

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

LIONEL WHITE SR.,)
)
Plaintiff,) Case No. 17 cv 02877
)
-vs-)
)
CITY OF CHICAGO, RONALD) Judge Steven Seeger
WATTS, ALVIN JONES,)
ELSWORTH SMITH, JR., KALLATT)
MOHAMMED, MANUEL LEANO,)
BRIAN BOLTON, ROBERT)
GONZALEZ, AND DOUGLAS)
NICHOLS, PHILLIP CLINE, DEBRA)
KIRBY,)
)
Defendants.)

STATUS REPORT

Plaintiff, Lionel White Sr., and Defendants, City of Chicago, former Chicago Police Sergeant Ronald Watts, former Chicago Police Officer Kallatt Mohammed, Sergeant Alvin Jones, Officer Elsworth Smith Jr., Officer Douglas Nichols, Officer Brian Bolton, Officer Manuel Leano, Officer Robert Gonzalez, Philip Cline, and Debra Kirby, jointly submit the following status report:

1. This case is part of the *Watts Coordinated Pretrial Proceedings*, 19 CV 1717, which is assigned to Judge Wood and Magistrate Judge Finnegan. There are approximately 65 cases currently a part of those coordinated proceedings. The parties will file a joint status report on May 18, 2020 in that matter.

Progress of Discovery

2. Since the parties last filed a status report in this case on January 28, 2020, Dkt. 129, the parties have continued to engage in written discovery and have continued to engage in the Rule 37.2 meet and confer process on various issues.

3. The parties have conducted approximately 52 depositions, including two remote videoconference depositions since the stay-at-home order has been put in place. By agreement, the Plaintiffs also plan to depose a Defendant via videoconference on May 18 and May 21, 2020. The parties have and will continue to confer regarding other depositions that may be appropriate to conduct via video.

Pending Motions

4. There are no currently pending motions in this particular case.

5. As set forth below, there are two pending motions in the Coordinated Proceedings or individual cases that are a part of the Coordinated Proceedings. Pursuant to paragraph 5(f) of the Third Amended General Order 20-0012, the parties submit that the one fully briefed motion may be resolved without a hearing. Judge Finnegan has indicated that she will decide whether the final motion requires a hearing once briefing is completed.

6. Plaintiffs' September 9, 2019 motion to compel the production of grand jury and Title III materials from the criminal proceedings brought against Ronald Watts and Kallatt Mohammed is fully briefed and remains pending in the Watts Coordinated Proceedings. (Coordinated Dkt. 46). The portion of the motion pertaining to grand jury materials is pending in front of Chief Judge Pallmeyer. The matters pertaining to Title III materials is pending in front of Judge Wood.

7. Plaintiffs filed a Motion for a Protective Order in the Coordinated Proceedings seeking to prohibit the Defendants from asking about uncharged alleged criminal activity at Plaintiffs' depositions. The Defendants' response was filed on May 8, 2020. Plaintiffs' reply is due May 15, 2020. (Coordinated Dkt. 136). The matter is in front of Judge Finnegan.

Settlement Efforts

8. There are no current settlement discussions in this case or any of the other coordinated cases.

Proposed Schedule

9. The parties do not believe any specific schedule need be set for the next 45 days. The parties will continue to conduct written discovery and depositions that are appropriate to conduct via video. The parties are waiting to conduct certain depositions that may concern the federal criminal investigation until rulings on Plaintiffs' motion for grand jury and Title III materials filed in the Coordinated Proceedings.

10. Fact discovery was scheduled to conclude on June 9, 2020 in certain coordinated cases, including this one, before the automatic extensions set by the Court's General Orders regarding COVID-19. The parties understand that the COVID-19 General Orders have extended that deadline to August 25, 2020. The Court has not yet set an expert discovery or dispositive motion deadline. In light of the pandemic, the need to resolve pending motions, and the additional written and oral discovery that needs to be conducted in the cases, the parties intend to request that the Court vacate the current fact discovery deadline. The parties intend to ask Judge Finnegan to set a status hearing for a date 60-90 days in the future to discuss a new fact discovery closure date. The parties are

not requesting that this Court set expert discovery or dispositive motion deadlines at this time. The parties do not believe a hearing is necessary on this request, or any other issue, unless requested by the court.

Respectfully submitted,

/s/ Josh Tepfer

One of the Attorneys for the Plaintiff
Arthur Loevy
Jon Loevy
Scott Rauscher
Josh Tepfer
Theresa Kleinhaus
Loevy & Loevy
311 N. Aberdeen St., Third Floor
Chicago, IL 60607

/s/ Joel Flaxman

One of the Attorneys for the Plaintiff
Ken Flaxman
Joel Flaxman
Law Offices of Kenneth N. Flaxman P.C.
200 S Michigan Ave, Ste 201
Chicago, IL 60604

/s/ William E. Bazarek

One of the Attorneys for Defendants Alvin Jones, Robert Gonzalez, Douglas Nichols, Brian Bolton, Manuel Leano, and Elsworth Smith, Jr.

Andrew M. Hale
William E. Bazarek
Anthony E. Zecchin
Brian J. Stefanich
Allyson West
HALE & MONICO LLC
53 W. Jackson Blvd., Suite 330
Chicago, IL 60604
(312) 341-9646

/s/ Ahmed Kosoko

One of the Attorneys for Defendant Ronald Watts
Brian P. Gainer
Monica Gutowski

Ahmed Kosoko
JOHNSON & BELL, LTD.
33 West Monroe Street
Suite 2700
Chicago, Illinois 60603
(312) 372-0770

/s/ Eric S. Palles
One of the Attorneys for Defendant Kallatt Mohammed

Gary Ravitz
Eric S. Palles
Sean M. Sullivan
Daley Mohan Groble P.C.
55 West Monroe, Suite 1600
Chicago, IL 60603
(312) 422-9999

/s/ Daniel M. Noland
One of the Attorneys for Defendants City of Chicago, Philip Cline, and Debra Kirby

Terrence M. Burns
Paul A. Michalik
Daniel M. Noland
Elizabeth A. Ekl
Katherine C. Morrison
Reiter Burns LLP
311 S. Wacker Dr., Suite 5200
Chicago, IL 60606
(312) 982-0090