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

BEN BAKER AND CLARISSA GLENN,	)	
	)	Case No. 16 CV 8940
Plaintiffs,	)	
	)	
-vs-	)	Judge Franklin U. Valderrama
	)	
CITY OF CHICAGO, ET AL.,	)	Magistrate Judge Shelia M. Finnegan
	)	
Defendants.	)	
	)	(This case is part of *In re: Watts*
	)	*Coordinated Pretrial Proceedings*,
	)	Master Docket No. 19-cv-1717)
	)	

DEFENDANT OFFICERS' MOTION TO BAR CERTAIN OPINIONS OF PLAINTIFFS' PROPOSED EXPERT JON M. SHANE

Defendants Alvin Jones, Robert Gonzalez, Miguel Cabrales, Douglas Nichols, Jr., Manuel Leano, Brian Bolton, Kenneth Young, Jr., Elsworth Smith, Jr., Kallatt Mohammed, and Ronald Watts, through their undersigned counsel, hereby move to bar certain portions[1] of Plaintiff's proposed expert witness Jon M. Shane relating to Plaintiffs' underlying arrests giving rise to this lawsuit, and in support thereof state as follows:

BACKGROUND

Ben Baker has filed a lawsuit alleging that he was wrongfully arrested by Chicago Police Officers on two separate occasions: once on March 23, 2005 and once on December 11, 2005.[2] Baker's then-wife, Clarissa Glenn, was also arrested along with Baker on December 11, 2005 and is a co-Plaintiff in this case related to that arrest.

1 Challenges to Dr. Shane's *Monell*-related opinions are not due until June 24, 2024. Dkt. 289.
2 Baker was also arrested on July 11, 2004, but he is not bringing claims related to that arrest, nor is it part of Dr. Shane's opinion.

Baker and Glenn have disclosed Dr. Jon M. Shane as an expert regarding whether these arrests and the documentation of these arrests met nationally accepted standards. Exhibit A, Jon M. Shane report, p. 11.

Baker was arrested on March 23, 2005 ("March 23 arrest") when he was observed holding a clear plastic bag that contained suspect narcotics. Baker fled, but was detained by Officer Doug Nichols. Officer Nichols recovered the plastic bag Baker was carrying, and it was found to contain 110 clear plastic bags of suspect heroin. Baker was searched after being placed under arrest. and during that custodial search, Officer Nichols recovered an additional plastic bag found to contain 68 baggies of suspect crack/cocaine, in addition to $819. Baker told officers "them blows were mine, but them rocks aint." Exhibit B, March 23, 2005 Vice Case Report.

Dr. Shane's report does not offer any opinion about the officers' conduct or actions during the March 23, 2005 arrest. Indeed, the only criticism Dr. Shane makes regarding that arrest is that the Vice Case Report "identif[ies] R/Os as taking certain actions without any attribution for which R/O did what." Ex. A, Shane report, p. 109, footnote 87.

Baker and Glenn were arrested on December 11, 2005 ("December 11 arrest") after the vehicle Baker was driving failed to stop at stop sign and was pulled over. As officers approached the vehicle, Glenn was observed handing Baker a plastic bag containing suspect narcotics and Baker was observed placing that plastic in the arm rest console. A search of the vehicle revealed a clear plastic bag that contained 50 ziplock baggies of suspect heroin. Exhibit C, December 23, 2005 Vice Case Report. Shortly before Baker and Glenn were arrested, officers arrested multiple individuals at 574 E. 36th Street, also part of the Ida B. Wells housing complex, for narcotics-related offenses. Officer Jones, Officer Mohammed, and Officer Smith were listed on reports for both sets of these arrests.

Dr. Shane opines that the reports submitted in connection with the December 11, 2005 arrest fell below nationally accepted standards for multiple reasons, including listing officers on an arrest that they did not participate in, signing each other's name to reports, and insufficiently documenting each officer's role in the arrest. Ex. A, Shane report, pp. 107-108. Dr. Shane also opines that these reports are not useful to the criminal prosecutors because of their lack of detail. Ex. A, Shane report, p. 108. Part of Dr. Shane's opinion on Baker and Glenn's December 11, 2005 arrest includes reference to the arrests that occurred at 574 E. 36th Street, including that the Defendant Officers committed a *Brady* violation by not disclosing the reports related to the arrest at 574 E. 36th Street to the prosecutors in Baker and Glenn's case.

Dr. Shane's report also contains opinions with respect to the risks of corruption associated with narcotics officers and the work they engage in generally, and an opinion concerning the Defendant Officers inclusion on a CCSAO "do not call" list. In addition to Dr. Shane's opinions relating to Plaintiffs' two arrests, Defendant Officers also address opinions relating to these topics that fail to pass muster under *Daubert* below.

In sum, Defendant Officers move to bar the following opinions in Dr. Shane's report: any opinions related to Baker's March 23, 2005 arrest; any opinions related to police reports and discovery in either criminal prosecution(s) of Baker and Glenn; any opinions related to the Defendant Officers' reports or conduct during Baker and Glenn's December 11, 2005 arrest; and any opinions about narcotics officers being susceptible to illegal or unlawful conduct or reasons why Defendant Officers are on a *Brady/Giglio* list. This Court should also bar these opinions pursuant to Federal Rule of Evidence 403. Dr. Shane's opinions on each of these topics should be barred pursuant to Federal Rule of Evidence 702 and *Daubert v. Merrell Dow Pharmaceuticals, Inc*., 509 U.S. 579 (1993). Dr. Shane's opinions go beyond his area of expertise, are speculative,

and improperly assess credibility. Further, his opinions would not be helpful to a jury. For the reasons listed below, this Court should bar Dr. Shane from testifying to these opinions.

LEGAL STANDARD

"Federal Rule of Evidence 702 and *Daubert* govern the admissibility of expert testimony." *United States v. Godinez*, 7 F.4th 628, 637 (7th Cir. 2021). Effective December 1, 2023, Rule 702 now states that "A witness who is qualified as an expert by knowledge, skill, experience, training, or education may testify in the form of an opinion or otherwise **if the proponent demonstrates to the court that it is more likely than not that**: (a) the expert's scientific, technical, or other specialized knowledge will help the trier of fact to understand the evidence or to determine a fact in issue; (b) the testimony is based on sufficient facts or data; (c) the testimony is the product of reliable principles and methods; and (d) the **expert's opinion reflects a reliable application of** the principles and methods to the facts of the case." Fed. R. Evid. 702 (Emphasis added as to the new language of the rule).

The December 2023 committee comments explain that Rule 702 was amended "to clarify and emphasize that expert testimony may not be admitted unless the proponent demonstrates to the court that it is more likely than not that the proffered testimony meets the admissibility requirements set forth in the rule." Rule 702, December 2023 committee comments at p. 19. https://www.govinfo.gov/content/pkg/CDOC-118hdoc33/pdf/CDOC-118hdoc33.pdf. Per the committee comments, "many courts have held that the critical questions of the sufficiency of an expert's basis, and the application of the expert's methodology, are questions of weight and not admissibility. These rulings are an incorrect application of Rules 702 and 104(a)." *Id*. The committee comments further state that the amendments to the rule were "made necessary by the courts that have failed to apply correctly the reliability requirements of that rule." *Id*. As clarified

by the committee comments, "arguments about the sufficiency of an expert's basis [do not] always go to weight and not admissibility." *Id*. The committee comments also emphasized the important gatekeeping function of the courts:

> (2) Rule 702(d) has also been amended to emphasize that each expert opinion must stay within the bounds of what can be concluded from a reliable application of the expert's basis and methodology. Judicial gatekeeping is essential because just as jurors may be unable, due to lack of specialized knowledge, to evaluate meaningfully the reliability of scientific and other methods underlying expert opinion, jurors may also lack the specialized knowledge to determine whether the conclusions of an expert go beyond what the expert's basis and methodology may reliably support. *Id*.

In addition to the recently revised Rule 702, the case law also makes clear that the trial court must ensure that "any and all scientific testimony or evidence admitted is not only relevant, but reliable." *Daubert*, 509 U.S. at 589; *see also Kumho Tire Co., Ltd. v. Carmichael*, 526 U.S. 137, 147-49 (1999) ("Kumho Tire") (extending *Daubert* principles to all areas of expert testimony). The Seventh Circuit has stressed that "the key to the gate is not the ultimate correctness of the expert's conclusions. Instead, it is the soundness and care with which the expert arrived at her opinion[.]" *Schultz v. Akzo Nobel Paints, LLC*, 721 F.3d 426, 431 (7th Cir. 2013).

To satisfy *Daubert*, the proffered testimony must have a reliable basis in the knowledge and experience of the relevant discipline, consisting of more than subjective belief or unsupported speculation. *Chapman v. Maytag Corp.*, 297 F.3d 682, 686-87 (7th Cir. 2002); *see also Gen. Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997) ("[N]othing in either *Daubert* or the Federal Rules of Evidence requires a district court to admit opinion evidence that is connected to existing data only by the *ipse dixit* of the expert. A court may conclude that there is simply too great an analytical gap between the data and the opinion proffered."). By assessing reliability, the court ensures the expert "employs in the courtroom the same level of intellectual rigor that characterizes the practice

of an expert in the relevant field." *Kumho Tire*, 526 U.S. at 152. An expert "cannot simply assert a 'bottom line.'" *Metavante Corp. v. Emigrant Sav. Bank*, 619 F.3d 748, 761 (7th Cir. 2010).

ARGUMENT

I. Dr. Shane Should Be Barred from Offering Any Opinions Related to Baker's March 23, 2005 Arrest

Dr. Shane has offered no substantive opinion as to the events of March 23, 2005. His report contains no criticisms about any officer's misconduct or illegal activity related to that arrest.

Indeed, Dr. Shane's sole reference to the March 23, 2005 arrest is limited to a footnote that is critical of the manner in which the report was written; specifically, Dr. Shane states that the March 23, 2005 Vice Case Report "identif[ies] R/Os as taking certain actions without any attribution for which R/O did what." Ex. A, Shane report, p. 109, footnote 87. Thus, Dr. Shane is not offering any testimony beyond what a lay person or any member of the jury could deduce from the text within the Vice Case Report (that it does not explicitly state by name each officer's actions during the arrest), and therefore this Court should bar Dr. Shane from offering any opinions related to Baker's March 23, 2005 arrest.

II. Dr. Shane's Opinions About the Police Reports and Discovery in Baker and Glenn's Criminal Prosecution for the December 11, 2005 Arrest is Outside His Area of Expertise and Speculative

Dr. Shane's opinions concerning Baker and Glenn's December 11, 2005 arrest relate to, among other things, the significance of those reports in a criminal prosecution and to whether the reports relating to the arrest at the 574 building were produced during Baker and Glenn's criminal cases. These opinions should be barred as Dr. Shane lacks the expertise to opine as to what value police reports may have to an Assistant State's Attorney. They should also be barred because they are speculative.

Dr. Shane opines that the reports issued in the Baker arrests "cannot function as a useful aid to prosecutors in conducting criminal proceedings because the prosecutors are unable to determine who knows what about the events at issue based on the report." Ex. A, Shane report, p. 108. Dr. Shane, however, is not qualified to make such a statement. Dr. Shane is not and has never been a prosecutor or criminal defense attorney, Ex. A, Shane report, Appendix E, and thus he cannot provide testimony on whatever value those reports may have to the Assistant State's Attorney or a defense attorney or how an Assistant State's Attorney would learn information about each officers' role in an arrest. *See Goodwin v. MTD Prods., Inc.*, 232 F.3d 600, 609 (7th Cir. 2000); *Schmidt v. Apfel*, 201 F.3d 970, 973 (7th Cir. 2000) (there is "no duty to respect expert opinions that are given outside a witness' field of expertise"); *Est. of Green v. City of Indianapolis, Indiana*, 420 F. Supp. 3d 816, 823 (S.D. Ind. 2019) ("Under this rule [Rule 702], experts may not offer expert testimony that is outside their area of expertise").

Not only does Dr. Shane lack the requisite expertise to speak on the value of police reports to prosecutors in general, but he also admittedly has no knowledge of how cases are prosecuted in Cook County:

> Q: And are you familiar with how the police officers and the State's Attorneys in Cook County prepare for a trial, or for motions for that matter?
>
> A: No, I could not articulate that process.
>
> Exhibit D, Deposition of Jon M. Shane ("Shane dep."), p. 325:14-23.

Without the requisite expertise – which Dr. Shane does not have – any opinion he would offer on the value of a police report to a prosecutor, within Cook County or elsewhere, lacks foundation, is speculative and does not pass muster under Rule 702 or *Daubert*. *See Hunt ex rel. Chiovari v. Dart,* 754 F. Supp. 2d 962, 972 (N.D. Ill. 2010) (Expert testimony is inadmissible when based on speculation and argument unsupported by evidence); *Rogers by Rogers v. K2 Sports,*

LLC, 348 F. Supp. 3d 892, 897 (W.D. Wis. 2018); *see also Goodwin,* 232 F.3d at 609 (". . . MTD was not entitled to have an expert give an opinion as to the veracity of Goodwin's testimony concerning the circumstances surrounding the accident when that opinion was merely based on speculation and not on admissible scientific evidence.")

Dr. Shane's report also states that "[t]here is no evidence in discovery that the reports documenting the other arrests [those that occurred at 574 E. 36th St.] were provided to the prosecution in the Baker and Glenn matter, or to the criminal defense team." Ex. A, Shane report, p. 110. However, any opinion Dr. Shane offers regarding the evidentiary value or role in trial strategy that the reports from the arrests made at 574 E. 36th Street may have is complete speculation and he is not qualified to opine on that matter as he is not, nor has he ever been, a prosecutor or criminal defense attorney.

III. Dr. Shane's Opinion Regarding the December 11, 2005 Arrest are Speculative and Improperly Assess Credibility

Dr. Shane offers an opinion related to the December 11, 2005 arrest under the heading "CPD's failure to monitor, supervise, and discipline the Defendant Officers." Shane report, p. 90. However, this opinion is nothing more an effort to undermine Defendant Jones and his role in this arrest, and is replete with improper credibility assessments, speculation, and misrepresentations. Therefore, any of Dr. Shane's opinion that pertains to the December 11, 2005 arrest should be barred.[3]

"I]t is well-settled that determining the weight and credibility of witness testimony is the exclusive province of the jury and that experts are not permitted to offer opinions as to the believability or truthfulness of that testimony." *Jordan v. City Chicago*, 2012 WL 254243, at *4

3 As stated in footnote 1, this motion to bar is limited to opinions that pertain to the Defendant Officers. Dkt. 289.

(N.D. Ill. Jan. 27, 2012) (barring expert who came to conclusions about facts of case and based his opinions on such conclusions). "An expert witness may not usurp the jury's function to weigh evidence and make credibility determinations...[E]xpert witnesses are not allowed to sort out possible conflicting testimony or to argue the implication of those consistencies. That is the role of the lawyer, and it [is] for the jury to draw its own conclusions from the testimony it hears." *Davis v. Duran*, 2011 WL 2277645, at *7 (N.D. Ill. 2011). "[T]he credibility of eyewitness testimony is generally not an appropriate subject matter for expert testimony because it influences a critical function of the jury-determining the credibility of witnesses." *United States v. Hall*, 165 F.3d 1095, 1107 (7th Cir. 1999). "Determining the weight and credibility of witness testimony ... has long been held to be the 'part of every case [that] belongs to the jury, who are presumed to be fitted for it by their natural intelligence and their practical knowledge of men and the ways of men.'" *United States v. Scheffer*, 523 U.S. 303, 313 (1998). "[T]he prejudicial effect of [testimony about the defendant's state of mind] would far outweigh its probative value, given its highly speculative nature." *Krik v. Crane Co.*, 71 F. Supp. 3d 784, 788 (N.D. Ill. 2014). "Expert testimony as to legal conclusions that will determine the outcome of the case is inadmissible." *Good Shepherd Manor Found., Inc. v. City of Momence*, 323 F.3d 557, 564 (7th Cir. 2003). However, virtually everything Dr. Shane offers about the December 11, 2005 arrest is based on his biased assessment of Officer Jones and his involvement in that arrest.

[redacted]

[redacted] As the case law establishes, assessing credibility of witnesses is reserved for the trier of fact. Dr. Shane should be barred from assessing the credibility of any witnesses, including Defendant Officers. Since the overwhelming majority of pages 91-96 of his report run afoul of this basic tenet, that entire section of his report should be barred.

Aside from Baker and Glenn's arrest at 511 E. Browning, there was a second arrest that occurred at 574 E. 36th St. that involved three of the same officers, including Officer Jones. Dr. Shane refers to these two arrests as "simultaneous" and occurring "at the same time," although his own report shows that this is not true. Ex, A, Shane report, pp. 90. The arrests occurred four minutes apart and they were both located at the Ida B. Wells housing complex, but Dr. Shane fails to accurately cite the times in an apparent effort to undermine the fact that the arrests did occur as indicated in the reports. [redacted]

4 [redacted]

5 [redacted]

[redacted] There is no question that Dr. Shane was assessing credibility here. [redacted] This credibility assessment has no place in an expert report and Dr. Shane's opinion about any of the officers' actions or reports from December 11, 2005 should be barred. *See Goodwin*, 232 F.3d at 609. In essence, and in violation of Rule 702, Dr. Shane is trying to make Baker and Glenn's case for them under the guise of "opinion" testimony. Dr. Shane's "opinions" necessarily rely on his one-sided conclusions about disputed underlying facts (including whether Officer Jones was involved in Baker and Glenn's arrest and the arrests at 574 E. 36th Street), and are thus improper.

Ultimately it is for the jury to decide whether or not Officer Jones was being truthful regarding his involvement in both arrests; they don't need Dr Shane to repeat Baker and Glenn's version of what they believe those reports show; that is for the jury to decide. *Florek v. Vill. of Mundelein, Ill.*, 649 F.3d 594, 602-03 (7th Cir. 2011); *United States Gypsum Co. v. Lafarge N. Am. Inc.*, 670 F. Supp. 2d 768, 775 (N.D. Ill. 2009) (expert opinion "does little more than tell the jury what result to reach.').

6 [redacted]

Dr. Shane's also opines on the quality of the reports generated in Baker and Glenn's December 11, 2005 arrest. *See* Ex. A, Shane report, pp. 108-110. However, this is nothing more than a commentary on how the reports could have been written better and does nothing to assist the trier of fact in deciding the claims brought by Baker and Glenn and should be barred. Fed. R. Evid. 702 (a); *United States v. DeWitt*, 943 F.3d 1092, 1096 (7th Cir 2019). He says the December 11, 2005 Vice Case Report should have been more detailed and listed who was involved. He takes issue with the use of "R/Os" instead of the names of the respective officers and one officer signing a report for another officer. Although he opines that the manner in which these reports are written violates generally accepted law enforcement standards, none of this is relevant to the claims made by Baker and Glenn. Dr. Shane then points out what he believes to be contradictions in officer testimony about their roles in that arrest. This is nothing more than Dr. Shane saying that the officers are lying under the guise of an opinion about report-writing deficiencies. Any alleged contradictions or report-writing issues could be explored during cross-examination; it is not necessary or appropriate for an expert to provide this testimony as these determinations are for the jury to decide. *See Ancho v. Pentek Corp.*, 157 F.3d 512, 519 (7th Cir. 1998) (holding that an expert "must testify to something more than what is 'obvious to the layperson' in order to be of any particular assistance to the jury").

IV. Dr. Shane's Opinions About Narcotics Officers Being Susceptible to Illegal and Improper Conduct and Why Defendants Officers are on a *Brady/Giglio* List is Speculative and Should Not Be Allowed

A. Dr. Shane's opinion that narcotics officers are exposed to illegal and improper conduct - and the implication that the Defendant Officers are corrupt - is complete speculation and unfairly prejudicial

Again, under the guise of offering an opinion on supervision, Dr. Shane posits that officers who work in tactical narcotics enforcement are "more prone to corruption compared to other

assignments within a police department." Ex. A, Shane report, p. 79. He also suggests that tactics used to enforce drug laws "create an impetus toward dishonesty (e.g., undercover operations, surveillance locations, secrecy, search warrant, reverse sting operations, buy narcotics.)." Ex. A, Shane report, pp. 79-80.[7] Dr. Shane also opines that narcotics officers are exposed to "corruption hazards," including involvement with illegal drugs, financial temptations, "limited oversight with an ethos of secrecy, loyalty, and solidarity," and working in a high-stress environment. These claims are pure speculation. Dr. Shane cites no evidence that *these* Defendant Officers were susceptible to any of these temptations to engage in dishonest acts or improper or illegal activity; therefore, there is no basis for this opinion and it is entirely speculative. [redacted] [8] *Strauss v. City of Chicago*, 760 F.2d 765, 768-69 (7th Cir. 1985) ("People may file a complaint for many reasons, or for no reason at all"); *Bryant v. Whalen*, 759 F. Supp. 410, 423-24 (N.D. Ill. 1991). Moreover, such evidence would constitute improper character evidence, or propensity evidence, under Fed. R. Evid. 404. In addition, such evidence is irrelevant, hearsay, and any probative value it may have is substantially outweighed by the danger of unfair prejudice, confusion of the issues, and misleading the jury. *See* Fed. R. Evid. 402 and 403.[9] Jumping to the conclusion reached by Dr. Shane is rank speculation and improperly credits the allegations made against the Defendant Officers as true. More significantly, allowing this opinion would be highly prejudicial and improperly suggest a reason for the jury that any of the Defendant Officers may have engaged in illegal or unlawful conduct without any evidence to

7 This sentence is peculiar because Dr. Shane admits that these are all legitimate investigative techniques used by law narcotics officers. Ex. D, Shane dep., p. 287:2-9.

8 [redacted]

9 Defendant Officers intend on filing a motion *in limine* on this issue at the appropriate time should this Court not bar these opinions.

support the inference that these Defendant Officers would have been inclined to do any of the things Dr. Shane cites.

B. Dr. Shane Should Be Barred from Opining on the Reasons an Officer May be on a *Brady/Giglio* list

Dr. Shane opines that officers on a *Brady/Giglio* list are not called to testify "because of their dishonesty." Ex. D, Shane dep., pp. 278:19-279:11. However, this opinion is conclusory and speculative.

Under *Brady v. Maryland*, 373 U.S. 83, 87 (1963) and *Giglio v. United States*, 405 U.S. 150, 154 (1972), exculpatory and impeachment evidence when such evidence is material to guilt or punishment must be disclosed prior to trial. There is a distinction between the materials that are to be disclosed under *Brady* or *Giglio* (*i.e.*, exculpatory versus impeachment) and the reasons for being on either list could have nothing to do with dishonesty. In this case, Dr. Shane is baselessly jumping to the conclusion that the officers involved in Baker's arrests are on that list because of their perceived dishonesty. Dr. Shane provides no citation to any documents he reviewed that support his statement; indeed, there is no indication that Dr. Shane reviewed any documentation that indicated why any of those officers were on that list. Allowing him to testify that their presence on the list because of concerns about their honesty, which is based on nothing more than speculation, would be improper and permit him to take a "cheap shot" at the officers' credibility under the guise of his "expertise."[10]

V. Dr. Shane's Opinions Should be Barred Pursuant to Rule 403

Aside from the bases discussed above, Dr. Shane's opinions also should be barred pursuant to Rule 403. Any probative value these opinions may have is substantially outweighed by the

10 Again, Defendant Officers intend on filing a motion *in limine* on this opinion, should the Court not bar it pursuant to *Daubert.*

dangers of unfair prejudice, confusing the issues, and misleading the jury. Therefore, this Court should bar these opinions.

Federal Rule of Evidence 403 provides that the court may exclude relevant evidence if its probative value is substantially outweighed by a danger of: unfair prejudice, confusing the issues, misleading the jury, undue delay, wasting time, and/or needlessly presenting cumulative evidence. Fed. R. Evid. 403. In this case, almost all of the aforementioned dangers are present, and Defendant Officers will be unable to receive a fair trial if Dr. Shane is allowed to testify to these opinions.

[redacted]

Permitting Dr. Shane to opine as to the Defendant Officers being susceptible to engaging in criminal activity, solely by virtue of their assignment, also carries with it the danger of unfair prejudice. Regardless of Dr. Shane's basis, to admit such an overly broad, salacious opinion: that the Defendant Officers were inevitably going to end up corrupted by virtue of the simple that that they were involved in narcotics-related cases; is improper and violative of Rule 403. Consequently, Dr. Shane's opinions should be barred.

CONCLUSION

For the reasons stated above, this Court should bar any opinions related to Baker's March 23, 2005 arrest; any opinions related to police reports and discovery in either criminal prosecution(s) of Baker and Glenn; any opinions related to the Defendant Officers' reports or conduct during Baker and Glenn's December 11, 2005 arrest; any opinions about narcotics officers being susceptible to illegal or unlawful conduct or reasons why Defendant Officers are on a *Brady/Giglio* list, and any other relief this Court deems proper.

Dated: June 17, 2024

Respectfully submitted,

By: /s/ *Brian P. Gainer*
Attorney for Defendant Ronald Watts
Special Assistant Corporation Counsel

Brian P. Gainer
Monica Burkoth
Lisa M. McElroy
Alezza Mian
Johnson & Bell, Ltd.
33 W. Monroe St., Suite 2700
Chicago, IL 60603

By: /s/ *Anthony E. Zecchin*
Attorneys for All Other Defendant Officers
Special Assistant Corporation Counsel

Andrew M. Hale
William E. Bazarek
Anthony E. Zecchin
Kelly M. Olivier
Jason M. Marx
Hannah Beswick-Hale
Hale & Monico LLC
53 W. Jackson Blvd., Suite 334
Chicago, IL 60604
(312) 341-9646

By: /s/ *Eric S. Palles*
Attorneys for Kallatt Mohammed
Special Assistant Corporation Counsel

Eric S. Palles
Sean M. Sullivan
Yelyzaveta Altukhova
Ray Groble
Mohan Groble Scolaro, P.C.
55 W Monroe, Suite 1600
Chicago, IL 60603
Phone: (312) 422-9999
Fax (312) 422-5370

CERTIFICATE OF SERVICE

I, Anthony E. Zecchin, hereby certify that on **June 17, 2024**, I electronically filed the forgoing, DEFENDANT OFFICERS' MOTION TO BAR CERTAIN OPINIONS OF PLAINTIFFS' PROPOSED EXPERT JON M. SHANE with the Clerk of the Court using the ECF system, which simultaneously served copies on all counsel of record via electronic notification.

/s/ Anthony E. Zecchin