

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

Joshua Curtis,)	
)	
<i>Plaintiff</i>)	
)	No. 19-cv-128
<i>-vs-</i>)	
)	<i>(Judge Cummings)</i>
City of Chicago, Ronald Watts,)	
Phillip Cline, Debra Kirby, Alvin)	
Jones, Manuel Leano, Douglas)	
Nichols Jr., Elsworth Smith Jr.,)	
and Kenneth Young Jr.,)	
)	
<i>Defendants</i>)	

INITIAL JOINT STATUS REPORT FOR REASSIGNED CASES

The parties, by counsel, submit this Initial Joint Status Report for Reassigned Cases pursuant to the Court's Order of October 30, 2023:

This case is part of the Watts Coordinated Pretrial Proceedings, 19-cv-1717, a group of more than 170 cases that are coordinated for pretrial proceedings. ECF No. 20. The coordinated proceedings are assigned to Judge Valderrama, and Magistrate Judge Finnegan is supervising discovery. Discovery in this case is stayed.

I. Nature of the Case

A. Attorneys of record:

- Plaintiff is represented by Joel A. Flaxman and Kenneth N. Flaxman of the Law Office of Kenneth N. Flaxman.

- Defendants City of Chicago, Phillip Cline, and Debra Kirby are represented by Daniel M. Noland, Terrence M. Burns, Paul A. Michalik, Dhaviella N. Harris, and Daniel J. Burns of Reiter Burns LLP.
- Defendant Watts is represented by Brian P. Gainer, Monica Burkoth, and Lisa McElroy of Johnson & Bell, Ltd.
- The remaining defendants are represented by William E. Bazarek, Andrew M. Hale, Anthony E. Zecchin, Jason M. Marx, and Kelly M. Olivier of Hale & Monico LLC.

B. Federal jurisdiction is based on 28 U.S.C. § 1343 because of plaintiff's claims under 42 U.S.C. § 1983. Jurisdiction over plaintiff's state law malicious prosecution claims is based on supplemental jurisdiction, 28 U.S.C. § 1367.

C. Nature of claims: Plaintiff claims that the defendant police officers falsely arrested him for drug possession, and that he was wrongfully prosecuted. Plaintiff claims that the officers' conduct was caused by the failure of high-ranking officials within the Chicago Police Department to stop the defendant officers, by the code of silence within the Chicago Police Department, and by the Chicago Police Department's defective discipline policy. Defendants deny Plaintiff was falsely arrested or wrongfully prosecuted, and deny liability to plaintiff for the federal and state law claims.

Various defendants will be asserting affirmative defenses, including qualified immunity.

D. Plaintiff seeks compensatory and punitive damages and fees and costs.

E. All parties have waived service and have appeared.

II. Discovery and Pending Motions

As explained below, discovery in this case is stayed. On January 20, 2023, the parties in the Watts Coordinated Pretrial Proceedings, 19-cv-1717, submitted a joint status report in the coordinated proceedings, indicating that the parties have agreed on a list of 19 proposed “test cases.” ECF No. 393 in Case No. 19-cv-1717. The parties will focus on litigating the 19 “test cases” to their conclusion to help the parties assess the value and merit of the remaining cases. This case is not one of the test cases.

On April 11, 2023, the parties submitted a joint status report in the coordinated proceedings, stating their agreement to stay discovery in non-test cases. Because this case is not a test case, discovery in this case is stayed.

III. Trial

All parties have or are expected to demand a jury trial. The first trial in a case in the coordinated proceedings is set to being on January 8, 2025. *Baker v. City of Chicago*, No. 16-cv-8940.

IV. Settlement

Magistrate Judge Finnegan is supervising settlement discussions in the coordinated proceedings.

Respectfully submitted,

/s/ Joel A. Flaxman

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