

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

GERMIN SIMS AND ROBERT LINDSEY,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 19 C 2347
)	
CITY OF CHICAGO, RONALD WATTS,)	Judge Rebecca R. Pallmeyer
PHILLIP CLINE, DEBRA KIRBY, BRIAN)	
BOLTON, ROBERT GONZALEZ, ALVIN)	
JONES, MANUEL LEANO, KALLATT)	
MOHAMMED, DOUGLAS NICHOLS JR.,)	
AND ELSWORTH SMITH JR.,)	
)	
Defendants.		

**DEFENDANT CITY’S UNOPPOSED MOTION FOR LEAVE
TO FILE EXCESS PAGES AND TO FILE UNDER SEAL**

Defendant, City of Chicago (“City”), by its undersigned counsel, moves this Court for leave to file oversized *Daubert* motions, including Defendants’ Joint Motion to Bar Jon M. Shane’s *Monell* Opinions and Defendants’ Joint Motion *in Limine* to Bar Jeffrey Danik, and to file under seal. In support thereof, the City states:

1. The parties’ *Daubert* motions implicating summary judgment are due to be filed June 2, 2025. Dkt. No. .
2. Defendants intend to jointly file two *Daubert* motions including Defendants’ Joint Motion to Bar Jon M. Shane’s *Monell* Opinions (attached hereto as Exhibit A) (“Shane Motion”) and Defendants’ Joint Motion *in Limine* to Bar Jeffrey Danik (“Danik Motion”).
3. Plaintiffs disclosed opinions by his expert, Jon M. Shane, that are critical of the City’s policies and practices and contained in a 117-page report dated April 1, 2024 (not including hundreds of pages of appendices). Shane’s opinions address complaint allegations against CPD Officers spanning twelve years (between 1999 and 2011).

4. Plaintiffs disclosed opinions by his expert, Jeffrey Danik, addressing the joint investigation conducted by the CPD and FBI that are contained in a 28-page report dated April 1, 2024 (not including appendices) and a supplementary report.

5. Due to the number and complexity of the issues required to be addressed, the Danik Motion and Shane Motion exceed the page limit allowed by the local rules without leave of court.

6. The City respectfully submits that its oversized briefs, which consist of 25 pages each for the Danik Motion and Shane Motion (Ex. A), are warranted due to the number and complexity of the legal issues.

7. As to the request to file under seal, a Confidentiality Order, Agreed Privacy Act Order, and Amended Confidentiality Order have been entered in the Coordinated Pretrial Proceedings, No. 19 C 1717, Dkt. Nos. 3, 29, 57. Those orders are applicable to this case.

8. The Danik Motion and exhibits in support of the Danik Motion and the Shane Motion consist of, cite, refer to, and attach documents and materials that have been designated “Confidential” and/or subject to the aforementioned Confidentiality and Privacy Act orders.

9. Pursuant to Local Rule 26.2, the City will file a public version of the Danik Motion with the necessary redactions, as well as exhibits, thereto, not subject to the aforementioned Confidentiality and Privacy Act orders and will provisionally file an unredacted copy of the motion and its respective exhibits under seal. The City also respectfully requests leave to file the redacted version of the documents within 14 days of the ruling on this Motion.

10. Undersigned counsel for the City conferred with Plaintiffs’ counsel regarding the motion. Plaintiffs’ counsel indicated the motion could be presented as unopposed but asks that this Court also allow Plaintiffs to file response briefs in excess up to and including 25 pages as to each response.

WHEREFORE, Defendant, City of Chicago, respectfully requests leave of court to file Defendants' Joint Motion to Bar Jon M. Shane's *Monell* Opinions and Defendants' Motion *in Limine* to Bar Jeffrey Danik, each consisting of 25 pages and asks that Plaintiffs be allowed to file their responsive briefs up to 25 pages. In addition, the City respectfully requests that this Court grant the City leave to file unredacted copies of Defendants' Joint Motion to Bar Jeffrey Danik's Opinions, and the exhibits that support that both motions under seal and file the redacted versions of the documents within 14 days of the ruling on this Motion.

Respectfully submitted,

MARY B. RICHARDSON-LOWRY

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CERTIFICATE OF SERVICE

I hereby certify that on **June 2, 2025**, I electronically filed the foregoing **Defendant City's Unopposed Motion for Leave to File Excess Pages and to File Under Seal** with the Clerk of the Court using the ECF system, which sent electronic notification of the filing on the same day to counsel of record.

/s/ Elizabeth A. Ekl