

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

|                                |   |                      |
|--------------------------------|---|----------------------|
| Khalid Ali,                    | ) |                      |
|                                | ) |                      |
| <i>Plaintiff,</i>              | ) |                      |
|                                | ) | No. 19-cv-00022      |
| <i>-vs-</i>                    | ) |                      |
|                                | ) |                      |
| City of Chicago, et al.,       | ) | <i>(Judge Chang)</i> |
|                                | ) |                      |
| <i>Defendants.</i>             | ) |                      |
|                                | ) |                      |
| Glenn Miller,                  | ) |                      |
| <i>Petitioning-Intervenor.</i> | ) |                      |

**SECOND NOTICE OF APPEAL**

NOTICE IS HEREBY GIVEN that Glenn Miller, petitioning-intervenor, hereby appeals to the United States Court of Appeals for the Seventh Circuit from the order entered on March 24, 2021 denying his petition to intervene and from the final decision entered on January 25, 2021, as previously specified in the notice of appeal filed on February 24, 2021.

/s/ Kenneth N. Flaxman  
Kenneth N. Flaxman  
ARDC No. 0830399  
knf@kenlaw.com  
Joel A. Flaxman  
200 S Michigan Ave, Ste 201  
Chicago, IL 60604  
*attorneys for petitioning-intervenor*

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

|                               |   |                      |
|-------------------------------|---|----------------------|
| Khalid Ali,                   | ) |                      |
|                               | ) |                      |
| <i>Plaintiff,</i>             | ) |                      |
|                               | ) | No. 19-cv-00022      |
| <i>-vs-</i>                   | ) |                      |
|                               | ) |                      |
| City of Chicago, et al.,      | ) | <i>(Judge Chang)</i> |
|                               | ) |                      |
| <i>Defendants.</i>            | ) |                      |
|                               | ) |                      |
| Glenn Miller,                 | ) |                      |
| <i>Petitioning-Intervenor</i> | ) |                      |

**DOCKETING STATEMENT**

The original plaintiff, Khalid Ali, invoked the jurisdiction of the district court pursuant to 28 U.S.C. § 1343 to assert a claim under 42 U.S.C. § 1983.

On January 29, 2020, the district court concluded that plaintiff Ali could not seek certification of the case as a class action because he had not provided defendant City of Chicago with advance notice of his intent to sue as a class representative. (ECF No. 59.) Plaintiff Ali sought interlocutory review, but the Court of Appeals denied Ali's Rule 23(f) petition for permission to appeal on February 12, 2020, 7th Cir. Case No. 20-8002.

Plaintiff Ali filed a motion for leave to file an amended complaint on February 12, 2020. (ECF No. 62.) Ali provided notice in his proposed amended complaint (ECF No. 62-1) that he was bringing the case individually and for a putative class. (Proposed Amended Complaint, ¶ 39, ECF No. 62-1 at 3-4). The

district court denied Ali leave to amend on November 30, 2020 as part of its ruling on the motion for summary judgment of the individual defendants. (ECF No. 103.)

Plaintiff Ali settled his claim and signed a written settlement agreement on January 20, 2021. The settlement agreement does not permit Ali to appeal the order denying class certification. The parties filed a stipulation to dismiss on January 25, 2021 (ECF No. 108), and the district court entered an order of dismissal on January 25, 2021. (ECF No. 109.)

Petitioner Glenn Miller, a member of the class plaintiff Ali sought to represent in this case, filed his petition to intervene on January 25, 2021. (ECF No. 110.) Petitioner called the district court's attention to *CE Design, Ltd. v. Cy's Crab House North, Inc.*, 731 F.3d 725 (7th Cir. 2013), and requested the district court to rule on intervention within 30 days after entry of the order of dismissal. (ECF No. 110 at 5.) In the alternative, petitioner requested the district court to "enlarge the time for filing an appeal (up to 30 days), as permitted by FED. R. APP. P. 4(a)(5)." *Id.*, quoting *Roe v. Town of Highland*, 909 F.2d 1097, 1099-100 (7th Cir. 1990).

On February 19, 2021, petitioner renewed his request that the Court extend the time to appeal by filing a separate motion to extend the time to appeal. (ECF No. 116.) The district court had not ruled on the motion by February 24, 2021, the 30th day following entry of the final decision of January 25, 2021.

Petitioner therefore filed a notice of appeal that day. That appeal is pending in the Court of Appeals as Case Number 21-1353.

The district court granted the motion to extend on March 11, 2021 (ECF No. 123), allowing petitioner until March 26, 2021 to file a notice of appeal. The district court denied Miller's petition to intervene on March 24, 2021. (ECF No. 124.) Miller files his notice of appeal on March 25, 2021 and invokes the jurisdiction of the Court of Appeals pursuant to 28 U.S.C. § 1291.

Respectfully submitted,

/s/ Kenneth N. Flaxman  
Kenneth N. Flaxman  
ARDC No. 0830399  
knf@kenlaw.com  
Joel A. Flaxman  
200 S Michigan Ave, Ste 201  
Chicago, IL 60604  
*attorneys for*  
*petitioning-intervenor-appellant*

**UNITED STATES DISTRICT COURT  
FOR THE Northern District of Illinois – CM/ECF LIVE, Ver 6.3.3  
Eastern Division**

Khalid Ali

Plaintiff,

v.

Case No.: 1:19-cv-00022

Honorable Edmond E. Chang

City of Chicago, et al.

Defendant.

---

**NOTIFICATION OF DOCKET ENTRY**

This docket entry was made by the Clerk on Monday, January 25, 2021:

MINUTE entry before the Honorable Edmond E. Chang: Pursuant to the stipulated dismissal [108], under Federal Rule of Civil Procedure 41(a)(1)(A)(ii), and to avoid unnecessary status hearings and to provide time to effectuate the agreement, the case is dismissed without prejudice and with full leave to reinstate via motion filed by 04/12/2021. If no motion to reinstate is filed by that date, then the dismissal will automatically convert to a dismissal with prejudice, without further action by the Court. Status hearing of 02/05/2021 is vacated. Civil case terminated. Emailed notice (mw, )

**ATTENTION:** This notice is being sent pursuant to Rule 77(d) of the Federal Rules of Civil Procedure or Rule 49(c) of the Federal Rules of Criminal Procedure. It was generated by CM/ECF, the automated docketing system used to maintain the civil and criminal dockets of this District. If a minute order or other document is enclosed, please refer to it for additional information.

For scheduled events, motion practices, recent opinions and other information, visit our web site at [www.ilnd.uscourts.gov](http://www.ilnd.uscourts.gov).

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

|                                   |   |                       |
|-----------------------------------|---|-----------------------|
| KHALID ALI,                       | ) |                       |
|                                   | ) |                       |
|                                   | ) |                       |
| Plaintiff,                        | ) | No. 1:19-CV-00022     |
|                                   | ) |                       |
| v.                                | ) |                       |
|                                   | ) | Judge Edmond E. Chang |
| CITY OF CHICAGO, CHICAGO POLICE   | ) |                       |
| OFFICERS NORA VALDES and JOHN     | ) |                       |
| KELYANA, LIEUTENANT KEVIN         | ) |                       |
| REPPEN, and SERGANT VINCENT VOGT, | ) |                       |
|                                   | ) |                       |
| Defendants.                       | ) |                       |

**ORDER**

In this civil-rights lawsuit, Khalid Ali brought claims of false arrest, under the Fourth Amendment, against four Chicago Police Officers, alleging that they continued to hold him in custody after it was clear that he was not the same “Khalid Ali” named on a warrant issued in suburban DuPage County. R. 26, Second Am. Compl. He also brought state law claims against the City of Chicago, *id.* ¶ 30, as well as a *Monell* claim against the City, *id.* ¶ 26. The *Monell* claim alleging that the City had a policy that prevented him from posting bond and avoiding the night in jail. *Id.*

The individual officers moved for summary judgment. R. 65. The Court granted the motion in favor of two officers in the entirety, while a part of the false-arrest claim (specifically, the part premised on what happened after the warrant’s arrival at the police station) survived as to the other two officers. R. 103. All of the parties settled and the case was dismissed in its entirety pursuant to a stipulated dismissal. R. 108, 109.

Pending now is a motion to intervene filed by Glenn Miller, filed on the day of the entry of the stipulated dismissal. R. 110. Miller wishes to intervene so that he can appeal “the Court’s rulings that the case could not proceed as a class action.” R. 110

at 3 ¶ 9. Miller cites cases in which a putative class member was permitted to intervene for purposes of appealing the denial of class certification after the original named plaintiffs settled or otherwise decided not to appeal the denial after a case's end. R. 110 at 3 ¶ 8 (citing *United Airlines, Inc. v. McDonald*, 432 U.S. 385, 394 (1977); *Roe v. Town of Highland*, 909 F.2d 1097, 1109; *Larson v. JPMorgan Chase & Co.*, 530 F.3d 578, 583 (7th Cir. 2008)). Even after dismissal of the case, those opinions held, the proposed intervenor acted timely given the named class representatives had been validly expected to pursue an appeal.

As the City points out, however, there is a crucial difference between the cited cases and Miller's proposal here. In those other cases, the lawsuits had been brought as proposed class actions. *McDonald*, 432 U.S. at 388 ("Romasanta then promptly filed the present suit as a class action"); *Roe*, 909 F.2d at 1098 (the plaintiff "was the named plaintiff for a putative class of women"); *Larson*, 530 F.3d at 580 ("the three plaintiffs brought this federal securities suit on behalf of themselves and all other stockholders"). So there was no question that the putative class members could rely on the named plaintiffs to pursue the class actions; after all, the named plaintiffs had proposed the class actions in operative complaints and were already litigating the propriety of certification. It would be senseless to give putative class members a reason to clog the courts with another lawsuit, especially where the putative class member had "no reason ... to suppose that [the named plaintiffs] would not later take an appeal," *McDonald*, 432 U.S. at 394.

Here, there never was an operative complaint that asserted a proposed class action. As the Court previously explained, R. 59, neither the original complaint nor the amended complaint did so. Ali had never given notice that he sought to sue as a class representative, Fed. R. Civ. P. 23(c), so the Court struck the class-certification motion, R. 41, that he had sprung on the defense just two days before the close of discovery. R. 59. Ali later did file a motion to file a second amended complaint that he could add a proposed class action. R. 62. As explained in the Opinion that also addressed the summary judgment motions, the proposed amendment came much too late in the case, even when measured against the forgiving standard of Federal Rule of Civil Procedure 15(a)(2). R. 103 at 7–10 (explaining that the thrice-extended fact discovery would have to be extended again to explore whether certification of a class of approximately 2,942 arrestees was appropriate).

Unlike *McDonald*, *Roe*, and *Larson*, the case filed by Ali never presented an operative complaint with a proposed class action. So, unlike the putative class members in the cited cases, Miller did not reasonably rely on Ali's case to pursue class

certification. Indeed, by December 23, 2019, the City had already moved to strike the certification motion, pointing out that Ali had never sought to bring the suit as a proposed class action and had filed the certification motion two days before fact discovery closed. R. 53 at 1, 4. The alarm bells should have rung loud and clear that Miller should move to intervene then or, more cautiously, should file suit (with the two-year limitations period ending on January 19, 2020). In any event, because Ali never even successfully *proposed* a class action, what *McDonald* called the “critical fact” was never triggered here: “that the interests of the unnamed class members would no longer be protected by the *named class representatives*,” 432 U.S. at 395 (emphasis added). Ali was never even a named class representative. The motion to intervene was not timely brought, so it is denied.

ENTERED:

\_\_\_\_\_  
s/Edmond E. Chang  
Honorable Edmond E. Chang  
United States District Judge

DATE: March 24, 2021



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

|                                |   |                      |
|--------------------------------|---|----------------------|
| Khalid Ali,                    | ) |                      |
|                                | ) |                      |
| <i>Plaintiff,</i>              | ) |                      |
|                                | ) | No. 19-cv-00022      |
| <i>-vs-</i>                    | ) |                      |
|                                | ) |                      |
| City of Chicago, et al.,       | ) | <i>(Judge Chang)</i> |
|                                | ) |                      |
| <i>Defendants.</i>             | ) |                      |
|                                | ) |                      |
| Glenn Miller,                  | ) |                      |
| <i>Petitioning-Intervenor.</i> | ) |                      |

**NOTICE OF APPEAL**

NOTICE IS HEREBY GIVEN that Glenn Miller, petitioning-intervenor, hereby appeals to the United States Court of Appeals for the Seventh Circuit from the final decision entered on January 25, 2021. This is a protective “springing” notice of appeal pursuant to *CE Design, Ltd. v. Cy's Crab House North, Inc.*, 731 F.3d 725, 729 (7th Cir. 2013).

/s/ Kenneth N. Flaxman  
Kenneth N. Flaxman  
ARDC No. 0830399  
knf@kenlaw.com  
Joel A. Flaxman  
200 S Michigan Ave, Ste 201  
Chicago, IL 60604  
*attorneys for petitioning-intervenor*

APPEAL,MIDP,SCHENKIER,TERMED

**United States District Court**  
**Northern District of Illinois - CM/ECF LIVE, Ver 6.3.3 (Chicago)**  
**CIVIL DOCKET FOR CASE #: 1:19-cv-00022**  
**Internal Use Only**

Ali v. Chicago et al  
Assigned to: Honorable Edmond E. Chang  
Case in other court: 21-01353  
Cause: 42:1983 Civil Rights Act

Date Filed: 01/02/2019  
Date Terminated: 01/25/2021  
Jury Demand: Both  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff****Khalid Ali**

represented by **Kenneth N Flaxman**  
Kenneth N. Flaxman, P.C.  
200 South Michigan Avenue  
Suite 201  
Chicago, IL 60604-6107  
(312) 427-3200  
Email: knf@kenlaw.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Joel A. Flaxman**  
Kenneth N. Flaxman P.C.  
200 S Michigan Ave Ste 201  
Chicago, IL 60604  
(312) 427-3200  
Email: jaf@kenlaw.com  
*ATTORNEY TO BE NOTICED*

V.

**Petitioner****Glenn Miller**

represented by **Kenneth N Flaxman**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant****City of Chicago**

represented by **Bret Anthony Kabacinski**  
City of Chicago Department of Law  
2 N. LaSalle Street  
Suite 420  
Chicago, IL 60602  
312-742-1842  
Email: bret.kabacinski@cityofchicago.org  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**David Trowbridge Hartmann**  
Reed Smith LLP  
10 S. Wacker Drive  
FL 40  
Chicago, IL 60606  
312-207-6556  
Email: dhartmann@reedsmith.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jessica D Ziswa**  
City Of Chicago, Federal Civil Rights Litigation  
30 N. Lasalle St.  
Suite 900

Chicago, IL 60602  
(312) 744-1056  
Email: [jessica.ziswa@cityofchicago.org](mailto:jessica.ziswa@cityofchicago.org)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Cheryl Lynne Friedman**  
City Of Chicago  
30 N. LaSalle St.  
Suite 900  
Chicago, IL 60602  
(312) 744-4038  
Email: [cheryl.friedman2@cityofchicago.org](mailto:cheryl.friedman2@cityofchicago.org)  
*ATTORNEY TO BE NOTICED*

**Jason Michael Marx**  
City of Chicago, Department of Law  
30 N. LaSalle Street, Suite 900  
Chicago, IL 60602  
(312) 744-1975  
Email: [Jason.Marx@cityofchicago.org](mailto:Jason.Marx@cityofchicago.org)  
*TERMINATED: 12/13/2019*

**Jonathan Clark Green**  
Chicago Corporation Counsel  
Suite 900  
30 North LaSalle St.  
Chicago, IL 60602-2580  
312-744-0226  
Email: [jonathangreen@cityofchicago.org](mailto:jonathangreen@cityofchicago.org)  
*TERMINATED: 08/21/2020*

**Kyle A. Rockershousen**  
City of Chicago Law Department  
Federal Civil Rights Litigation Division  
2 N. LaSalle, Suite 420  
Chicago, IL 60602  
(312) 744-0742  
Email: [Kyle.Rockershousen@cityofchicago.org](mailto:Kyle.Rockershousen@cityofchicago.org)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Nora Valdez**  
*Chicago Police Officer; #8413*

represented by **David Trowbridge Hartmann**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jessica D Ziswa**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jason Michael Marx**  
(See above for address)  
*TERMINATED: 12/13/2019*

**Kyle A. Rockershousen**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Maria Elizabeth Magginas**  
City of Chicago Department of Law  
Federal Civil Rights Litigation Division  
2 N. LaSalle Street  
Suite 420  
Chicago, IL 60602  
(312) 744-8335  
Email: [maria.magginas2@cityofchicago.org](mailto:maria.magginas2@cityofchicago.org)  
*ATTORNEY TO BE NOTICED*

**Mark Christopher Haines**

City Of Chicago Department Of Law  
30 North LaSalle  
Suite 900  
Chicago, IL 60602  
(312) 744-3982  
Email: mark.haines@cityofchicago.org  
*TERMINATED: 07/23/2020*

**Scott A. Cohen**

City of Chicago Department of Law  
2 N. LaSalle St., Ste. 420  
Chicago, IL 60602  
(312) 744-2568  
Email: scott.cohen@cityofchicago.org  
*ATTORNEY TO BE NOTICED*

**Defendant****John K Kelyana**

*Chicago Police Officer, #7717*

represented by **David Trowbridge Hartmann**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jessica D Ziswa**

(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jason Michael Marx**

(See above for address)  
*TERMINATED: 12/13/2019*

**Kyle A. Rockershousen**

(See above for address)  
*ATTORNEY TO BE NOTICED*

**Maria Elizabeth Magginas**

(See above for address)  
*ATTORNEY TO BE NOTICED*

**Mark Christopher Haines**

(See above for address)  
*TERMINATED: 07/23/2020*

**Scott A. Cohen**

(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant****Kevin D Reppen**

*Lieutenant, #355*

represented by **David Trowbridge Hartmann**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jessica D Ziswa**

(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jason Michael Marx**

(See above for address)  
*TERMINATED: 12/13/2019*

**Kyle A. Rockershousen**

(See above for address)  
*ATTORNEY TO BE NOTICED*

**Maria Elizabeth Magginas**

(See above for address)  
*ATTORNEY TO BE NOTICED*

**Mark Christopher Haines**  
 (See above for address)  
*TERMINATED: 07/23/2020*

**Scott A. Cohen**  
 (See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Vincent Vogt**

represented by **Jessica D Ziswa**  
 (See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jason Michael Marx**  
 (See above for address)  
*TERMINATED: 12/13/2019*

**Kyle A. Rockershousen**  
 (See above for address)  
*ATTORNEY TO BE NOTICED*

**Maria Elizabeth Magginas**  
 (See above for address)  
*ATTORNEY TO BE NOTICED*

**Mark Christopher Haines**  
 (See above for address)  
*TERMINATED: 07/23/2020*

**Scott A. Cohen**  
 (See above for address)  
*ATTORNEY TO BE NOTICED*

| Date Filed | #                        | Docket Text  |
|------------|--------------------------|--|
| 01/02/2019 | <a href="#"><u>1</u></a> | COMPLAINT filed by Khalid Ali; Jury Demand. Filing fee \$ 400, receipt number 0752-15327132.(Flaxman, Kenneth) (Entered: 01/02/2019)   |
| 01/02/2019 | <a href="#"><u>2</u></a> | CIVIL Cover Sheet (Flaxman, Kenneth) (Entered: 01/02/2019)   |
| 01/02/2019 | <a href="#"><u>3</u></a> | ATTORNEY Appearance for Plaintiff Khalid Ali by Kenneth N Flaxman (Flaxman, Kenneth) (Entered: 01/02/2019)   |
| 01/02/2019 |                          | CASE ASSIGNED to the Honorable Edmond E. Chang. Designated as Magistrate Judge the Honorable Sidney I. Schenkier. Case assignment: Random assignment. (jjr, ) (Entered: 01/02/2019)  |
| 01/03/2019 | <a href="#"><u>4</u></a> | ATTORNEY Appearance for Plaintiff Khalid Ali by Joel A. Flaxman (Flaxman, Joel) (Entered: 01/03/2019)  |
| 01/03/2019 |                          | SUMMONS Issued as to Defendants City of Chicago, John K Kelyana, Kevin D Reppen and Nora Valdez. (jjr, ) (Entered: 01/03/2019)   |
| 01/03/2019 | <a href="#"><u>5</u></a> | NOTICE TO THE PARTIES - The Court is participating in the Mandatory Initial Discovery Pilot (MIDP). The key features and deadlines are set forth in this Notice which includes a link to the (MIDP) Standing Order and a Checklist for use by the parties. In cases subject to the pilot, all parties must respond to the mandatory initial discovery requests set forth in the Standing Order before initiating any further discovery in this case. Please note: The discovery obligations in the Standing Order supersede the disclosures required by Rule 26(a)(1). Any party seeking affirmative relief must serve a copy of the following documents (Notice of Mandatory Initial Discovery and the Standing Order) on each new party when the Complaint, Counterclaim, Crossclaim, or Third-Party Complaint is served. (ek, ) (Entered: 01/03/2019) |
| 01/07/2019 | <a href="#"><u>6</u></a> | MINUTE entry before the Honorable Edmond E. Chang: Initial status hearing set for 02/11/2019 at 9:30 a.m. The parties must file a joint initial status report with the content described in the attached status report requirements at least 3 business days before the initial status hearing. Plaintiff must still file the report even if not all Defendants have been served or have responded to requests to craft a joint report. Because the Procedures are occasionally revised, counsel must read them anew even if counsel has appeared before Judge Chang in other cases. Emailed notice (Attachments: # <a href="#"><u>1</u></a> Status Report Requirements) (slb, ) (Entered: 01/07/2019)   |
| 01/16/2019 | <a href="#"><u>7</u></a> | ATTORNEY Appearance for Defendant City of Chicago by David Trowbridge Hartmann (Hartmann, David) (Entered: 01/16/2019)   |

|            |                    |  |
|------------|--------------------|--|
| 01/22/2019 | <a href="#">8</a>  | ATTORNEY Appearance for Defendant City of Chicago by Kyle Andrew Rockershousen (Rockershousen, Kyle) (Entered: 01/22/2019)   |
| 01/30/2019 | <a href="#">9</a>  | ATTORNEY Appearance for Defendants John K Kelyana, Kevin D Reppen, Nora Valdez by David Trowbridge Hartmann (Hartmann, David) (Entered: 01/30/2019)  |
| 01/30/2019 | <a href="#">10</a> | ATTORNEY Appearance for Defendants John K Kelyana, Kevin D Reppen, Nora Valdez by Kyle A. Rockershousen (Rockershousen, Kyle) (Entered: 01/30/2019)  |
| 02/04/2019 | <a href="#">11</a> | ATTORNEY Appearance for Defendants City of Chicago, John K Kelyana, Kevin D Reppen, Nora Valdez by Jason Michael Marx (Marx, Jason) (Entered: 02/04/2019)  |
| 02/04/2019 | <a href="#">12</a> | ANSWER to Complaint with Jury Demand and <i>Affirmative Defenses</i> by City of Chicago, John K Kelyana, Kevin D Reppen, Nora Valdez(Rockershousen, Kyle) (Entered: 02/04/2019)  |
| 02/05/2019 | <a href="#">13</a> | STATUS Report ( <i>Joint Initial Status Report</i> ) by Khalid Ali (Flaxman, Joel) (Entered: 02/05/2019)   |
| 02/11/2019 | <a href="#">14</a> | MINUTE entry before the Honorable Edmond E. Chang: Status hearing held. Mandatory Initial Discovery Pilot Project disclosures due 03/06/2019. The first-round of written discovery requests to fill gaps in the MID disclosures due no later than 03/20/2019. Fact discovery shall close by 08/19/2019. Rule 16(b) deadline to add parties or amend pleadings is set for 05/28/2019. Any Rule 26(a)(2) expert disclosures (whether retained or not) are due 30 days after the close of fact discovery, and the 30-day deadline is adjusted automatically if the close of fact discovery is adjusted. No summary judgment motions may be filed before the close of discovery without leave of Court. Plaintiff shall make a formal settlement demand by 02/19/2019 on Defendant, explaining in detail the basis for liability, itemizing damages, and making a good-faith demand that takes into account the risks of litigation, the time and expense of litigation. Defendant shall respond by 03/13/2019 to Plaintiff's demand, explaining in detail the basis for Defendant's offer and taking into account the same risks and costs of litigation. Defendant shall submit a.pdf copy of both the demand and the offer to chambers through the Proposed Order e-mail account. Status hearing set for 04/19/2019 at 10:00 a.m.Emailed notice (slb, ) (Entered: 02/11/2019) |
| 03/06/2019 | <a href="#">15</a> | CERTIFICATE of Service for <i>Defendants' Responses to Mandatory Initial Discovery</i> by Kyle A. Rockershousen on behalf of City of Chicago, John K Kelyana, Kevin D Reppen, Nora Valdez (Rockershousen, Kyle) (Entered: 03/06/2019)  |
| 03/06/2019 | <a href="#">16</a> | NOTICE of Service of Responses to Mandatory Initial Discovery (MIDP) , filed by Plaintiff Khalid Ali. (Flaxman, Joel) (Entered: 03/06/2019)  |
| 04/15/2019 | <a href="#">17</a> | AMENDED complaint by Khalid Ali against All Defendants (Flaxman, Kenneth) (Entered: 04/15/2019)  |
| 04/19/2019 | <a href="#">18</a> | MINUTE entry before the Honorable Edmond E. Chang: Status hearing held. Defendants shall answer the amended complaint by 05/03/2019. Counsel for both sides reported on the status of discovery: both sides issued their first-round of discovery requests and will be responding to each other's first-round of written discovery on 04/29/2019. By 07/08/2019, the parties shall file a Deposition Status Report, listing the already-taken deponents and the ***confirmed*** dates for the remaining deponents. Anyone not on that report shall presumptively not be deposed, absent good cause (e.g., genuine surprise). Status hearing set for 06/26/2019 at 9:00 a.m.Emailed notice (slb, ) (Entered: 04/19/2019)  |
| 04/24/2019 | <a href="#">19</a> | ANSWER to amended complaint by City of Chicago, John K Kelyana, Kevin D Reppen, Nora Valdez(Hartmann, David) (Entered: 04/24/2019)   |
| 06/25/2019 | <a href="#">20</a> | ATTORNEY Appearance for Defendants City of Chicago, John K Kelyana, Kevin D Reppen, Nora Valdez by Jessica D Ziswa (Ziswa, Jessica) (Entered: 06/25/2019)  |
| 06/26/2019 | <a href="#">21</a> | MINUTE entry before the Honorable Edmond E. Chang: Status hearing held. Defense counsel did not appear. Plaintiff's counsel reported that the parties exchanged written discovery and will start scheduling depositions. Plaintiff's counsel also mentioned the possibility of adding a defendant; the parties must confer as soon as possible on that possibility and Plaintiff must take prompt appropriate steps. The fact discovery deadline of 08/19/2019 is extended to 08/28/2019. Status hearing set for 09/05/2019 at 10 a.m.Emailed notice (slb, ) (Entered: 06/27/2019)   |
| 07/03/2019 | <a href="#">22</a> | MOTION by Plaintiff Khalid Ali for leave to file <i>Second Amended Complaint</i> (Flaxman, Joel) (Entered: 07/03/2019)   |
| 07/03/2019 | <a href="#">23</a> | NOTICE of Motion by Joel A. Flaxman for presentment of motion for leave to file <a href="#">22</a> before Honorable Edmond E. Chang on 7/11/2019 at 08:30 AM. (Flaxman, Joel) (Entered: 07/03/2019)  |
| 07/08/2019 | <a href="#">24</a> | STATUS Report ( <i>Joint Deposition Status Report</i> ) by Khalid Ali (Flaxman, Joel) (Entered: 07/08/2019)  |
| 07/09/2019 | <a href="#">25</a> | MINUTE entry before the Honorable Edmond E. Chang: On the Court's own initiative, the hearing on Plaintiff's motion <a href="#">22</a> to amend complaint at 8:30 a.m. is reset to 9:15 a.m. on the same date, 07/11/2019. Emailed notice (slb, ) (Entered: 07/09/2019)  |
| 07/11/2019 | <a href="#">26</a> | <i>Second</i> AMENDED complaint by Khalid Ali against City of Chicago, John K Kelyana, Kevin D Reppen, Nora Valdez, Vincent Vogt (Flaxman, Joel) (Entered: 07/11/2019)   |
| 07/11/2019 |                    | SUMMONS Issued as to Defendant Vincent Vogt (pj, ) (Entered: 07/11/2019)   |
| 07/11/2019 | <a href="#">27</a> | MINUTE entry before the Honorable Edmond E. Chang: Motion hearing held on Plaintiff's motion for leave to a Second Amended Complaint <a href="#">22</a> . As discussed during the hearing, the motion <a href="#">22</a> is granted. Defendants' answers to the Second Amended Complaint due 08/12/2019. The fact discovery deadline of 08/19/2019 is extended to 09/26/2019, including the kernel of the Monell claim on the alleged (in the alternative) policy of not permitting defendants to post bail on non-Cook warrants). The status hearing of 09/05/2019 is reset to 10/10/2019 at 9:30 a.m.Emailed notice (slb, ) (Entered: 07/12/2019)  |



|            |                    |  |
|------------|--------------------|--|
| 07/12/2019 | <a href="#">28</a> | WITHDRAWING <i>David Hartmann, Jessica Ziswa, Jason Marx, and Kyle Rockershousen</i> as counsel for Defendant City of Chicago and substituting Bret Anthony Kabacinski as counsel of record (Kabacinski, Bret) (Entered: 07/12/2019)   |
| 07/12/2019 | <a href="#">29</a> | ATTORNEY Appearance for Defendant City of Chicago by Bret Anthony Kabacinski (Kabacinski, Bret) (Entered: 07/12/2019)  |
| 07/12/2019 | <a href="#">30</a> | ATTORNEY Appearance for Defendant City of Chicago by Jonathan Clark Green (Green, Jonathan) (Entered: 07/12/2019)  |
| 08/12/2019 | <a href="#">31</a> | ATTORNEY Appearance for Defendant Vincent Vogt by Kyle A. Rockershousen (Rockershousen, Kyle) (Entered: 08/12/2019)  |
| 08/12/2019 | <a href="#">32</a> | ANSWER to amended complaint by John K Kelyana, Kevin D Reppen, Nora Valdez, Vincent Vogt(Rockershousen, Kyle) (Entered: 08/12/2019)  |
| 08/12/2019 | <a href="#">33</a> | ANSWER to amended complaint <i>with Affirmative Defenses and Jury Demand</i> by City of Chicago(Kabacinski, Bret) (Entered: 08/12/2019)  |
| 08/12/2019 | <a href="#">34</a> | ATTORNEY Appearance for Defendant Vincent Vogt by Jason Michael Marx (Marx, Jason) (Entered: 08/12/2019)   |
| 08/13/2019 | <a href="#">35</a> | ATTORNEY Appearance for Defendant Vincent Vogt by Jessica D Ziswa (Ziswa, Jessica) (Entered: 08/13/2019)   |
| 09/19/2019 | <a href="#">36</a> | MOTION by Defendants City of Chicago, John K Kelyana, Kevin D Reppen, Nora Valdez, Vincent Vogt for extension of time to complete discovery ( <i>Unopposed</i> ) (Kabacinski, Bret) (Entered: 09/19/2019)  |
| 09/19/2019 | <a href="#">37</a> | NOTICE of Motion by Bret Anthony Kabacinski for presentment of motion for extension of time to complete discovery <a href="#">36</a> before Honorable Edmond E. Chang on 9/24/2019 at 08:30 AM. (Kabacinski, Bret) (Entered: 09/19/2019)   |
| 09/23/2019 | <a href="#">38</a> | MINUTE entry before the Honorable Edmond E. Chang: On the Court's own initiative, the hearing time on the motion to be presented on 09/24/2019 is reset to 9 a.m. on the same date, 09/24/2019. Emailed notice (slb, ) (Entered: 09/23/2019)   |
| 09/24/2019 | <a href="#">39</a> | MINUTE entry before the Honorable Edmond E. Chang: Motion hearing held on Defendants' agree extension motion to complete discovery <a href="#">36</a> . As discussed during the hearing, the motion <a href="#">36</a> is granted. The defense did turnover Monell-related records recently. The fact discovery deadline of 09/26/2019 is extended to 12/06/2019 to accommodate Monell discovery. By 10/07/2019, the City of Chicago shall identify the Rule 30(b)(6) representative (or representatives). The status hearing of 10/10/2019 is reset to 12/05/2019 at 9:30 a.m., to discuss the next step of the litigation. Emailed notice (slb, ) (Entered: 09/25/2019)  |
| 11/19/2019 | <a href="#">40</a> | WITHDRAWING <i>Kyle Rockershousen</i> as counsel for Defendants John K Kelyana, Kevin D Reppen, Nora Valdez, Vincent Vogt and substituting Mark Christopher Haines as counsel of record (Haines, Mark) (Entered: 11/19/2019)   |
| 12/04/2019 | <a href="#">41</a> | MOTION by Plaintiff Khalid Ali to certify class (Flaxman, Kenneth) (Entered: 12/04/2019)   |
| 12/04/2019 | <a href="#">42</a> | NOTICE of Motion by Kenneth N Flaxman for presentment of motion to certify class <a href="#">41</a> before Honorable Edmond E. Chang on 12/10/2019 at 08:30 AM. (Flaxman, Kenneth) (Entered: 12/04/2019)   |
| 12/05/2019 | <a href="#">43</a> | MINUTE entry before the Honorable Edmond E. Chang:Status hearing held. Both sides reports that fact discovery is closed and neither side is likely to retain experts, though the City will make a final decision per the schedule set in this entry. For now, on Plaintiff's motion for class certification <a href="#">41</a> , the City's response is due by 02/05/2020; Plaintiff's reply due by 02/26/2020. If the City believes it needs an expert to respond, then the City shall file a motion to vacate the briefing schedule by 12/23/2019. By 12/12/2019, both sides (and if needed, the City and the individual Defendant may file separate statements, if their interests diverge) shall file position papers on the proper sequence of litigation: the certification motion, the individual-defendant summary judgment motion (and perhaps cross-motion), the Monell summary judgment motion (and perhaps cross-motion), or some combination. It is possible for the defense to waive preclusive effect and to waive protection against one-way intervention. <i>Collins v. Village of Palatine, Ill.</i> , 875 F.3d 839, 846 (7th Cir. 2017) (citing <i>Costello v. BeavEx, Inc.</i> , 810 F.3d 1045, 1057 n.3 (7th Cir. 2016)); <i>Wiesmueller v. Kosobucki</i> , 513 F.3d 784, 787 (7th Cir. 2008). A tracking status hearing is set for 12/16/2019 at 8:30 a.m. (no appearance required for that hearing). Noticed motion date of 12/10/2019 is stricken. Status hearing set for 03/03/2020 at 9:00 a.m. Mailed notice (mw, ) (Entered: 12/05/2019) |
| 12/10/2019 | <a href="#">44</a> | MOTION by Attorney Jason Marx to withdraw as attorney for John K Kelyana, Kevin D Reppen, Nora Valdez, Vincent Vogt. No party information provided (Marx, Jason) (Entered: 12/10/2019)   |
| 12/10/2019 | <a href="#">45</a> | NOTICE of Motion by Jason Michael Marx for presentment of motion to withdraw as attorney <a href="#">44</a> before Honorable Edmond E. Chang on 12/16/2019 at 08:30 AM. (Marx, Jason) (Entered: 12/10/2019)  |
| 12/12/2019 | <a href="#">46</a> | STATEMENT by Khalid Ali <i>On the proper sequence of litigation</i> (Flaxman, Kenneth) (Entered: 12/12/2019)   |
| 12/13/2019 | <a href="#">47</a> | JOINT POSITION OF THE PROPER SEQUENCE OF LITIGATION by Defendants John K. Kelyana, Kevin D. Reppen, Nora Valdez, Vincent Vogt. (Attachments: # <a href="#">1</a> Notice of Filing)(Ziswa, Jessica) Docket Text Modified by Clerk's Office on 12/16/2019 (jh, ). (Entered: 12/13/2019)  |
| 12/13/2019 | <a href="#">48</a> | MINUTE entry before the Honorable Edmond E. Chang: Attorney Jason Michael Marx's Motion to withdraw as attorney <a href="#">44</a> is granted. Mailed notice (cn). (Entered: 12/13/2019)   |
| 12/13/2019 | <a href="#">49</a> | MINUTE entry before the Honorable Edmond E. Chang: On review of Plaintiff's position statement on the sequence of motion practice (the defense for some reason did not file a statement), the best course is as follows: the certification briefing shall remain in place, as Defendants have not articulated any reason to hold off nor expressly waived the potential bar against one-way intervention. But the individual Defendants may file their motion for summary judgment as well. The overlap in issues (such as Plaintiff's adequacy to serve as a representative if his individual claims fail on the merits) will likely assist the Court in evaluating the certification motion and will serve judicial economy. The individual Defendants' summary judgment   |

|            |                    |  |
|------------|--------------------|--|
|            |                    | motion is due by 01/06/2020. Plaintiff's response is due by 02/05/2020. Defendants' reply is due by 02/26/2020. The tracking status hearing of 12/16/2019 is vacated. Mailed notice (cn). (Entered: 12/13/2019)  |
| 12/19/2019 | <a href="#">50</a> | MOTION by Defendants John K Kelyana, Kevin D Reppen, Nora Valdez, Vincent Vogt for extension of time <i>FOR SUMMARY JUDGMENT - UNOPPOSED</i> (Ziswa, Jessica) (Entered: 12/19/2019)  |
| 12/19/2019 | <a href="#">51</a> | NOTICE of Motion by Jessica D Ziswa for presentment of extension of time <a href="#">50</a> before Honorable Edmond E. Chang on 12/24/2019 at 08:30 AM. (Ziswa, Jessica) (Entered: 12/19/2019)   |
| 12/20/2019 | <a href="#">52</a> | MINUTE entry before the Honorable Edmond E. Chang: The unopposed extension motion of the individual Defendants to file summary judgment motion <a href="#">50</a> is granted to 02/14/2020. Plaintiff's response is due by 03/16/2020. Defendants' reply is due by 03/30/2020. The status hearing of 03/03/2020 is reset to 04/22/2020 at 8:30 a.m. Mailed notice (mw, ) (Entered: 12/20/2019)   |
| 12/23/2019 | <a href="#">53</a> | MOTION by Defendant City of Chicago to strike MOTION by Plaintiff Khalid Ali to certify class <a href="#">41</a> <i>Or for discovery regarding class certification</i> (Kabacinski, Bret) (Entered: 12/23/2019)  |
| 01/02/2020 | <a href="#">54</a> | NOTICE of Motion by Bret Anthony Kabacinski for presentment of motion to strike <a href="#">53</a> before Honorable Edmond E. Chang on 1/6/2020 at 08:30 AM. (Kabacinski, Bret) (Entered: 01/02/2020)  |
| 01/02/2020 | <a href="#">55</a> | MINUTE entry before the Honorable Edmond E. Chang: On the City's motion to strike <a href="#">53</a> the certification motion (or for discovery in the alternative), Plaintiff shall respond by 01/13/2020. The City shall reply by 01/21/2020. A status hearing is set for 1/31/2020 at 10:00 AM.Emailed notice (eec) (Entered: 01/02/2020)   |
| 01/13/2020 | <a href="#">56</a> | RESPONSE by Khalid Ali to MOTION by Defendant City of Chicago to strike MOTION by Plaintiff Khalid Ali to certify class <a href="#">41</a> <i>Or for discovery regarding class certification</i> <a href="#">53</a> (Flaxman, Kenneth) (Entered: 01/13/2020)   |
| 01/16/2020 | <a href="#">57</a> | ATTORNEY Appearance for Defendants John K Kelyana, Kevin D Reppen, Nora Valdez, Vincent Vogt by Scott A. Cohen (Cohen, Scott) (Entered: 01/16/2020)  |
| 01/22/2020 | <a href="#">58</a> | MOTION by Defendant City of Chicago for leave to file <i>Reply in further support of its motion to strike [ECF No. 53] instanter</i> (Attachments: # <a href="#">1</a> Exhibit A (proposed reply))(Kabacinski, Bret) (Entered: 01/22/2020)   |
| 01/29/2020 | <a href="#">59</a> | MINUTE entry before the Honorable Edmond E. Chang:The City's unopposed motion <a href="#">58</a> to file reply on the motion to strike certification motion is granted. The City shall file the reply on the docket as a separate entry to complete the record. On consideration of the motion <a href="#">53</a> to strike, the motion is granted, and the motion <a href="#">41</a> for class certification is stricken. On 12/05/2019, the Court set a briefing schedule on Plaintiff's motion <a href="#">41</a> for class certification, which had been filed the previous day, 12/04/2019. The Court did not understand that <b>*no class allegation*</b> had been advanced in the case before the motion itself was filed; the Court mistakenly assumed that Plaintiff had done so before the filing of the certification motion. So the certification motion amounted to a request, at the end of fact discovery, to add a class-action claim to the case. Plaintiff cites <i>Chapman v. First Index, Inc.</i> 796 F.3d 783, 785 (7th Cir. 2015), for the proposition that class allegations need not be in a complaint in order to pursue a class action. But Chapman addressed a completely different issue: whether a particular class <b>*definition*</b> needs to appear in the complaint. Id. at 785 ("Class definitions are not on that list.") Of course the answer to that question is no; frequently, the proposed class definition is narrowed (and even sometimes expanded) as the parties engage in discovery over the propriety of certifying a class. But notice of <b>*some*</b> kind must be given to the defense that Plaintiff is pursuing a class action. How else is the defense supposed to consider what discovery to take over the propriety of certification? Whether it is in a complaint or given some other way, notice is required. Otherwise, an entry of a certification order under Rule 23(c) cannot possibly be entered, because the rule permits entry of the order only "after a person sues... as a class representative." Plaintiff had not, as of 12/04/2019, sued as a class representative. So the certification motion is stricken and the briefing schedule on it is vacated. If Plaintiff wishes to propose amending the Monell claim to add a class claim, then he must promptly file the motion and explain why leave should be granted. If leave is granted, then inevitably there will be a discovery period on the propriety of certification. Meanwhile the summary judgment briefing on the individual Defendants shall proceed as previously ordered. The status hearing of 01/31/2020 is vacated, and the status hearing of 04/22/2020 remains in place. Mailed notice (mw, ) (Entered: 01/29/2020) |
| 01/29/2020 | <a href="#">60</a> | REPLY by City of Chicago to MOTION by Defendant City of Chicago to strike MOTION by Plaintiff Khalid Ali to certify class <a href="#">41</a> <i>Or for discovery regarding class certification</i> <a href="#">53</a> , response to motion <a href="#">56</a> <i>(to complete the record; see Order of 1/29/20</i> <a href="#">59</a> ) (Kabacinski, Bret) (Entered: 01/29/2020)   |
| 02/12/2020 | <a href="#">61</a> | CERTIFIED copy of order dated 2/12/2020 from the 7th Circuit regarding notice of appeal 20-8002: The following is before the court: 1. PETITION FOR PERMISSION TO APPEAL, filed on January 29, 2020, by counsel for the petitioner. 2. DEFENDANT CITY OF CHICAGO'S OPPOSITION TO PETITION FOR PERMISSION TO APPEAL PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 23(f), filed on February 6, 2020, by counsel for the respondent. 3. MOTION FOR LEAVE TO FILE REPLY IN SUPPORT OF PETITION FOR PERMISSION TO APPEAL, filed on February 6, 2020, by counsel for the petitioner. IT IS ORDERED that the motion for leave to file a reply is GRANTED. IT IS FURTHER ORDERED that the petition is DENIED. (bg, ) (Entered: 02/12/2020)   |
| 02/12/2020 | <a href="#">62</a> | MOTION by Plaintiff Khalid Ali for leave to file <i>amendment to second amended complaint</i> (Attachments: # <a href="#">1</a> Exhibit 1 Proposed Amendment to Complaint, # <a href="#">2</a> Exhibit 2 Excerpts of Reppen Deposition, # <a href="#">3</a> Exhibit 3 Excerpt of Vogt Deposition, # <a href="#">4</a> Exhibit 4 Excerpt of Mullenix Deposition, # <a href="#">5</a> Exhibit 5 Second Discovery Request)(Flaxman, Kenneth) (Entered: 02/12/2020)  |
| 02/12/2020 | <a href="#">63</a> | NOTICE of Motion by Kenneth N Flaxman for presentment of motion for leave to file, <a href="#">62</a> before Honorable Edmond E. Chang on 2/18/2020 at 08:30 AM. (Flaxman, Kenneth) (Entered: 02/12/2020)  |



|            |                    |   |
|------------|--------------------|---|
| 02/14/2020 | <a href="#">64</a> | MINUTE entry before the Honorable Edmond E. Chang: On the Court's own initiative, the hearing time on the motion to amend the complaint <a href="#">62</a> is reset to 9:00 a.m. on the same date, 02/18/2020. Mailed notice (mw, ) (Entered: 02/14/2020)   |
| 02/14/2020 | <a href="#">65</a> | MOTION by Defendants John K Kelyana, Nora Valdez, Vincent Vogt, Kevin D Reppen for summary judgment (Ziswa, Jessica) (Entered: 02/14/2020)  |
| 02/14/2020 | <a href="#">66</a> | RULE 56.1 (a)(3) Statement by John K Kelyana, Kevin D Reppen, Nora Valdez, Vincent Vogt regarding motion for summary judgment <a href="#">65</a> (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C, # <a href="#">4</a> Exhibit D, # <a href="#">5</a> Exhibit E, # <a href="#">6</a> Exhibit F, # <a href="#">7</a> Exhibit G, # <a href="#">8</a> Exhibit H, # <a href="#">9</a> Exhibit I, # <a href="#">10</a> Exhibit J, # <a href="#">11</a> Exhibit K, # <a href="#">12</a> Exhibit L, # <a href="#">13</a> Exhibit M, # <a href="#">14</a> Exhibit N, # <a href="#">15</a> Exhibit O, # <a href="#">16</a> Exhibit P, # <a href="#">17</a> Exhibit Q, # <a href="#">18</a> Exhibit R, # <a href="#">19</a> Exhibit S, # <a href="#">20</a> Exhibit T)(Ziswa, Jessica) (Entered: 02/14/2020) |
| 02/14/2020 | <a href="#">67</a> | MEMORANDUM by John K Kelyana, Kevin D Reppen, Nora Valdez, Vincent Vogt in support of motion for summary judgment <a href="#">65</a> (Ziswa, Jessica) (Entered: 02/14/2020)   |
| 02/18/2020 | <a href="#">68</a> | MINUTE entry before the Honorable Edmond E. Chang: Motion hearing held. The City's response to Plaintiff's motion to amend complaint again <a href="#">62</a> is due 03/03/2020; Plaintiff's reply due 03/10/2020. Status hearing set for 03/24/2020 at 9:30 a.m. Status hearing set for 04/22/2020 also remains in place. The Court confirmed that the City will not be filing a summary judgment motion on the Monell claim. Mailed notice (mw, ) (Entered: 02/18/2020)   |
| 03/03/2020 | <a href="#">69</a> | RESPONSE by City of Chicago in Opposition to MOTION by Plaintiff Khalid Ali for leave to file <i>amendment to second amended complaint</i> <a href="#">62</a> (Attachments: # <a href="#">1</a> Exhibit A (City's Production Responses), # <a href="#">2</a> Exhibit B (City's Responses to Requests to Admit))(Kabacinski, Bret) (Entered: 03/03/2020)   |
| 03/09/2020 | <a href="#">70</a> | MOTION by Defendants John K Kelyana, Kevin D Reppen, Nora Valdez, Vincent Vogt to amend/correct Rule 56 statement,, <a href="#">66</a> (Attachments: # <a href="#">1</a> Exhibit corrected Exhibit B, # <a href="#">2</a> Exhibit corrected Exhibit C, # <a href="#">3</a> Exhibit corrected Exhibit F, # <a href="#">4</a> Exhibit corrected Exhibit H, # <a href="#">5</a> Exhibit the corrected Exhibit I, # <a href="#">6</a> Exhibit corrected Exhibit N, # <a href="#">7</a> Exhibit corrected Exhibit Q)(Ziswa, Jessica) (Entered: 03/09/2020)   |
| 03/09/2020 | <a href="#">71</a> | NOTICE of Motion by Jessica D Ziswa for presentment of motion to amend/correct, <a href="#">70</a> before Honorable Edmond E. Chang on 3/12/2020 at 08:30 AM. (Ziswa, Jessica) (Entered: 03/09/2020)  |
| 03/10/2020 | <a href="#">72</a> | MINUTE entry before the Honorable Edmond E. Chang: The individual defendants' motion to correct the 56.1 exhibits <a href="#">70</a> is granted. To accomplish the correction (it is not possible to seal individual exhibits of a docket entry), the Clerk's Office shall seal R. 66 and its exhibits. The defense shall file, by 03/12/2020, an entirely new substitute with the corrections. Mailed notice (mw, ) (Entered: 03/10/2020)  |
| 03/10/2020 | <a href="#">73</a> | REPLY by Khalid Ali to MOTION by Plaintiff Khalid Ali for leave to file <i>amendment to second amended complaint</i> <a href="#">62</a> , response in opposition to motion, <a href="#">69</a> (Attachments: # <a href="#">1</a> Exhibit Cover Letter to Production 9/20/201, # <a href="#">2</a> Exhibit General Order 2016_06)(Flaxman, Kenneth) (Entered: 03/10/2020)  |
| 03/13/2020 | <a href="#">75</a> | MOTION by Defendants John K Kelyana, Kevin D Reppen, Nora Valdez, Vincent Vogt to amend/correct <i>Second</i> (Ziswa, Jessica) (Entered: 03/13/2020)  |
| 03/13/2020 | <a href="#">76</a> | NOTICE of Motion by Jessica D Ziswa for presentment of motion to amend/correct <a href="#">75</a> before Honorable Edmond E. Chang on 3/18/2020 at 08:30 AM. (Ziswa, Jessica) (Entered: 03/13/2020)   |
| 03/15/2020 | <a href="#">77</a> | MINUTE entry before the Honorable Edmond E. Chang: Defendants' second motion to file correctly redacted Statement of Facts <a href="#">75</a> is granted. The Clerk's Office shall seal R. 74 and Defendants shall promptly file the corrected version. Mailed notice (mw, ) (Entered: 03/15/2020)  |
| 03/16/2020 | <a href="#">78</a> | MINUTE entry before the Honorable Edmond E. Chang: On the Court's own initiative, status hearings set for 03/24/2020 and 04/22/2020 are reset to 04/27/2020 at 9:00 a.m. Mailed notice (mw, ) (Entered: 03/16/2020)   |
| 03/16/2020 | <a href="#">79</a> | RULE 56.1(a)(3) Statement by John K Kelyana, Kevin D Reppen, Nora Valdez, Vincent Vogt regarding motion for summary judgment <a href="#">65</a> (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C, # <a href="#">4</a> Exhibit D, # <a href="#">5</a> Exhibit E, # <a href="#">6</a> Exhibit F, # <a href="#">7</a> Exhibit G, # <a href="#">8</a> Exhibit H, # <a href="#">9</a> Exhibit I, # <a href="#">10</a> Exhibit J, # <a href="#">11</a> Exhibit K, # <a href="#">12</a> Exhibit L, # <a href="#">13</a> Exhibit M, # <a href="#">14</a> Exhibit N, # <a href="#">15</a> Exhibit O, # <a href="#">16</a> Exhibit P, # <a href="#">17</a> Exhibit Q, # <a href="#">18</a> Exhibit R, # <a href="#">19</a> Exhibit S, # <a href="#">20</a> Exhibit T)(Ziswa, Jessica) (Entered: 03/16/2020)  |
| 03/16/2020 | <a href="#">80</a> | ORDER Amended General Order 20-0012 IN RE: CORONAVIRUS COVID-19 PUBLIC EMERGENCY Signed by the Chief Judge Rebecca R. Pallmeyer on March 16, 2020. All open cases are impacted by this Amended General Order. See attached Order for guidance.Signed by the Honorable Rebecca R. Pallmeyer on 3/16/2020: Mailed notice. (td, ) (Entered: 03/17/2020)  |
| 03/30/2020 | <a href="#">81</a> | ORDER Seconded Amended General Order 20-0012 IN RE: CORONAVIRUS COVID-19 PUBLIC EMERGENCY Signed by the Chief Judge Rebecca R. Pallmeyer on March 30, 2020. All open cases are impacted by this Second Amended General Order. Amended General Order 20-0012, entered on March 17, 2020, and General Order 20-0014, entered on March 20, 2020, are vacated and superseded by this Second Amended General. See attached Order for guidance.Signed by the Honorable Rebecca R. Pallmeyer on 3/30/2020: Mailed notice. (docket12, ) (Entered: 03/31/2020)   |
| 04/23/2020 | <a href="#">82</a> | MINUTE entry before the Honorable Edmond E. Chang: In light of Second Amended General Order 20-0012, the status hearing of 04/27/2020 is reset to 05/26/2020 at 9:00 a.m. Mailed notice (mw, ) (Entered: 04/23/2020)  |
| 04/24/2020 | <a href="#">83</a> | ORDER Third Amended General Order 20-0012 IN RE: CORONAVIRUS COVID-19 PUBLIC EMERGENCY Signed by the Chief Judge Rebecca R. Pallmeyer on April 24, 2020. All open cases are impacted by this Third Amended General Order. Parties are must carefully review all obligations under this Order, including the requirement listed in paragraph number 5 to   |

|            |                     |   |
|------------|---------------------|---|
|            |                     | file a joint written status report in most civil cases. See attached Order. Signed by the Honorable Rebecca R. Pallmeyer on 4/24/2020: Mailed notice. (docket4, ) (Entered: 04/27/2020)   |
| 05/22/2020 | <a href="#">84</a>  | MINUTE entry before the Honorable Edmond E. Chang: In light of the Third Amended General Order 20-0012, the status hearing of 05/26/2020 is reset to 07/08/2020 at 9:15 a.m. If held, the status hearing will be held telephonically. The parties shall provide a contact number to the courtroom deputy (Michael_Wing@ilnd.uscourts.gov) by 1:00 p.m. on the prior business day. Mailed notice (mw, ) (Entered: 05/22/2020)  |
| 05/26/2020 | <a href="#">85</a>  | ORDER ORDER Fourth Amended General Order 20-0012 IN RE: CORONAVIRUS COVID-19 PUBLIC EMERGENCY Signed by the Chief Judge Rebecca R. Pallmeyer on May 26, 2020. This Order does not extend or modify any deadlines set in civil cases. For non-emergency motions, no motion may be noticed for presentment on a date earlier than July 15, 2020. See attached Order. Signed by the Honorable Rebecca R. Pallmeyer on 5/26/2020: Mailed notice. (docket5, ) (Entered: 05/26/2020)  |
| 06/01/2020 | <a href="#">86</a>  | RULE 56.1(b) Statement by Khalid Ali regarding motion for summary judgment <a href="#">65</a> (Attachments: # <a href="#">1</a> list of Exhibits, # <a href="#">2</a> Exhibit 1 Transcript of BodyCam, # <a href="#">3</a> Exhibit 2 Special Order S06-12_02, # <a href="#">4</a> Exhibit 3 Frame Grab from BodyCam) (Flaxman, Kenneth) (Entered: 06/01/2020)   |
| 06/01/2020 | <a href="#">87</a>  | MEMORANDUM by Khalid Ali in Opposition to motion for summary judgment <a href="#">65</a> (Flaxman, Kenneth) (Entered: 06/01/2020)   |
| 06/15/2020 | <a href="#">88</a>  | REPLY by Defendants John K Kelyana, Kevin D Reppen, Nora Valdez, Vincent Vogt to memorandum in opposition to motion <a href="#">87</a> and in support of Defendants' MOTION FOR SUMMARY JUDGMENT (Ziswa, Jessica) (Entered: 06/15/2020)   |
| 06/15/2020 | <a href="#">89</a>  | RESPONSE by Defendants John K Kelyana, Kevin D Reppen, Nora Valdez, Vincent Vogt to Rule 56 statement, <a href="#">86</a> of additional facts (Ziswa, Jessica) (Entered: 06/15/2020)  |
| 06/15/2020 | <a href="#">90</a>  | NOTICE by John K Kelyana, Kevin D Reppen, Nora Valdez, Vincent Vogt re reply <a href="#">88</a> , Response <a href="#">89</a> (Ziswa, Jessica) (Entered: 06/15/2020)  |
| 07/07/2020 | <a href="#">91</a>  | MINUTE entry before the Honorable Edmond E. Chang: The Court has the motion to amend <a href="#">62</a> and the defense summary judgment motion <a href="#">65</a> under advisement. Status hearing of 07/08/2020 is reset to 08/07/2020 at 8:30 a.m., but to track the case only (no appearance is required, the case will not be called).Emailed notice (mw, ) (Entered: 07/07/2020)  |
| 07/10/2020 | <a href="#">92</a>  | ORDER Fifth Amended General Order 20-0012 IN RE: CORONAVIRUS COVID-19 PUBLIC EMERGENCY Signed by the Chief Judge Rebecca R. Pallmeyer on July 10, 2020. This Order does not extend or modify any deadlines set in civil cases. No motions may be noticed for in-person presentment; the presiding judge will notify parties of the need, if any, for a hearing by electronic means or in-court proceeding. See attached Order. Signed by the Honorable Rebecca R. Pallmeyer on 7/10/2020: Mailed notice. (Clerk4, Docket) (Entered: 07/10/2020)   |
| 07/23/2020 | <a href="#">93</a>  | WITHDRAWING Mark Haines as counsel for Defendants John K Kelyana, Kevin D Reppen, Nora Valdez, Vincent Vogt and substituting Maria Elizabeth Magginas as counsel of record (Magginas, Maria) (Entered: 07/23/2020)  |
| 08/06/2020 | <a href="#">94</a>  | MINUTE entry before the Honorable Edmond E. Chang: The motion to amend <a href="#">62</a> and the defense summary judgment motion <a href="#">65</a> remain under advisement. Status hearing of 08/07/2020 is reset to 09/11/2020 at 8:30 a.m., but to track the case only (no appearance is required, the case will not be called). Emailed notice (mw, ) (Entered: 08/06/2020)  |
| 08/21/2020 | <a href="#">95</a>  | WITHDRAWING Jonathan Clark Green as counsel for Defendant City of Chicago and substituting Cheryl Lynne Friedman as counsel of record (Friedman, Cheryl) (Entered: 08/21/2020)  |
| 08/21/2020 | <a href="#">96</a>  | ATTORNEY Appearance for Defendant City of Chicago by Cheryl Lynne Friedman (Friedman, Cheryl) (Entered: 08/21/2020)   |
| 09/10/2020 | <a href="#">97</a>  | MINUTE entry before the Honorable Edmond E. Chang: The Court still has the motion to amend <a href="#">62</a> and the defense summary judgment motion <a href="#">65</a> under advisement. Status hearing of 09/11/2020 is reset to 10/23/2020 at 8:30 a.m., but to track the case only (no appearance is required, the case will not be called). Emailed notice (mw, ) (Entered: 09/10/2020)   |
| 10/22/2020 | <a href="#">98</a>  | MINUTE entry before the Honorable Edmond E. Chang: The motion to amend <a href="#">62</a> and the summary judgment motion <a href="#">65</a> remain under advisement, so the tracking status hearing of 10/23/2020 is reset to 12/11/2020 at 8:30 a.m., but to track the case only (no appearance is required, the case will not be called). Emailed notice (mw, ) (Entered: 10/22/2020)  |
| 11/13/2020 | <a href="#">99</a>  | NOTICE by Scott A. Cohen of Change of Address (Cohen, Scott) (Entered: 11/13/2020)  |
| 11/16/2020 | <a href="#">100</a> | NOTICE by Bret Anthony Kabacinski of Change of Address (Attachments: # <a href="#">1</a> Exhibit A (List of Cases Con'd))(Kabacinski, Bret) (Entered: 11/16/2020)   |
| 11/16/2020 | <a href="#">101</a> | NOTICE by Cheryl Lynne Friedman of Change of Address (Attachments: # <a href="#">1</a> Exhibit Active Case List)(Friedman, Cheryl) (Entered: 11/16/2020)  |
| 11/17/2020 | <a href="#">102</a> | NOTICE by Jessica D Ziswa of Change of Address (Attachments: # <a href="#">1</a> Attached List)(Ziswa, Jessica) (Entered: 11/17/2020)   |
| 11/30/2020 | <a href="#">103</a> | MEMORANDUM Opinion and Order signed by the Honorable Edmond E. Chang. For the reasons stated in the Opinion, Ali's motion <a href="#">62</a> to file a third amended complaint is denied. The defense motion <a href="#">65</a> for summary judgment is granted in favor of Valdes and Reppen in full; in favor of all the Defendants on the bond-posting claim; but denied as to Vogt and Kelyana for the false-arrest claim after the warrant's arrival at the police station. The tracking status hearing of 12/11/2020 is reset to 12/18/2020, at 8:30 a.m., but to track the case only (no appearance is required, the case will not be called). Instead, the parties shall initiate settlement negotiations, confer on the next step of the litigation, and file a joint status report on 12/11/2020. Emailed notice (mw, ) (Entered: 11/30/2020) |

|            |                     |  |
|------------|---------------------|--|
| 12/11/2020 | <a href="#">104</a> | STATUS Report <i>[JOINT]</i> by Khalid Ali (Flaxman, Kenneth) (Entered: 12/11/2020)  |
| 12/15/2020 | <a href="#">105</a> | MINUTE entry before the Honorable Edmond E. Chang: On review of the status report, with the defense settlement-response deadline of 12/18/2020, the tracking status hearing of 12/18/2020 is reset to 01/22/2021 at 8:30 a.m., but to track the case only (no appearance is required, the case will not be called). Instead, the parties shall file a status report by 01/14/2021 reporting on the status of settlement negotiations and, if a settlement has not been reached, an estimate for the trial length and trial-week availability from 06/2021 through the end of 2021. Emailed notice (mw, ) (Entered: 12/15/2020)   |
| 01/14/2021 | <a href="#">106</a> | STATUS Report <i>[JOINT]</i> by Khalid Ali (Flaxman, Kenneth) (Entered: 01/14/2021)  |
| 01/21/2021 | <a href="#">107</a> | MINUTE entry before the Honorable Edmond E. Chang: On review of the status report, R. 106, in light of the settlement and the proposed order date of 01/29/2021, the tracking status hearing of 01/22/2021 is reset to 02/05/2021 at 8:30 a.m., but to track the case only (no appearance is required, the case will not be called). If the proposed order is not ready by 01/29/2021, then the parties shall instead file a concise status report. Emailed notice (ecc) (Entered: 01/21/2021)   |
| 01/25/2021 | <a href="#">108</a> | STIPULATION of Dismissal (Ziswa, Jessica) (Entered: 01/25/2021)  |
| 01/25/2021 | <a href="#">109</a> | MINUTE entry before the Honorable Edmond E. Chang: Pursuant to the stipulated dismissal <a href="#">108</a> , under Federal Rule of Civil Procedure 41(a)(1)(A)(ii), and to avoid unnecessary status hearings and to provide time to effectuate the agreement, the case is dismissed without prejudice and with full leave to reinstate via motion filed by 04/12/2021. If no motion to reinstate is filed by that date, then the dismissal will automatically convert to a dismissal with prejudice, without further action by the Court. Status hearing of 02/05/2021 is vacated. Civil case terminated. Emailed notice (mw, ) (Entered: 01/25/2021)                                   |
| 01/25/2021 | <a href="#">110</a> | MOTION by Petitioner Glenn Miller to intervene <i>to appeal</i> (Flaxman, Kenneth) (Entered: 01/25/2021)   |
| 01/29/2021 | <a href="#">111</a> | MINUTE entry before the Honorable Edmond E. Chang: On the Petitioner's motion to intervene <a href="#">110</a> , the defense response is due by 02/12/2021. The Petitioner's reply is due by 02/19/2021. To track the case only (no appearance is required, the case will not be called), a status hearing is set for 02/26/2021 at 8:30 a.m., but to track the case only (no appearance is required, the case will not be called). The Petitioner has filed an Appellate Rule 4(a)(5)(A)(i) motion already, so the Court will have discretion to extend the time to file the notice of appeal if the motion to intervene is granted. Emailed notice (mw, ) (Entered: 01/29/2021)        |
| 02/12/2021 | <a href="#">112</a> | MOTION by Defendant City of Chicago for extension of time to file response/reply as to motion to intervene <a href="#">110</a> ( <i>unopposed</i> ) (Kabacinski, Bret) (Entered: 02/12/2021)   |
| 02/16/2021 | <a href="#">113</a> | MINUTE entry before the Honorable Edmond E. Chang: The City's unopposed extension motion to respond to the motion to intervene <a href="#">112</a> is granted to 02/16/2021. The Petitioner's reply is due by 02/23/2021. The tracking status hearing of 02/26/2021 is reset to 03/05/2021 at 8:30 a.m., but to track the case only (no appearance is required, the case will not be called). Emailed notice (mw, ) (Entered: 02/16/2021)  |
| 02/16/2021 | <a href="#">114</a> | RESPONSE by City of Chicago in Opposition to MOTION by Petitioner Glenn Miller to intervene <i>to appeal</i> <a href="#">110</a> (Kabacinski, Bret) (Entered: 02/16/2021)  |
| 02/19/2021 | <a href="#">115</a> | REPLY by Glenn Miller to response in opposition to motion <a href="#">114</a> (Flaxman, Kenneth) (Entered: 02/19/2021)   |
| 02/19/2021 | <a href="#">116</a> | MOTION by Petitioner Glenn Miller for extension of time <i>to appeal</i> (Flaxman, Kenneth) (Entered: 02/19/2021)  |
| 02/24/2021 | <a href="#">117</a> | NOTICE of appeal by Glenn Miller regarding orders <a href="#">109</a> Filing fee \$ 505, receipt number 0752-17963682. Receipt number: n (Flaxman, Kenneth) (Entered: 02/24/2021)  |
| 02/24/2021 | <a href="#">118</a> | DOCKETING Statement by Glenn Miller regarding notice of appeal <a href="#">117</a> (Flaxman, Kenneth) (Entered: 02/24/2021)  |
| 02/25/2021 | <a href="#">119</a> | NOTICE of Appeal Due letter sent to counsel of record regarding notice of appeal <a href="#">117</a> . (gcy, ) (Entered: 02/25/2021)   |
| 02/25/2021 | <a href="#">120</a> | TRANSMITTED to the 7th Circuit the short record on notice of appeal <a href="#">117</a> . Notified counsel. (gcy, ) (Entered: 02/25/2021)  |
| 02/25/2021 | <a href="#">121</a> | ACKNOWLEDGMENT of receipt of short record on appeal regarding notice of appeal <a href="#">117</a> ; USCA Case No. 21-1353. (gcy, ) (Entered: 02/25/2021)  |
| 03/04/2021 | <a href="#">122</a> | MINUTE entry before the Honorable Edmond E. Chang: The Court has the pending filings under advisement, so the tracking status hearing of 03/05/2021 is reset to 03/12/2021 at 8:30 a.m., but to track the case only (no appearance is required, the case will not be called). Mailed notice (cn). (Entered: 03/04/2021)  |
| 03/11/2021 | <a href="#">123</a> | MINUTE entry before the Honorable Edmond E. Chang: Petitioner Miller's extension motion <a href="#">116</a> to file a notice of appeal is granted given the pendency of the motion <a href="#">110</a> to intervene, which supplies good cause under Appellate Rule 4(a)(5)(A). The extension of 30 days after the original appellate period brings the new filing deadline to 03/26/2021, by which time the Court will have posted an order on the motion to intervene. The tracking status hearing of 03/12/2021 is reset to 03/26/2021 at 8:30 a.m., but to track the case only (no appearance is required, the case will not be called). Emailed notice (mw, ) (Entered: 03/11/2021) |
| 03/24/2021 | <a href="#">124</a> | ORDER signed by the Honorable Edmond E. Chang on 3/24/2021: For the reasons stated in the Order, the motion to intervene <a href="#">110</a> filed by Glenn Miller is denied. The tracking status hearing of 03/26/2021 is vacated. Emailed notice (ecc) (Entered: 03/24/2021)   |
| 03/25/2021 | <a href="#">125</a> | NOTICE of appeal by Glenn Miller regarding orders <a href="#">124</a> , <a href="#">109</a> Filing fee \$ 505, receipt number 0752-18059200. Receipt number: n (Flaxman, Kenneth) (Entered: 03/25/2021)  |
| 03/25/2021 | <a href="#">126</a> | DOCKETING Statement by Glenn Miller regarding notice of appeal <a href="#">125</a> (Flaxman, Kenneth) (Entered: 03/25/2021)  |

|            |                     |   |
|------------|---------------------|---|
| 03/26/2021 | <a href="#">127</a> | NOTICE of Appeal Due letter sent to counsel of record regarding notice of appeal <a href="#">125</a> . (jn, ) (Entered: 03/26/2021) |
|------------|---------------------|---|