

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

**DEFENDANT KALLATT MOHAMMED'S UNOPPOSED MOTION FOR LEAVE TO
FILE AMENDED ANSWER TO PLAINTIFF'S COMPLAINT**

Defendant, Kallatt Mohammed ("Mohammed"), by and through one of his attorneys, Special Assistant Corporation Counsel Sean M. Sullivan of Mohan Groble Scolaro, P.C., pursuant to Federal Rule of Civil Procedure 15, moves this Court for leave to file his Amended Answer to Plaintiff's Complaint. In support, Mohammed states as follows:

1. Plaintiff filed his Complaint on May 16, 2018, alleging that he suffered injuries and damages as a result of the Defendant Officers' and City of Chicago's acts and omissions. Dkt. 1.

2. On July 17, 2018, Defendant Mohammed filed his Answer to Plaintiff's Complaint. Dkt. 27. In response to certain of the allegations contained in the Complaint, Mohammed asserted his Fifth Amendment privilege against self-incrimination. Defendant Mohammed now seeks to amend his Answer, withdrawing his Fifth Amendment invocation, withdrawing other objections to certain paragraphs in the Complaint, and conforming his Affirmative Defenses to those asserted in the other cases previously managed under the Watts Consolidated matter.

3. Subsequent investigation of Plaintiff's allegations revealed information that resulted in the determination that the privilege could, and should, be withdrawn. Specifically,

Mohammed will deny certain allegations related to his involvement in the incidents described by Plaintiff in his Complaint.

4. Under Federal Rule of Civil Procedure 15, the court should freely grant leave to amend "when justice so requires." While leave to amend is not as a matter of course, the permissive policy of the Rule is both explicit and consistent with the animating purpose to ensure that cases be decided on their merits. Accordingly, a motion for leave to amend should be granted "in the absence of undue delay, undue prejudice to the party opposing the motion, or futility of the amendment." *Eastern Natural Gas Corp. v. ALCOA*, 126 F.3d 996, 999 (7th Cir. 1997). The most significant factor is the potential prejudice to plaintiff if the amendment is allowed. *Am. Hardware Mfrs. Ass'n v. Reed Elsevier, Inc.*, No. 03 C 9241, 2006 U.S. Dist. LEXIS 49220, *6 (N.D.Ill., July 6, 2006). In the instant case, there is none.

5. Plaintiff will not be prejudiced if this Court grants Defendant Mohammed leave to file his Amended Answer. Counsel for Plaintiff has advised counsel for Mohammed that Plaintiff does not oppose this motion.

6. Defendant Mohammed is willing to surrender his Fifth Amendment privilege and will not be asserting his privilege at trial.

7. Counsel for Plaintiff has advised counsel for Mohammed that Plaintiff does not oppose the motion, so long as the parties agree that the admissibility of Mohammed's prior invocation of the privilege will be argued and ruled upon at a future date.

WHEREFORE, Defendant, Kallatt Mohammed, moves this Court for leave to file his Amended Answer to Plaintiff's Complaint.

Respectfully submitted,

/s/ Sean M. Sullivan

SEAN M. SULLIVAN

Special Assistant Corporation Counsel

Eric S. Palles

Sean M. Sullivan

Yelyzaveta (Lisa) Altukhova

Mohan Groble Scolaro, P.C.

55 W. Monroe St., Suite 1600

Chicago, IL 60603

(312) 422-9999

epalles@mohangroble.com

ssullivan@mohangroble.com

laltukhova@mohangroble.com

Counsel for Defendant Kallatt Mohammed

CERTIFICATE OF SERVICE

I hereby certify that on March 28, 2025, I caused the foregoing Unopposed Motion For Leave To File Amended Answer To Plaintiff's Complaint to be served using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Sean M. Sullivan

Special Assistant Corporation Counsel
One of the attorneys for Kallatt Mohammed