

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

In re: WATTS COORDINATED
PRETRIAL PROCEEDINGS

) Master Docket Case No.
) 19-cv-01717
)
) Judge Andrea R. Wood
)
) Magistrate Judge Sheila M. Finnegan

This document relates to all cases.

**CASE MANAGEMENT ORDER NO. 3
Regarding Responsive Pleadings**

This Order confirms the schedule for the filing of answers or other responses to complaints in cases coordinated for pretrial purposes under the caption *In re: Watts Coordinated Pretrial Proceedings* for which responsive pleadings have not yet been filed.

1. Consistent with the parties' Joint Plan Regarding Responsive Pleadings ("Joint Plan") (Dkt. No. 12), responsive pleadings or motions to dismiss in cases pending as of August 31, 2020, the date of the motion to dismiss ruling in *Baker v. City of Chicago et al.*, Case No. 16-cv-08940, are due **October 15, 2020**.

2. The responsive pleading deadline for any complaint in a new case filed after August 31, 2020 shall be 45 days after service of the complaint or as otherwise ordered.

3. In anticipation of the consolidated and case-specific motions to dismiss contemplated by the Joint Plan, the Court directs the parties to meet and confer regarding a detailed, updated plan for the filing and briefing of the motions, including a determination of what issues can be addressed in the consolidated submission as opposed to case-specific briefs and a briefing schedule. For questions of law determined by the ruling in *Baker*, the Court asks the parties to consider whether there is any change in the governing law or distinction in the alleged facts that could support a different decision in a particular case at the motion to dismiss stage. If not, the parties may be able to agree to a joint stipulation that would allow the parties to preserve their respective appellate rights without the necessity of successive, duplicative briefing. The parties are also reminded that affirmative defenses, such as the statute of limitations, might best be addressed by pleading the defenses in an answer and then moving for summary judgment or judgment on the pleadings. The parties shall file an Updated Joint Plan Regarding Responsive Pleadings by **September 30, 2020**.

DATE: September 18, 2020

ENTERED:



Andrea R. Wood
United States District Judge