

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

JERMAINE WILSON and DAMEON)	
SANDERS, individually and for a class,)	
)	
Plaintiffs,)	
)	
v.)	No. 14-cv-08347
)	
CITY OF EVANSTON, ILLINOIS,)	Honorable John Z. Lee
)	
Defendant.)	

**DEFENDANT CITY OF EVANSTON'S RESPONSE TO
PLAINTIFFS' ADDITIONAL FACTS**

Defendant, City of Evanston (“Evanston”), by and through its attorneys, Tribler, Orpett & Meyer, P.C., hereby submits the following response to Plaintiffs’ Additional Facts:

1. The City of Evanston obtains cash payments when it uses Property Room to sell the unclaimed property of arrestees who are in custody, awaiting trial, at the Cook County Jail. (ECF No. 152-21 at 3).

RESPONSE: The City denies ECF No. 152-21 at 3 supports this contention and further denies said citation even references “unclaimed property of arrestees who are in custody, awaiting trial at Cook County Jail.” The City further objects to said request as this referenced citation (the propertyroom.com contract) is the subject of the City’s Motion to Strike Plaintiffs’ Exhibits (Dkt. #163.) Defendant further objects as not relevant because it is undisputed Plaintiffs’ property was destroyed and not sold. (Dkt. #162, paras. 13, 18.) Therefore, it is undisputed the City received no “cash payments” related to the destruction of Plaintiffs’ property. (Dkt. #162, paras. 13, 18)

2. The City of Evanston achieves a benefit when it destroys the unclaimed property of arrestees who are in custody, awaiting trial, at the Cook County Jail; the benefit is to avoid “the burden on the City to maintain every piece of property from every arrestee.” (ECF no. 159 at 10.)

RESPONSE: The City denies ECF No. 159 at 10 supports this contention. The full quoted sentence from ECF No. 159 at 10 referenced in said contention is as follows: “The burden

on the City to maintain every piece of property from every arrestee indefinitely outweighs any probable value of Plaintiffs' proposed alternative procedure and is further contrary to Plaintiffs' contention for why the procedure is inadequate." The full quoted sentence states nothing about an alleged benefit achieved by the City related to "unclaimed property of arrestees who are in custody, awaiting trial, at the Cook County Jail."

Respectfully submitted,

s/ William B. Oberts

One of the Attorneys for City of Evanston

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of Defendant, City of Evanston's Response to Plaintiffs' Additional Facts, was served upon:

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service was accomplished pursuant to ECF as to Filing Users and complies with LR 5.5 as to any party who is not a Filing User or represented by a Filing User by mailing a copy to the above-named attorney or party of record at the address listed above, from 225 W. Washington Street, Suite 2550, Chicago, IL 60606, on the 20th day of January, 2021, with proper postage prepaid.

s/ William B. Oberts
an Attorney