

**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF NextGen 1.8 (rev. 1.8.3)
Eastern Division**

Quintin Scott, et al.

Plaintiff,

v.

Case No.: 1:17-cv-07135
Honorable Martha M. Pacold

Sheriff of Cook County, et al.

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Friday, July 25, 2025:

MINUTE entry before the Honorable Martha M. Pacold: Defendants' motion to dismiss, [258], is denied. Defendants make two arguments. First, Defendants argue, "Because Plaintiffs allege only that Defendants are liable for express policies, the Court should dismiss any Monell claim based on a widespread practice or decision by a final policymaker because Plaintiffs have not pleaded those claims." Id. at 4. Defendants do not argue that plaintiffs fail to state a plausible Monell claim; defendants seek dismissal of possible legal theories supporting plaintiffs' Monell claim. But "Rule 12(b)(6) empowers courts to dismiss claims, not individual legal theories or forms of relief." *Art Ask Agency v. Store Shopping*, 2024 WL 1328913, at *2 (N.D. Ill. Mar. 28, 2024) (citation omitted); *BBL, Inc. v. City of Angola*, 809 F.3d 317, 325 (7th Cir. 2015) ("A motion to dismiss under Rule 12(b)(6) doesn't permit piecemeal dismissals of parts of claims; the question at this stage is simply whether the complaint includes factual allegations that state a plausible claim for relief."). "[A] court may not dismiss challenged legal theories, only challenged claims." *Hirst v. Skywest, Inc.*, 2022 WL 3999701, at *6 (N.D. Ill. Aug. 31, 2022) (citation omitted). Second, defendants argue that the court should dismiss Quintin Scott as a plaintiff because Scott has accepted an offer of judgment and his claims are "no longer operative." [258] at 4. The court has already rejected this argument. [242]. Defendants motion to dismiss, [258], is denied. (rao,)

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