

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

William Carter,)	
<i>Plaintiff,</i>)	
)	No. 17-cv-7241
-vs-)	
)	(Judge Hunt)
City of Chicago, et al.,)	
)	
<i>Defendants.</i>)	

JOINT STATUS REPORT

The parties, by counsel, submit this joint status report pursuant to the Court's Order of October 21, 2024:

1. Expert Discovery

All expert discovery has been completed.

2. Previously Discussed Fact discovery

The previously discussed outstanding fact-discovery was the depositions of three non-party witnesses:

Deanna Coleman's deposition will proceed on November 7, 2024.

Valencia Cline has been subpoenaed by defendant Watts to appear for her deposition on November 12, 2024.

Roy Tate was subpoenaed by defendant Mohammed to appear for deposition on October 22, 2024, but he did not appear.

3. Additional Discovery Following the Court's Ruling

Plaintiff will take an additional deposition of Kallatt Mohammed following the Court's ruling on Mohammed motion to amend his Answer. Plaintiff has proposed to defendants that this deposition go forward in December of 2024.

4. Any Other Pertinent Information

For Defendants: On April 5, 2024, Judge Maldonado entered an order setting a number of deadlines, including a schedule for the filing of summary judgment and Daubert motions. (Dkt. #161). Pursuant to that order, summary judgment and Daubert motions were due to be filed by November 22, 2024. (*Id.*) After this matter was reassigned to this Court, an order was entered by this Court adopting the due date of November 22, 2024, for the filing of summary judgment and Daubert motions. (Dkt. #171). However, on October 30, 2024, Judge Valderrama entered an order in *In re: Watts Coordinated Pretrial Proceedings*, Master Docket No. 19 cv 1717 (Dkt. #827), which included the following language: "However, in order to make use of the test case procedure, it is anticipated that **no dispositive motions will be due** or trials set until the conclusion of the trial in * * * *Gipson v. City of Chicago*, which is set to proceed to trial on April 21, 2025." (Emphasis added.)

Given the language of Judge Valderrama's order that no dispositive motions will be due before the trial in *Gipson*, Defendants respectfully ask this Court to clarify whether that language applies to the summary judgment deadline previously entered in this case. If the previously set summary judgment due date of November 22, 2024, remains in effect, Defendants anticipate the need to file a motion seeking a short extension of that deadline. If the deadline is stayed pursuant to Judge Valderrama's order, the issue is moot. Defendants appreciate any clarification this Court can provide.

Plaintiff responds: Plaintiff is not opposed to the Court clarifying any conflict between its orders and Judge Valderrama's order, but plaintiff's position is that Judge Valderrama's order did not overrule a schedule that was set six months earlier by Judge Maldonado and then confirmed by this Court. Overruling that schedule would delay trial for no apparent reason. In addition, the language of the Order ("it is anticipated") is not binding. The proper reading of the Order is that it was meant to discourage judges from setting *new dates* for dispositive motions or trials that would conflict with the trial in *Gipson v. Chicago*.

Respectfully submitted,

[signatures on following pages]

/s/ Joel A. Flaxman
Joel A. Flaxman
ARDC No. 6292818
Kenneth N. Flaxman
200 S Michigan Ave, Ste 201
Chicago, IL 60604
(312) 427-3200
attorneys for plaintiff

/s/ Paul A. Michalik (by consent)
Daniel M. Noland
Terrence M. Burns
Paul A. Michalik
Katherine C. Morrison
Daniel J. Burns
Dhaviella N. Harris
Burns Noland LLP
311 S. Wacker Dr., Suite 5200
Chicago, IL 60606
(312) 982-0090
*attorneys for defendants City of
Chicago, Philip Cline, and Debra
Kirby*

/s/ Brian P. Gainer (by consent)
Brian P. Gainer
Monica Burkoth
Lisa M. McElroy
Johnson & Bell, Ltd.
33 West Monroe St., Ste 2700
Chicago, IL 60603
(312) 372-0770
*attorneys for defendant Ronald
Watts*

/s/ Eric S. Palles (by consent)
Eric S. Palles
Sean M. Sullivan
Lisa Altukhova
Mohan Groble Scolaro, PC
55 West Monroe St., Ste 1600
Chicago, IL 60603

(312) 422-9999

attorneys for defendant Mohammed

/s/ Timothy P. Scahill (by consent)

Steven B. Borkan

Timothy P. Scahill

Borkan & Scahill, Ltd.

20 S. Clark St., Suite 1700

Chicago, IL 60302

(312) 580-1030

attorneys for defendant Ridgell

/s/ Kelly M. Olivier (by consent)

Special Assistant Corporation

Counsel

William E. Bazarek

Andrew M. Hale

Anthony E. Zecchin

Kelly M. Olivier

Jason M. Marx

Hale & Monico LLC

53 West Jackson Blvd., Ste 334

Chicago, IL 60604

(312) 341-9646

attorneys for remaining defendants