

**UNITED STATES DISTRICT COURT  
FOR THE Northern District of Illinois – CM/ECF LIVE, Ver 6.3.3  
Eastern Division**

Leoncio Elizarri, et al.

Plaintiff,

v.

Case No.: 1:17-cv-08120  
Honorable Steven C. Seeger

Sheriff of Cook County, et al.

Defendant.

---

**NOTIFICATION OF DOCKET ENTRY**

This docket entry was made by the Clerk on Friday, January 29, 2021:

MINUTE entry before the Honorable Steven C. Seeger: Plaintiffs' motion to authorize one deposition beyond discovery deadline (Dckt. No. [135]) is denied without prejudice. Judge Durkin (this Court's predecessor) originally set a fact discovery deadline of June 18, 2019, a year and a half ago. (Dckt. No. [54]) Since then, the Court has extended fact discovery multiple times. Each time, the Court did so at the request of the parties. As the parties requested, the Court extended the deadline to September 17, 2019 (Dckt. No. [70]), and then to November 18, 2019 (Dckt. No. [76]), and then to February 28, 2020 (Dckt. No. [96]), and then to May 13, 2020 (Dckt. No. [105]), and then to October 30, 2020 (Dckt. No. [126]), and then, finally, to January 29, 2021 (Dckt. No. [128]). When this Court extended fact discovery on March 2, 2020, meaning 10 months ago, this Court forewarned that "the parties should expect this extension of discovery to be the last." (Dckt. No. [105]) On October 22, 2020, this Court stated that "[a]ny request for an extension must bear in mind that this case was filed in 2017." (Dckt. No. [126]) And on October 30, 2020, the Court made clear that it would not move the deadline again: "Given the age of the case, this extension is the last." (Dckt. No. [128]) Now, Plaintiffs want another month to take a deposition. (Dckt. No. [135]) Plaintiffs want to depose an assistant general counsel of the Sheriff, who verified the Sheriff's interrogatory responses. Plaintiffs do not provide a lot of details, but simply say that they noticed the deposition for January 15, 2021. Plaintiffs do not reveal when she verified the interrogatory responses, or when Plaintiffs served the deposition notice, or how long the parties have been discussing this issue. Plaintiffs simply add they "negotiations have taken longer than expected." So has discovery. The Court denies the motion without prejudice because it does not have enough information to evaluate whether Plaintiffs acted promptly in seeking this deposition and attempting to resolve the issue. If the witness verified the interrogatory responses not long ago, and if Plaintiffs promptly requested the deposition and made repeated attempts to resolve the issue, that's one thing. But the Court does not know how things unfolded. Given the age of the case, the repeated extensions, and the repeated warnings, Plaintiffs would need to make a convincing showing that they need this deposition and that they acted promptly. But in the meantime, in the absence of that showing, the request is denied. Mailed notice. (jjr, )

**ATTENTION:** This notice is being sent pursuant to Rule 77(d) of the Federal Rules of Civil Procedure or Rule 49(c) of the Federal Rules of Criminal Procedure. It was generated by CM/ECF, the automated docketing system used to maintain the civil and criminal dockets of this District. If a minute order or other document is enclosed, please refer to it for additional information.

For scheduled events, motion practices, recent opinions and other information, visit our web site at [www.ilnd.uscourts.gov](http://www.ilnd.uscourts.gov).