

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

In re: WATTS COORDINATED  
PRETRIAL PROCEEDINGS

)  
) Master Docket Case No. 19-cv-1717  
)  
) Judge Franklin U. Valderrama  
)  
) Magistrate Judge Sheila M. Finnegan  
)  
)

**DEFENDANTS' RESPONSE TO PLAINTIFF RICKEY HENDERSON'S MOTION TO STRIKE**

Defendant, City of Chicago (the "City"), Philip Cline and Debra Kirby ("Supervisory Officials"), and Brian Bolton, Miguel Cabrales, Darryl Edwards, Robert Gonzalez, Alvin Jones, Manuel Leano, Douglas Nichols, Jr., Calvin Ridgell Jr., Elsworth J. Smith, Jr., Kenneth Young, David Soltis, John Rodriguez, Lamonica Lewis, Frankie Lane, Michael Spaargaren, Gerome Summers, Jr., Matthew Cadman, Kallatt Mohammed, and Ronald Watts ("Defendant Officers") (collectively "defendants"), through their respective undersigned counsel, for their response to Flaxman Plaintiff Rickey Henderson's Motion To Strike, state:

On December 15, 2020, Henderson moved to strike Defendants' Joint Motion To Dismiss Certain Claims In Flaxman Plaintiffs' Complaints ("Joint MTD"). (Dkt. #168.) The motion to strike asks the Court to direct that defendants withdraw their Joint MTD (Dkt. #165) and refile it without attaching Exhibit B (Dkt. #165-2 (Henderson's criminal history)) and without the single reference to Henderson's criminal history. (Motion to Strike, at 2, 6.)

Rather than litigate the issue and delay resolution of the Joint MTD, defendants will agree to voluntarily withdraw their Joint MTD and refile it without Exhibit B and without the reference to Henderson's criminal history, thereby mooted the motion to strike. This agreement is without prejudice to defendants' arguments on the admissibility and relevance of these matters.

Accordingly, defendants ask that the Court allow them to withdraw Dkt. #165 from the docket and refile the Joint MTD with the modifications discussed above. Further, Plaintiff Henderson's motion to strike can therefore be denied as moot.

Dated: December 16, 2020

Respectfully submitted,

By: /s/ Paul A. Michalik  
Attorneys for Defendants City of Chicago,  
Philip Cline, and Debra Kirby  
Special Assistant Corporation Counsel

Terrence M. Burns  
Paul A. Michalik  
Daniel M. Noland  
Reiter Burns, LLP  
311 South Wacker, Suite 5200  
Chicago, Illinois 60606  
(312) 982-0090

By: /s/ Amy A. Hijjawi  
Attorneys for All Defendant Officers Except  
Watts, Mohammed, Spaargaren and Cadman  
Special Assistant Corporation Counsel

Andrew M. Hale  
Amy A. Hijjawi  
William E. Bazarek  
Brian Stefanich  
Hale Law LLC  
53 W. Jackson Blvd., Suite 330  
Chicago, IL 60604  
(312) 341-9646

By: /s/ Eric S. Palles  
Attorneys for Kallatt Mohammed  
Special Assistant Corporation Counsel

Gary Ravitz  
Eric S. Palles  
Sean M. Sullivan  
Kathryn M. Doi  
Daley Mohan Groble P.C.  
55 West Monroe, Suite 1600  
Chicago, IL 60603  
(312) 422-9999

By: /s/ Brian P. Gainer  
Attorney for Defendant Ronald Watts  
Special Assistant Corporation Counsel

Brian P. Gainer  
Monica Gutowski  
Ahmed A. Kosoko  
Johnson & Bell  
33 W. Monroe St., Suite 2700  
Chicago, IL 60603  
(312) 372-0770

By: /s/ Megan McGrath  
One of the Attorneys for Defendants Michael  
Spaargaren and Matthew Cadman  
Special Assistant Corporation Counsel

James V. Daffada  
Thomas M. Leinenweber  
Michael J. Schalka  
Megan McGrath  
Leinenweber Baroni & Daffada LLC  
120 North LaSalle Street  
Suite 2000  
Chicago, Illinois 60602  
(312) 663-3003

**CERTIFICATE OF SERVICE**

I, Amy A. Hijjawi, an attorney, hereby certify that, on the date stamped on the margin above, I served a copy of this pleading on all counsel of record via the ECF System.

/s/ Amy A. Hijjawi