



Gmail

Jason Marx <jmarx@halemonico.com>

Watts - Plaintiffs' Motion to Quash IDOC Subpoenas, Dkt. 649

Jason Marx <jmarx@halemonico.com>

Thu, Jan 18, 2024 at 9:21 AM

To: Scott Rauscher <scott@loevy.com>, Theresa Kleinhaus <tess@loevy.com>, Gianna Gizzi <gizzi@loevy.com>, Joel Flaxman <jaf@kenlaw.com>

Cc: William Bazarek <web@halemonico.com>, Anthony Zecchin <azecchin@halemonico.com>, Kelly Olivier <kolivier@halemonico.com>, "Paul A. Michalik" <pmichalik@reiterburns.com>, "Terrence M. Burns" <tburns@reiterburns.com>

Hi Counsel,

In Plaintiffs' Motion, you argue (in relevant part) that "Defendants do not know who the Plaintiff was calling..." Dkt. 649, p. 7. That's true for some of the calls that Defendants seek. However, when we conferred in an effort to more narrowly tailor our subpoenas to IDOC, we requested that Plaintiffs identify the unknown callers on the call logs. But Plaintiffs refused to do so.

Plaintiffs should know who they called. Defendants, again, respectfully request that Plaintiffs identify the name of each individual associated with the following phone numbers and their relationship to the Plaintiff (i.e. mother, brother, son, cousin, friend):

Allen Jackson, (312) 933-6236 (33 calls made)

Phillip Thomas, (618) 546-1442 (3 calls made)

Clifford Roberts, (312) 808-0603 (139 calls made)

Lionel White, Sr., (773) 449-7595 (1 call); (773) 530-5284 (1 call); (773) 869-3217 (4 calls); (773) 908-6036 (2 calls); (773) 554-9147 (1 call); (773) 712-5451 (1 call); (773) 268-9234 (9 calls); (815) 222-5621 (1 call); (312) 222-9555 (1 call); (312) 222-9055 (1 call); (773) 222-0955 (4 calls); (773) 536-0696 (1 call); (773) 272-1032 (2 calls); (773) 268-2455 (1 call); (773) 536-0789 (1 call); (312) 220-0955 (1 call); (312) 222-9255 (1 call); (773) 869-3214 (1 call); (773) 869-3417 (2 calls)

Bobby Coleman, (312) 922-8880 (4 calls made); (773) 217-2189 (1 call made)

Milton Delaney, (847) 782-8759 (161 calls made); (773) 933-7639 (43 calls made)

William Carter, (773) 640-9932 (81 calls made); (773) 329-9047 (45 calls made)

Thank you,



Jason Marx

Attorney

(312) 870-6912 | jmarx@halemonico.com



Jason Marx <jmarx@halemonico.com>

Watts - Plaintiffs' Motion to Quash IDOC Subpoenas, Dkt. 649

Theresa Kleinhaus <tess@loevy.com>

Thu, Jan 18, 2024 at 9:44 AM

To: Jason Marx <jmarx@halemonico.com>

Cc: Scott Rauscher <scott@loevy.com>, Gianna Gizzi <gizzi@loevy.com>, Joel Flaxman <jaf@kenlaw.com>, William Bazarek <web@halemonico.com>, Anthony Zecchin <azecchin@halemonico.com>, Kelly Olivier <kolivier@halemonico.com>, "Paul A. Michalik" <pmichalik@reiterburns.com>, "Terrence M. Burns" <tburns@reiterburns.com>

Jason,

As I explained in the meet and confer on the phone, Defendants had the opportunity to seek this information during fact discovery. Discovery is now closed (except for the handful of carve-outs in Judge Finnegan's order). Furthermore, we disagree that the information you are seeking would be available through Plaintiffs. As you know, three of these Plaintiffs are deceased. For the Plaintiffs who are alive, we believe it is unlikely they would remember phone numbers twenty years later. For Jackson, IDOC already said they don't have these calls.

If you intend to argue "Plaintiffs should know who they called" please include this email response in your submission to the court.

Thank you,
Tess

[Quoted text hidden]

--

Theresa Kleinhaus (She/Her)



Office: (312) 243-5900

311 N Aberdeen St, Chicago, IL 60607

www.loevy.com