

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

Keith Rogers, James Hill, and Wanda)	
Hollins, individually and for a class)	
)	
<i>Plaintiffs,</i>)	
)	<i>(Judge Chang)</i>
<i>-vs-</i>)	
)	15-cv-11632
Sheriff of Cook County and Cook)	
County, Illinois)	
)	
<i>Defendants</i>)	

WRITTEN STATUS REPORT

The parties file this status report in accordance with the Court's order of January 7, 2021 to propose the next steps of the litigation:

1. Plaintiffs believes that the parties should agree to a form of notice, submit it to the Court for review by January 25, 2021, and provide notice to members of the class by first class mail. Defendants believe that the Court should rule on summary judgment before the class receives notice. Plaintiffs' counsel believes that this approach is improper because it would encourage "one-way intervention" and would deprive plaintiffs of evidence from members of the case that could be used to prove their case.

2. The parties have conferred about the possibility of settlement. Defendants believe that settlement discussions will not be fruitful until after the Court has ruled on dispositive motions.

3. The parties disagree about the next steps of the litigation:
 - a. Defendants' position is that fact discovery closed on September 24, 2019, that all expert discovery closed on October 24, 2019 (ECF No. 45, June 28, 2016; ECF No. 137, April 26, 2019), and that the next step in the litigation is a schedule for dispositive motions. Defendants explicitly object to Plaintiffs disclosing an expert witness to testify to liability. Defendant Cook County disclosed a Rule 26(a)(2) witness on January 5, 2018.
 - b. Plaintiffs' position is that the discovery deadlines set by the Court were limited to "fact discovery on the merits of Plaintiff's individual claims and the propriety of class certification." (ECF No. 93, Order, October 11, 2017.) The Court reiterated this in its order of April 26, 2019 (ECF No. 137): "Fact discovery on individual merits and the propriety of class certification shall close on September 25, 2019." Plaintiffs therefore propose that the next step of the litigation will involve gathering information from members of the class, disclosing information to defendants about class members who are likely to present evidence at trial or on

summary judgment, identifying experts, and completing expert discovery.

- c. The parties are unable to agree on dates for future proceedings until the Court resolves their dispute about remaining discovery.

Respectfully submitted,
Respectfully submitted,

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