

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen
United States Courthouse
Room 2722 - 219 S. Dearborn Street
Chicago, Illinois 60604



Office of the Clerk
Phone: (312) 435-5850
www.ca7.uscourts.gov

FINAL JUDGMENT

June 30, 2025

Before

KENNETH F. RIPPLE, *Circuit Judge*
DAVID F. HAMILTON, *Circuit Judge*
MICHAEL Y. SCUDDER, *Circuit Judge*

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Teste:


Deputy Clerk
of the United States
Court of Appeals for the
Seventh Circuit

No. 24-2377	SALVATORE ZICCARELLI, Plaintiff - Appellant
	v. THOMAS J. DART, et al., Defendants - Appellees
Originating Case Information:	
District Court No: 1:17-cv-03179 Northern District of Illinois, Eastern Division District Judge John J. Tharp, Jr.	

We also decline to reassign the case under Circuit Rule 36, which allows us to remand to the same judge for a retrial. Judge Tharp has a thorough understanding of the record and of the various issues that make this case challenging. His knowledge and understanding will help guide the just resolution of this case. The district court's grant of judgment as a matter of law is **REVERSED**. The district court's conditional grant of a new trial is **AFFIRMED**. The case is **REMANDED** to the district court for further proceedings consistent with this opinion. The above is in accordance with the decision of this court entered on this date. Each side to bear its own costs on this appeal.



Clerk of Court