

GMD/MDW

DCC-077165

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LEONCIO ELIZARRI, by his Special)	
Administrator LETICIA PEREZ, and)	
GREGORY L. JORDAN, individually and)	
for others similarly situated,)	
)	
Plaintiffs,)	
)	
v.)	No. 17-cv-8120
)	
SHERIFF OF COOK COUNTY and)	(Judge Seeger)
COOK COUNTY, ILLINOIS,)	
)	
Defendants.)	

**DEFENDANTS' OPPOSITION TO PLAINTIFFS' RENEWED MOTION TO
AUTHORIZE ONE DEPOSITION BEYOND DISCOVERY DEADLINE**

NOW COME the Defendants, SHERIFF OF COOK COUNTY and COOK COUNTY, ILLINOIS, by its attorneys, SANCHEZ DANIELS & HOFFMAN LLP, Special Assistant State's Attorney, Gerald M. Dombrowski and Assistant State's Attorney, Danielle A. Mikhail for their Joint Opposition to Plaintiffs' Renewed Motion to Authorize One Deposition Beyond Discovery Deadline, state as follows:

1. Discovery in this matter closed on January 29, 2021.
2. As this Court chronicled in its January 29, 2021 order, this Court has extended fact discovery at least six times during the course of this case. (ECF No. 136) The parties have had ample opportunity to conduct written discovery, participate in motion practice and take numerous depositions.
3. Plaintiffs now seek the deposition of Khara Coleman, Assistant General Counsel to Sheriff of Cook County, who has signed six separate answers to interrogatories over the course of

the case. (See Defendant Sheriff's Answers to Interrogatories served on January 17, 2019 incorporated herein as Exhibit A; Defendant Sheriff's Amended Answer to Interrogatory No. 9 served on March 22, 2019, incorporated herein as Exhibit B; Defendant Sheriff's Amended Answers to Interrogatories served on May 15, 2019, incorporated herein as Exhibit C; Sheriff's Amended Answer to Interrogatory 2(b) served on June 17, 2019, incorporated herein as Exhibit D; Sheriff's Answers to Second Set of Interrogatories served on July 12, 2019, incorporated herein as Exhibit E; and Defendant Sheriff's Amended Answer to Second Set of Interrogatory No. 4 served on September 28, 2020, incorporated herein as Exhibit F)

3. Only on December 28, 2020 did Plaintiffs' counsel seek the deposition of Khara Coleman. Defendant's counsel has tried to work with Plaintiffs' counsel to come to some type of agreement regarding the substance of Ms. Coleman's deposition. However, the parties did not come to any agreement. Moreover, defense counsel strongly opposed an open-ended deposition of Ms. Coleman given that she is not a policy maker but merely an in-house counsel who, based on inquiry, documents, research and confirmation, verified answers of the Sheriff's Office to interrogatories dating back to January 17, 2019. The witnesses and persons with knowledge of events and policies were clearly disclosed in the discovery responses, and Plaintiff has not noticed their depositions

4. Furthermore, Defendants did not list Ms. Coleman as a witness at any time. It appears the only reason Plaintiffs' counsel wants Ms. Coleman's deposition is to have her confirm that she signed the interrogatory answers. There is no need for this type of testimony given that the Defendants admit and concede that Ms. Coleman's signature is on the numerous answers to interrogatories. Thus, this deposition would serve no purpose.

5. Further, Plaintiffs' counsel could have taken Ms. Coleman's deposition as early as January 2019. Only at the closing days of discovery did Plaintiffs' counsel seek her deposition.

6. The deposition of Ms. Coleman should not proceed as discovery has closed. Moreover, there is simply no purpose or need for her deposition. Thus, the Defendants ask that this Court deny the Plaintiffs' renewed motion as the Court denied the Plaintiffs' original motion on this matter.

WHEREFORE, Defendant, SHERIFF OF COOK COUNTY and COOK COUNTY, respectfully request an order in their favor denying Plaintiffs' renewed Motion and for any other such relief that may be granted by this Court.

Respectfully submitted,

/s/Gerald M. Dombrowski

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/s/ Danielle A. Mikhail

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FIRM I.D. 42258

GMD/YXS/mmr

DCC-77165

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LEONCIO ELIZARRI, individually and for others)		
similarly situated,)		
Plaintiff,)		
v.)		No. 17 CV 8120
SHERIFF OF COOK COUNTY and)		Judge Thomas M. Durkin
COOK COUNTY, ILLINOIS,)		
Defendants.)		Magistrate Judge Daniel G. Martin

CERTIFICATE OF SERVICE

To: Mr. Joel A. Flaxman (jaf@kenlaw.com)
Mr. Kenneth N. Flaxman (knf@kenlaw.com)
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Suite 201
Chicago, Illinois 60604-2430

Ms. Danielle Mikhail danielle.mikhail@cookcountyil.gov
Cook County State's Attorney's Office
500 Richard J. Daley Center
Chicago, Illinois 60602

The undersigned certifies and states that she served **Defendant's Answers to Interrogatories and Supplemental Production (CD)*** by emailing and mailing a copy to the addressee(s) at the email(s) and address(es) indicated above by depositing a copy of same in the U.S. Mail at 333 West Wacker Dr., Suite 500, Chicago, IL 60606 at or before 5:00 p.m. on January 17, 2019 with proper postage prepaid and that this statement as set forth is true and correct.

*The password to view the CD is SDHELizarri#

/s/Yifan Xu Sanchez

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Yifan Xu Sanchez (#6301220)
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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LEONCIO ELIZARRI, individually and for others)		
similarly situated,)		
Plaintiff,)		
v.)		No. 17 CV 8120
SHERIFF OF COOK COUNTY and)		Judge Thomas M. Durkin
COOK COUNTY, ILLINOIS,)		
Defendants.)		Magistrate Judge Daniel G. Martin

ANSWERS TO INTERROGATORIES

NOW COMES the Defendant, SHERIFF OF COOK COUNTY, by and through his attorneys, SANCHEZ DANIELS & HOFFMAN LLP and as his Answers to Plaintiff's Interrogatories, states as follows:

1. State the name and position of the person or persons answering these interrogatories.

ANSWER: These interrogatories were answered by counsel of record in this litigation, with the assistance of Khara Coleman, Assistant General Counsel-Civil Litigation & Torts, Department of Legal & Labor Affairs, Cook County Sheriff's Office.

2. For each of the persons identified on the attached Exhibit 1, state:
- a) The amount of funds, if any, currently being held in each person's "Resident Account" in connection with the identification number set out in Exhibit 1, and
 - b) The property, if any, currently being held by the Sheriff that had been inventoried when each person identified in Exhibit 1 entered the Cook County Jail and was assigned the specified identification number set out in Exhibit 1.

ANSWER: Defendant objects to this Interrogatory as it is compound, unduly burdensome, and seeks information not relevant to Jordan Gregory's or Leoncio Elizzari's claims nor proportional to the needs of the case, the importance of the discovery

in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit. Subject to and without waiving said objections, the relevant issues in the current lawsuit brought by Jordan Gregory or Leoncio Elizzari concern whether Gregory or Elizzari abandoned any personal items upon release from CCDOC for failure to pick up or due to designation to donate items, *see* Sheriff 021-030, and Jordan Gregory or Leoncio Elizzari has not alleged and cannot allege that the policy or procedure for detainee to sign property designation form upon his/her release is unconstitutional. *See* Sheriff 031-344, policies, procedures, rules and regulations.

3. Has the Sheriff issued any written directives on or after July 1, 2013 of any sort concerning transferring property from the Cook County Jail to the facility at 2323 South Rockwell, Chicago, Illinois 60608?

ANSWER: Defendant objects to this Interrogatory as it is vague and ambiguous, and seeks information not relevant to Jordan Gregory's or Leoncio Elizzari's claims. Subject to and without waiving said objections, the relevant issues in the current lawsuit brought by Jordan Gregory or Leoncio Elizzari concern whether Gregory or Elizzari abandoned their personal items upon release from CCDOC for failure to pick up or due to designation to donate items, *see* Sheriff 021-022. Jordan Gregory or Leoncio Elizzari has not alleged and cannot allege that the Sheriff's policy or procedure for detainee to sign property designation form upon his/her release is unconstitutional. *See* Sheriff 031-344, including but not limited to CCDOC Procedure 109 and G.O. 24.14.21.0 contained therein.

4. Unless your answer to the preceding interrogatory is an unqualified "no," please identify by date, title, and current custodian, all such written directives.

ANSWER: *See* Answer to Interrogatory No. 3.

5. Does the Sheriff have any plan to notify any of the former detainees that their personal property is being held at the facility at 2323 South Rockwell, Chicago, Illinois 60608?

ANSWER: Defendant objects to this Interrogatory as it is excessively general, overly broad, unduly burdensome, vague and ambiguous, and seeks information not relevant to Jordan Gregory's or Leoncio Elizzari's claims nor proportional to the needs of the case. Further objecting, this Interrogatory assumes legal and factual conclusions, namely the assumptions that once a detainee abandons his/her personal items, he/she retains a right to claim or receive said items, that the Sheriff is under any legal obligation to notify any former detainee, or that the Sheriff is under any legal obligation to return any personal items of former detainee after the former detainee failed to have the items picked up or designated the property to be

donated or otherwise relinquished the right/ownership to the items. Further answering, the Sheriff provides notice to all detainees of how they can claim or designate an individual to retrieve their personal property. *See* Inmate Handbooks and G.O. 24.14.21.0 and other documents contained in Sheriff 031-344.

6. Unless your answer to the preceding interrogatory is an unqualified "no," please describe any such plans and identify the person or persons with the most knowledge of such plans.

ANSWER: *See* Answer to Interrogatory No. 5.

7. Does the Sheriff intend to return or otherwise dispose of any of the property of former detainees that the Sheriff is currently holding at the facility at 2323 South Rockwell, Chicago, Illinois 60608?

ANSWER: Defendant objects to this Interrogatory as it is compound, excessively general, overly broad, unduly burdensome, vague and ambiguous, and seeks information not relevant to Jordan Gregory's or Leoncio Elizzari's claims. Further objecting, this Interrogatory assumes legal and factual conclusions, namely that once a detainee abandons his/her personal items, he/she retains a right to claim or receive said items, that the Sheriff is under any legal obligation to notify any former detainee, or that the Sheriff is under any legal obligation to return any personal items of former detainee after the former detainee failed to have the items picked up or designated the property to be donated or otherwise relinquished the right/ownership to the items.

Subject to and without waiving said objections, the relevant issues in the current lawsuit brought by Jordan Gregory's brought by Jordan Gregory or Leoncio Elizzari concern whether Gregory or Elizarri abandoned any personal items upon release from CCDOC for failure to pick up or due to designation to donate items, see Sheriff 021-030 attached hereto, and Jordan Gregory's or Leoncio Elizzari has not alleged and cannot allege the Sheriff policy or procedure for detainee to sign property designation form upon his/her release is unconstitutional. Further answering, according to G.O. 24.14.21.0 and Chapter 9 of all relevant Inmate Handbooks, inmate property, if not picked up within the time frame provided to the inmate, can be disposed of or donated and according to Procedure 109, unclaimed property will be sent to warehouse for disposition. *See* Sheriff 031-344.

8. Unless your answer to the preceding interrogatory is an unqualified “no,” please describe any such plans and identify the person or persons with the most knowledge of such plans.

ANSWER: *See Answer to Interrogatory No. 7.*

9. Identify by name, job title, and if not a current employee, last known address and phone number, the person or persons who located the information tendered by the defense in this lawsuit about the named plaintiffs’ property.

ANSWER: *See Sheriff’s Response to MID (1).*

Respectfully submitted,
SANCHEZ DANIELS & HOFFMAN LLP

/s/Yifan Xu Sanchez

Gerald M. Dombrowski (#6210375)
Yifan Xu Sanchez (#6301220)
Special Assistant State’s Attorneys
SANCHEZ DANIELS & HOFFMAN LLP
Attorneys for Defendant, SHERIFF OF COOK COUNTY
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VERIFICATION

Pursuant to Federal Rule of Civil Procedure 33(b), I, Khara Coleman, Assistant General Counsel for the Office of the Cook County Sheriff, hereby affirm under oath that Defendant Sheriff Thomas Dart's Answers to Plaintiff's Interrogatories, in *Elizarri v. Sheriff, et al*, 17 CV 8120, are true and correct to the best of my knowledge, information, and belief. The Responses provided herein are not based on my sole recollection, memory or knowledge, but rather were gathered by reviewing the records and documents in the possession of the Cook County Sheriff's Office and by consulting counsel of record and persons employed in the Cook County Sheriff's Office.

Submitted: January 16, 2019

A handwritten signature in cursive script that reads "Khara Coleman". The signature is written in dark ink and is positioned above a horizontal line.

Khara Coleman, Assistant General Counsel
for the Office of the Cook County Sheriff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

LEONCIO ELIZARRI and GREGORY L.)		
JORDAN, individually and for others)		
similarly situated,)		
Plaintiffs,)		
v.)		No. 17 cv 8120
SHERIFF OF COOK COUNTY and)		Judge Thomas M. Durkin
COOK COUNTY, ILLINOIS,)		
Defendants.)		

CERTIFICATE OF SERVICE

To: Mr. Joel A. Flaxman (jaf@kenlaw.com)
Mr. Kenneth N. Flaxman (knf@kenlaw.com)
200 South Michigan Avenue
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Ms. Danielle Mikhail danielle.mikhail@cookcountyil.gov
Cook County State's Attorney's Office
500 Richard J. Daley Center
Chicago, Illinois 60602

The undersigned certifies and states that she served **Defendant's Amended Answer to Interrogatory No. 9 (CD)*** by emailing and mailing a copy to the addressee(s) at the email(s) and address(es) indicated above by depositing a copy of same in the U.S. Mail at 333 West Wacker Dr., Suite 500, Chicago, IL 60606 at or before 5:00 p.m. on March 22, 2019 with proper postage prepaid and that this statement as set forth is true and correct.

*The password to view the CD is **SDHELIZZARRI#2i=ClyEQuf!!!**

/s/Yifan Xu Sanchez

Gerald M. Dombrowski (#6210375)
Yifan Xu Sanchez (#6301220)
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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LEONCIO ELIZARRI, individually and for others)		
similarly situated,)		
Plaintiff,)		
v.)		No. 17 CV 8120
SHERIFF OF COOK COUNTY and)		Judge Thomas M. Durkin
COOK COUNTY, ILLINOIS,)		
Defendants.)		Magistrate Judge Daniel G. Martin

AMENDED ANSWER TO INTERROGATORY NO. 9

NOW COMES the Defendant, SHERIFF OF COOK COUNTY, by and through his attorneys, SANCHEZ DANIELS & HOFFMAN LLP and as his Amended Answers to Plaintiff's Interrogatory No. 9, states as follows:

9. Identify by name, job title, and if not a current employee, last known address and phone number, the person or persons who located the information tendered by the defense in this lawsuit about the named plaintiffs' property.

ANSWER: See Sheriff's Response to MID (1).

AMENDED ANSWER:

Patricia Horne, Director of Support Services, Cook County Sheriff's Office, c/o Sanchez Daniels & Hoffman, regarding unclaimed personal items of Leoncio Elizarrri after his release in 2016 and after his designated individual failed to pick up the items.

Officer Williams, #10862, Court Services, Cook County Sheriff's Office, c/o Sanchez Daniels & Hoffman, regarding processing of personal items of Plaintiff Leoncio Elizarrri on December 30, 2015 when Plaintiff was remanded by Judge Hill.

Officer Roberto Ornelas, Cook County Department of Corrections, c/o Sanchez Daniels & Hoffman, regarding designation form signed by Plaintiff, Leoncio Elizarrri, upon his release on May 12, 2016, the failure to pick up Plaintiff's items by the designated individual and the transfer of the items. Regarding Plaintiff, Gregory Lee Jordan's two separate bookings into the CCDOC in July, 2014 and receipts regarding Jordan's property produced as Sheriff 22-29 and the form signed by Plaintiff Jordan upon his release from CCDOC on March 13, 2015.

Officer Raymond Preusser, Cook County Department of Corrections, c/o Sanchez Daniels & Hoffman, including but not limited to the designation form signed by Plaintiff, Gregory Jordan, upon his release on March 13, 2015 and the designation of "donation" by Plaintiff Jordan.

Officer Rafael Trevizo, Cook County Department of Corrections, c/o Sanchez Daniels & Hoffman, including but not limited to Plaintiff, Gregory Jordan's property receipt produced as Sheriff 26.

For both named plaintiffs, unknown Cook County Department of Corrections personnel, Cook County Sheriff's Office, c/o Sanchez Daniels & Hoffman regarding the allegations described in the Complaint as well as potential defenses.

Any individual necessary to lay the foundation for any document, record, or piece of evidence.

Investigation continues. Defendant reserves the right to supplement their response as discovery proceeds. Defendant further incorporates by reference any and all witnesses disclosed by any party hereto as though fully stated herein.

March 22, 2019

Respectfully submitted,

SANCHEZ DANIELS & HOFFMAN LLP

/s/Yifan Xu Sanchez

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Yifan Xu Sanchez (#6301220)
Special Assistant State's Attorneys
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VERIFICATION

Pursuant to Federal Rule of Civil Procedure 33(b), I, Khara Coleman, Assistant General Counsel for the Office of the Cook County Sheriff, hereby affirm under oath that Defendant Sheriff Thomas Dart's Amended Answer to Plaintiff's Interrogatory No. 9, in *Elizarri v. Sheriff, et al*, 17 CV 8120, are true and correct to the best of my knowledge, information, and belief. The Responses provided herein are not based on my sole recollection, memory or knowledge, but rather were gathered by reviewing the records and documents in the possession of the Cook County Sheriff's Office and by consulting counsel of record and persons employed in the Cook County Sheriff's Office.

Submitted: March 22, 2019

A handwritten signature in cursive script that reads "Khara Coleman".

Khara Coleman, Assistant General Counsel
for the Office of the Cook County Sheriff

FIRM I.D. 42258

GMD/YXS/vmp

DCC-77165

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

LEONCIO ELIZARRI, individually and for others)	
similarly situated,)	
Plaintiff,)	
v.)	No. 17 CV 8120
SHERIFF OF COOK COUNTY and)	Judge Thomas M. Durkin
COOK COUNTY, ILLINOIS,)	
Defendants.)	Magistrate Judge Daniel G. Martin

CERTIFICATE OF SERVICE

To: Mr. Joel A. Flaxman (jaf@kenlaw.com)
Mr. Kenneth N. Flaxman (knf@kenlaw.com)
200 South Michigan Avenue
Suite 201
Chicago, Illinois 60604-2430

Ms. Danielle Mikhail danielle.mikhail@cookcountyil.gov
Cook County State's Attorney's Office
500 Richard J. Daley Center
Chicago, Illinois 60602

The undersigned, a non-attorney, certifies and states that she served **Sheriff's Amended Answers to Interrogatories** by emailing a copy to the addressee(s) at the email(s) indicated above from 333 West Wacker Dr., Suite 500, Chicago, IL 60606 at or before 5:00 p.m. on May 15, 2019 and that this statement as set forth is true and correct.

/s/Victoria M. Pustelak

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Yifan Xu Sanchez (#6301220)
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GMD/YXS/vmp

DCC-77165

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

LEONCIO ELIZARRI, individually and for others)
similarly situated,)

Plaintiff,)

v.)

SHERIFF OF COOK COUNTY and)
COOK COUNTY, ILLINOIS,)

Defendants.)

No. 17 CV 8120

Judge Thomas M. Durkin

Magistrate Judge Daniel G. Martin

AMENDED ANSWERS TO INTERROGATORIES

NOW COMES the Defendant, SHERIFF OF COOK COUNTY, by and through its attorneys, SANCHEZ DANIELS & HOFFMAN LLP and as its Amended Answers to Plaintiff's Interrogatories Nos, 2-8, states as follows:

INTERROGATORY NO. 2: For each of the persons identified on the attached Exhibit 1, state:

- a) The amount of funds, if any, currently being held in each person's "Resident Account" in connection with the identification number set out in Exhibit 1, and
- b) The property, if any, currently being held by the Sheriff that had been inventoried when each person identified in Exhibit 1 entered the Cook County Jail and was assigned the specified identification number set out in Exhibit 1.

AMENDED ANSWER: See attached Sheriff 499-698.

INTERROGATORY NO. 3. Has the Sheriff issued any written directives on or after July 1, 2013 of any sort concerning transferring property from the Cook County Jail to the facility at 2323 South Rockwell, Chicago, Illinois 60608?

AMENDED ANSWER: Yes. The following policies and procedures concern transferring property to the warehouse located at 2323 South Rockwell, Chicago, Illinois 60608.

- Sheriff Policy 109 as of February 1, 2019, 109.3 (Sheriff 433), 109.7.4 (Sheriff 447), 109.8 (Sheriff 447).

- Sheriff Policy 109 as of November 1, 2018, 109.3 (Sheriff 222), 109.7.4 (Sheriff 235), 109.8 (Sheriff 236).
- Sheriff Policy 109 as of October 1, 2018, 109.3 (Sheriff 291), 109.7.4 (Sheriff 304), 109.8 (Sheriff 305).
- Sheriff Policy 109 as of February 1, 2018, 109.3 (Sheriff 382), 109.7.4 (Sheriff 394), 109.8 (Sheriff 395).
- Sheriff Policy 109 as of November 1, 2017, 109.3 (Sheriff 416), 109.7.4 (Sheriff 428), 109.8 (Sheriff 428-29).
- Sheriff Policy 109 as of September 29, 2017, 109.3 (Sheriff 399), 109.7.4 (Sheriff 411), 109.8 (Sheriff 411).
- Sheriff Policy 109 as of September 1, 2017, 109.3 (Sheriff 252), 109.7.4 (Sheriff 263), 109.8 (Sheriff 263).

INTERROGATORY NO. 4. Unless your answer to the preceding interrogatory is an unqualified “no,” please identify by date, title, and current custodian, all such written directives.

AMENDED ANSWER: See Answer to Interrogatory No. 3; and all the policies identified in Amended Answer to Interrogatory No. 3 are published, Lexipol policies.

INTERROGATORY NO. 5. Does the Sheriff have any plan to notify any of the former detainees that their personal property is being held at the facility at 2323 South Rockwell, Chicago, Illinois 60608?

AMENDED ANSWER: Defendant objects to this Interrogatory as it is overly broad, unduly general, vague as to the term “plan” and unlimited as to the time period relevant for any specific former detainee. Further objecting, it assumes a fact not in the evidence that former detainees would necessarily have personal property held at the warehouse located at 2323 South Rockwell, Chicago, Illinois in that Policy 109 distinguishes “unclaimed” property and “donated” property and provides in 109.8 that “items that are not designated for donation should be transferred to the warehouse for destruction.”

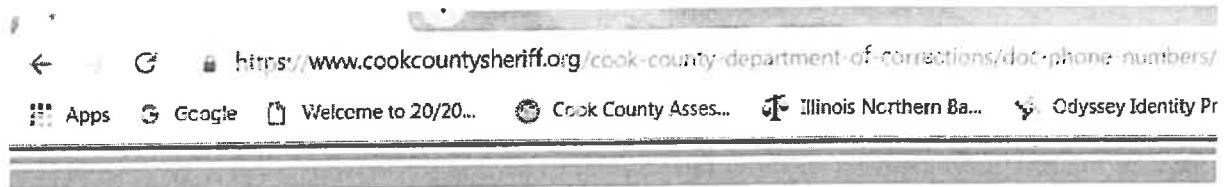
Subject to and without waiving said objections, the Inmate Handbook provides information for former detainees to contact Property Office regarding any of their personal property potentially held at CCDOC.

- Handbook from January 2013 to February 2017 provides that “property will be kept in the Property Office for 90 days after you leave the CCDOC, then it will be disposed of in accordance with the CCDOC general order. For more information, call the Property Office at 773.674.5780.” (Sheriff 121).
- Handbook from February, 2017 to July, 2017 provides that “upon transfer to another facility, property will be kept in the Clothing Room for 45 days after you leave the CCDOC, after which time it will be disposed of in accordance with CCDOC policy. For more information, call the Property Office by telephone at (773) 674-0110 for males or (773) 674-0044 for females.” (Sheriff 091).
- Handbook from July, 2017 to June 2018 provides that “your personal compliant property (items listed above that you were in possession of) will be kept in the CCDOC Clothing

Room, located at 2700 S. California. If you are being discharged, you will be escorted to the Clothing Room and your property will be returned. Upon transfer to another facility, you will be provided an opportunity to designate someone to come to CCDOC and claim your property. Property will be kept for 45 days after you leave CCDOC. After this time, if your designated recipient has not claimed your property, it will be disposed of in accordance with CCDOC policy” and “for more information, call the Property Office by telephone at (773) 674-5410. (773) 674-0110 for males or (773) 674-0044 for females are also available as secondary phone numbers. (Sheriff 164-65).

- Handbook from June 2018 to the Present provides that “upon transfer to another facility, compliant property will be kept in the Clothing Room for 45 days after you leave the CCDOC unless retrieved by a designated individual as explained above. After this time it will be managed in accordance with CCDOC policy and will be disposed of. For more information, call the Property Office by telephone at (773) 674-5410. (773) 674-0110 for males or (773) 674-0044 for females are also available as secondary phone numbers.” (Sheriff 206).

Further answering, at all relevant times, it is public information, available on the website of the Cook County Sheriff’s Office, that for recovering of inmate’s property, the telephone number to call is 773-674-5245. See below screen capture of the webpage from Cook County Sheriff’s Office:



NAVIGATION

- [Bonding](#)
- [Inmate Visitation Schedules](#)
- [Corrections Phone Numbers](#)
- [Programs and Services](#)
- [Inmate Trust Account](#)
- [Electronic Monitoring Program](#)
- [Cook County Jail Divisions](#)
- [Sheriff's Work Alternative Program \(S.W.A.P.\)](#)
- [Prison Rape Elimination Act](#)
- [Cook County Jail's History](#)
- [F.A.Q.](#)

Corrections Phone Numbers

Home > Corrections > Corrections Phone Numbers

Contact us:

Main Phone Number: 773-674-7100

Customer Service Line: 773-674-1945

7 days a week, 8 a.m. to 8:30 p.m.

Automated Help Line: 773-674-5245 English or Español

1. Search for an inmate or pay inmate's bond
2. Women's Justice Program, Electronic Monitoring
3. Visitation Information
4. Inmate Trust Account
5. Information about an inmate's medical or mental health condition
6. Recovering inmate's property
7. Commissary and refunds
8. Inmate Services (e.g. notify inmate of a death)
9. Mailroom
10. Inmate Records
11. Divisional supervisor

Other Important Telephone numbers:

Business Office:	773-674-6866
Legal Office:	773-674-7683
Office of the Executive Director:	773-674-2859
Inmate Services:	773-674-1979
Records Department:	773-674-5200
Training Academy:	708-974-5700
Trust / Personal Property:	773-674-6864
Visitor Information Center	773-674-8225
Electronic Monitoring	877-326-9198

Lastly, although it is not established that the Sheriff has an affirmative legal obligation to notify each and every former detainee as to whether the former detainee's property was not claimed and remains in the warehouse located at 2323 South Rockwell, Chicago, Illinois 60608, eventually, the Sheriff hopes to notify former detainees whose property remains in the possession of the Sheriff's Office. However, at this time, the Sheriff has not established any specific policies or procedures and has no course of actions planned to do so given the volume of the property and difficulty in locating former detainees.

INTERROGATORY NO. 6. Unless your answer to the preceding interrogatory is an unqualified "no," please describe any such plans and identify the person or persons with the most knowledge of such plans.

AMENDED ANSWER: See Amended Answer to Interrogatory No. 5.

INTERROGATORY NO. 7. Does the Sheriff intend to return or otherwise dispose of any of the property of former detainees that the Sheriff is currently holding at the facility at 2323 South Rockwell, Chicago, Illinois 60608?

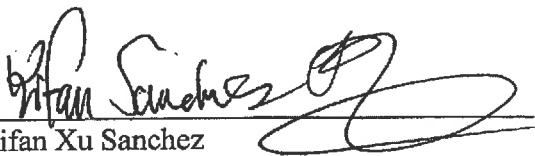
AMENDED ANSWER: Under the CCDOC policies and procedures referenced in the Inmate Handbooks, unclaimed inmate's property can be disposed of by the CCDOC, and the Sheriff reserves the right, pursuant to due notice to any former inmate, to dispose of any unclaimed former detainee property. However, at this time, the Sheriff has not decided whether it would dispose of or return any of the unclaimed former detainee property. Further see Amended Answer to Interrogatory No. 5, although it is not established that the Sheriff has an affirmative legal obligation to notify each and every former detainee as to whether the former detainee's property was not claimed and remains in the warehouse located at 2323 South Rockwell, Chicago, Illinois 60608, eventually, the Sheriff hopes to notify former detainees whose property remains in the possession of the Sheriff's Office. However, at this time, the Sheriff has not established any specific policies or procedures and has no course of actions planned to do so given the volume of the property and difficulty in locating former detainees.

8. Unless your answer to the preceding interrogatory is an unqualified "no," please describe any such plans and identify the person or persons with the most knowledge of such plans.

AMENDED ANSWER: See Amended Answer to Interrogatory No. 7.

Respectfully submitted,

SANCHEZ DANIELS & HOFFMAN LLP


Yifan Xu Sanchez

Gerald M. Dombrowski (#6210375)
Yifan Xu Sanchez (#6301220)
Special Assistant State's Attorneys
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VERIFICATION

Pursuant to Federal Rule of Civil Procedure 33(b), I, Khara Coleman, Assistant General Counsel for the Office of the Cook County Sheriff, hereby affirm under oath that Defendant Sheriff Thomas Dart's AMENDED Answers to Plaintiff's Interrogatories, in *Elizarri v. Sheriff, et al*, 17 CV 8120, are true and correct to the best of my inquiry, knowledge, information, and belief. The Responses provided herein are not based on my sole recollection, memory or knowledge, but rather were gathered by reviewing the records and documents in the possession of the Cook County Sheriff's Office and by consulting counsel of record and persons employed in the Cook County Sheriff's Office.

Submitted: May 14, 2019

A handwritten signature in cursive script that reads "Khara Coleman". The signature is written in dark ink and is positioned above the printed name and title.

Khara Coleman, Assistant General Counsel
for the Office of the Cook County Sheriff

FIRM I.D. 42258

GMD/YXS/vmp

DCC-77165

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LEONCIO ELIZARRI, individually and for others)
similarly situated,)

Plaintiff,)

v.)

SHERIFF OF COOK COUNTY and)
COOK COUNTY, ILLINOIS,)

Defendants.)

No. 17 CV 8120

Judge Thomas M. Durkin

Magistrate Judge Daniel G. Martin

CERTIFICATE OF SERVICE

To: Mr. Joel A. Flaxman (jaf@kenlaw.com)
Mr. Kenneth N. Flaxman (knf@kenlaw.com)
200 South Michigan Avenue
Suite 201
Chicago, Illinois 60604-2430

Ms. Danielle Mikhail danielle.mikhail@cookcountyil.gov
Cook County State's Attorney's Office
500 Richard J. Daley Center
Chicago, Illinois 60602

The undersigned, a non-attorney, certifies and states that she served **AMENDED ANSWER TO INTERROGATORY 2(b)**, by emailing a copy to the addressee(s) at the email(s) indicated above from 333 West Wacker Dr., Suite 500, Chicago, IL 60606 at or before 5:00 p.m. on June 17, 2019 and that this statement as set forth is true and correct.

/s/Victoria M. Pustelak

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Yifan Xu Sanchez (#6301220)
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FIRM I.D. 42258

GMD/YXS/vmp

DCC-77165

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

LEONCIO ELIZARRI, individually and for others)
similarly situated,)

Plaintiff,)

v.)

SHERIFF OF COOK COUNTY and)
COOK COUNTY, ILLINOIS,)

Defendants.)

No. 17 CV 8120

Judge Thomas M. Durkin

Magistrate Judge Daniel G. Martin

AMENDED ANSWER TO INTERROGATORY 2(b)

NOW COMES the Defendant, SHERIFF OF COOK COUNTY, by and through its attorneys, SANCHEZ DANIELS & HOFFMAN LLP and as its Amended Answer to Plaintiff's Interrogatory No. 2(b), states as follows:

INTERROGATORY NO. 2(b): For each of the persons identified on the attached Exhibit 1, state:

- b) The property, if any, currently being held by the Sheriff that had been inventoried when each person identified in Exhibit 1 entered the Cook County Jail and was assigned the specified identification number set out in Exhibit 1.

AMENDED ANSWER:

Pursuant to Fed. Rule Civil Procedure 33(d)(1), please see Sheriff 772-777, reflecting the names of the 317 detainees reflected on Plaintiff's Exhibit 1.

In order to respond to this Interrogatory, the Cook County Sheriff's Office has searched for signed property sheets for all 317 detainees. Defendant CCSO believes that it has located such sheets for 254 of the 317 detainees. The Cook County Sheriff's Office has confirmed possession of property bags for 34 these detainees as indicated in Sheriff 776 with "small property storage bag" designation.

As Plaintiff may be aware, detainees were at liberty to choose to have their property donated or have a designee pick the property up within a specific window of time. However, given the pendency of Elizarri I, the CCSO may not have donated the property and/or may not have destroyed it pursuant to normal procedures, despite the instructions on a given property form. For example, even if Detainee Doe's signed property form indicated that the property was to be donated, that property may have been sent to storage because of Elizarri I, and may still be in storage at this time.

Because of the number of property bags in the storage facility, the Cook County Sheriff's Office has not yet been able to match each bag currently in storage with the detainees on Exhibit 1. The matches that have been made to 34 these detainees as indicated in Sheriff 776 with "small property storage bag" designation. Investigation continues.

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Elizarri v. Sheriff of Cook County, 17 CV 8120

VERIFICATION

Under penalty of perjury as provided by law pursuant to Federal Rules of civil Procedure 33(b)(5), the below states that the information contained in SHERIFF OF COOK COUNTY's Amended Answer to Plaintiff's Interrogatory No. 2(b) are true and correct to the best of my inquiry, knowledge and belief. The Answers provided herein were not based on my sole recollection, memory, or knowledge, but rather were gathered by reviewing the records and documents in the possession of the Cook County Sheriff's Office, and were prepared with the assistance of counsel, upon whose advice I have relied.


Khara Coleman

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Yifan Xu Sanchez (#6301220)
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Booking #	Last Name	First Name	Date Discharge	Status of Property
20130913160	ACEVEDO	MANUEL	9/16/2013	Designator
20131013117	ADAMS	DESHAWN	10/24/2013	Designator
20131123111	ALLEN	DEANGELO E	12/2/2013	Designator
20140101149	ALLEN	TREVELL	1/2/2014	Designator
20131104200	ALLEN	DAVID J	2/6/2014	Designator
20131201166	ANDERSON	CORTNEY	12/6/2013	Designator
20131025123	APPLEWHITE	KEVIN	11/1/2013	Designator
20130828186	BARRIOS	DAVID	8/30/2013	Designator
20131107075	BECKER	JEFFREY	3/6/2014	Designator
20130810212	BELL	MICHAEL	9/9/2013	Designator
20131209162	BELL	DAMAJIA	12/23/2013	Designator
20131128067	BELTRAN	LUIS E	12/31/2013	Designator
20131121093	BLACKMAN	TOMMY Y	11/22/2013	Designator
20131112244	Booker	Stevie	6/27/2014	Designator
20131115238	Bradley	Michael	1/10/2014	Designator
20130924012	BRANTLEY	STEVEN	9/27/2013	Designator
20131025095	BROOKS	DEWAN	10/28/2013	Designator
20130816196	BROWN	STEFAN	9/6/2013	Designator
20131021194	BROWN	DARNELL M	10/29/2013	Designator
20130917127	BURNETT	DEVON M	9/24/2013	Designator
20131003053	Burton	Keshia	10/9/2013	Designator
20131005093	CAMPBELL	ISADORE A	10/7/2013	Designator
20130826239	CARTER	MICHAEL	8/29/2013	Designator
20131026102	CAULEY	LEON M	11/25/2013	Designator
20131031234	CHAIRS	THOMAS	11/12/2013	Designator
20130913097	COLEMAN	LANDER	10/1/2013	Designator
20131206167	COLEMAN	MELVIN	12/9/2013	Designator
20130910141	COLON	EDWARD	9/23/2013	Designator
20131130146	DANIELS	QUENTIN	12/9/2013	Designator
20131125245	DEARMOND	LLOYD	12/5/2013	Designator
20131109026	DIXON	DEVANTE	12/13/2013	Designator
20130708143	EDDING	EDDIE	8/2/2013	Designator
20130918023	EVANS	MICHAEL	9/20/2013	Designator
20130729161	EVERETT	MARVELLA	8/7/2013	Designator
20131203041	FIGUEROA	STEVEN O	12/5/2013	Designator
20131103168	FLORES	DANIEL	11/5/2013	Designator
20131002028	Fowler	Xavier	10/4/2013	Designator
20131130035	FOWLES	BERKLIN O	12/2/2013	Designator
20131205199	GEORGE	JAY T	12/6/2013	Designator
20131117076	Gibbons	Christopher	7/3/2014	Designator
20131113063	GRAHAM	ANGELO	11/22/2013	Designator
20131130126	GRANT	ANDRE	12/20/2013	Designator
20130924138	GUERRERO	JORGE	9/27/2013	Designator
20131021102	HARO	ABRAHAM	11/8/2013	Designator
20130830053	Hayden	Cynthia	9/4/2013	Designator
20130908117	HAYES	HARRY	9/12/2013	Designator
20131006210	HAYNES	ANTHONY E	10/15/2013	Designator
20130913078	HEATH	ROMAINE M JR	9/20/2013	Designator
20131219025	HENTZ	CORNELIUS	12/20/2013	Designator
20131223155	Hernandez	Margarito	12/24/2013	Designator
20131114150	HERRERA	MANUEL	11/15/2013	Designator
20130820200	HERRIOTT	ALEXANDER J	8/30/2013	Designator
20130725211	HUNTER	MARVELL	8/5/2013	Designator
20130725126	Island	Derrick	8/23/2013	Designator

20131119042	IVY	MARTIN	8/19/2014	Designator
20131001167	Jackson	Tyris	10/8/2013	Designator
20130930204	JIMENEZ	JESUS	10/28/2013	Designator
20130703126	JOHNSON	CHARLES	7/5/2013	Designator
20130830123	JOHNSON	DEALBERT G	9/3/2013	Designator
20131105210	JOHNSON	HAKEEM	12/5/2013	Designator
20131018079	JONES	JAVON L	11/4/2013	Designator
20131221120	JONES	PAUL	12/30/2013	Designator
20131125238	JONES	ALEXANDER	1/16/2014	Designator
20131106066	JORDAN	STEVE	11/21/2013	Designator
20131120286	JOSEPH	ISIAH	2/28/2014	Designator
20130630157	Lacalamita	Carl B	7/22/2013	Designator
20131216183	LAMPLEY	ANTOINE	12/24/2013	Designator
20131015178	LANCASTER	LORENZO D	10/17/2013	Designator
20131025134	Lewis	Alan	11/22/2013	Designator
20131119079	Lewis	Willie	5/16/2014	Designator
20131019178	LONG	EDMUND C	10/25/2013	Designator
20130904203	MAGEE	LIDELL J	9/26/2013	Designator
20130904200	MALDONADO	ESTEBAN	10/4/2013	Designator
20130925106	MARDIS	LEMARCUS	10/7/2013	Designator
20131216244	MCGRADY	VARTESE	1/10/2014	Designator
20131104225	Miller	Bruce	5/13/2014	Designator
20131115306	MILLER	DELTONICK	6/17/2014	Designator
20131104076	Mitchell	Emmanuel	11/7/2013	Designator
20131109132	MITCHELL	ANTHONY	11/12/2013	Designator
20131122235	MITCHELL	ALEX	1/14/2014	Designator
20131122145	MOORE	WILLIE	11/25/2013	Designator
20131016141	MUHAMMAD	OMAR B	10/18/2013	Designator
20130904138	MUIR	JOSEPH M	9/6/2013	Designator
20131102054	NEAL	TERRONN	6/3/2014	Designator
20130818141	Nieves	Joseph	9/16/2013	Designator
20131207072	Oliver	Christopher	12/9/2013	Designator
20130630144	Orellana-moreno	Jorge	7/15/2013	Designator
20131125133	Perez	Luis	1/13/2014	Designator
20131219265	PERKINS	DANIEL	12/27/2013	Designator
20131126081	PLAZOLA-HARO	BENITO	12/19/2013	Designator
20131028252	Poole	Sondel	10/31/2013	Designator
20130920100	PRINCE	LAMONT T T	9/23/2013	Designator
20131206255	RAINEY	LINO S	12/20/2013	Designator
20131113258	RAMIREZ	MANUEL A	11/14/2014	Designator
20131111098	REGGANS	MARCUS	11/12/2013	Designator
20131105120	RESENDEZ	MEGAN	5/5/2014	Designator
20131120095	REUTTER	CLAYTON	3/17/2014	Designator
20131002153	Riley	Antwan M	10/25/2013	Designator
20130910193	Rivera	Joseph	9/12/2013	Designator
20130923175	ROBERSON	EDWARD	9/24/2013	Designator
20130828193	ROBERTSON	USTASHI Y	9/12/2013	Designator
20130717158	ROBINSON	MIGUEL	7/26/2013	Designator
20131012198	ROGERS	WALTER	10/18/2013	Designator
20130630175	ROMERO	ROBERT	7/5/2013	Designator
20131123176	ROTTMAN	RUSSEL	6/6/2014	Designator
20130826021	RUCCI	ANTHONY J	8/30/2013	Designator
20131230242	Salgado	Ramon	12/31/2013	Designator
20130927045	SALZMANN	BRITTANY	10/16/2013	Designator
20131127217	SCHORN	FEFUJIO	9/12/2014	Designator

20130828051	SELLE	JUSTIN	8/30/2013	Designator
20130723112	SHARP	RANDY	8/19/2013	Designator
20130921013	Smith	Raheem	9/24/2013	Designator
20131028251	SOLID	GARI	11/7/2013	Designator
20131107210	Steele	Jimmie	11/26/2013	Designator
20131107119	STEWART	LESLIE	2/11/2014	Designator
20131212201	Stewart	Jimmy	12/17/2013	Designator
20131112183	Stokes	James	1/6/2014	Designator
20130912006	STULGATE	JEFFREY S	9/17/2013	Designator
20131009130	TATUM	ELVERT	10/10/2013	Designator
20130926044	THOMAS	WILLIAM	9/30/2013	Designator
20130903220	VALENCIA	JAMES A	9/19/2013	Designator
20130920160	VALENTINE	PEDRO	9/30/2013	Designator
20131010079	VILLALOBAS	ANGEL R	11/1/2013	Designator
20130919127	Vivetter	Alexander	9/23/2013	Designator
20131031171	Wallace	Kevin	11/1/2013	Designator
20131218208	WELLS	JASON D	12/26/2013	Designator
20131119039	Whiteside	Dinarr	5/23/2014	Designator
20131117089	WILSON	TERRELL	11/25/2013	Designator
20131119183	WILSON	LAMIYIA	1/29/2014	Designator
20131007092	WOODRING	DOUGLAS E	10/10/2013	Designator
20130826193	YOUNG	KEITH D	8/29/2013	Designator
20130804064	ABRAMS	DONTE	8/26/2013	Donated
20130905222	ARTIS	RICHARD	9/17/2013	Donated
20130630134	BANKS	JERMAINE A	7/29/2013	Donated
20131123148	Banks	Demarco	12/6/2013	Donated
20131117107	BANKS	RAYMOND A	4/7/2014	Donated
20131110135	BARBER	ERIC	11/12/2013	Donated
20131211207	BUTLER	JOSEPH	12/17/2013	Donated
20131106077	BYRD	PHILLIP A	11/8/2013	Donated
20131122281	CAMPBELL	JULIAN	3/24/2014	Donated
20131021198	Carbajal	Miguel	10/24/2013	Donated
20131115311	CATTRON	RAYMOND A	4/15/2014	Donated
20131003127	Chappelle	Deandre	10/11/2013	Donated
20131107238	Cleveland	Michael	11/8/2013	Donated
20130823153	COOKS-HAYNES	DARREN L	9/3/2013	Donated
20130903213	COSBY	DEDRICK	9/5/2013	Donated
20131101171	CRESPO	EDUARDO	11/4/2013	Donated
20131213222	Davila	Elliot	12/16/2013	Donated
20131126208	DAVIS	HAROLD D	3/27/2014	Donated
20131104215	DEAN	KELCEY	11/8/2013	Donated
20131119280	Donelson	Charles	12/30/2013	Donated
20131106225	EWING	SAMUEL L	1/9/2014	Donated
20130707086	Ford	Pierre	7/15/2013	Donated
20131101211	FORD	KIRONDE	9/4/2014	Donated
20130813040	GARCIA	MARIO	8/15/2013	Donated
20130819024	GARRETT	BRIAN N	8/23/2013	Donated
20130822190	Gary	Teven	8/27/2013	Donated
20131230266	GATES	JERVELLE T	1/7/2014	Donated
20130627098	GOWDY	MICHAEL	7/1/2013	Donated
20131101029	GRACIA	MICHAEL R	2/24/2014	Donated
20130802181	GRAHAM	JERRY	8/5/2013	Donated
20131119243	GRANDISON	DARNELL D	10/31/2014	Donated
20130914117	GRANT	TYREE B	9/23/2013	Donated
20130807113	GUZMAN	ALEXANDER	8/9/2013	Donated

20131010168	HARRELL	KERRY L	10/21/2013	Donated
20131210209	HARRIS	RODGER	12/12/2013	Donated
20131202153	HERRERA	OMAR	12/3/2013	Donated
20131003191	HILL	RONALD	10/7/2013	Donated
20130821237	JOHNSON	DARLENE	8/28/2013	Donated
20130905028	JOHNSON	DOUGLAS F	9/9/2013	Donated
20130802019	KLUESENER	ABIGAIL	8/21/2013	Donated
20131124134	KRAAK	DYLAN T	12/12/2013	Donated
20131127195	LAWLER	DEVONNE	5/19/2015	Donated
20131104229	LAWSON	MARQUETTE	10/17/2014	Donated
20131126003	LAY	QUJAN W	3/11/2014	Donated
20131205187	LEMASTER	ALEX M	12/16/2013	Donated
20130822036	LEVANDOWSKI	LEONARD	8/26/2013	Donated
20131218189	LINDSEY	DENNIS	12/20/2013	Donated
20130909064	LIZARDO	JOSE	9/27/2013	Donated
20130930145	MACON	PIERRE M	10/1/2013	Donated
20131204334	MARDIS	LEMARCUS	12/13/2013	Donated
20131022203	MARKS	TEDDY L	11/19/2013	Donated
20131121258	MASON	DEVONTA C	2/14/2014	Donated
20131123158	MCKAY	ALEX	4/24/2014	Donated
20130720154	MCNEAL	ARTEZ	7/22/2013	Donated
20131113280	Means	Stacey	8/4/2014	Donated
20130819098	MONTANEZ	CARLOS	8/29/2013	Donated
20130822143	MOORE	JARVIS	9/20/2013	Donated
20131102117	MUNOZ	DAVID	4/3/2014	Donated
20130909018	RABLE	RICHARD	9/13/2013	Donated
20130919096	RAMSEY	JERMAINE D	9/20/2013	Donated
20131211216	Reasonover	Marvell	12/13/2013	Donated
20130902034	REDD	PAUL D	9/6/2013	Donated
20131123157	Reeves	Desmond	1/2/2014	Donated
20131220208	Rife	Chaunty	12/23/2013	Donated
20131018094	RIVERA	ORLANDO	10/21/2013	Donated
20131212248	SAMOJLA	ANTHONY	12/20/2013	Donated
20131108283	SHEPARD	MICHAEL R	7/24/2014	Donated
20130728157	SHORT	ANTWON	8/5/2013	Donated
20130911207	SIMS	NATHANIEL	9/16/2013	Donated
20130829074	Smith	Laquan	9/3/2013	Donated
20131119218	Sosa	Jose	12/17/2013	Donated
20131023084	SPRADLEY	COREY L	10/25/2013	Donated
20131014111	STEELE	JONATHAN	10/22/2013	Donated
20130704110	Taylor	Kendal	7/19/2013	Donated
20131227203	Taylor	Karl	12/30/2013	Donated
20130823094	Thompson	Turrell	8/26/2013	Donated
20130815161	Walker	Dwight	8/19/2013	Donated
20131106293	WALKER	ANTHONY	5/8/2014	Donated
20130813038	WILLIAMS	RONALD	8/16/2013	Donated
20131005034	Williams	Nicholas	10/10/2013	Donated
20131006034	WILLIAMS	TERRENCE	10/11/2013	Donated
20131121243	WILLIAMS	JOHN R	2/20/2014	Donated
20130927122	WOODS	ANTONIO	10/4/2013	Donated
20131029009	WRIGHT	BRANDON	11/1/2013	Donated
20130819060	MCALPINE	JENNIFER	8/21/2013	No Clothes
20130911261	NORMAN	RICKEY	9/13/2013	No Clothes
20130711196	Nunnally	Kenneth	7/15/2013	No Clothes
20130926109	PUGH	CURTIS	9/27/2013	No Clothes

20130717010	BAKER	WILLIAM	7/18/2013	Small Property Bag Storage
20130901026	Bell	Marcus	9/9/2013	Small Property Bag Storage
20131115280	BILLUPS	JERMAINE T	11/18/2013	Small Property Bag Storage
20130905117	BROWN	ALTON	9/13/2013	Small Property Bag Storage
20131122248	CAMPBELL	JUSTIN R	12/3/2013	Small Property Bag Storage
20130726133	CLEMONS	THOMAS M	8/8/2013	Small Property Bag Storage
20131102052	CROCKETT	SCHERRELL	11/6/2013	Small Property Bag Storage
20131202197	DORSEY	JUANITA	12/11/2013	Small Property Bag Storage
20131110040	EPPERSON	LENEQUIA	11/27/2013	Small Property Bag Storage
20131020070	Foster	Thomas	11/18/2013	Small Property Bag Storage
20131107056	Glasco	Courtney	7/18/2014	Small Property Bag Storage
20130719102	GREGG	KEVIN	7/22/2013	Small Property Bag Storage
20130708024	GREYER	DEXTER	7/11/2013	Small Property Bag Storage
20130708200	HONEY	JAMES	7/12/2013	Small Property Bag Storage
20130712037	JONES	AARON L	7/15/2013	Small Property Bag Storage
20131001061	Jones	William	10/18/2013	Small Property Bag Storage
20130817138	LANDERS	TONY D	8/26/2013	Small Property Bag Storage
20131108246	LOPEZ	CRISTIAN	1/23/2015	Small Property Bag Storage
20131106231	LOZADA	LIBORIO	11/14/2013	Small Property Bag Storage
20130705086	Mccray	Michael	7/8/2013	Small Property Bag Storage
20131112222	Mcshan	Dwan	11/14/2013	Small Property Bag Storage
20130628096	MORRIS	WILLIE LEE	7/26/2013	Small Property Bag Storage
20131121284	POLK	TONY	12/22/2014	Small Property Bag Storage
20131128139	RAYMOND	JOHNNY	2/6/2014	Small Property Bag Storage
20130827057	Reeger	Eddie	9/6/2013	Small Property Bag Storage
20131115149	SKALON	BRUCE JR	11/18/2013	Small Property Bag Storage
20131109070	Taylor	Catherine	12/24/2013	Small Property Bag Storage
20130629016	Tolliver	Darlene	7/17/2013	Small Property Bag Storage
20131230274	VANCE	MARCUS	1/17/2014	Small Property Bag Storage
20130721085	WAKEFIELD	MARCELO	7/26/2013	Small Property Bag Storage
20130717043	WASHINGTON	PAUL	8/1/2013	Small Property Bag Storage
20131128089	WILLIAMS	AVERY	11/28/2014	Small Property Bag Storage
20130626138	Wilson	Anthony	7/8/2013	Small Property Bag Storage
20130810147	WRIGHT	JASON A	8/19/2013	Small Property Bag Storage
20130723162	Armstrong	Soldon	7/29/2013	Undetermined/Warehouse
20130917003	BALKOM	BREONT L	9/19/2013	Undetermined/Warehouse
20130708154	BOOSE	ALBERT J	7/9/2013	Undetermined/Warehouse
20131106057	Booth	Sharonda	2/26/2014	Undetermined/Warehouse
20131209070	BROWN	JOSEPH L	12/10/2013	Undetermined/Warehouse
20130715033	CABRABRA	PEDRO A	7/22/2013	Undetermined/Warehouse
20130717210	CALMESE	MATTHEW	7/19/2013	Undetermined/Warehouse
20130806089	CAZARES	HERALDO	8/15/2013	Undetermined/Warehouse
20130820159	CHMELARA	TINA	9/11/2013	Undetermined/Warehouse
20130816195	CLARK	DEANDRE A	8/23/2013	Undetermined/Warehouse
20130625045	CONNER	LAVI B	7/3/2013	Undetermined/Warehouse
20130726136	CONWAY	KIERRE C	7/29/2013	Undetermined/Warehouse
20131106254	Daugherty	Terrance A	11/15/2013	Undetermined/Warehouse
20130618009	DEGROOT	NICOLAS	7/12/2013	Undetermined/Warehouse
20130628168	DERVIN	RICHARD H	7/1/2013	Undetermined/Warehouse
20131024177	DUNCAN	ERIC	10/31/2013	Undetermined/Warehouse
20130714074	Evans	Torrance	7/19/2013	Undetermined/Warehouse
20130718095	GARCIA	THOMAS	7/25/2013	Undetermined/Warehouse
20131121299	Glover	Demetrius	4/18/2014	Undetermined/Warehouse
20130916034	GOWDY	MICHAEL	10/15/2013	Undetermined/Warehouse
20130710174	HATHORNE	THOMAS J	7/18/2013	Undetermined/Warehouse

20130625117	HAYES	CHAZELLE	7/5/2013	Undetermined/Warehouse
20131111027	Hill	Teresa	9/24/2014	Undetermined/Warehouse
20131118311	JONES	JAMAL T	11/21/2013	Undetermined/Warehouse
20131106243	KING	CARL	1/24/2014	Undetermined/Warehouse
20130729099	LEWIS	LUTHER	7/30/2013	Undetermined/Warehouse
20130821085	LOPEZ	CARLOS D	8/23/2013	Undetermined/Warehouse
20130723101	Lumpkin	Christopher	8/15/2013	Undetermined/Warehouse
20130807250	MARTINEZ	JUAN	8/20/2013	Undetermined/Warehouse
20130901089	Mccoy	Tywanna K	9/18/2013	Undetermined/Warehouse
20131017103	Moon	Cordaro	10/18/2013	Undetermined/Warehouse
20130717021	Owens	Derrick	8/12/2013	Undetermined/Warehouse
20131217217	PACKARD	RANDI	12/18/2013	Undetermined/Warehouse
20130724139	Parker	Marcus	7/26/2013	Undetermined/Warehouse
20130808132	PARKER	CARLOS C	8/12/2013	Undetermined/Warehouse
20130906263	PAULSON	TIMOTHY	9/9/2013	Undetermined/Warehouse
20130811174	PENDLETON	ZAREE	8/23/2013	Undetermined/Warehouse
20130721110	PEOPLES	JONATHAN	7/23/2013	Undetermined/Warehouse
20130909203	PERSIANI	ROBERT A	10/3/2013	Undetermined/Warehouse
20130809216	PIERRE	SAVARIA	8/13/2013	Undetermined/Warehouse
20130710215	Pigram	Eric	7/12/2013	Undetermined/Warehouse
20131112215	RAMIREZ	ANTHONY J	2/4/2014	Undetermined/Warehouse
20130804176	Rocha	Rogelio	8/12/2013	Undetermined/Warehouse
20130723020	ROCHA	VICTOR	8/16/2013	Undetermined/Warehouse
20130703067	ROSS	DUBOIS A	8/1/2013	Undetermined/Warehouse
20130724158	Shaw	James	8/9/2013	Undetermined/Warehouse
20130717243	SUTTON	LEON D	8/6/2013	Undetermined/Warehouse
20131219276	TAYLOR	KENDRICK	1/3/2014	Undetermined/Warehouse
20130814133	TORRES	JOSE L	8/22/2013	Undetermined/Warehouse
20130829044	TORRES	MIGUEL	8/30/2013	Undetermined/Warehouse
20131106150	TUNSTALL	DESIREE	7/29/2015	Undetermined/Warehouse
20130623149	VASQUEZ	DIOGENES	7/18/2013	Undetermined/Warehouse
20131004181	VELEZ	JONATHAN	10/17/2013	Undetermined/Warehouse
20130630124	Wade	Leander	7/2/2013	Undetermined/Warehouse
20131127191	WAITS	EDWARD D	3/12/2015	Undetermined/Warehouse
20131011131	WALKER	DUANE	10/15/2013	Undetermined/Warehouse
20130612162	Ward	Ricardo	7/11/2013	Undetermined/Warehouse
20131225055	WARE	ANTHONY	1/24/2014	Undetermined/Warehouse
20130812178	WELLS	DEVION L	8/13/2013	Undetermined/Warehouse
20130629004	WHITE	DAVID L	7/1/2013	Undetermined/Warehouse
20130712096	Williams	Tremel	7/15/2013	Undetermined/Warehouse
20130731147	Williams	Denquan	8/8/2013	Undetermined/Warehouse
20130725245	WILSON	TARON	8/2/2013	Undetermined/Warehouse
20130617068	WINFIELD	RICKY L	7/9/2013	Undetermined/Warehouse

FIRM I.D. 42258

GMD/YXS/vmp

DCC-77165

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LEONCIO ELIZARRI, individually and for others)		
similarly situated,)		
Plaintiff,)		
v.)		No. 17 CV 8120
SHERIFF OF COOK COUNTY and)		Judge Thomas M. Durkin
COOK COUNTY, ILLINOIS,)		
Defendants.)		Magistrate Judge Daniel G. Martin

CERTIFICATE OF SERVICE

To: Mr. Joel A. Flaxman (jaf@kenlaw.com)
Mr. Kenneth N. Flaxman (knf@kenlaw.com)
200 South Michigan Avenue
Suite 201
Chicago, Illinois 60604-2430

Ms. Danielle Mikhail danielle.mikhail@cookcountyil.gov
Cook County State's Attorney's Office
500 Richard J. Daley Center
Chicago, Illinois 60602

The undersigned, a non-attorney, certifies and states that she served **DEFENDANT, SHERIFF OF COOK COUNTY'S ANSWERS TO SECOND SET OF INTERROGATORIES** by emailing a copy to the addressee(s) at the email(s) indicated above from 333 West Wacker Dr., Suite 500, Chicago, IL 60606 at or before 5:00 p.m. on July 12, 2019 and that this statement as set forth is true and correct.

/s/Victoria M. Pustelak

Gerald M. Dombrowski (#6210375)
Yifan Xu Sanchez (#6301220)
SANCHEZ DANIELS & HOFFMAN LLP
Attorneys for Defendant, SHERIFF OF COOK COUNTY
333 West Wacker Drive
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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LEONCIO ELIZARRI and GREGORY L.)	
JORDAN, individually and for others)	
similarly situated,)	
)	
Plaintiffs,)	
)	
v.)	No. 17 cv 8120
)	
SHERIFF OF COOK COUNTY and)	Judge Thomas M. Durkin
COOK COUNTY, ILLINOIS,)	
)	
Defendants.)	

**DEFENDANT, SHERIFF OF COOK COUNTY'S
ANSWERS TO SECOND SET OF INTERROGATORIES**

NOW COMES the Defendant, SHERIFF OF COOK COUNTY, by and through its attorneys, SANCHEZ DANIELS & HOFFMAN LLP and as its Answers to Plaintiff's Second Set of Interrogatories, states as follows:

1. State the name and position of the person or persons answering these interrogatories.

ANSWER: The individual representative of the Office of the Cook County Sheriff verifying these interrogatories, as required by Rule 33(b), is Khara Coleman, Assistant General Counsel, Department of Legal and Labor Affairs. Ms. Coleman may be contacted through counsel of record, listed below.

2. Has the Sheriff issued any written directives on or after July 1, 2013 of any sort concerning the disposition of property sent to the warehouse, as referred to in the Court's order of April 17, 2019 at 4?

ANSWER: The Office of the Cook County Sheriff has issued and reissued policies and procedures related to the transfer of relevant property.

3. Unless your answer to the preceding interrogatory is an unqualified "no," please identify by date, title, and current custodian, all such written directives.

ANSWER: The Office of the Cook County Sheriff of has issued and reissued the Cook County Department of Corrections Inmate Information Handbook - effective June 2018, Chapter 9, Cook County Department of Corrections Policy 717 - reissued

on October 1, 2018, Procedure 109 - reissued on October 1, 2018, Cook County Department of Corrections Policy 305, Lexipol LLC dated February 1, 2019 and Cook County Department of Corrections Policy 315, Lexipol LLC dated February 1, 2019.


4. Describe the Sheriff's current procedure, if any, for disposition of property sent to the warehouse, as referred to in the Court's order of April 1, 2019 at 4.

ANSWER: Due to the pendency of the *Elizarri* litigation, the subject detainee property that might have been disposed of pursuant to the policies and procedures of the Cook County Department of Corrections, including Procedure 109 and Policies 305, 315 or 717, or pursuant to 20 Ill. Adm. Code 701.60(d), is not currently being disposed of by the Office of the Cook County Sheriff.

Gerald M. Dombrowski (#6210375)
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VERIFICATION

Under penalty of perjury as provided by law pursuant to Federal Rules of civil Procedure 33(b)(5), the below states that the information contained in Defendant Sheriff of Cook County's Answer to Plaintiff's Second Set of Interrogatories is true and correct to the best of my knowledge, information and belief, based on upon the information made available to me, and, therefore, the foregoing objections and answer to Defendant Sheriff of Cook County's Answer to Plaintiff's Second Set of Interrogatories is based on behalf of me in this litigation.


Khara Coleman

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LEONCIO ELIZARRI and GREGORY L.)		
JORDAN, individually and for others)		
similarly situated,)		
Plaintiffs,)		
v.)		No. 17 cv 8120
SHERIFF OF COOK COUNTY and)		Judge Thomas M. Durkin
COOK COUNTY, ILLINOIS,)		
Defendants.)		

CERTIFICATE OF SERVICE

To: Mr. Joel A. Flaxman (jaf@kenlaw.com)
Mr. Kenneth N. Flaxman (knf@kenlaw.com)
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Chicago, Illinois 60604-2430

Ms. Danielle Mikhail danielle.mikhail@cookcountyil.gov
Cook County State's Attorney's Office
500 Richard J. Daley Center
Chicago, Illinois 60602

The undersigned certifies and states that he caused to be served **DEFENDANT, SHERIFF OF COOK COUNTY'S AMENDED ANSWER TO SECOND SET OF INTERROGATORY NO. 4** by emailing a copy of same to the above listed attorneys at the email addresses indicated by 5:00 p.m. on September 28, 2020.

/s/Gerald M. Dombrowski

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LEONCIO ELIZARRI and GREGORY L.)	
JORDAN, individually and for others)	
similarly situated,)	
)	
Plaintiffs,)	
)	
v.)	No. 17 cv 8120
)	
SHERIFF OF COOK COUNTY and)	Judge Thomas M. Durkin
COOK COUNTY, ILLINOIS,)	
)	
Defendants.)	

**DEFENDANT, SHERIFF OF COOK COUNTY'S
AMENDED ANSWER TO SECOND SET OF INTERROGATORY NO. 4**

NOW COMES the Defendant, SHERIFF OF COOK COUNTY, by and through its attorneys, SANCHEZ DANIELS & HOFFMAN LLP and as its Amended Answer to Plaintiff's Second Set of Interrogatory No. 4, previously answered June 2019 states as follows:

4. Describe the Sheriff's current procedure, if any, for disposition of property sent to the warehouse, as referred to in the Court's order of April 1, 2019 at 4.

ANSWER: Due to the pendency of the *Elizarri* litigation, the subject detainee property that might have been disposed of pursuant to the policies and procedures of the Cook County Department of Corrections, including Procedure 109 and Policies 305, 315 or 717, or pursuant to 20 Ill. Adm. Code 701.60(d), is not currently being disposed of by the Office of the Cook County Sheriff.

AMENDED ANSWER:

Defendant objects to the Interrogatory as vague to the extent that it seeks information on a process for "disposition of property sent to the warehouse", as the operative Complaint contains no references related to a warehouse, and there appears to be no dispute of a legal or factual issue concerning "disposition of property sent to the warehouse", as opposed to general issue of disposition of compliant property bags that were not destroyed pursuant to CCDOC policies in effect at the time, regardless of where they may have been stored.

To the extent that Plaintiff's Second Interrogatory No. 4 seeks information for disposition of a collection of compliant property that was not destroyed pursuant to CCDOC policies in effect at the time that they were collected, as described in paragraphs 14-21 and 33-36 of the Amended Complaint. (ECF Dkt. 42), such property remains in the custody of the CCDOC. Those property bag number approximately 5,000.

To the extent that Plaintiff's Second Interrogatory No. 4 seeks to know the *current* procedure for the disposition of detainee property, Defendant directs Plaintiff to CCDOC procedure 109 and policies 305, 315, 717 or pursuant 20 Ill. Adm. Code 701.60(d), previously produced by this Defendant.

With respect to the subject compliant property bags which were previously eligible for destruction, but had not been destroyed, the Office of the Cook County Sheriff did not destroy such bags. Those bags are among the approximately 5,000 inventoried at this time. However, the Sheriff's Office did not continue to accumulate compliant property bags which were otherwise eligible for destruction, and now follows its property retention and destruction policies.

Currently and as of late 2018, this Defendant has been following its policies, procedures and the law related to the destruction of detainee property. As such, Defendant currently does not hold property after the specified time period and has followed its policies, procedures and the law regarding the disposal of property,

VERIFICATION

Pursuant to 28 U.S.C. § 1746, I, Khara Coleman, Assistant General Counsel with the Office of the Cook County Sheriff, state under penalty of perjury, and pursuant to Federal Rule of Civil Procedure 33(b)(5), that the information contained in Sheriff of Cook County's Amended Answer to Plaintiff's Second Set of Interrogatory No. 4, *Elizarri et al v. Sheriff et al*, 17 cv 8120, is true and correct to the best of my knowledge, information and belief. The Responses provided herein are not based on my sole recollection, memory or knowledge, but rather were drafted based upon consultation with employees of the Office of the Cook County Sheriff, based upon review of records and documents in the possession of the Cook County Sheriff's Office, and upon advice and consultation of our attorneys.

Date: 9-25-2020



Khara Coleman

Assistant General Counsel – Civil Litigation & Torts
Office of the Cook County Sheriff

Gerald M. Dombrowski (#6210375)
Special Assistant State's Attorney
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