

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

Keith Rogers, *et al.*, )  
Plaintiffs, )  
vs- ) Judge Edmond Chang  
Sheriff of Cook County and Cook )  
County, Illinois, )  
Defendants. )  
15-cv-11632

## JOINT STATUS REPORT

The parties submit the following in accordance with the Court's order of March 21, 2025 (ECF No. 266).:

1. On March 21, 2025, this Court denied Plaintiff's Motion to Reconsider the Class Closing Date and ordered the parties to confer and file a status report proposing next steps in litigation. (ECF No. 266).
2. On March 28, 2025, counsel for the parties exchanged email correspondence regarding the issue of settlement.
3. Settlement discussions are currently at an impasse and the parties intend to move forward with the filing of respective motions for summary judgement.
4. On April 4, 2025, Plaintiffs' counsel emailed Defendants a copy of Plaintiffs' Rule 23(f) Petition for Permission to Appeal, filed with the Seventh Circuit Court of Appeals, seeking interlocutory review of this Court's March 21, 2025 order denying Plaintiff's motion to reconsider. (ECF No.266).

5. Defendants' position on the pending petition: As the resolution of the pending petition may directly impact the scope of Plaintiffs' claims and, correspondingly, the arguments and evidence relevant to Defendant's forthcoming motion for summary judgment, Defendants request a stay of all proceedings in this matter pending the Seventh Circuit's resolution of Plaintiff's pending petition.
6. Defendants assert that a short stay during the pendency of Plaintiffs petition will not prejudice Plaintiff and will promote judicial economy by allowing the parties and this Court to proceed with clarity regarding the class composition and the applicable legal framework.
7. Plaintiff position on the pending petition: Plaintiffs oppose the requested stay. This case will continue regardless of the ruling of the Seventh Circuit on the Rule 23(f) petition.
8. If this Court is inclined to move forward with the proceedings herein, the parties propose the following briefing schedules.
9. Defendants' position on briefing schedule: Based on the volume of discovery propounded in this matter and the schedules of Defendants' respective counsel, Defendants have proposed the following briefing schedule:
  - Defendants' Motion to be filed within 60 days or by June 9, 2025;
  - Plaintiffs' Response and Cross Motion to be filed within 28 days or by July 7, 2025;

- Defendants' Response and Reply to be filed within 28 days or by August 4, 2025;
- Plaintiffs' Reply to be filed within 21 days or by August 25, 2025.

10. Plaintiffs' position on briefing schedule: Plaintiffs intend to move to summary judgment and propose simultaneous briefing as follows:

Simultaneous opening briefs within 56 days on June 2, 2025;

- Simultaneous responses within 28 days on June 30, 2025;
- Simultaneous replies within 21 days on by July 21, 2025.

10. As the parties are at an impasse regarding a briefing schedule, the parties respectfully request that this Court enter a briefing schedule for the filings of motions for summary judgement.

Respectfully submitted,

/s/ Kenneth N. Flaxman (with consent)

Kenneth N. Flaxman  
ARDC No. 830399  
Joel A. Flaxman  
200 S Michigan Ave, Ste 201  
Chicago, IL 60604  
(312) 427-3200  
*Attorneys for the Plaintiff Class*

/s/ Dortricia Penn

Dortricia Penn  
Oliver Kassenbrock  
Assistant State's Attorney  
Conflicts Counsel Unit  
50 W. Washington, Suite 2760  
Chicago, IL 60602  
(312) 603-1424  
dortricia.penn@cookcountysao.org  
oliver.kassenbrock@cookcountysao.org  
*Attorneys for Defendant Cook County*

/s/ John Power (with consent)

John Power  
Assistant State's Attorney  
500 Richard J. Daley Center  
Chicago, IL 60602  
(312) 603-4634  
*Attorney for Defendant Sheriff*