

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

PHILLIP THOMAS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	No. 18 CV 5132
CITY OF CHICAGO, Former	)	
CHICAGO POLICE SERGEANT	)	
RONALD WATTS, Former	)	
OFFICER KALLATT	)	
MOHAMMED, SERGEANT ALVIN	)	
JONES, OFFICER ELSWORTH	)	Honorable Mavin E. Aspen
SMITH, JR., OFFICER LAMONICA	)	
LEWIS, SERGEANT M. RYLE,	)	
PHILLIP J. CLINE, KAREN ROWAN,	)	
DEBRA KIRBY, and any other as	)	
yet unidentified officers of the	)	
Chicago Police Department,	)	
	)	
Defendants.	)	

**DEFENDANT OFFICERS' RULE 26(A)(1) DISCLOSURES**

Defendants, Alvin Jones, Lamonica Lewis and Officer Elsworth J. Smith, Jr. ("Defendant Officers"), by their attorneys, Hale Law LLC, hereby make the following disclosures pursuant to Rule 26(a)(1)(a) of the Federal Rules of Civil Procedure:

**RULE 26(a)(1)(A)(i):** The name and, if known, the address and telephone number of each individual likely to have discoverable information—along with the subjects of that information—that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment.

**RESPONSE:** The following individuals are likely to have discoverable information that Defendant Officers may use to support their claims and defenses. The disclosure of any person in possession of privileged or other information protected from disclosure does not constitute a waiver of any such privilege or other basis for non-disclosure:

1. Phillip Thomas. Plaintiff. Has knowledge regarding the facts and circumstances surrounding his May 14, 2007 arrest and the allegations brought in his civil lawsuit along with his criminal activities and arrest history.
2. Sergeant Alvin Jones, Defendant, may be contacted via counsel. Has knowledge regarding the facts and circumstances pertaining to Plaintiff's May 14, 2007 arrest.
3. Officer Elsworth Smith, Jr., Defendant, may be contacted via counsel. Has knowledge regarding the facts and circumstances pertaining to Plaintiff's May 14, 2007 arrest.
4. Officer LaMonica Lewis, Defendant, may be contacted via counsel. Has knowledge regarding the facts and circumstances pertaining to Plaintiff's May 14, 2007 arrest.
5. Officers Douglas Nichols, may be contacted via counsel. Has knowledge regarding the facts and circumstances pertaining to Plaintiff's May 14, 2007 arrest.
6. Officers Manuel Leano, may be contacted via counsel. Has knowledge regarding the facts and circumstances pertaining to Plaintiff's May 14, 2007 arrest.
7. Retired Lt Michael Ryle, may be contacted via counsel at Reiter Burns, LLP. Has knowledge of the processing of Plaintiff after he was taken into custody following his May 14, 2007 arrest.
8. Officer Breen, star number 10558, may be contacted via counsel at Reiter Burns, LLP. Has knowledge regarding the facts and circumstances surrounding Plaintiff's arrest on December 3, 2006.
9. Officer Warren, star number 4178, may be contacted via counsel at Reiter Burns, LLP. Has knowledge regarding the facts and circumstances surrounding Plaintiff's arrest on February 28, 2002.
10. Officer Utreras, star number 19901, may be contacted via counsel at Reiter Burns, LLP. Has knowledge regarding the facts and circumstances surrounding Plaintiff's arrest on February 26, 2002.
11. Officer Wiedenski, star number 10693, may be contacted via counsel at Reiter Burns, LLP. Has knowledge regarding the facts and circumstances surrounding Plaintiff's arrest on January 3, 2000.
12. Assistant State's Attorney Suzanne Collins, may be contacted via Cook County State's Attorney's Office. Has knowledge regarding the facts, circumstances and evidence from Plaintiff's arrest on May 14, 2007 and subsequent prosecution.

13. Assistant State's Attorney Lori Rosen, may be contacted via Cook County State's Attorney's Office. Has knowledge regarding the facts, circumstances and evidence from Plaintiff's arrest on May 14, 2007 and subsequent prosecution.
14. Assistant State's Attorney Natasha Cuyler-Sherman, may be contacted via Cook County State's Attorney's Office. Has knowledge regarding the facts, circumstances and evidence from Plaintiff's arrest on May 14, 2007 and subsequent prosecution
15. Assistant Public Defender Adrienne E. Davis May be contacted via the Cook County Public Defender's office. Has knowledge of Plaintiff's criminal proceedings.
16. Forensic scientist Cotelia Fulcher, may be contacted via the Illinois State Police. Has knowledge of any testing and opinions regarding the narcotics evidence from Plaintiff's May 14, 2007 arrest and subsequent criminal court proceedings
17. Elias Voulgaris, may be contacted via counsel at Reiter Burns, LLP. Has knowledge regarding criminal activity uncovered in Operation "Sin City I, II, III, IV, V" that included law enforcement investigations into gang violence and illegal narcotics activity occurring within the IDA B. Wells Housing development.
18. Robert Cervenka, may be contacted via counsel at Reiter Burns, LLP. Has knowledge regarding criminal activity uncovered in Operation "Sin City I, II, III, IV, V" that included law enforcement investigations into gang violence and illegal narcotics activity occurring within the IDA B. Wells Housing development.
19. Tony Di Cristofano, may be contacted via counsel at Reiter Burns, LLP. Has knowledge regarding criminal activity uncovered in Operation "Sin City I, II, III, IV, V" that included law enforcement investigations into gang violence and illegal narcotics activity occurring within the IDA B. Wells Housing development.
20. Alice Del Raso, may be contacted via counsel at Reiter Burns, LLP. Has knowledge regarding criminal activity uncovered in Operation "Sin City I, II, III, IV, V" that included law enforcement investigations into gang violence and illegal narcotics activity occurring within the IDA B. Wells Housing development.
21. Dave Hindman, may be contacted via counsel at Reiter Burns, LLP. Has knowledge regarding criminal activity uncovered in Operation "Sin City I, II, III, IV, V" that included law enforcement investigations into gang violence and illegal narcotics activity occurring within the IDA B. Wells Housing development. Officer Hindman may have knowledge of operating as an undercover police officer who purchased narcotics from Shaun James on February 9, 2005 (buy 2); Darnell Holmes on February 17, 2005 (buy 6); Taurus Smith on February 22, 2005 (buy 8); and Taurus Smith on February 23, 2005 (buy 9).
22. Dan Allen, may be contacted via counsel at Reiter Burns, LLP. Has knowledge regarding criminal activity uncovered in Operation "Sin City I, II, III, IV, V" that included law

enforcement investigations into gang violence and illegal narcotics activity occurring within the IDA B. Wells Housing development.

23. John Rytina, may be contacted via counsel at Reiter Burns, LLP. Has knowledge regarding criminal activity uncovered in Operation "Sin City I, II, III, IV, V" that included law enforcement investigations into gang violence and illegal narcotics activity occurring within the IDA B. Wells Housing development.
24. Tony Green, may be contacted via counsel at Reiter Burns, LLP. Has knowledge regarding criminal activity uncovered in Operation "Sin City I, II, III, IV, V" that included law enforcement investigations into gang violence and illegal narcotics activity occurring within the IDA B. Wells Housing development.
25. John Xiques, may be contacted via counsel at Reiter Burns, LLP. Has knowledge regarding criminal activity uncovered in Operation "Sin City I, II, III, IV, V" that included law enforcement investigations into gang violence and illegal narcotics activity occurring within the IDA B. Wells Housing development.
26. Dennis Hurd, may be contacted via counsel at Reiter Burns, LLP. Has knowledge regarding criminal activity uncovered in Operation "Sin City I, II, III, IV, V" that included law enforcement investigations into gang violence and illegal narcotics activity occurring within the IDA B. Wells Housing development.
27. Oscar Brown, may be contacted via counsel at Reiter Burns, LLP. Has knowledge regarding criminal activity uncovered in Operation "Sin City I, II, III, IV, V" that included law enforcement investigations into gang violence and illegal narcotics activity occurring within the IDA B. Wells Housing development.
28. Sterling Terry, may be contacted via counsel at Reiter Burns, LLP. Has knowledge regarding criminal activity uncovered in Operation "Sin City I, II, III, IV, V" that included law enforcement investigations into gang violence and illegal narcotics activity occurring within the IDA B. Wells Housing development. Officer Terry may have knowledge regarding being an undercover police officer and buying narcotics from Angelo Shenault on May 17, 2005 (buy 43).
29. Phil Hernandez, may be contacted via counsel at Reiter Burns, LLP. Has knowledge regarding criminal activity uncovered in Operation "Sin City I, II, III, IV, V" that included law enforcement investigations into gang violence and illegal narcotics activity occurring within the IDA B. Wells Housing development.
30. Dave Hernandez, may be contacted via counsel at Reiter Burns, LLP. Has knowledge regarding criminal activity uncovered in Operation "Sin City I, II, III, IV, V" that included law enforcement investigations into gang violence and illegal narcotics activity occurring within the IDA B. Wells Housing development.

31. Joseph Martorano, may be contacted via counsel at Reiter Burns, LLP. Has knowledge regarding criminal activity uncovered in Operation "Sin City I, II, III, IV, V" that included law enforcement investigations into gang violence and illegal narcotics activity occurring within the IDA B. Wells Housing development. Officer Martorano may have knowledge of ripping Allen Jackson of one hundred and sixty-nine dollars of drug proceeds (rip 10) on March 8, 2005; ripping Angelo Shenault of \$440.00 on May 17, 2005 (rip 20).
32. Timothy Williams, may be contacted via counsel at Reiter Burns, LLP. Has knowledge regarding criminal activity uncovered in Operation "Sin City I, II, III, IV, V" that included law enforcement investigations into gang violence and illegal narcotics activity occurring within the IDA B. Wells Housing development. Officer Williams may have knowledge of operating as an undercover officer and purchasing narcotics from Goleather Jefferson on March 4, 2005 (buy 12); Taurus Smith on March 8, 2005 (buy 13); and Allen Jackson on April 26, 2005 (buy 29).
33. John Killackey, may be contacted via counsel at Reiter Burns, LLP. Has knowledge regarding criminal activity uncovered in Operation "Sin City I, II, III, IV, V" that included law enforcement investigations into gang violence and illegal narcotics activity occurring within the IDA B. Wells Housing development.
34. Walter Green, may be contacted via counsel at Reiter Burns, LLP. Has knowledge regarding criminal activity uncovered in Operation "Sin City I, II, III, IV, V" that included law enforcement investigations into gang violence and illegal narcotics activity occurring within the IDA B. Wells Housing development.
35. Martin Gainer, may be contacted via counsel at Reiter Burns, LLP. Has knowledge regarding criminal activity uncovered in Operation "Sin City I, II, III, IV, V" that included law enforcement investigations into gang violence and illegal narcotics activity occurring within the IDA B. Wells Housing development.
36. Steven Dziak, may be contacted via counsel at Reiter Burns, LLP. Has knowledge regarding criminal activity uncovered in Operation "Sin City I, II, III, IV, V" that included law enforcement investigations into gang violence and illegal narcotics activity occurring within the IDA B. Wells Housing development.
37. James Clarke, may be contacted via counsel at Reiter Burns, LLP. Has knowledge regarding criminal activity uncovered in Operation "Sin City I, II, III, IV, V" that included law enforcement investigations into gang violence and illegal narcotics activity occurring within the IDA B. Wells Housing development.
38. Angela McGee, may be contacted via counsel at Reiter Burns, LLP. Has knowledge regarding criminal activity uncovered in Operation "Sin City I, II, III, IV, V" that included law enforcement investigations into gang violence and illegal narcotics activity occurring within the IDA B. Wells Housing development.

39. Assistant State's Attorney Kevin Hughes. May be contacted via Cook County State's Attorney's Office. Has knowledge regarding criminal activity uncovered in Operation "Sin City I, II, III, IV, V" that included law enforcement investigations into gang violence and illegal narcotics activity occurring within the Ida B. Wells Housing development.

40. Attorney Joshua Tepfer. Has knowledge of Plaintiff's post-conviction criminal proceedings.

Defendant Officers adopt and incorporate the list of witnesses identified and disclosed by all parties in the coordinated cases and joined with this lawsuit for discovery purposes.

**RULE 26(a)(1)(A)(ii):** A copy of—or a description by category and location—of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment.

**RESPONSE:** This disclosure is not intended to be a final list of possible documents or records to be used at trial in this matter. Defendant Officers reserve the right to supplement this disclosure as the investigation of this matter continues and other materials become available. Defendant Officers further reserve the right to rely on documents and other records disclosed by plaintiff or co-defendants during the trial of this matter. Investigation continues.

DO- JOINT 007384	DO- JOINT 007385	Arrest Profile -Thomas, Phillip
DO- JOINT 007386	DO- JOINT 007390	Arrest Report - Thomas, Phillip CB #16889585
DO- JOINT 007391	DO- JOINT 007393	Case Report-VICE - RD# HN341717
DO- JOINT 007394	DO- JOINT 007400	Certified Statement of Disposition-Phillip Thomas 07CR1167501
DO- JOINT 007401	DO- JOINT 007405	Chain of Custody Reports - RD #HN34717
DO- JOINT 007406	DO- JOINT 007423	Criminal History Report - Thomas, Phillip
DO- JOINT 007424	DO- JOINT 007427	Inventory Sheets - RD# HN341717

DO- JOINT 007428	DO- JOINT 007428	ISP Reports Query-NEGATIVE - RD #HN 341717
DO- JOINT 007429	DO- JOINT 007432	Mugshot - Thomas, Phillip CB #16889585
DO- JOINT 007433	DO- JOINT 007433	Mugshot - Cartwright, Sandra CB #16889617
DO- JOINT 007434	DO- JOINT 007436	Mugshot - Thomas, Phillip and Sandra Cartwright
DO- JOINT 007437	DO- JOINT 007437	Original Case Incident Report - RD# HN341717
DO- JOINT 007438	DO- JOINT 007438	Prisoner Transportation Transmittal-Thomas, Phillip CB #16889585

**RULE 26(a)(1)(A)(iii):** A computation of each category of damages claimed by the disclosing party—who must also make available for inspection and copying as under Rule 34 the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered.

**RESPONSE:** N/A

**RULE 26(a)(1)(A)(iv):** For inspection and copying as under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

**RESPONSE:** The Defendant Officers understand that the City of Chicago will make available any such insurance agreement.

Respectfully submitted,

By: /s/ William E. Bazarek  
One of the Attorneys for Defendant  
Officers