

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

Lavelle Taylor,)	
)	
<i>Plaintiff,</i>)	
)	No. 17-cv-3642
-vs-)	
)	<i>(Judge Wood)</i>
City of Chicago, et al.,)	
)	
<i>Defendants.</i>)	

STATUS REPORT

In preparation for the status hearing scheduled for May 20, 2021, the parties submit the following status report and respectfully request that the Court extend discovery by 30 days (to June 18, 2021):

1. Discovery is set to close on May 19, 2021. The parties have completed written and oral discovery regarding the Bruce Carter homicide and the resulting police investigation with the following exceptions:

- a. Felony Review Assistant State's Attorneys: Defendant Officers intend to depose at least one (possibly two) of the three felony review assistant state's attorneys who responded to the police area and interviewed defendants/witnesses to the homicide. The Cook County State's Attorney's Office has produced what appears to be an incomplete copy of the felony review folder. The Defendant Officers have been in contact with the Cook

County State's Attorney's Office and have requested production of the complete felony review folder.

- b. Plaintiff is continuing to attempt to locate and depose eyewitnesses Patrick Owens and Rufus Bingham. (The parties have made several unsuccessful attempts to locate these witnesses.)
- c. Defendant City of Chicago timely responded to plaintiff's supplemental written discovery requests on May 14, 2021. Plaintiff requests 21 days for the parties to attempt to resolve disputes, if any, about the sufficiency of the responses and, if necessary, seek the assistance of the Court to resolve the parties' disputes.

The parties therefore request that discovery remain open for an additional 30 days (to June 18, 2021) to complete the depositions described above and allow sufficient time to confer about discovery responses.

2. On December 18, 2020, Plaintiff disclosed ten alleged Rule 404(b) witnesses. Since then, the parties have engaged in voluminous document productions regarding these witnesses. One document subpoena to the Cook County State's Attorney's Office issued by the Defendant Officers on April 6, 2021 remains outstanding. Counsel for the Defendant Officers have

conferred with the assistant state's attorney assigned to respond to the subpoena and counsel expects a substantive response by June 8, 2021.

Given the nature of the allegations, claims, and defenses in this case, and the amount of substantive former testimony regarding the allegations of the Rule 404(b) witnesses, the parties do not expect to depose all of the 404(b) witnesses and counter-designated witnesses. The parties have and will continue to meet-and-confer regarding which witnesses, if any, should be deposed. The parties agree that any deposition from an alleged Rule 404(b) witness will not impact summary judgment proceedings.

Accordingly, the parties request that they be allowed to depose alleged Rule 404(b) witnesses and counter-designated witnesses after the Court rules on summary judgment and only if issues remain for trial on which the 404(b) witnesses would be relevant.

Respectfully submitted,

/s/ Joel A. Flaxman (with
consent)

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