

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

LIONETTA WHITE, )  
SPECIAL ADMINISTRATOR )  
OF THE ESTATE OF LIONEL WHITE )  
 ) No. 17 C 02877  
Plaintiff, )  
 ) The Honorable Sara Ellis  
vs. )  
 )  
CITY OF CHICAGO, et al. ) Magistrate Judge Laura K. McNally  
 )  
Defendants. )

**STIPULATION RELATING TO DEFENDANTS' MOTIONS FOR  
SUMMARY JUDGMENT**

Plaintiff and Defendant Mohammed hereby submit the following stipulation on behalf of all parties in this case.

1. As set forth in the parties' joint motion for clarification regarding the Court's summary judgment rules and in Defendants' motions for summary judgment, Lionel White died before he was deposed in this case. *See, e.g.*, Dkt. 225 at 1.
2. Defendant Mohammed's motion for summary judgment argues that White's statements should not be considered under Federal Rule 807, and the other Defendants joined that portion of Mohammed's brief. Dkt. 225 at 3-7 (Mohammed's brief); Dkt. 254 at 6-7 (Defendant Officers joining the argument); Dkt. 256 at 30 n. 14 (City joining same argument); Dkt. 259 (granting Defendant Watts' motion to join that portion of Mohammed's motion).
3. In arguing that the Court should not consider White's statements, Mohammed stated: "**Had Defendants known of the intent to use White's statements, they could have deposed each of White's interrogators before the discovery cut-off. They would not have had to seek clarification of this Court's procedures in the face of these statements being**

**offered for their proof in connection with the joint statement of fact.” Dkt. 225 at 4**  
(emphasis added).

4. Defendants withdraw the statements listed in paragraph 3 because the interrogators were in fact deposed during discovery and questioned about Lionel White.

5. Counsel for Mohammed has confirmed that counsel for the other Defendants are in agreement with this stipulation.

Respectfully submitted by:

<u>/s/ Scott Rauscher</u> One of Plaintiff's lawyers  Jon Loevy Scott Rauscher Joshua Tepfer Theresa Kleinhaus Sean Starr Gianna Gizzi LOEVY & LOEVY 311 North Aberdeen Street Third Floor Chicago, Illinois 60607 scott@loevy.com	<u>/s/ Eric S. Palles</u> Special Assistant Corporation Counsel For Defendant Kallatt Mohammed  Mohan Groble Scolaro, P.C. 55 W. Monroe St. Ste. 1600. Chicago, IL 60603 (312) 422-9999
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