

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

JOSEPH ROBERTS,)	
)	
Plaintiff,)	
)	
v.)	
)	Case No. 24-cv-2167
CITY OF CHICAGO, a municipal)	
corporation, RONALD WATTS, former)	
Chicago Police Sergeant, former P.O.)	
KALLATT MOHAMMED, P.O. ALVIN)	Honorable Andrea Wood
JONES, P.O. ELSWORTH SMITH Jr.,)	
P.O. DOUGLAS NICHOLS JR.,)	
P.O. LAMONICA LEWIS, PHILIP)	
CLINE, DANA STARKS, and other)	
as-yet-unidentified officers of the)	
Chicago Police Department,)	JURY TRIAL DEMANDED
)	
Defendants.)	

PLAINTIFF’S MOTION FOR ADDITIONAL TIME TO SERVE DEFENDANTS

Plaintiff Joseph Roberts respectfully requests additional time to serve Defendants City of Chicago, Ronald Watts, Kallatt Mohammed, Alvin Jones, Elsworth Smith Jr., Douglas Nichols, Lamonica Lewis, Dana Starks, and Philip Cline, stating in support as follows:

1. On March 15, 2024, Plaintiff filed his complaint against Ronald Watts, Kallatt Mohammed, Alvin Jones, Elsworth Smith Jr., Douglas Nichols, Lamonica Lewis, Dana Starks, Philip Cline, and the City of Chicago. (Dkt. 1).

2. This lawsuit is part of the *In re Watts Coordinated Proceedings*, Case No. 19-1717, which are coordinated for pretrial proceedings before Judge Valderrama and Magistrate Judge Finnegan (“Coordinated Proceedings”). (Dkt. 2).

3. On March 20, 2024, Plaintiff requested that all Defendants waive service of summons pursuant to Federal Rule of Civil Procedure 4.

4. Generally, plaintiffs have 90 days from the date of filing to serve their complaint on the named defendants. *See* Fed. R. Civ. P. 4 (m). Thus, Plaintiff has until June 13, 2024 to serve the defendants in this case.

5. Defendants are also named defendants in multiple other cases that are part of the Coordinated Proceedings, and they have waived service in all those cases.

6. In keeping with the historical practice in the Coordinated Proceedings, Plaintiff anticipates that Defendants will waive service of process in this case.

7. On May 7, 2024, Plaintiff's counsel followed up with counsel for Defendants about whether they will need additional time to waive service. Only Defendant City responded and indicated that it would need more time. To date, the remaining named Defendants have not responded.

8. Courts, in their discretion, may extend the time for perfecting service under Federal Rule of Civil Procedure 4(m) when a party demonstrates good cause for the delay in service. Fed. R. Civ. P. 4(m); *Coleman v. Milwaukee Bd. of Sch. Directors*, 290 F.3d 932, 933-34 (7th Cir. 2002).

9. Good cause exists here for such an extension. As discussed above, Plaintiff's counsel has worked diligently and taken the appropriate measures so that process can be effectuated upon Defendants in an expedited manner. And given the reasonable expectation that all Defendants will waive service of process, granting the requested extension will allow the parties to avoid the costs of formal service of process.

10. This case is part of the *In re Watts Coordinated Proceedings*, Case No. 19-cv-1917, which are pending before Judge Valderrama. Pursuant to Case Management Order No. 1 in the Coordinated Proceedings, Plaintiff is filing this motion on the dockets of both Case No. 19-cv-1717 and Case No. 24-cv-2167. *See* Dkt. 1 ¶ 7 in Case No. 19-cv-1717 (“Unless otherwise ordered, when a party intends for a filing to apply only to one or certain of the consolidated actions, the filing party should file it under both Master Docket Case No. 19-cv-01717 and the individual case number(s) assigned to the particular case(s).”).

11. Therefore, to avoid the costs of effectuating service, Plaintiff requests a 60-day extension of time to serve all Defendants.

Respectfully Submitted,

/s/ Gianna Gizzi
One of Plaintiff's attorneys

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