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 MOTION FOR LEAVE TO CITE SUPPLEMENTAL AUTHORITY IN SUPPORT OF THEIR MOTION IN OPPOSITION TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT AND THE CITY'S CROSS-MOTION FOR SUMMARY JUDGMENT

Now comes Defendant, City of Evanston ("Evanston"), by and through its attorneys, Tribler, Orpett & Meyer, P.C., and for its Motion for Leave to Cite Additional Authority in support of its Motion in Opposition to Plaintiffs' Motion for Summary Judgment and the City's Cross-Motion for Summary Judgment, states as follows:

1. Plaintiffs filed a Memorandum of Law in Support of their Motion for Summary Judgment. In their Memorandum, Plaintiffs argue that Illinois does not authorize Evanston to retain arrestee property, other than property that is contraband or which is being held as evidence in a criminal prosecution. Plaintiffs conceded their argument was rejected by the Northern District in *Conyers v. City of Chicago,* 12-CV-06144, 2020 WL 2528534 at *7, n.7 (N.D.Ill. May 18, 2020), but argued that this Court should not follow *Conyers.* Since Plaintiffs filed their Memorandum, the Seventh Circuit issued a memorandum opinion and order affirming this district's ruling in *Conyers.*

2. Evanston now seeks leave to add the recent decision issued by the Seventh Circuit

in *Conyers v. City of Chicago*, No. 20-1934 (N.D. Ill., August 18, 2021) to the sound authority presented for this Court's consideration. *See* Exhibit A. The court in *Conyers* was presented with the same arguments as Defendant set forth in this matter and the Defendant's motion was granted. Evanston respectfully submits that the same result should occur here.

WHEREFORE, the defendant, City of Evanston, respectfully requests leave to submit the following supplemental authority, attached hereto as Exhibit A, in support of its Motion in Opposition to Plaintiffs' Motion for Summary Judgment and its Cross-Motion for Summary Judgment and for such further relief as the Honorable Court deems just.

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 Motion for Leave to Cite Supplemental Authority in Support of Their Motion in Opposition to Plaintiffs Motion for Summary Judgment and the City's Cross-Motion for Summary Judgment, 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 19th day of August, 2021, with proper postage prepaid.

s/ William B. Oberts
an Attorney