

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

Keith Smith,	)	
	)	
Plaintiff,	)	No. 18-cv-4918
	)	
v.	)	Judge Kendall
	)	
City of Chicago, et al.	)	
	)	
Defendants.	)	

**DEFENDANTS' UNOPPOSED MOTION  
TO EXTEND THE TIME TO COMPLETE DISCOVERY**

Defendants Ranita Mitchell and Herman Otero, and the City of Chicago, through their respective counsel, respectfully move this court pursuant to Federal Rule of Civil Procedure 6(b)(1) to extend the fact discovery period through and including November 1, 2023. In support of this motion, Defendants state as follows:

1. The current fact discovery period is scheduled to close on August 15, 2023. (Dkt. 92.)
2. On May 30, 2023, this Court granted the parties' agreed motion to extend fact discovery. (Dkt. 90.) At that time, the parties had exchanged written discovery and were scheduling depositions in June. (Dkt. 90.)
3. Defendant Officers' depositions were scheduled for June 2023. However, the depositions have been postponed because neither party has a copy of the grand jury transcripts from Plaintiff's underlying criminal case from 2013 (13 CR 2162801).
4. On July 6, 2023, Defendant City and Defendant Officers filed a motion in the Circuit Court of Cook County for the release of grand jury transcripts. Plaintiff did not object to the motion.
5. At a hearing on July 12, 2023, the Circuit Court of Cook County continued the motion until July 26, 2023. The Circuit Court granted the Cook County State's Attorney Office's oral

motion for an extension of time to submit a response to Defendants' motion for release of the grand jury transcripts.

6. The grand jury transcripts are relevant to Plaintiff's claims, as they are probative as to whether there was probable cause for Plaintiff's prosecution.
7. The parties have been working diligently to complete discovery in this matter. The City answered Plaintiff's written discovery and tendered supplemental Rule 26(a) disclosures in May 2023. Plaintiff answered the City's written discovery on July 5, 2023. The City answered Plaintiff's supplemental requests for production on July 17, 2023. Defendants took Plaintiff's deposition on May 24, 2023.
8. The parties ask that this Court extend the deadline to November 1, 2023.
9. Plaintiff's Counsel advised that Plaintiff has no objection to this motion. This motion is not being brought for any reason other than to facilitate a just outcome.

**WHEREFORE**, Plaintiffs and Defendants respectfully request that this Court extend the deadline for the completion of depositions to November 1, 2023.

Respectfully Submitted,

/s/William Cook

Assistant Corporation Counsel  
City of Chicago, Department of Law  
2 North LaSalle Street, Suite 420  
Chicago, IL 60657  
312-742-2472  
[william.cook@cityofchicago.org](mailto:william.cook@cityofchicago.org)  
**Attorney for the City**

/s/ Nikoleta Lamprinakos

Nikoleta Lamprinakos (6274018)  
Robbins, Schwartz, Nicholas, Lifton & Taylor,  
LTD.  
55 West Monroe, Suite 800  
Chicago, Illinois 60603-5144  
(312) 332-7760  
[nlamprinakos@robbins-schwartz.com](mailto:nlamprinakos@robbins-schwartz.com)  
**Attorney for Defendant Police Officers**

**CERTIFICATE OF SERVICE**

I certify that on July 18, 2023, I served a copy of the foregoing upon all parties via the Northern District of Illinois' electronic case filing (ECF) system.

/s/ William Cook