

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

Leticia Vargas, Administrator of)	
the Estate of Angel Cruz,)	
)	18-cv-1865
<i>Plaintiff,</i>)	
)	<i>(Judge Seeger)</i>
<i>-vs-</i>)	
)	
County of Cook, et al.,)	
)	
<i>Defendants.</i>)	

**JOINT MOTION TO ACCEPT LATE-FILED
EXHIBITS AND REPLACE VIDEO EXHIBITS**

The parties, by counsel, jointly move the court to accept late-filed summary judgment exhibits, and plaintiff, without opposition, seeks leave to replace video exhibits.

Grounds for this motion are as follows:

1. Plaintiff and Defendants timely filed summary judgment motions (ECF Nos. 150, 151), supporting memoranda (ECF Nos. 152, 155), and Local Rule 56.1 Statements (ECF Nos. 153, 154) on August 31, 2021.
2. Counsel for plaintiff and counsel for defendants both encountered technological problems with PDF exhibit files and were unable to complete the filing of exhibits until September 1, 2021: plaintiff at 12:39 a.m., ECF No. 156, and defendants at 9:25 a.m., ECF No. 157.
3. Defendants are seeking to file four of their exhibits under seal, Exhibits C, D, O, and X; they will file a separate motion about those exhibits.

4. The parties apologize for this delay in filing the exhibits and agree that no party is prejudiced by the delay.

5. In addition, plaintiff seeks leave to replace four video exhibits submitted through the Court's "Digital Media Exhibit Submission" page that correspond to the Plaintiff's Video Exhibit Index, ECF No. 149.

6. Plaintiff mistakenly submitted versions of four surveillance videos that do not contain a time-stamp and seeks to replace them with versions of the same videos that contain the time-stamp.

7. Defendants do not object to plaintiff's request to replace the video exhibits.

ACCORDINGLY, the parties respectfully request that the Court enter an order accepting the late-filed exhibits, ECF Nos 156, 157, and plaintiff respectfully requests, without objection, that the Court grant leave for plaintiff to replace the four video exhibits.

Respectfully submitted,

/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/ William R. Ragen (with consent)
William R. Ragen, ASA
Civil Rights Section
500 Richard J. Daley Center
Chicago, Illinois 60602
(312) 603-7944
*Attorney for Cook County and
Individually Named Cook
County Employees*