

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

) Master Docket Case No. 19-CV-01717
)
In re: WATTS COORDINATED) Judge Franklin U. Valderrama
PRETRIAL PROCEEDINGS)
)
)
Magistrate Judge Sheila M. Finnegan
)

THIS DOCUMENT RELATES TO

Ben Baker and Clarissa Glenn v. City of Chicago, et al., Case No. 16-CV-8940

INDIVIDUAL DEFENDANTS' RULE 26(a)(2) DISCLOSURE

The Individual Defendants, represented by Hale & Monico, LLC, by their undersigned attorneys, hereby disclose the following retained experts to present evidence at trial under Federal Rules of Evidence 702, 703, or 705 consistent with each individual's respective report pursuant to Federal Rule of Civil Procedure 26(a)(2)(B):

Dr. Alexander Obolsky will provide opinion testimony as provided in his report produced May 13, 2024. Dr. Obolsky's CV, forensic services fee schedule, and expert witness deposition and testimony list in the last four years is attached to his disclosure.

Kevin Hughes will provide opinion testimony as provided in his report produced May 13, 2024. Mr. Hughes' resume and rate of compensation are included with his report. Mr. Hughes' list of cases in which he has testified as an expert at trial or deposition in the last four years is included in his disclosure.

The following are disclosures made pursuant to Rule 26(a)(2)(C): Opinion Witnesses Who Do Not Provide a Report:

Lt. Michael Fitzgerald (can be contacted through counsel for Defendant City), may, to the extent it is considered opinion testimony, provide evidence under Federal Rules of Evidence

702, 703, or 705, as well as providing a summary of the facts and opinions to which he is expected to testify, which will be consistent with his March 6, 2024 Rule 30(b)(6) deposition testimony in *In re: Watts Coordinated Proceedings*, Case No. 19 C 1717. Specifically, Lt. Fitzgerald may testify concerning the following: the preparation and approval of arrest reports, vice case reports, and inventory reports, including who should be listed in the reports, who should sign the reports, and the use of abbreviations in the reports, and the Chicago Police Department's training in that regard; and if relevant the rules, policies, and orders applicable to the preparation of Chicago Police Department reports; completion of a Complaint for Preliminary Examination; qualifications to become a member of a tactical team in the Chicago Police Department, including the process for selecting members; the day to day responsibilities of tactical teams in the Chicago Police Department, including pre-planned narcotics enforcement missions; Department rules, policies, procedures, and orders applicable to tactical teams in the 1999 to 2011 time frame; the day to day responsibilities of sergeants overseeing tactical teams in the Chicago Police Department; and, the process for collecting, inventorying, and requesting testing of suspected narcotics evidence, and the collection and inventorying of money, including the process and paperwork for maintaining the chain of custody under CPD policy and in this case.

Evidence Technician John Heneghan (can be contacted through counsel for Defendant City), may, to the extent it is considered opinion testimony, provide evidence under Federal Rules of Evidence 702, 703, or 705, as well as providing a summary of the facts and opinions to which he is expected to testify, which will be consistent with his November 7, 2023 City representative deposition in *Waddy v. City, et al.*, 19 L 10035. Specifically, Evidence Technician Heneghan may testify concerning the following: the Chicago Police Department's policies and practices at all

times relevant to this case regarding fingerprinting of evidence in narcotics cases, including but not limited to fingerprinting packages and or baggies that contain alleged narcotics.

Celeste Stack may, to the extent it is considered opinion testimony, provide evidence under Federal Rules of Evidence 702, 703, or 705, as well as providing a summary of the facts and opinions to which she is expected to testify, which will be consistent with her October 19, 2023 deposition testimony in *Waddy v. City, et al.*, 19 L 10035 regarding the protocols and procedures followed during Certificate of Innocence proceedings. She will also testify generally to her knowledge of and experience with the protocols and procedures followed by Assistant State's Attorneys with respect to Petitions for Certificates of Innocence and subsequent proceedings. Additionally, Ms. Stack will testify to the facts and opinions contained in her December 22, 2015 memorandum to Fabio Valentini in *People v. Ben Baker*, 05 CR 8982, attached hereto, and whether, in her opinion, based upon her experience with Certificates of Innocence proceedings as an Assistant State's Attorney, the Court would have granted Mr. Baker and Ms. Glenn a Certificate of Innocence, had it been opposed or her opinions and knowledge been made known to the Court.

Respectfully submitted,

/s/ Kelly M. Olivier
Special Assistant Corporation Counsel
One of the Attorneys for the Individual
Defendants

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CERTIFICATE OF SERVICE

I, Kelly M. Olivier, an attorney, hereby certifies that on May 13, 2024, I caused a copy of the foregoing INDIVIDUAL DEFENDANTS' RULE 26(a)(2) DISCLOSURE to be served to all counsel of record via electronic mail.

/s/ *Kelly M. Olivier*