

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

In re: WATTS COORDINATED  
PRETRIAL PROCEEDINGS

)  
) Master Docket No. 19-cv-01717  
)  
) Judge Franklin U. Valderrama  
)  
) Magistrate Judge Sheila M. Finnegan  
)

**DEFENDANT OFFICERS UNOPPOSED MOTION FOR LEAVE TO FILE AN  
OVERSIZED RESPONSE BRIEF TO THE MOTION TO QUASH THE SUBPOENA  
FOR DEPOSITIONS OF ERIC SUSSMAN, JOSEPH MAGATS,  
MARK ROTERT, AND NANCY ADDUCI**

The Defendant Officers, by and through their attorneys, hereby request leave to file an oversized Response Brief to the Motion to Quash the Subpoena for the Depositions of Eric Sussman, Joseph Magats, Mark Rotert, and Nancy Adduci. (Dkt. #534.) In support of this Motion, the Defendant Officers state:

1. The Cook County State's Attorney's Office ("CCSAO") filed a motion to quash the subpoena for four individuals, Eric Sussman, Joseph Magats, Mark Rotert, and Nancy Adduci, who participated in its investigation into some or all of Plaintiffs' convictions. (Dkt. #534.)

2. The Defendant Officers' Response brief is due today, on August 28, 2023. The Response brief consists of 33 pages, which exceeds the page limit set forth in the Court's local rules. A copy of the oversized brief, without exhibits, is attached to this motion as Exhibit 1.

3. Defendants respectfully submit that their proposed oversized Response brief is warranted. Specifically, in order to address the legal issues raised by the CCSAO's motion, it was necessary to discuss the CCSAO's nearly 8-year investigation into Plaintiffs' convictions, as well as the role each subpoenaed witness played in the Watts-related investigation. Moreover, one of the Defendant Officers' arguments regarding the CCSAO's claim of deliberative-process privilege

is that the privilege has been waived based on the CCSAO's public comments. As such, it was necessary to demonstrate to the Court the various public statements that the CCSAO has made regarding its Watts investigation and specific cases it has vacated. Finally, the Defendant Officers believed it necessary to detail the topic areas they intend to inquire of the witnesses, and the relevant information that each witness possesses.

4. Counsel for the Defendant Officers have communicated to the assigned Assistant State's Attorneys regarding the oversized Response brief and they indicated that they have no objection to the filing of the oversized brief.

WHEREFORE, the Defendant Officers respectfully request leave of court to file the oversized Response brief in opposition to the Motions to Quash the Subpoena for Depositions of Eric Sussman, Joseph Magats, Mark Rotert, and Nancy Adduci.

Respectfully Submitted,

/s/ Brian J. Stefanich

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**CERTIFICATE OF SERVICE**

I, Brian J. Stafnich, hereby certify that on **August 28, 2023**, I electronically filed the foregoing, DEFENDANT OFFICERS UNOPPOSED MOTION FOR LEAVE TO FILE AN OVERSIZED RESPONSE BRIEF TO THE MOTION TO QUASH THE SUBPOENA FOR DEPOSITIONS OF ERIC SUSSMAN, JOSEPH MAGATS, MARK ROTERT, AND NANCY ADDUCI with the Clerk of the Court using the ECF system, which simultaneously served copies on all counsel of record via electronic notification.

/s/ Brian S. Stefanich