7 A I don't remember, sir.

8 **Q If you look at Exhibit Number 5, your**
9 **interrogatory responses.**

10 MR. FLAXMAN: Which one?

11 MR. FORD: I believe it would be Paragraph
12 Number 4 on Page 2.

13 **Q Do you see that, Mr. Sanders?**

14 **In that interrogatory Number 4 you're**
15 **requested to identify any personal property**
16 **inventoried by the city on or about July 25th,**
17 **2013, okay, which you have not recovered, do you**
18 **see that?**

19 BY THE WITNESS:

20 A Yes, I see that.

21 **Q And the responses that are provided are**
22 **two cell phones, a belt, CTA card, pre-paid debit**
23 **card and a link card.**

24 **Do you see that?**

1 A Yes, sir.

2 **Q And those are the items that were your**
3 **personal property, correct?**

4 A Yes, sir.

5 **Q That the city of Evanston inventoried**
6 **upon arresting you on July 25th, 2013, correct?**

7 A Yes, sir.

8 **Q Are there any other items other than**
9 **those items that I just identified in response to**
10 **Number 4, interrogatory Number 4?**

11 MR. FLAXMAN: Let me object.

12 I think you started that by asking him to
13 enumerate all the property that was taken but the
14 request Number 4 just was taken and allegedly not
15 recovered.

16 MR. FORD: Okay.

17 MR. FLAXMAN: I mean those are the things
18 that he answered were taken and not recovered.

19 MR. FORD: Okay.

20 MR. FLAXMAN: All right.

21 MR. FORD: So let's do it like this.

22 **Q Tell me everything that you attempted to**
23 **do after leaving the city of Evanston's custody on**
24 **or about July 26th, 2013 to attempt to retrieve**

1 **Number 5, on Page 2 of Exhibit Number 5,**
2 **interrogatory Number 5, okay.**

3 See that interrogatory request for you to
4 state with specificity every and all affirmative
5 steps and/or measures other than participating in
6 this litigation, taken and/or attempted by you,
7 any family or friends authorized or designated by
8 you, your representative, agent, and/or any other
9 person authorized by you, to recover your personal
10 property identified in interrogatory Number 4.

11 **Do you see that?**

12 A Yes, my father could pick up my stuff.

13 **Q Can you read the entire response for me?**
14 **Read the entire --**

15 A I sent my father to pick up my stuff.

16 He told me that the police would not
17 release my property to him.

18 **Q Now, you sent your father to pick up your**
19 **stuff.**

20 **When did you tell your father to pick up**
21 **your stuff?**

22 A While I was incarcerated.

23 **Q Okay, were you in lock-up at Evanston --**

24 A I was at county.

1 **your personal property held by the city?**
2 **BY THE WITNESS:**

3 A I was never released around that time.

4 Once I got sent to jail I stayed in jail.

5 I went to the county. From the county I
6 went to the penitentiary. I was never released.

7 **Q That's not my question. Let me clarify.**
8 **Let me clarify.**

9 A Right.

10 **Q You were arrested by the city of Evanston**
11 **on July 25, 2013?**

12 A Right. Yes.

13 **Q Okay, and you would have -- then you had**
14 **to appear in bond court, correct, after your**
15 **arrest?**

16 A Yes.

17 **Q Okay. And you were then transferred to**
18 **Cook County, correct?**

19 A Correct.

20 **Q So you are not in the custody of the city**
21 **of Evanston after that time, or were you?**

22 A No. I went straight from court to the
23 Cook County.

24 **Q Okay. So what I'm asking you, look on**

1 MR. FLAXMAN: Let him finish the question.

2 MR. FORD: Yes.

3 **Q So you were in county?**
4 **BY THE WITNESS:**

5 A Yes, sir.

6 **Q How long were you in county when you**
7 **asked your father to attempt to pick up your**
8 **property?**

9 A I was probably in there like within two
10 months at the time. Maybe like two months and I
11 asked him.

12 I'm not sure exactly how long, but I know
13 sometime between the time I was locked up and
14 between the time that I went to the penitentiary.

15 **Q Okay.**

16 A By the time I went to the penitentiary,
17 anywhere between those times, I asked him and they
18 told him that he was not able to retrieve my
19 items.

20 **Q Okay. And your father is William Lee or**
21 **is this --**

22 A Yes, sir.

23 **Q Was this a conversation in person, was it**
24 **over the phone?**

1 A I don't recall.

2 He used to come visit me at the county.
3 I used to call him on the phone so I'm not for
4 sure if it was over the phone or in person, but he
5 had told me that they would not release my
6 property.

7 **Q Did you have any other conversations with**
8 **any family members, your girlfriend, any other**
9 **persons connected to you to attempt to retrieve**
10 **your property while you were in county?**

11 A Not while I was in county.

12 **Q Did Mr. Lee tell you who he spoke to at**
13 **the Evanston police department in an attempt to**
14 **retrieve your property from the July 25th, 2013**
15 **arrest?**

16 A I don't recall.

17 **Q Did any of the other family members or**
18 **your girlfriend visit you while you were in**
19 **county?**

20 A No, they -- well, she -- my girlfriend
21 came and visit me a few times.

22 **Q And this is your girlfriend at the time,**
23 **Jessica Mosley?**

24 A Jessica Mosley, yes.

1 **Q -- in terms of food stamps or whatever?**

2 A I don't recall exactly what the dollar,
3 the dollar value of exactly what was on there.

4 **Q And the CTA card, do you recall -- well,**
5 **do you have any sort of document showing how much**
6 **monetary value was on those CTA cards?**

7 A No, I wouldn't have a document for that.

8 I think that would be kind of hard to
9 find out the document for the value of the card
10 but --

11 **Q Do you recall where you purchased the CTA**
12 **card from?**

13 A CTA.

14 **Q Where?**

15 A Most likely the train station, one of the
16 train stations.

17 **Q Well, you can purchase them at numerous**
18 **places, I'm asking you where?**

19 A Nine times out of ten the fact that I
20 purchased it I would have got it from the CTA
21 train station.

22 **Q CTA train station?**

23 A Yes, one of the train stations.

24 **Q Prepaid debit card which you identified**

1 **Q Now, what items did you have Mr. Lee**
2 **attempt to pick up?**

3 A The two cell phones, the belt, CTA card,
4 the prepaid debit card and the link card.

5 **Q Whose link card was it?**

6 A It was mine.

7 **Q It wasn't a link card that was stolen**
8 **from someone else and --**

9 A No.

10 **Q -- and you found?**

11 A No, it was mine.

12 **Q It was yours? Did the link card have a**
13 **name on it?**

14 A No.

15 **Q They don't, okay.**

16 **How long did you have that link card at**
17 **the time of the July 25, 2013 arrest?**

18 A I don't know.

19 **Q Do you know how much money was on the**
20 **link card?**

21 A Not sure.

22 **Q Do you know how much value the link card**
23 **was in terms of --**

24 A No.

1 **that you had in your possession at the time of the**
2 **July 25th, 2013 arrest, what type of prepaid debit**
3 **card was it?**

4 A I don't recall exactly which one it was,
5 so long ago.

6 But I know it had the Visa logo on it.

7 **Q Do you recall where you purchased it**
8 **from?**

9 A No, I don't. No, I don't.

10 **Q Do you recall you being the person who**
11 **purchased it or did someone else purchase it?**

12 A I purchased it.

13 **Q Do you recall how much money was on the**
14 **prepaid debit card?**

15 A Yes, I do.

16 **Q How much?**

17 A \$500.

18 **Q What document do you have showing proof**
19 **of that value on the card of that monetary amount**
20 **on the card?**

21 A There would be no way to show the
22 document there because I don't have the card.

23 So I mean it's not like a got a bill.
24 It's just a prepaid card that you put money on to

1 so you can't really see that.

2 But the only way that I could possibly
3 try to prove that the money was that my father
4 just paid me, that was the money I got paid from
5 doing this telephone books, but I'm not for sure
6 if I got the receipt and stuff like that.

7 So I mean I don't really know if there's
8 any possible way to prove that the value was on
9 it.

10 **Q How would Mr. Lee pay you for working
11 with him delivering telephone books?**

12 A How would he pay me?

13 **Q Yes, would he pay you in cash?**

14 A Yes.

15 **Q Were you given a check?**

16 A Yes, he would cash the check that they
17 gave him and he would give me my portion.

18 **Q That prepaid debit card, that's your
19 card, correct?**

20 A Yes, sir.

21 **Q No one else's card, correct?**

22 A Yes, sir.

23 **Q Wasn't a card that you stole from
24 someone, was it?**

1 A The other cell phone my father had
2 purchased me when I first got out of jail.

3 **Q Okay. How did he purchase it, from
4 where?**

5 A I don't know. I don't know.

6 He purchased it while I was incarcerated.
7 He had it waiting for me when I came home.

8 **Q No, I'm talking about -- let me clarify.**

9 **My understanding is that when you were
10 arrested on July 25th, 2013 by Evanston --**

11 A Yes.

12 **Q -- personal property that you allege you
13 had on you were two cell phones?**

14 A Yes.

15 **Q Is that correct?**

16 A Yes.

17 I had two cell phones.

18 **Q So I asked you about one of them. You
19 said it was a girl -- from your girlfriend,
20 correct?**

21 A Yes.

22 **Q The other cell phone, the other cell
23 phone that you had on you --**

24 A Yes.

1 A No, sir.

2 **Q Wasn't a card that you found from someone
3 in a park or on a train?**

4 A No, sir.

5 **Q And you also had a belt that was taken
6 from your possession --**

7 A Yes.

8 **Q -- on July 25th, 2013, is that correct?**

9 A Yes, sir.

10 **Q Okay. I take it you don't have any
11 document showing how much the belt is or where it
12 was purchased, correct?**

13 A No, I don't.

14 **Q Do you remember the make, the brand of
15 the belt?**

16 A No, I don't recall.

17 **Q Now, the two cell phones, you stated that
18 one of the cell phones was a gift from your
19 girlfriend, is that correct?**

20 A Yes, sir.

21 **Q Which girlfriend?**

22 A Jessica.

23 **Q Okay. And then the other one, how did
24 you obtain the other cell phone?**

1 **Q -- when you were arrested on July 25th --**

2 A Yes.

3 **Q -- where did that cell phone come from?**

4 A My father, I just said that.

5 **Q Okay. And you are not -- you don't know
6 where he obtained that cell phone?**

7 A No. I was incarcerated when he got it.

8 **Q Okay. So again, I refer you to
9 Deposition Exhibit Defendant's Exhibit Number 5,
10 Number 4, interrogatory Number 4.**

11 **Did you see your response in subparagraph
12 B?**

13 **It says, "I bought one of the phones
14 through Craig's list."**

15 **Do you see that?**

16 A Yes.

17 **Q So you're telling me that your father
18 bought it, you didn't buy it from Craig's list,
19 correct?**

20 **Does that refresh your memory at all,
21 what you just read?**

22 A Yes, it does, but I'm trying to see if I
23 bought it myself or did my father bought it.

24 **Q You don't remember?**

1 A No.

2 **Q Let me ask you this. In the grand scheme**
 3 **of things, did you ever become aware that those**
 4 **phones, the two phones that you had on your**
 5 **possession at the time of your arrest became**
 6 **evidence in the case, the criminal case against**
 7 **you?**

8 A No, they never told me they were going to
 9 keep them forever.

10 **Q Did you ever become aware that the two**
 11 **phones that you had in your possession on July**
 12 **25th, 2013 were never destroyed, they're still in**
 13 **existence?**

14 A No.

15 I wasn't aware of that. They told me it
 16 was destroyed.

17 **Q So --**

18 MR. FLAXMAN: Could you ask the question as
 19 you sit here today --

20 MR. FORD: Well, let me go through mine.

21 **Q Handing you what's been marked as**
 22 **Defendant's Exhibit Number 9 which is a chain of**
 23 **custody report for you, Dameon Sanders in**
 24 **relationship to the July 25th, 2013 arrest.**

1 **I give that and I represent to you that**
 2 **the two phones, one which is -- well, let**
 3 **me strike that.**

4 **Was one of the phones that you had on**
 5 **July 25th, 2013 an I-phone?**

6 A Yes, sir.

7 **Q Well, I represent to you that based on**
 8 **this document that those documents -- that that**
 9 **phone is still in the possession of the city --**

10 MR. FLAXMAN: Let me object because I don't
 11 think -- did you give me this document?

12 MR. FORD: This is the first time I'm giving
 13 you this.

14 MR. FLAXMAN: There's a problem with doing
 15 that when we have had this for years and now you
 16 have a new document which you're asking about at
 17 deposition.

18 We haven't had a chance to look at it or
 19 evaluate --

20 MR. FORD: If you want to take a break to
 21 review it.

22 MR. FLAXMAN: I really object to this ambush,
 23 this deposition by ambush.

24 We're entitled to have seen all the

1 documents that you're going to use to support your
 2 case with the disclosure.

3 Apparently you had this since September
 4 22nd, 2016. It's now October 20, it's about a
 5 month you could turn it over. You didn't turn it
 6 over.

7 I think you should be barred from using
 8 this.

9 He can answer it after he had a chance to
 10 look at it and then confer, subject to our
 11 impending motion to strike reference to or any
 12 reliance on this document that wasn't timely
 13 produced.

14 So let's take a break and we can go talk
 15 about this. Is that all right?

16 MR. FORD: Well, for the record, let me get
 17 back on the record since you stated it on the
 18 record.

19 You're aware of this from Mr. Wasowicz'
 20 deposition that the phones were still in the
 21 possession of the city.

22 It's clear that he's not, your client is
 23 not aware of that.

24 MR. FLAXMAN: No, I think --

1 MR. FORD: I mean is it clear that he's not
 2 aware that the phones are still in the possession
 3 of the city?

4 It's a non issue because this is
 5 evidence, this is not personal property, number 1,
 6 which is a basis of your lawsuit.

7 And there's no discovery cut off and the
 8 city was going to duly supplement that to you.

9 So if you want to take time to review it
 10 with your client. I won't ask any further
 11 questions about it but that's just for clarity of
 12 the record that the phones are in the possession
 13 of the city and that's one the basis of his claim.

14 And in addition that the phones are not
 15 prisoner property but evidence as was stated when
 16 you took the deposition of Mike Wasowicz.

17 MR. FLAXMAN: Thank you. Let's take a short
 18 break.

19 MR. FORD: All right.

20 (WHEREUPON, there was a short
 21 break.)

22 MR. FORD: Back on the record.

23 MR. FLAXMAN: Let me make my statement.
 24 We have had an opportunity to review

1 this.

2 If you want to ask any more questions
3 about Exhibit 9 go right ahead.

4 MR. FORD: No, I mean I think we have already
5 gotten it on the record.

6 You have your copy. I will duly
7 supplement whatever additional things that we are
8 required to supplement pursuant to the rules.

9 Okay. So moving forward. Let me just
10 backtrack a little bit.

11 **Q Do you go by any sort of aliases or
12 nicknames?**

13 BY THE WITNESS:

14 A No, sir.

15 **Q And for the July 25th, 2013 arrest, the
16 criminal case against you concerning that arrest,
17 were you ever out on bond?**

18 A No, sir.

19 **Q Okay. And you entered a plea of guilty
20 in relationship to the criminal charges brought
21 against you?**

22 A Yes, sir.

23 **Q Okay. The subject criminal charge
24 brought against you related to the July 25th, 2013**

1 **time of his above referred arrest, your arrest,
2 Sanders knew that Evanston would destroy his
3 property if it's not picked up within 30 days
4 after his arrest.**

5 **Do you see that?**

6 A Yes.

7 **Q And you agree with that paragraph?**

8 A Yes.

9 **Q There's nothing you would change about
10 that paragraph after review?**

11 A No, I believe --

12 **Q Going to Paragraph 27, do you see
13 Paragraph 27?**

14 A Yes.

15 **Q Okay. And it states that you returned to
16 Evanston police department after you were released
17 from the penitentiary and an officer at the front
18 desk told you that your property had been
19 destroyed.**

20 **Do you see that?**

21 A Yes, sir.

22 **Q Do you recall when you were released from
23 the penitentiary?**

24 A No, I don't recall exactly when.

1 **arrest?**

2 A Yes, sir.

3 **Q How much time did you serve at -- well,
4 did you have to serve time, additional time at the
5 Cook County Department of Corrections after
6 pleading guilty?**

7 A No. I was at the Department of --
8 Illinois Department of Corrections of Illinois.

9 **Q How long did you serve at the Illinois
10 Department of Corrections?**

11 A Was like two months.

12 **Q Two months.**

13 A I did like four months in the county. I
14 did basically two months at the Illinois
15 Department of Corrections.

16 **Q Going back to Defendants's Exhibit Number
17 1, the complaint in this matter, and I direct your
18 attention to page Number 6.**

19 **And looking at Paragraph 25, do you see
20 that paragraph?**

21 A (Nodding.)

22 **Q Yes? Is that yes or no?**

23 A Yes, sir.

24 **Q Okay. And that paragraph states at the**

1 **Q When you're referring to the penitentiary
2 what are you referring to?**

3 A IDLC, Department of Corrections, Illinois
4 Department of Corrections.

5 **Q Okay. Do you recall whom you spoke with
6 at the front desk?**

7 A No, I don't.

8 **Q Was it a guy, was it a girl?**

9 A I don't recall.

10 **Q Do you recall what time of day or night?**

11 A No, I don't recall.

12 It was the daytime but I don't recall
13 what time.

14 **Q Okay. Do you recall having any
15 conversation with Jessica Mosley in regard to
16 attempting to retrieve your personal property?**

17 A Yes.

18 **Q What do you recall?**

19 A Basically the same thing.

20 She told me by the time she got to the
21 people talking to them I do believe she said my
22 property was destroyed.

23 **Q When did you have that conversation with
24 Jessica?**

1 A I don't recall.

2 Q Was it on the phone, was it in person?

3 A I don't remember exactly.

4 Q Any other persons other than Jessica
5 Mosley know that you had conversations with -- to
6 attempt to retrieve your personal property that
7 was inventoried on after the July 25, 2013 arrest?

8 A No, those are the only two people I had.

9 Q I'm going to hand you what's been marked
10 as Defendant's Exhibit Number 8.

11 Let me get that one back, sorry. Thank
12 you.

13 I represent to you that this is the
14 responses that your attorney submitted on your
15 behalf in regards to documents that the city
16 requested related to the case that may be in your
17 possession.

18 Do you see this document?

19 A Yes.

20 Q Okay. And I direct your attention to
21 Paragraph 13 on Page 6.

22 I want to ask you the questions since
23 that response is blank. Whether you have any
24 documents or communications that support or relate

1 So read Paragraph 12 in the second
2 amended complaint and let me know when you're done
3 reading that.

4 Do you have any documents in your
5 possession at home, where you work, that supports
6 those claims, those allegations there?

7 BY THE WITNESS:

8 A Not that I know of.

9 Q Okay, fair enough.

10 And you're familiar with the social
11 workers at the county Department of Corrections?

12 A Yes, I am.

13 Q And it's true that you did not utilize
14 the social workers at county to assist you in
15 attempting to retrieve personal property that was
16 inventoried by the city of Evanston on July 25,
17 2013?

18 A I did talk to them and they told me I had
19 to get police forms and stuff like that.

20 So my father and my girlfriend -- but by
21 the time I got -- my father, they told him
22 after -- they told him the day that he came to
23 retrieve my property and they turned him around.
24 They told him that I would need a release form

1 to the allegations contained in Paragraph 12 of
2 the second amended complaint.

3 Paragraph 12 in the second amended
4 complaint can be found in Defendant's Exhibit
5 Number 1?

6 MR. FLAXMAN: Let me object because that
7 omission should have been directed to counsel
8 rather than being sprung on the plaintiff at his
9 deposition, but go ahead and answer.

10 BY MR. FORD:

11 Q Are you aware of any documents that you
12 have in your possession that -- well, look at
13 Exhibit Number 1.

14 Do you have Exhibit Number 1 there handy?

15 MR. FLAXMAN: Second amended complaint?

16 MR. FORD: Yes, Paragraph 13.

17 Q So just for clarity sake, do you have any
18 document in your possession, after reading
19 Paragraph 13 -- I'm sorry, Paragraph 12, I'm
20 sorry. Let me strike that and clarify.

21 Paragraph 12 of the second amended
22 complaint, Exhibit Number 1 is what's referenced
23 in Defendant's Exhibit Number 8, Paragraph 13,
24 okay.

1 from the county.

2 By that time I was about to be shipped
3 off to the penitentiary.

4 So I didn't have enough time to get him
5 the release form to sign everything for him to
6 pick up my property from there. So I had my girl
7 friend and my paper that said that she could pick
8 up my property because he wasn't on my release
9 form already.

10 Q So this was close to the time that you
11 were about to be shipped to the penitentiary?

12 A Yes.

13 Q So sometime in November of 2013?

14 A I don't recall exactly when exactly when
15 I went to the penitentiary with months and dates
16 and stuff like that.

17 Q And would you rely on records from the
18 Cook County sheriff's office in regards to the
19 time that you were in the Department of
20 Corrections' custody to the time that you would
21 have been shipped off to Illinois Department of
22 Corrections?

23 A Yes.

24 Q Okay.

1 A But it was around the time that I was
2 about to be shipped off. And didn't have enough
3 time to get him the release form.

4 But I knew my girlfriend already -- I
5 already signed for her to be able to pick up my
6 property.

7 **Q And you would agree that months -- more**
8 **than 30 days had past from the time that you first**
9 **were in the custody of the Department of**
10 **Corrections to the time that you were sentenced to**
11 **the penitentiary, correct?**

12 A Yes.

13 **Q It's more than 30 days, correct?**

14 A Yes. Yes.

15 **Q Many months, correct?**

16 A Yes, it was almost about four months.

17 Like I said, I did six months in total.

18 **Q Okay.**

19 A So I did four months in the county and I
20 did about two months in IDLC.

21 **Q And it was at that time that you**
22 **attempted near the -- well, strike that.**

23 A No, I attempted the whole time I was
24 there.

1 They didn't tell me towards the end that
2 I needed the release.

3 **Q Who didn't tell you?**

4 A The county.

5 **Q Okay.**

6 A Because the county and the people at the
7 county, because usually I never had a problem with
8 them picking up my property.

9 I never needed a release form because I
10 was always able for me to tell them to release my
11 property and it would be released to my family.

12 **Q Did you ever call to the city of Evanston**
13 **and say hey, release my property to Mr. Lee?**

14 A I did -- I did that with the Evanston
15 police station.

16 I called down to the Evanston police
17 station and asked them why they couldn't release
18 my property to my father and they told me that I
19 had to have a release form.

20 **Q Who did you speak to?**

21 A I don't recall.

22 **Q When did you have that conversation?**

23 A When I was in the county.

24 **Q So I can get records from Cook County --**

1 **so I should be able to get records from county to**
2 **clarify --**

3 MR. FLAXMAN: Let him --

4 BY MR. FORD:

5 **Q -- the fact that you made a phone call to**
6 **the Evanston police department on a certain date?**
7 BY THE WITNESS:

8 A I would believe that you should be able
9 to have those on record, I don't see why they
10 wouldn't.

11 **Q Okay. Do you recall when this phone call**
12 **took place?**

13 A No, I don't.

14 **Q Was it close to the time that you were**
15 **going to be going to the penitentiary?**

16 A I don't recall exactly.

17 **Q Give me a second and see if I have any**
18 **further questions.**

19 **Outside of your attorney in this matter**
20 **have you had any conversations about this lawsuit,**
21 **this current lawsuit with any other individuals**
22 **that have been arrested, that you know have been**
23 **arrested by the Evanston police department?**

24 A No.

1 **Q You've been arrested by the Evanston**
2 **police department after the July 25th, 2013**
3 **arrest, correct?**

4 A Yes.

5 **Q How many times have you been arrested --**

6 A I don't --

7 **Q Let me finish. Let me finish.**

8 **How many times do you recall being**
9 **arrested by the Evanston police department after**
10 **July 25, 2013?**

11 A I don't know.

12 **Q There's been more than one time, correct?**

13 A I don't know.

14 **Q You would again rely on the Evanston**
15 **police department records concerning any arrest**
16 **history for you?**

17 **Would you rely on Evanston police**
18 **department records?**

19 A Yes.

20 **Q Okay. Have you ever been convicted of**
21 **any crimes involving dishonesty such as fraud?**

22 A Say what now?

23 **Q Have you ever been convicted of any crime**
24 **involving dishonesty?**

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1 A Have I been convicted for any --

2 Q Yes.

3 A -- being dishonest in this case over
4 here?

5 He asked if I have been in cases for
6 dishonesty, and I said yes, because the case that
7 I -- that we're talking about now I was being
8 dishonest due to this court case, whatever.

9 MR. FORD: I don't have any further questions
10 unless you have some.

11 MR. FLAXMAN: Yes, I got some.

12 Let me get my stuff together.

13 EXAMINATION

14 by Mr. Flaxman:

15 Q Let me ask you to look at what's
16 previously been marked as Defendant's Exhibit 7.

17 Do you see about three-quarters of the
18 way down the name Jessica Mosley and it's crossed
19 out?
20

21 A Uh-huh.

22 Q Is that your handwriting with Jessica
23 Mosley?

24 A I do believe.

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1 department ever return to you your belt?

2 A No.

3 Q Anybody from the Evanston police
4 department ever return to you your hat?

5 A No.

6 Q How about your link card?

7 A No.

8 Q And your CTA cards?

9 A No.

10 Q And your debit card?

11 A No.

12 Q Was there any way for you to get back the
13 value that was on that debit card after it was
14 destroyed?

15 A You say was there any way for me to get
16 the value back after it was destroyed?

17 Q Yes.

18 A No.

19 Q Now, Mr. Ford told you about the cell
20 phones being held for evidence.

21 Before this lawsuit was filed, the civil
22 lawsuit was filed, did you know that the cell
23 phones were being held for evidence?

24 A No.

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1 Q And did you cross it out?

2 A No, I didn't.

3 Q And is that two lines underneath Jessica
4 Mosley there's a signature, it says Dameon Sanders
5 and dated July 25th, 2013.

6 Is that your signature?

7 A Yes, it is.

8 Q When you signed your signature on that
9 next to the 7-25-13, was the Jessica Mosley name
10 crossed out?

11 A No, it wasn't.

12 Q Then all the way at the bottom where
13 return to owner, there's the name Dameon Sanders,
14 is that your handwriting?

15 A No, it isn't.

16 Q And the date seems to be August 20th of
17 2013.

18 You were in jail then, weren't you?

19 A Yes, I was.

20 Q Did anybody from the Evanston police
21 department come visit you at the jail and ask you
22 to sign that form?

23 A No, they didn't.

24 Q Did anybody from the Evanston police

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1 Q Anybody ever told you that you were being
2 investigated for something for which those cell
3 phones could be evidence?

4 A No. My case was already done and over
5 with.

6 Q Do you know whose signature that is --

7 A No, I don't.

8 Q Let me finish the question.

9 A Sorry.

10 Q -- the signature that is at the bottom
11 with your name on, Defendants's Exhibit 7?

12 A No.

13 Q The social workers at the jail at the
14 time -- you've been at the jail more than once?

15 A Yes, sir.

16 Q At any time you've been at the jail has a
17 social worker arranged a telephone call for you?

18 A Have they ever arranged one?

19 Q Right.

20 A Yes.

21 Q And is the telephone call -- how many
22 times?

23 A How many times what?

24 Q How many times have you had a social

1 worker arrange a phone call for you?

2 A I'm not sure.

3 Q And when the social worker arranges a
4 phone call for you is that different than when you
5 make a phone call on your own from the jail?

6 A Yes, it is.

7 Q How is it different?

8 A Basically when they call they're calling
9 directly out. When you call out in jail you
10 have -- you have to -- you're making a basically
11 like a prepaid call.

12 You're using like a -- you pay for this
13 card, it has X amount of minutes on it and you
14 call out through that.

15 Q And when you make one of those prepaid
16 calls do you hear a prerecorded voice telling you
17 that this call is subject to monitoring, all calls
18 are recorded?

19 A Yes, it is.

20 Q And do you hear the same warnings when
21 you make a phone call that the social worker
22 arranges?

23 A No, you don't hear that.

24 MR. FLAXMAN: I have nothing further.

1 transferred by the Evanston police department to
2 Skokie or to wherever you had your bond court on
3 or about July 25th, 2013 that you did not have in
4 your possession your link card?

5 A Rephrase that again.

6 Q When you went to bond court you did not
7 have your link card in your possession, correct?

8 A Correct. I didn't have anything in my
9 possession.

10 Q That was held by the city of Evanston,
11 correct?

12 A Yes.

13 Q You did not go with that to county?

14 That was not what you left in the
15 Department of Corrections, correct?

16 A Correct.

17 Q Those were things that were marked for
18 inventory by the Evanston police department,
19 correct?

20 A Correct.

21 Q And that would include your CTA card,
22 correct?

23 A Correct.

24 Q And your debit card, correct?

1 EXAMINATION

2 by Mr. Ford:

3 Q Going back to Defendant's Exhibit Number
4 7, you see check marks and the asterisks there?

5 Do you see check marks on the front
6 there, on that document?

7 MR. FLAXMAN: Where? Can you point to it.
8 BY MR. FORD:

9 Q Defendant's Exhibit Number 7, read there.

10 Do you see that under the arrest date,
11 that paragraph there where it says list the number
12 of each item inventoried on the line provided.
13 Asterisk, items must be further described in the
14 notes section below. Indicate in the check space
15 if the property has been inventoried separately
16 and will not be sent to the court with the
17 prisoner.

18 Do you see that, Mr. Sanders?

19 BY THE WITNESS:

20 A Yes.

21 Q Okay. And you agree that when you went
22 to bond court, when you were transferred -- strike
23 that.

24 You would agree that when you were

1 A Yes.

2 Q And your belt, correct?

3 A Correct.

4 Q And you agree that on the bottom of
5 Defendant's Exhibit 7, above the second -- your
6 second alleged signature you see that release to
7 owner section?

8 A Yes.

9 Q And it says I hereby acknowledge return
10 of the above items on this list that has not been
11 marked for inventory. That's what it says,
12 correct?

13 Right below the perforated line at the
14 bottom.

15 A I understand what that says but that's
16 not my signature.

17 Q On this action, that's what it says,
18 correct?

19 A Yes, it says I hereby acknowledge return
20 of the above items on this list that have not been
21 marked for inventory.

22 Q You're not suing for your hat -- I mean
23 you're not suing for shoe laces, correct?

24 A Correct, sir.

Q Not suing for state ID, correct?

A I mean yes, but that too.

Q But that's not part of your complaint?

A Oh, true.

Q And you say it's not check marked on Exhibit Number 7, correct?

A Right.

Q And you see that your shoe laces aren't check marked in Exhibit Number 7, correct?

A Correct.

Q And I asked you about items that were marked for inventory and you agreed that the link card, the CTA card and you debit card were marked by the city of Evanston, correct?

A My CTA card, yes, my debit card, yes.

Q That's a yes?

A Yes, they were marked. They were check marked.

MR. FORD: I have no further questions.

EXAMINATION

by Mr. Flaxman:

Q When you were at the county after your arrest on July 25th, 2013, do you remember whether

I hereby certify that I have read the foregoing transcript of my deposition given at the time and place aforesaid consisting of pages 7 through 70, inclusive, and I do again subscribe and make oath that the same is true, correct and complete transcript of my deposition given as aforesaid, with corrections, if any appearing on the attached correction sheet (s).

Correction sheets attached.

DAMEON SANDERS

Subscribed and sworn to
before me this day of
 , A.D. 20 .

Notary Public.

or not you had a copy of this prisoner property receipt form, Defendant's Exhibit 7 with you at the jail?

A They always -- like when you get a receipt they always get you a copy.

Q And then what happened with the copy when you got to the jail, to Cook County jail?

A I had it with me in the jail.

Q You so they let you keep it?

A Yes.

MR. FLAXMAN: Okay. I have nothing further.

MR. FORD: I have no further questions.

MR. FLAXMAN: Signature will be reserved, and I'll take care of signing.

(AND FURTHER DEPONENT SAITH NOT)

--oOo--

STATE OF ILLINOIS)
) SS.
COUNTY OF C O O K)

I, SILVANA R. TURANO, C.S.R, and Notary Public in and for the County of Cook and State of Illinois, do hereby certify that on 10-20-16, I was present at 2100 Ridge Avenue, Evanston, Illinois, at the taking of the deposition of DAMEON SANDERS, produced as a witness for discovery examination in said cause.

I further certify that the said witness, DAMEON SANDERS, was by me first duly sworn to testify the truth, the whole truth and nothing but the truth in the cause aforesaid before the taking of the deposition; that the testimony was reduced to writing in the presence of said witness by means of machine shorthand, and afterwards said stenographic notes were reduced to typewriting.

I further certify that there were present at the taking of the deposition Mr. Kenneth Flaxman, on behalf of the Plaintiffs, and Mr. Henry J. Ford, Jr., on behalf of the Defendant.

I further certify that I am in no way

1 related to any of the parties to this suit, nor am
2 I in any way interested in the outcome thereof.

3 I further certify that this certificate
4 annexed hereto applies to the original and
5 typewritten copies only, signed and certified
6 transcripts only. I assume no responsibility for
7 the accuracy of any reproduced copies not made
8 under my control or direction.

9 In witness whereof, I have hereunto set
10 my hand and affixed my notarial seal this 1st day
11 of November, 2016.

12
13
14
15
16 SILVANA R. TURANO, C.S.R.
Notary Public
My Commission expires 4-7-19

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