

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

Rozalynn Butler, as Special	)	
Administrator of the Estate of	)	No. 18-cv-4918
Keith Smith,	)	
	)	(Judge Kendall)
<i>Plaintiff,</i>	)	
	)	
-vs-	)	
	)	
City of Chicago, et al.	)	
	)	
<i>Defendants.</i>	)	

**PLAINTIFF'S UNOPPOSED MOTION TO AMEND  
THE DISTRIBUTION OF SETTLEMENT FUNDS**

Plaintiff, by counsel, moves the Court to amend the distribution of the settlement that the Court ordered on December 6, 2023.

Grounds for this motion are as follows:

1. On December 6, 2023, the Court granted the Motion to Approve Settlement and Distribution, and ordered that \$48,269.88 of the settlement be divided evenly between decedent's three children.
2. After the Court approved the distribution, plaintiff's counsel received the attached invoice, showing that decedent's father, Stanley Smith, spent \$6,437.50 on funeral and burial expenses.
3. This amount must be repaid out of the settlement proceeds pursuant to 755 ILCS 5/18-10.

4. Accordingly, plaintiff requests that the Court modify the distribution such that Stanely Smith receives \$6,437.50, and the balance of \$41,832.38 is divided evenly among Mr. Smith's surviving children, Decarion Smith, Christian Smith, and Kei'a Smith, with each receiving \$13,944.13.

5. Defendants do not oppose this motion.

It is therefore respectfully requested that the Court grant this motion and amend the distribution of the settlement.

Respectfully submitted,

/s/ Joel A. Flaxman  
Joel A. Flaxman  
ARDC No. 6292818  
Kenneth N. Flaxman  
200 S Michigan Ave Ste 201  
Chicago, IL 60604-2430  
(312) 427-3200  
*Attorneys for Plaintiff*