

# **Exhibit 11**



Transcript of the Continued Deposition of  
**Robert Lindsey**

**Case:** Germin Sims, et al. v. City of Chicago, et al.

**Taken On:** May 5, 2025

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Germin Sims, et al. v. City of Chicago, et al.  
Continued Deposition of Robert Lindsey - Taken 5/5/2025

Page 1

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

ROBERT LINDSEY and GERMAIN )  
SIMS, )  
Plaintiffs, )  
vs. ) No. 19-CV-2347  
CITY OF CHICAGO, et al., )  
Defendants. )

The continued videotaped deposition of ROBERT LINDSEY, called by the Defendants for examination, taken pursuant to notice and pursuant to the Federal Rules of Civil Procedure for the United States District Courts pertaining to the taking of depositions, taken at the offices of Mohan Groble Scolaro, P.C., 55 West Monroe Street, Suite 1600, Chicago, Illinois, before Kari Wiedenhaupt, Certified Shorthand Reporter commencing at 10:07 a.m. on May 5, 2025.

Germin Sims, et al. v. City of Chicago, et al.  
Continued Deposition of Robert Lindsey - Taken 5/5/2025

Page 2

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21  
22  
23  
24

Germin Sims, et al. v. City of Chicago, et al.  
Continued Deposition of Robert Lindsey - Taken 5/5/2025

Page 4

1 I N D E X

2	WITNESS	PAGE
3	ROBERT LINDSEY	
4	Examination by Mr. Palles	7
5	Examination by Ms. Beswick-Hale	84
6	Examination by Ms. Harris	92
7	Examination by Mr. Gainer	115
8	Further Examination by Mr. Palles	212
9		
10		
11		
12		
13		

14 E X H I B I T S

15	NUMBER	MARKED FOR ID
16	Lindsey Deposition Exhibit	
17	No. 3	46
18	No. 2	64
19		
20		
21		
22		
23		

24

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Germin Sims, et al. v. City of Chicago, et al.  
Continued Deposition of Robert Lindsey - Taken 5/5/2025

<p>1 THE VIDEOGRAPHER: For the record, my name is  2 Michael Howard of Video Instanter. I'm the  3 video recording device operator for this  4 deposition. Our business address is  5 134 North LaSalle Street, Suite 1400, Chicago,  6 Illinois 60602.</p> <p>7 This deposition is being video recorded  8 pursuant to -- pursuant to the Federal Rules of  9 Civil Procedure. We are at  10 55 West Monroe Street, Suite 1600, Chicago,  11 Illinois 60603 to take the video-recorded  12 deposition of Robert Lindsey in the matter of  13 Robert Lindsey and Germain Sims versus the  14 City -- the City of Chicago, et al.,  15 Case No. 19 CV 2347 in the United States  16 District Court for the Northern District of  17 Illinois, Eastern Division.</p> <p>18 Today's date is May 5th, 2025, and the  19 time is 10:08 a.m.</p> <p>20 Will the witness please identify  21 themselves for the record?</p> <p>22 THE WITNESS: Robert Lindsey.</p> <p>23 THE VIDEOGRAPHER: Thank you.</p> <p>24 Could the attorneys present please</p>	<p>1 (Whereupon, the witness was duly  2 sworn.)</p> <p>3 ROBERT LINDSEY,  4 having been first duly sworn, was examined and  5 testified as follows:</p> <p>6 EXAMINATION</p> <p>7 BY MR. PALLES:</p> <p>8 Q. Okay. Mr. Lindsey, this is a continued  9 deposition.</p> <p>10 You recall that you testified under  11 oath about a month ago; is that right?</p> <p>12 A. Mm-hmm.</p> <p>13 Q. You've got to answer yes --</p> <p>14 A. Not even a month, yeah.</p> <p>15 Q. Yeah. Not quite a month.</p> <p>16 April 8th?</p> <p>17 A. Yeah.</p> <p>18 Q. Okay. And, remember, no "uh-huhs"  19 today. You have to answer yes or no so that the  20 court reporter can accurately get it down.</p> <p>21 A. Mm-hmm, yes.</p> <p>22 Q. Okay. So I'm going to take a little --  23 I'm not going to take as -- nearly as much time  24 as I did last time, but I'll have to turn the</p>
<p>1 Page 6</p> <p>2 introduce themselves for the record by stating  3 their name and who they represent, please?</p> <p>4 MR. FLAXMAN: Joel Flaxman for Mr. Lindsey.</p> <p>5 MR. PALLES: Eric Palles for Kallatt  6 Mohammed.</p> <p>7 MR. GAINER: Jack Gainer for Ronald Watts.</p> <p>8 MS. HARRIS: Dhaviella Harris on behalf of  9 the City.</p> <p>10 MS. JOHNSON: Rachel Johnson also on behalf  11 of Kallatt Mohammed.</p> <p>12 MS. BESWICK-HALE: Hannah Beswick-Hale on  13 behalf of Officers Bolton, Gonzalez, Jones,  14 Leano, Nichols, and Smith.</p> <p>15 MR. PALLES: Mr. Lindsey, you're the same  16 Robert Lindsey who testified here --</p> <p>17 THE VIDEOGRAPHER: Excuse me, Counsel.</p> <p>18 Could you please introduce yourself and  19 swear in the witness?</p> <p>20 MR. PALLES: I thought I did introduce my --</p> <p>21 MR. FLAXMAN: You mean the --</p> <p>22 THE VIDEOGRAPHER: The court reporter.</p> <p>23 MR. FLAXMAN: -- court reporter?</p> <p>24 MR. PALLES: Oh. Sorry.</p>	<p>1 Page 8</p> <p>2 questioning over to some of the other attorneys.</p> <p>3 Let me ask you, are you feeling okay  4 today?</p> <p>5 A. Yeah. I'm all right.</p> <p>6 Q. Okay. You recall last time we ran out  7 of gas sometime in the afternoon, right?</p> <p>8 A. Something like that.</p> <p>9 Q. Something like that, yeah.</p> <p>10 But, by the way, let me say that when  11 my client, Mr. Mohammed, was taking a deposition  12 in Mr. Flaxman's office and -- it was around the  13 same time that he started nodding off, but  14 Mr. Flaxman has a softer voice than I do.</p> <p>15 In any event --</p> <p>16 MR. FLAXMAN: It's strategic. It's not  17 always so.</p> <p>18 MR. PALLES: The --</p> <p>19 MR. FLAXMAN: When I need to be loud, I'm  20 loud.</p> <p>21 MR. PALLES: I know. Yeah. I -- I remember.</p> <p>22 BY MR. PALLES:</p> <p>23 Q. In any event, but -- you're not  24 under -- are you under any medication today that  would affect your ability to testify truthfully?</p>

5 (Pages 5 to 8)

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Germin Sims, et al. v. City of Chicago, et al.  
Continued Deposition of Robert Lindsey - Taken 5/5/2025

<p style="text-align: center;">Page 9</p> <p>1 A. No.    2 <b>Q. Okay. Now -- and I know -- I seem to</b>    3 <b>recall you take Dilantin, correct?</b>    4 A. Yes.    5 <b>Q. Does that make you drowsy at all?</b>    6 A. No. It just -- that's -- that's part    7 of the -- your body.    8 <b>Q. Yeah. It's --</b>    9 A. It's a seizure medicine.    10 <b>Q. It's an antiseizure medicine?</b>    11 A. Yeah.    12 <b>Q. Okay. Now, have you had any illegal</b>    13 <b>drugs within the last 24 hours?</b>    14 A. No.    15 <b>Q. Okay.</b>    16 A. Good morning.    17 <b>Q. Okay. Now, did you -- have you smoked</b>    18 <b>cannabis within the last 24 hours?</b>    19 A. Nope.    20 <b>Q. And as I recall, your drink of choice</b>    21 <b>is Bacardi?</b>    22 A. Yes, sir.    23 <b>Q. Okay. Did you have any Bacardi last</b>    24 <b>night?</b></p>	<p style="text-align: center;">Page 11</p> <p>1 <b>BY THE WITNESS:</b>    2 A. Not off of hard. That -- that means    3 not for sure --    4 <b>BY MR. PALLE:</b>    5 <b>Q. Yeah. Okay.</b>    6 A. -- his address.    7 <b>Q. How about this: He lived south of</b>    8 <b>42nd Street, correct?</b>    9 A. Yep.    10 <b>Q. Do you know what side of the street it</b>    11 <b>was, east or west?</b>    12 A. I would say the right-hand.    13 <b>Q. Right.</b>    14 As you're are looking south; is that    15 right?    16 A. Yeah, going south.    17 <b>Q. Going south. Okay.</b>    18 So further away from the lake; is that    19 right?    20 A. Yeah, that's far away --    21 <b>Q. Okay.</b>    22 A. -- from the lake.    23 <b>Q. Okay. And how many houses down from</b>    24 <b>42nd Street?</b></p>
<p style="text-align: center;">Page 10</p> <p>1 A. No.    2 <b>Q. Okay. All right. Now, I'm going to</b>    3 <b>talk about -- We left off last time, and we had</b>    4 <b>started some discussions about your affidavit.</b>    5 <b>And I didn't make necessarily enough copies.</b>    6 <b>And I don't know whether or not you guys will</b>    7 <b>need to refer to it or not. I'm not going to</b>    8 <b>ask you to read any of it. But I'm just going</b>    9 <b>to ask you a few questions about it, and -- and</b>    10 <b>you can refer to it if you want.</b>    11 <b>But we were talking about last time</b>    12 <b>that you went over to the area of 42nd and</b>    13 <b>Prairie to talk to a man that you knew as White</b>    14 <b>Boy Bug --</b>    15 A. Right.    16 <b>Q. -- to talk about, as I recall, a ball</b>    17 <b>joint for your automobile?</b>    18 A. Yeah.    19 <b>Q. Okay. And the -- do you know what</b>    20 <b>Bug's address was on Prairie?</b>    21 A. No, not -- not off hard [sic].    22 <b>Q. Okay.</b>    23 THE COURT REPORTER: Sorry. "Not..."    24</p>	<p style="text-align: center;">Page 12</p> <p>1 A. Well, it's like -- well, it's like a --    2 it's like a -- like a -- what I want to call    3 that? You know how -- the houses that they    4 built around Cabrini Greens?    5 <b>Q. Yeah.</b>    6 A. All right. So -- so it's a -- it's a    7 square house like this. It's a square house    8 like this, and there's a square house like this.    9 So it's like -- about four houses connected to    10 each other.    11 <b>Q. Okay.</b>    12 A. Bug -- Bug's the last house off the    13 field. So you -- you look in that field; maybe    14 about where they pulled up some by where the --    15 THE COURT REPORTER: Maybe about where?    16 BY THE WITNESS:    17 A. On 41st -- I mean, 42nd and Prairie.    18 BY MR. PALLE:    19 <b>Q. Okay.</b>    20 A. Maybe if I had pulled up a little more    21 farther, I would have saw police cars in the    22 back of his house. I don't know why they back    23 there, though, but --    24 <b>Q. Okay. So you're saying that there were</b></p>

6 (Pages 9 to 12)

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Germin Sims, et al. v. City of Chicago, et al.  
Continued Deposition of Robert Lindsey - Taken 5/5/2025

<p style="text-align: center;">Page 13</p> <p>1    <b>four houses on the street on 42nd Street before</b>    2    <b>you got to Bug's house?</b></p> <p>3       A. Yeah. That's -- that's Bug whole    4    building.</p> <p>5       <b>Q. Oh.</b></p> <p>6       A. And when you come down the whole 39th    7    and Bronzeville, you gonna run into a whole lot    8    of houses, but Bug house got four houses.</p> <p>9       <b>Q. Okay.</b></p> <p>10      A. It's like apartments.</p> <p>11      <b>Q. Okay. And is his the fourth from the</b>    12    <b>street?</b></p> <p>13      A. Mm-hmm.</p> <p>14      <b>Q. Answer yes.</b></p> <p>15      A. Yes.</p> <p>16      <b>Q. Okay. Good. All right.</b></p> <p>17      Now, in your affidavit, you say that    18    the -- that the officers said that they were    19    going to take you and Germain down to the    20    station for a strip search.</p> <p>21      <b>Were you ever strip-searched?</b></p> <p>22      A. Yes.</p> <p>23      <b>Q. You were?</b></p> <p>24      A. Yes.</p>	<p style="text-align: center;">Page 15</p> <p>1    time we talked, but -- so -- but I'm asking you    2    specifically if you were strip-searched, and    3    you're telling me you were strip-searched at    4    42nd and Prairie?</p> <p>5      A. Nu-uh. Nu-uh.</p> <p>6      <b>Q. No?</b></p> <p>7      A. I wouldn't have never let them did    8    that.</p> <p>9      THE COURT REPORTER: Sorry?</p> <p>10    BY THE WITNESS:</p> <p>11      A. I wouldn't have never let them did    12    that.</p> <p>13    BY MR. PALLS:</p> <p>14      <b>Q. You would have never let them do that?</b></p> <p>15      A. No. Because it -- that's not legal.</p> <p>16      <b>Q. Okay. So you -- They didn't</b>    17    <b>strip-search you on the street?</b></p> <p>18      A. Not on the streets.</p> <p>19      <b>Q. Did they strip-search you at the</b>    20    <b>station?</b></p> <p>21      A. At the station.</p> <p>22      <b>Q. Oh, okay. Where did they strip-search</b>    23    <b>you at the station?</b></p> <p>24      A. They got a -- they got a private</p>
<p style="text-align: center;">Page 14</p> <p>1    <b>Q. And when did that take place?</b></p> <p>2      A. Actually, it took place -- it took    3    place once they -- they came out of that alley,    4    blocked me in. Bug -- Bug just had walked off.    5    The car never -- had -- had -- had it --</p> <p>6      THE COURT REPORTER: Sorry. "He walked    7    off..."</p> <p>8    BY THE WITNESS:</p> <p>9      A. Walked off to the car and go back to    10   his house.</p> <p>11    BY MR. PALLS:</p> <p>12      <b>Q. Mm-hmm.</b></p> <p>13      A. Because now I know what -- what he    14   talking about with the car. So I'm trying to    15   pull off. I'm -- see two cars doing spinouts.</p> <p>16      <b>Q. Yeah.</b></p> <p>17      A. So I catch my break.</p> <p>18      <b>Q. Right.</b></p> <p>19      A. And I see like five police officers.</p> <p>20   They pointing guns at my head and stuff. So,    21   you know, I'm already knowing.</p> <p>22      <b>Q. Okay.</b></p> <p>23      A. "Put your hands up."</p> <p>24      <b>Q. You know, I remember that from the last</b></p>	<p style="text-align: center;">Page 16</p> <p>1    washroom --</p> <p>2      <b>Q. Yeah.</b></p> <p>3      A. -- for all the people that comes in,    4    and we goes right there out the back door --</p> <p>5      <b>Q. Okay.</b></p> <p>6      A. -- where we came in. There's a    7    washroom right there, like on the left side of    8    the wall.</p> <p>9      <b>Q. Yeah.</b></p> <p>10    A. And they tell you to go in there. It's    11   two of them. It's two of us. So we -- we    12   already knew. That's why we corroborated, and    13   we said we'll go --</p> <p>14      <b>Q. Okay.</b></p> <p>15      A. -- for a strip search.</p> <p>16      <b>Q. Okay. So now you're saying that you</b>    17   <b>and Germain were strip-searched at the same</b>    18   <b>time?</b></p> <p>19      A. Both of us.</p> <p>20      <b>Q. Okay. So you're both in the -- this</b>    21   <b>room at the time of the strip search?</b></p> <p>22      A. Actually, the bathroom.</p> <p>23      <b>Q. Okay. In the bathroom?</b></p> <p>24      A. Yeah. We both in the -- in the</p>

Germin Sims, et al. v. City of Chicago, et al.  
Continued Deposition of Robert Lindsey - Taken 5/5/2025

<p style="text-align: center;">Page 17</p> <p>1       bathroom with two detectives.</p> <p>2       <b>Q. What did the strip search involve?</b></p> <p>3       <b>I mean, did you get down to your</b></p> <p>4       <b>briefs, or did you --</b></p> <p>5       A. It's -- it's always the same thing that</p> <p>6       they always do is -- in the police station.</p> <p>7       <b>Q. Okay. What do they do?</b></p> <p>8       A. You first take off your belongings.</p> <p>9       That mean the top --</p> <p>10      <b>Q. Top?</b></p> <p>11      THE COURT REPORTER: You're what?</p> <p>12      BY THE WITNESS:</p> <p>13      A. Your belongings. That means shirts.</p> <p>14      <b>Q. Okay.</b></p> <p>15      MR. FLAXMAN: Belongings.</p> <p>16      BY MR. PALLETS:</p> <p>17      <b>Q. Belongings. Okay.</b></p> <p>18      A. Once -- once I can see your -- your</p> <p>19      body, like, chest, drawers --</p> <p>20      <b>Q. Right.</b></p> <p>21      A. -- socks. Yeah, because, you know, a</p> <p>22      lot of people have a lot of clothes on, you</p> <p>23      know.</p> <p>24      <b>Q. Okay.</b></p>	<p style="text-align: center;">Page 19</p> <p>1       [sic]. So now we take our clothes off.</p> <p>2       <b>Q. Right.</b></p> <p>3       A. You know when he say, "Pick up one</p> <p>4       thing at a time." So it might have been my</p> <p>5       socks. "Pull them inside out. Okay. I don't</p> <p>6       see nothing on the sock. Go grab your -- grab</p> <p>7       your shoes now. Pull your lace out. Clap your</p> <p>8       shoes." Nothing come off of us.</p> <p>9       Now, by us being naked -- we threw our</p> <p>10      pants over there towards them, because they</p> <p>11      could search that because they got gloves.</p> <p>12      <b>Q. Yeah.</b></p> <p>13      A. So after that -- that stops, now you</p> <p>14      told -- told us, "Bend down, squat, cough."</p> <p>15      Nothing fall off our ass. Excuse me.</p> <p>16      <b>Q. Yeah, yeah. No.</b></p> <p>17      A. So that was the last of it. "Put your</p> <p>18      clothes back on."</p> <p>19      <b>Q. Okay. Did they look up your rectum?</b></p> <p>20      A. You ain't have to look up my rectum.</p> <p>21      If I -- if I spread my chin [sic] and cough,</p> <p>22      that --</p> <p>23      <b>Q. That was enough?</b></p> <p>24      A. That was enough.</p>
<p style="text-align: center;">Page 18</p> <p>1       A. So the -- all that stuff supposed to</p> <p>2       come off.</p> <p>3       <b>Q. Okay. Are you left in your underpants,</b></p> <p>4       <b>or are you completely naked?</b></p> <p>5       A. No. We -- we -- we naked. We holding</p> <p>6       our -- you did, because we feel like that's</p> <p>7       really like, gay.</p> <p>8       <b>Q. Okay.</b></p> <p>9       THE COURT REPORTER: That -- sorry?</p> <p>10      BY THE WITNESS:</p> <p>11      A. That's gay to be with some other men</p> <p>12      gotta watch you and all up in there? No.</p> <p>13      BY MR. PALLETS:</p> <p>14      <b>Q. Okay. Did they -- do you know what a</b></p> <p>15      <b>cavity search is?</b></p> <p>16      A. No. That's --</p> <p>17      <b>Q. Okay.</b></p> <p>18      A. That sounds -- that sounds like what --</p> <p>19      what you want to ask me? Did they put their</p> <p>20      hands on me? No. They -- they say this. "Take</p> <p>21      your close off. Strip."</p> <p>22      We quit the strip, because we -- we</p> <p>23      don't have time, and we all -- we only think --</p> <p>24      we lying to ya'll anyway, first and for us</p>	<p style="text-align: center;">Page 20</p> <p>1       <b>Q. And I take it that they didn't find</b></p> <p>2       <b>anything?</b></p> <p>3       A. Found nothing.</p> <p>4       <b>Q. Okay. Who were the officers who were</b></p> <p>5       <b>there at the time?</b></p> <p>6       A. Some random officers. I don't know</p> <p>7       them.</p> <p>8       THE COURT REPORTER: Sorry?</p> <p>9       BY THE WITNESS:</p> <p>10      A. Some random officers. I don't know</p> <p>11      them.</p> <p>12      MR. FLAXMAN: Random officers?</p> <p>13      BY MR. PALLETS:</p> <p>14      <b>Q. Random?</b></p> <p>15      A. Yeah. It mean somebody that was</p> <p>16      working with Watts for the --</p> <p>17      <b>Q. Okay.</b></p> <p>18      A. -- the team.</p> <p>19      <b>Q. Okay. Plain clothes or uniform?</b></p> <p>20      A. No. They detectives.</p> <p>21      <b>Q. Detectives, okay.</b></p> <p>22      <b>So plain clothes?</b></p> <p>23      A. Yep.</p> <p>24      <b>Q. Okay. But not any of the team members</b></p>

8 (Pages 17 to 20)

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Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

Page 21	Page 23
<p>1   <b>that you knew by name?</b></p> <p>2   A. No. They just walking around making</p> <p>3   sure that they did what they told them to do.</p> <p>4   <b>Q. Okay. Had you seen those detectives or</b></p> <p>5   <b>those plain clothed officers at the scene of</b></p> <p>6   <b>your arrest?</b></p> <p>7   A. Yeah.</p> <p>8   <b>Q. Okay.</b></p> <p>9   A. It's seven of them.</p> <p>10   <b>Q. Okay. So the two -- so the two</b></p> <p>11   <b>officers who strip-searched you and Germain --</b></p> <p>12   A. Was --</p> <p>13   <b>Q. -- were among the seven that were on</b></p> <p>14   <b>the scene on Prairie?</b></p> <p>15   A. Yep.</p> <p>16   <b>Q. Okay. Now, speaking of Germain, let</b></p> <p>17   <b>me -- let me just -- let me move off this for a</b></p> <p>18   <b>second.</b></p> <p>19   <b>You know Germain -- do you know Germain</b></p> <p>20   <b>was deposed last week? He gave a deposition</b></p> <p>21   <b>right where you're sitting.</b></p> <p>22   A. Yeah. He --</p> <p>23   <b>Q. Okay.</b></p> <p>24   A. Mm-hmm.</p>	<p>1   A. Well, me and Germain been born around</p> <p>2   each other since a kid. So --</p> <p>3   <b>Q. I know that.</b></p> <p>4   A. -- we from the same projects, homes,</p> <p>5   whatever you want to call that.</p> <p>6   <b>Q. Yeah. I got you.</b></p> <p>7   A. So we probably see each other off and</p> <p>8   on -- well, I'd say right now me and Germain is</p> <p>9   on, like, bad terms because it's a lot of other</p> <p>10   stuff been taking places, and I don't like</p> <p>11   how -- how it went down. So I just got to stick</p> <p>12   to what Robert got to say. And he probably got</p> <p>13   the same story, but it's some other stuff,</p> <p>14   though.</p> <p>15   <b>Q. Okay. But what I'm asking you this,</b></p> <p>16   <b>is -- say, over the last month, okay --</b></p> <p>17   A. No. It's --</p> <p>18   <b>Q. -- how many times have you spoken with</b></p> <p>19   <b>him?</b></p> <p>20   A. I probably spoke to him like probably</p> <p>21   two weeks --</p> <p>22   <b>Q. Okay.</b></p> <p>23   A. -- out of the month.</p> <p>24   <b>Q. You mean once every two weeks you'll</b></p>
<p style="text-align: center;">Page 22</p> <p>1   <b>Q. Have you guys talked about it?</b></p> <p>2   A. We always talk about this.</p> <p>3   <b>Q. Okay. When did you talk about -- talk</b></p> <p>4   <b>with Germain about his deposition?</b></p> <p>5   A. Probably like a couple days after I</p> <p>6   left ya'll.</p> <p>7   <b>Q. Okay. And -- I'm sorry.</b></p> <p>8   <b>Was this before or after Germain's</b></p> <p>9   <b>deposition?</b></p> <p>10   A. Well, we've been talking about this for</p> <p>11   the last couple years.</p> <p>12   <b>Q. Okay.</b></p> <p>13   A. That's why we trying to get to the</p> <p>14   bottom of it.</p> <p>15   <b>Q. Okay. But what I'm asking you is,</b></p> <p>16   <b>after Germain sat for a deposition with me, did</b></p> <p>17   <b>you guys talk about the kind of questions I</b></p> <p>18   <b>asked?</b></p> <p>19   A. No, no, no. We don't need to talk</p> <p>20   about all that. We still got the same --</p> <p>21   <b>Q. Okay.</b></p> <p>22   A. -- the statements.</p> <p>23   <b>Q. Okay. How often do you talk to Germain</b></p> <p>24   <b>these days?</b></p>	<p style="text-align: center;">Page 24</p> <p>1   <b>talk to him?</b></p> <p>2   A. No. I -- I spoke to him two weeks out</p> <p>3   of the month. That mean --</p> <p>4   <b>Q. Half the time?</b></p> <p>5   A. Half time. It's, like, half time. If</p> <p>6   I say I was -- We not getting along right now.</p> <p>7   <b>Q. Ah.</b></p> <p>8   A. Something else is going on.</p> <p>9   <b>Q. What's that about?</b></p> <p>10   A. I don't know. You know, but I got -- I</p> <p>11   just can't tell you. It's a lot of stuff.</p> <p>12   <b>Q. Well. Actually, you can --</b></p> <p>13   A. He went to prison.</p> <p>14   <b>Q. Yeah. Actually, you can tell me, but</b></p> <p>15   <b>I'm not going to pursue it.</b></p> <p>16   <b>Let me --</b></p> <p>17   A. Did you know he on house arrest?</p> <p>18   MR. FLAXMAN: Just answer his questions. He</p> <p>19   does know about that.</p> <p>20   THE WITNESS: All right. So you be knowing.</p> <p>21   All right. So -- so I can't talk to him too</p> <p>22   much.</p> <p>23   THE COURT REPORTER: Sorry?</p> <p>24</p>

9 (Pages 21 to 24)

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Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

<p style="text-align: right;">Page 25</p> <p>1 BY THE WITNESS:    2 A. I can't talk to him too much.    3 BY MR. PALLE:    4 Q. Okay. Right. Those are the conditions    5 of his bond right now.    6 Is that what you're saying, that he    7 can't talk to felons?    8 A. I don't talk to peoples, period, if you    9 on house arrest.    10 Q. Okay. Okay.    11 A. That's a bad luck.    12 Q. Okay. And he -- and that's because    13 he -- he was arrested last August for possession    14 of a gun and drugs?    15 A. I guess.    16 Q. Do you know what the -- what his -- his    17 latest beef is about?    18 A. No.    19 Q. Okay. How about let's go back just to    20 the time of this incident for a moment.    21 How often were you in touch with    22 Germain back in those days?    23 A. Well, we was cool.    24 Q. I know you were cool, but --</p>	<p style="text-align: right;">Page 27</p> <p>1 A. Even though I have a girl, too.    2 Q. Got you.    3 A. Well, fianc e. All right.    4 Q. Okay. You say you have your own house.    5 Do you own a house?    6 A. Yeah. I have been having my own house.    7 Q. Oh. No kidding.    8 For how long?    9 A. I'm 46. I have been -- had that house    10 since I was like 20-something.    11 Q. Okay. And what's the address?    12 A. Well, I stay on Eberhart, 6959    13 South Eberhart.    14 THE COURT REPORTER: Sorry?    15 BY THE WITNESS:    16 A. I stay on Eberhart, Chicago, Illinois.    17 BY MR. PALLE:    18 Q. Eberhart. 69th and Eberhart?    19 A. 59. Whatever the address, I don't    20 think you got it on my paper.    21 Q. Okay. All right.    22 THE COURT REPORTER: "I don't think?"    23 BY MR. PALLE:    24 Q. "I don't think," yeah. He -- I have it</p>
<p style="text-align: right;">Page 26</p> <p>1 A. But we don't see each other like that.    2 Q. That's my question.    3 You were living in separate places,    4 right?    5 A. Yeah.    6 Q. Neither of you were living at 41st and    7 Prairie at the time?    8 A. No.    9 Q. Okay.    10 A. We from the neighborhood.    11 Q. Of course. That's the place you guys    12 always hang.    13 A. All -- you always around the world --    14 Q. Got you.    15 A. -- like, if you stay somewhere --    16 Q. Yeah. He was staying with his girl?    17 A. Mm-hmm. Well, he was staying with his    18 mama.    19 Q. He was staying with his mama?    20 A. He -- off and on.    21 Q. Okay.    22 A. See, he not like me. See, I have my    23 own house.    24 Q. Got you.</p>	<p style="text-align: right;">Page 28</p> <p>1 on the paper.    2 A. You gonna have -- you gonna have to go    3 in the police pile [sic].    4 Q. Okay.    5 MR. FLAXMAN: Let him ask the next question.    6 BY MR. PALLE:    7 Q. Okay. Now, in your affidavit, you talk    8 about, as I understand it, you were handcuffed    9 to a bench in -- in a waiting room.    10 Am I correct, a bigger room?    11 A. You mean in -- in the station?    12 Q. In the station.    13 A. Yeah.    14 Q. Okay. And at that time, you saw the    15 officers bring Willie into the back room,    16 correct?    17 A. Yes, sir.    18 Q. Okay. Now, I think we talked a little    19 bit about Willie before.    20 Do you know Willie's last name now?    21 A. No.    22 Q. Okay. I think at one point, we've    23 established that his name was Willie Brownlee.    24 A. Well, I ain't give you that statement.</p>

10 (Pages 25 to 28)

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MSJ-SL EXHIBIT 11

Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

Page 29	Page 31
<p>1      <b>Q. No. Okay.</b></p> <p>2      At one point, I think you believed that</p> <p>3      his name was Willie Martin; am I correct?</p> <p>4      MR. FLAXMAN: Objection, foundation.</p> <p>5      BY THE WITNESS:</p> <p>6      A. No. I didn't give you that statement.</p> <p>7      BY MR. PALLES:</p> <p>8      <b>Q. Okay. So that might have come from</b></p> <p>9      <b>Germain.</b></p> <p>10     A. I think so.</p> <p>11     <b>Q. Well, when you say -- Excuse me just</b></p> <p>12     <b>one second.</b></p> <p>13     In the affidavit on page 2,</p> <p>14     paragraph 10, you said, "At the station, I saw</p> <p>15     some police officers bring Willie Martin into</p> <p>16     the station." Paragraph 11, "Officers took</p> <p>17     Martin into a back room."</p> <p>18     So, actually, you did make that</p> <p>19     statement, right?</p> <p>20     MR. FLAXMAN: Objection, form, foundation.</p> <p>21     Go ahead.</p> <p>22     BY THE WITNESS:</p> <p>23     A. That's -- that's -- that's correct.</p> <p>24</p>	<p>1      MR. PALLES: I'm talking about that day,</p> <p>2      yeah.</p> <p>3      BY MR. PALLES:</p> <p>4      <b>Q. Do -- when did you recall seeing Willie</b></p> <p>5      <b>that day?</b></p> <p>6      A. I didn't see Willie. I only saw Willie</p> <p>7      when the police went and get him and bring him</p> <p>8      in, like, he was in the car with us.</p> <p>9      <b>Q. Oh. So you saw Willie being</b></p> <p>10     <b>transported to the station with you?</b></p> <p>11     A. Mm-hmm.</p> <p>12     <b>Q. Yes?</b></p> <p>13     A. Yes. Which is -- I don't know why he</p> <p>14     was trying --</p> <p>15     <b>Q. Okay.</b></p> <p>16     A. It's a traffic stop. How you turn a</p> <p>17     traffic stop into a drug --</p> <p>18     <b>Q. Okay. Now, you say that the officers</b></p> <p>19     <b>ultimately showed you guys -- and I mean you,</b></p> <p>20     <b>Germain and you -- a bag of drugs that you</b></p> <p>21     <b>believe they found on Willie's person, right?</b></p> <p>22     A. That's correct.</p> <p>23     <b>Q. Okay. Now, why do you believe that</b></p> <p>24     <b>those drugs came from Willie?</b></p>
<p style="text-align: center;">Page 30</p> <p>1      BY MR. PALLES:</p> <p>2      <b>Q. Okay. Well, let me ask you this: Were</b></p> <p>3      <b>these your words or your attorney's words?</b></p> <p>4      A. These my words.</p> <p>5      <b>Q. Okay. The -- was that the first time</b></p> <p>6      <b>you saw Willie that day?</b></p> <p>7      A. Well, remember, I say this is our</p> <p>8      neighborhood.</p> <p>9      <b>Q. Sure.</b></p> <p>10     A. So I probably gonna saw you 100 times,</p> <p>11     too, but I have nothing to do with you.</p> <p>12     <b>Q. Right.</b></p> <p>13     A. All right. So that's a -- that's</p> <p>14     about -- yeah. I probably seen him.</p> <p>15     <b>Q. Okay.</b></p> <p>16     A. He walk around. He's a junky.</p> <p>17     <b>Q. He's a junky?</b></p> <p>18     A. That means -- you know how a junky is?</p> <p>19     They downtown now walking all around.</p> <p>20     <b>Q. Mm-hmm.</b></p> <p>21     A. I don't know him.</p> <p>22     <b>Q. Okay.</b></p> <p>23     MR. FLAXMAN: Was your question about that</p> <p>24     day?</p>	<p style="text-align: center;">Page 32</p> <p>1      A. Because we saw what they did.</p> <p>2      <b>Q. What did they do?</b></p> <p>3      A. They didn't do what they did to us.</p> <p>4      They didn't take him in the washroom.</p> <p>5      <b>Q. Oh. What did they do?</b></p> <p>6      A. They took him around -- in the -- in</p> <p>7      the room right there.</p> <p>8      <b>Q. And what did they do to him?</b></p> <p>9      A. Had a talk with him. He feel like</p> <p>10     it -- "Hey, it's cool with me." So by being</p> <p>11     cool -- they had a little scuffle and stuff. We</p> <p>12     heard a little rassle back there, but they come</p> <p>13     back past us. Instead of saying, "Ya'll could</p> <p>14     go. We got what we want," no. It gonna -- it</p> <p>15     didn't play out like that.</p> <p>16     They came like this, "You, him. Ya'll</p> <p>17     ain't going nowhere."</p> <p>18     <b>Q. Okay.</b></p> <p>19     A. So that's like telling me -- you took</p> <p>20     something off that man. He got evidence. I</p> <p>21     mean, he had it in his booty. His germs back</p> <p>22     there, too, right?</p> <p>23     THE COURT REPORTER: Sorry?</p> <p>24     THE WITNESS: His germs back there.</p>

Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

Page 33	Page 35
<p>1        THE COURT REPORTER: His --    2        BY THE WITNESS:    3            A. DU- -- I don't know what you call --    4            DNA.    5        BY MR. PALLE:     6            Q. DNA?    7            A. Yeah. So that's what I -- I should    8            have had him to look -- look, but it was too    9            probably late.    10           Q. Okay.    11          THE COURT REPORTER: He was -- sorry?    12          THE WITNESS: To get the DUA [sic].    13          THE COURT REPORTER: Sorry?    14        BY THE WITNESS:    15            A. DUI, whatever you call that.    16        BY MR. PALLE:     17            Q. DNA?    18            A. Yeah. That stuff should have been    19            tested.    20           Q. Okay. So you're saying -- Again, did    21            you see the officers take drugs from Willie?    22            A. Yes, sir.    23           Q. Okay. And where were those drugs?    24            A. In his booty.</p>	<p>1            A. Now, when you get through answering all    2            the questions --    3            MR. FLAXMAN: Robert, no.    4        BY THE WITNESS:    5            A. -- I want to ask you a question.    6            MR. FLAXMAN: You've got to wait for him to    7            ask.    8            MR. PALLE: You want -- you want to ask me    9            something?    10          THE WITNESS: Mm-hmm.    11          MR. PALLE: All right. We'll talk later.    12          THE WITNESS: I'm -- I'm going to wait until    13            you --    14          MR. FLAXMAN: If you have a -- Robert, if you    15            have a question, bring it up with me. Don't    16            wait for -- it's not appropriate for you to talk    17            directly to Mr. Palles.    18          THE WITNESS: Oh.    19          MR. PALLE: Okay. All right.    20          THE WITNESS: You're gonna have to hear it    21            then, Joel.    22          MR. FLAXMAN: Okay.    23          MR. PALLE: Well --    24          THE COURT REPORTER: Sorry? You're --</p>
Page 34	Page 36
<p>1            Q. In his booty, meaning in his rectum or    2            anus or whatever?    3            Yes?    4            A. Yes.    5            Q. Okay. And then -- and then the    6            officers said that these drugs were yours and    7            Germain's?    8            A. Yeah.    9            Q. Is that right?    10           A. Yes.    11           Q. Okay. What was in the bag as far as    12            you could tell?    13           A. I don't know. You got to ask -- ask    14            Willie and --    15           Q. Okay.    16           A. -- ask the officer.    17           Q. Well, you know Willie has passed away?    18           A. Mm-hmm.    19           Q. Okay.    20           MR. FLAXMAN: Is that a yes?    21        BY MR. PALLE:     22           Q. Yes?    23           A. Yes.    24           Q. Okay.</p>	<p>1            THE WITNESS: He's gonna have to hear it.    2        BY MR. PALLE:     3            Q. I'm going to have to hear it?    4            A. Mm-hmm.    5            Q. Okay. Well, I'll be glad to once we go    6            off the record.    7            Okay. So then you were -- when did you    8            first -- is that when you first became aware    9            that you were going to be charged with drugs?    10           A. What do you mean?    11           Q. When the officers came out and dropped    12            the bag on the table?    13           A. I asked them. They said they were    14            gonna put the stuff on us. So we -- we had a --    15            a whole big argument. I got threw in the back    16            because I want to fight them, all type of stuff.    17           Q. Okay. And -- and who were the officers    18            that told you that you were going to be charged    19            with drugs?    20           A. Brown, Mohammed, and Watts.    21           Q. Okay.    22          THE COURT REPORTER: Brown?    23        BY THE WITNESS:    24           A. Brown. Officer Brown --</p>

12 (Pages 33 to 36)

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Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

Page 37	Page 39
<p>1 BY MR. PALLEs:</p> <p>2 <b>Q. Okay.</b></p> <p>3 A. -- Officer Watts, Officer Mohammed.</p> <p>4 <b>Q. Okay. And you said in your affidavit</b>  <b>that you learned later that the police claimed</b>  <b>that they saw you and Germain making certain</b>  <b>hand-to-hand transactions before arresting you</b>  <b>and that they saw you drop a bag of drugs in the</b>  <b>car.</b></p> <p>5 <b>When did you first learn that that</b>  <b>was --</b></p> <p>6 A. A liar.</p> <p>7 <b>Q. I'm sorry. You -- Let me finish the</b>  <b>question.</b></p> <p>8 <b>When did you first learn that that was</b>  <b>the claim that the officers were making?</b></p> <p>9 A. After -- let's -- we gonna go back to    it.</p> <p>10 After this started, when we first    pulled --</p> <p>11 THE COURT REPORTER: After?</p> <p>12 BY MR. PALLEs:</p> <p>13 <b>Q. After it started.</b></p> <p>14 A. After it started, we had already knew</p>	<p>1 <b>after you were charged?</b></p> <p>2 A. Yeah. Yes, sir.</p> <p>3 <b>Q. Okay. And was that attorney a public</b>  <b>defender?</b></p> <p>4 A. Yes, sir.</p> <p>5 <b>Q. Okay. Not a private attorney?</b></p> <p>6 A. No.</p> <p>7 <b>Q. Okay.</b></p> <p>8 A. She was good, though.</p> <p>9 <b>Q. She was good?</b></p> <p>10 A. Mm-hmm.</p> <p>11 <b>Q. Do you remember her name?</b></p> <p>12 A. Not off the top.</p> <p>13 <b>Q. And you told her you were innocent?</b></p> <p>14 MR. FLAXMAN: Hold on. I just want to --</p> <p>15 BY THE WITNESS:</p> <p>16 A. No.</p> <p>17 MR. FLAXMAN: I want to clarify    for Mr. Lindsey that we're -- you're going to    talk about what you talked to that public    defender --</p> <p>18 THE WITNESS: Mm-hmm.</p> <p>19 MR. FLAXMAN: -- but not any other lawyer?</p> <p>20 THE WITNESS: No.</p>
<p>1 Page 38</p> <p>2 something is not panning to -- planning [sic]    out right.</p> <p>3 <b>Q. Okay. But when did you find out</b>  <b>specifically that they had said that they saw</b>  <b>you doing hand-to-hands and that they recovered</b>  <b>drugs from the car?</b></p> <p>4 A. Well, that's in the report. They --    they made that up.</p> <p>5 <b>Q. Okay. So are you saying then that the</b>  <b>first time you became aware of that was when you</b>  <b>became aware of the report?</b></p> <p>6 A. Yeah. Once -- once the report was    made, it say -- it say what they said.</p> <p>7 <b>Q. Okay. Okay. So that's how --</b></p> <p>8 A. My word against your word.</p> <p>9 <b>Q. Okay.</b></p> <p>10 THE COURT REPORTER: Sorry?</p> <p>11 BY THE WITNESS:</p> <p>12 A. My word is against his word.</p> <p>13 BY MR. PALLEs:</p> <p>14 <b>Q. Right.</b></p> <p>15 A. So that means we gonna argue it.</p> <p>16 <b>Q. Okay. All right. And now were you</b>  <b>then -- you were then represented by an attorney</b></p>	<p>1 Page 40</p> <p>2 MR. PALLEs: Right.</p> <p>3 THE WITNESS: No.</p> <p>4 MR. FLAXMAN: But it's okay to answer that    question about what you told that public    defender.</p> <p>5 THE WITNESS: Mm-hmm.</p> <p>6 BY MR. PALLEs:</p> <p>7 <b>Q. Okay.</b></p> <p>8 A. Basically the same thing.</p> <p>9 <b>Q. Okay. In any event, you -- did you</b>  <b>tell her you were innocent?</b></p> <p>10 A. I said I was -- I've been innocent.</p> <p>11 <b>Q. Okay. Well, let me -- let me get --</b>  <b>let me ask you -- I think that -- that may be --</b>  <b>you may be able to answer yes or no to this.</b></p> <p>12 <b>Did you tell the public defender you</b>  <b>were innocent?</b></p> <p>13 A. Innocent?</p> <p>14 <b>Q. Yes.</b></p> <p>15 A. Yes.</p> <p>16 <b>Q. Okay. And what did she say to you?</b></p> <p>17 A. She told me basically on behalf of    your -- your record sheet.</p> <p>18 THE COURT REPORTER: Sorry?</p>

13 (Pages 37 to 40)

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Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

Page 41	Page 43
<p>1 BY THE WITNESS:    2 A. On behalf of my record sheet. This    3 is --    4 THE COURT REPORTER: I'm -- on be--    5 BY MR. PALLES:    6 <b>Q. Record sheet.</b>    7 A. Record, record. It's like my -- my    8 files, everything that I ever did in my life.    9 <b>Q. Rap sheet?</b>    10 A. Rap sheet.    11 <b>Q. Okay.</b>    12 A. She told me, "I don't too much see so    13 much. Like, this case right here, I can rassle    14 with this."    15 <b>Q. Okay.</b>    16 A. When she said she could rassle with it,    17 she rassled with it.    18 THE COURT REPORTER: Rouse?    19 MR. PALLES: Rassled.    20 BY THE WITNESS:    21 A. Now -- now it feel like I'm this -- not    22 innocent. But if somebody take a plea, which is    23 two parties, that means one is pleading guilty    24 to the -- the case.</p>	<p>1 <b>That's what you were told?</b>    2 A. Yeah.    3 <b>Q. Okay.</b>    4 A. So -- so she said this.    5 <b>Q. Okay. And you did plead guilty, right?</b>    6 A. Yeah. Because it's already -- you    7 already took my, my other friend. It's like --    8 it's like the case was scribbled up.    9 <b>Q. Okay.</b>    10 A. Which that's why I still wanted to be    11 in court. I believe in my -- myself.    12 <b>Q. Got you.</b>    13 A. I would have won that case.    14 <b>Q. Okay. Now, so are you saying that</b>    15 <b>Germain pled guilty before you did?</b>    16 A. Yeah.    17 <b>Q. Okay. Did you -- Well, let me ask you</b>    18 <b>this: After your arrest, were you both in</b>    19 <b>Cook County Jail for some period of time?</b>    20 A. No. I don't -- I can't stay in Cook    21 County. The reason -- the -- see, the reason he    22 pleaded guilty, because this how -- this how    23 this all going to break down.    24 If he plead guilty to some things that</p>
<p style="text-align: center;">Page 42</p> <p>1 BY MR. PALLES:    2 <b>Q. Yes.</b>    3 A. But the other party, you got to -- you    4 got to -- you got to just, like, forgive him.    5 (Whereupon, a phone rang.)    6 BY MR. PALLES:    7 <b>Q. Sorry. Oh. And that's off. My --</b>    8 <b>it's -- it's my watch.</b>    9 A. So you know I got time -- I got time    10 considered service [sic], which is that -- that    11 became because my pub-- public defender told    12 me not to take them too far, and then you -- you    13 get -- you lose in trial. You probably get more    14 than what you supposed to get.    15 <b>Q. Okay.</b>    16 THE COURT REPORTER: "And you probably get    17 more..."    18 BY THE WITNESS:    19 A. Time.    20 BY MR. PALLES:    21 <b>Q. Okay. You get more time if you go to</b>    22 <b>trial --</b>    23 A. Yeah.    24 <b>Q. -- than if you plead guilty?</b></p>	<p>1 you claim that we both had the same gun --    2 <b>Q. Mm-hmm.</b>    3 A. -- that's a lie. Because how -- how    4 two people have the same gun and there's only    5 one gun you're saying you found? Then you --    6 then you changed it up and say he got -- got the    7 same gun, too. So it's like you -- you're    8 saying more than -- more than two things.    9 <b>Q. Yeah.</b>    10 A. Who could have had it? Basically,    11 nobody never had it.    12 <b>Q. Okay. You know, I'm thinking -- as I</b>    13 <b>recall, you did not go to Cook County because</b>    14 <b>you had violated parole, right?</b>    15 A. Right. So I'm about to go back to NRC.    16 <b>Q. Stateville?</b>    17 A. Stateville.    18 <b>Q. And refresh my recollection.</b>    19 <b>What was the underlying -- what was the</b>    20 <b>offense that you were on parole for?</b>    21 A. Actually, some -- some charges I've    22 been having with them already.    23 <b>Q. I'm sorry?</b>    24 A. Actually, some charges I've been having</p>
	14 (Pages 41 to 44)

Germin Sims, et al. v. City of Chicago, et al.  
Continued Deposition of Robert Lindsey - Taken 5/5/2025

<p style="text-align: center;">Page 45</p> <p>1 with Watts and -- and Mohammed and -- and Brown 2 and them.</p> <p>3 <b>Q. Oh, okay. Okay. Maybe we'll look at</b> 4 <b>that a little bit later.</b></p> <p>5 <b>Okay. This is a document that when we</b> 6 <b>were here last time I was going to call</b> 7 <b>Exhibit No. 3. I don't know that we've ever had</b> 8 <b>a No. 2. But let's mark this as Exhibit No. 3</b> 9 <b>for a moment.</b></p> <p>10 MR. FLAXMAN: The reporter has got to put 11 sticker on it.</p> <p>12 MR. PALLE: If you -- This is the guilty 13 plea. I'm going to --</p> <p>14 THE COURT REPORTER: Sorry? What did you 15 say?</p> <p>16 MR. PALLE: I'm sorry. No, no. Just off 17 the record.</p> <p>18 Just -- somebody want to look at that.</p> <p>19 MS. JOHNSON: It's the guilty plea.</p> <p>20 THE COURT REPORTER: Sorry? I can't hear 21 you.</p> <p>22 MR. GAINER: Okay.</p> <p>23 MR. PALLE: It's the guilty plea.</p> <p>24 MR. GAINER: Sure.</p>	<p style="text-align: center;">Page 47</p> <p>1 <b>Q. Okay. In any event, do you recall</b> 2 <b>pleading guilty before Judge Flood in September</b> 3 <b>of 2010 --</b></p> <p>4 A. Yeah.</p> <p>5 <b>Q. -- to this offense?</b></p> <p>6 A. Mm-hmm.</p> <p>7 <b>Q. The answer is yes?</b></p> <p>8 A. Yes.</p> <p>9 <b>Q. Okay. And do you recall that the</b> 10 <b>state's attorney, a Mr. Schwarz, said to the</b> 11 <b>Court that if this matter were to proceed to</b> 12 <b>trial -- I'm on page 5.</b></p> <p>13 <b>If this matter were to proceed to</b> 14 <b>trial, the evidence would show that on</b> 15 <b>October 15th, 2009, at approximately 10:00 in</b> 16 <b>the morning in the area of 4210 South Prairie,</b> 17 <b>Chicago police officers were on narcotics</b> 18 <b>surveillance. At that time, they deserved [sic]</b> 19 <b>certain conduct between the defendant and</b> 20 <b>another co-offender, Germain Sims.</b></p> <p>21 <b>At that time as they approached, they</b> 22 <b>had the defendant, Lindsey, exit the vehicle.</b> 23 <b>As he did so, he dropped a bag to the driver's</b> 24 <b>side floor of the vehicle. The officer</b></p>
<p style="text-align: center;">Page 46</p> <p>1 (Whereupon, Lindsey Deposition 2 Exhibit No. 3 was marked for 3 identification.)</p> <p>4 BY MR. PALLE:</p> <p>5 <b>Q. Exhibit No. 3 is a report of</b> 6 <b>proceedings on September 22nd of 2010.</b></p> <p>7 Now, at that time, it appears you were 8 represented by Public Defender Naomi Bank.</p> <p>9 Does that sound familiar?</p> <p>10 A. Naomi Bank, no.</p> <p>11 <b>Q. Okay. In any event, do you recall</b> 12 <b>pleading guilty on that day?</b></p> <p>13 A. That's a whole nother different charge.</p> <p>14 <b>Q. Oh.</b></p> <p>15 A. That -- that's the -- that's the last 16 charge.</p> <p>17 <b>Q. Okay. Well, I believe it's on the</b> 18 <b>charge that we are here for today, but --</b></p> <p>19 A. Hold on. Let me -- say to me the name 20 again?</p> <p>21 <b>Q. Well -- okay. First of all, you were</b> 22 <b>represented by Public Defender Naomi Bank?</b></p> <p>23 A. No. That sound -- that sound like a 24 man, no.</p>	<p style="text-align: center;">Page 48</p> <p>1 <b>recovered the bag, found it to contain 13</b> 2 <b>smaller Ziplocs with suspect heroin.</b></p> <p>3 <b>Do you recall the state's attorney</b> 4 <b>laying out those facts at the time?</b></p> <p>5 A. Probably said it, but I don't remember 6 that.</p> <p>7 <b>Q. Okay.</b></p> <p>8 A. Not that.</p> <p>9 <b>Q. All right. Yeah. Yeah, just</b> 10 <b>because --</b></p> <p>11 A. Yeah. It still seem like what I just 12 told you --</p> <p>13 <b>Q. Okay.</b></p> <p>14 A. -- from the get-go.</p> <p>15 <b>Q. Okay. Well, this is 15 years ago. So</b> 16 <b>if you don't have an independent recollection --</b></p> <p>17 A. It seem -- sound like it's the same 18 story.</p> <p>19 <b>Q. Okay. Good.</b></p> <p>20 <b>And -- but you recall that your lawyer</b> 21 <b>agreed that those were the facts?</b></p> <p>22 MR. FLAXMAN: Objection, form, foundation.</p> <p>23 BY THE WITNESS:</p> <p>24 A. If that's -- that's what she said.</p>

15 (Pages 45 to 48)

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Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

<p style="text-align: right;">Page 49</p> <p>1 BY MR. PALLEs:    2 Q. Okay.    3 A. Yeah.    4 Q. Now -- and do you recall Judge Flood    5 telling you what your rights were and what    6 rights you were giving up by pleading guilty?    7 A. Well, at the time -- I got to tell you    8 this. All right?    9 Q. Sure.    10 A. I was probably, like, young. I didn't    11 know the -- the stages of what he was saying.    12 Q. Mm-hmm.    13 A. But at the -- in the long run, it came    14 out to something that it only seem like I'm    15 getting time, but the only time I'm going back    16 for is my parole time. So, yeah, he said that.    17 Q. Okay. Well, this wasn't the first time    18 you had been arrested --    19 A. Yeah.    20 Q. -- was it?    21 A. No. I got a rap sheet.    22 Q. I know you do.    23 A. But that's why most -- most of the    24 stuff in my rap sheet is always this, this,</p>	<p style="text-align: right;">Page 51</p> <p>1 BY THE WITNESS:    2 A. Homan and Fillmore. That means some --    3 some polices out west. They work in the    4 fieldhouse. So that means that got, like, TAC    5 team police. They go anywhere they want to go,    6 so --    7 BY MR. PALLEs:    8 Q. Got you.    9 Well, I'm talking about a 2007 arrest    10 that took place down the block from -- I think    11 it was your mom who lived at 59th and Parnell?    12 A. Oh, oh. That's over there on 59th.    13 That's me and around the corner, yeah. They    14 hooked me up to some -- the Racine polices.    15 Q. Okay. So that was a bogus conviction?    16 A. Yep.    17 Q. But you pled guilty to that one, too?    18 A. Yeah.    19 Q. Correct?    20 A. Because it wasn't -- it wasn't nothing    21 to -- to rassle with.    22 Q. Okay. Going back to the proceedings in    23 this case, in 2010, you knew that you had a    24 right to a jury trial, right?</p>
<p style="text-align: right;">Page 50</p> <p>1 this, this, that.    2 Q. Okay. But you had previously pled    3 guilty to other crimes; am I correct?    4 A. Yeah, yes, sir.    5 Q. Okay.    6 A. But not no drug crimes.    7 Q. Well --    8 A. Yeah, that's -- well --    9 Q. Okay.    10 A. -- that possession, that was weak.    11 Q. Okay. Well, weren't you convicted in    12 October of 2007 for manufacture and delivery of    13 cocaine and sentenced to four years?    14 A. That was my -- that was way back there.    15 Q. 2007. It is way back.    16 A. That was way back.    17 Q. But it was -- was it not the offense    18 that you were on parole when you violated --    19 when you violated it through this arrest?    20 A. No. That's -- that's a -- that's a --    21 that's a -- see, that arrest right there, that    22 come from Homan and Fillmore. They -- they hook    23 me up with that.    24 THE COURT REPORTER: Homewood?</p>	<p style="text-align: right;">Page 52</p> <p>1 A. Always.    2 Q. Right. And you knew that all the    3 jurors would have had to find you guilty in    4 order for you to go -- to be convicted, right?    5 A. Something like --    6 Q. Okay.    7 A. -- like that.    8 Q. Okay. And even after you pled guilty,    9 were you aware that you had the right to appeal    10 and withdraw the guilty?    11 A. Always. I should have did that.    12 Q. Yeah, okay. Okay.    13 When did you first decide to seek to    14 get rid of this conviction?    15 MR. FLAXMAN: You're talking now about the    16 Watts case?    17 BY MR. PALLEs:    18 Q. The Watts case.    19 A. Well, this -- this started -- this    20 started because I'm not -- I'm not guilty, or    21 I'm not guilty right now. I'm sitting and    22 waiting for a -- what you call -- a trial.    23 Q. Mm-hmm.    24 A. Before I could get to my trial -- I</p>

16 (Pages 49 to 52)

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MSJ-SL EXHIBIT 11

Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

Page 53	Page 55
<p>1 told you Germain was in Cook County. I believe    2 I was in Galesburg.</p> <p>3 <b>Q. Mm-hmm.</b></p> <p>4 A. So every -- every court date I have,    5 they have to come take me from Galesburg all the    6 way back to Chicago.</p> <p>7 <b>Q. Mm-hmm.</b></p> <p>8 A. Yeah, paying money on the road.</p> <p>9 THE COURT REPORTER: Sorry?</p> <p>10 BY THE WITNESS:</p> <p>11 A. Paying money to the officers on the    12 road to take me to court.</p> <p>13 BY MR. PALLE:</p> <p>14 <b>Q. Mm-hmm.</b></p> <p>15 A. So at that time -- I think I got down    16 to that last court date.</p> <p>17 <b>Q. Yeah.</b></p> <p>18 A. And I told you, I had a pretty good    19 attorney. She used to make me mad, but then    20 I -- I found out she was really trying to be    21 with -- be on my side.</p> <p>22 <b>Q. Mm-hmm.</b></p> <p>23 A. So I -- I came down to the day we finna    24 go to trial. I had her look -- look into it.</p>	<p>1 by me sitting in there. It was time considered    2 service [sic]. So she got me time considered    3 served. So when I got out of jail, that's when    4 I looked Joel up.</p> <p>5 <b>Q. When you got out of jail?</b></p> <p>6 A. Mm-hmm.</p> <p>7 <b>Q. Okay. So when did you get out of jail?</b></p> <p>8 A. It was like 2000- -- somewhere between    9 2010, '11, '12, something like that.</p> <p>10 <b>Q. Okay. And it was at that time that you    11 saw -- that you went to see Mr. Flaxman?</b></p> <p>12 A. Yeah. I saw Flaxman probably like a --    13 a -- about a year.</p> <p>14 <b>Q. Year after?</b></p> <p>15 A. I was looking -- looking up. Like, you    16 know, I was looking. You know how the news come    17 on?</p> <p>18 <b>Q. Yeah.</b></p> <p>19 A. I was on house arrest --</p> <p>20 <b>Q. Mm-hmm.</b></p> <p>21 A. -- for some -- from some charge that --    22 I probably caught another charge, but I was on    23 house arrest. And you know what? When I --    24 when I first seeing this TV, I called my -- oh.</p>
<p style="text-align: center;">Page 54</p> <p>1 She had been reading over the charges. She told    2 me -- send me a letter.</p> <p>3 THE COURT REPORTER: Sorry?</p> <p>4 BY THE WITNESS:</p> <p>5 A. Send me an envelope to the prison.</p> <p>6 BY MR. PALLE:</p> <p>7 <b>Q. Yeah.</b></p> <p>8 A. And she told me she had did all she    9 could do. She'd talked to the State from the    10 time that ya'll was here. "I'm gonna -- I'm    11 gonna -- I'm gonna give it to you like this,    12 Robert. I don't think they have so much on you,    13 but how your -- your rap -- your rap sheet is, I    14 would do this. All right? I got them to    15 tell -- tell in your -- in your paperwork." She    16 is saying if -- I could plead guilty to this    17 charge right now --</p> <p>18 <b>Q. Mm-hmm.</b></p> <p>19 A. -- and tomorrow morning or whatever    20 time I would be going back out at -- out the    21 prison with no- -- no parole, none of that.</p> <p>22 <b>Q. Mm-hmm.</b></p> <p>23 A. Because I'm already -- I violate --    24 they violate the parole already. So that came</p>	<p style="text-align: center;">Page 56</p> <p>1 I called -- called the house arrest peoples, and    2 told them I was -- I was getting sick. So I --    3 I say I was getting sick. I don't stay that far    4 from Cook County.</p> <p>5 <b>Q. Mm-hmm.</b></p> <p>6 A. I goes down to Cook County, and these    7 same peoples -- somewhere around me they got the    8 same problem. So we need to get -- get down to    9 this problem. I don't think them cops should be    10 still, like, working Chicago, and they doing all    11 this.</p> <p>12 So when I saw Watts, Mohammed, what's    13 the name on the news, oh, yeah. I had to call    14 my people and say, "I need to go to the    15 hospital," which I did go to the hospital, but I    16 just came to get a card from the same -- them    17 lawyers. So I took a card and left out.</p> <p>18 THE COURT REPORTER: A car or --</p> <p>19 BY MR. PALLE:</p> <p>20 <b>Q. Card?</b></p> <p>21 A. Card, business card.</p> <p>22 <b>Q. Got you.</b></p> <p>23 A. So when I got the business card, down    24 the line we spoke.</p>

Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

Page 57	Page 59
<p>1       MR. FLAXMAN: And don't -- if you're talking    2       about -- talking to me, don't tell him anything    3       that --    4       BY MR. PALLE:     5       <b>Q. Yeah. Don't say anything that --</b>    6       A. We just spoke. I needed to -- I need a    7       lawyer.    8       <b>Q. Got you.</b>    9       A. You know, his -- no more.    10      <b>Q. All right. Let me break this down a</b>    11      little bit.    12      <b>So if I'm understanding you correctly,</b>    13      <b>you first made a decision to attack this</b>    14      <b>particular conviction after you saw on TV that</b>    15      <b>Watts and Mohammed had been arrested on federal</b>    16      <b>charges?</b>    17      A. All type of charges.    18      <b>Q. All type of charges?</b>    19      A. Yeah. Something I should have --    20      <b>Q. Whatever.</b>    21      A. -- I -- pressed charges, too.    22      <b>Q. Okay. Anyway, you knew they'd been</b>    23      <b>arrested of a crime, correct?</b>    24      A. Right.</p>	<p>1       A. Robert.    2       <b>Q. Okay. So am I correct that ultimately</b>    3       <b>you spoke to Germain and said, "Listen, I've</b>    4       <b>talked with Mr. Flaxman, and there may be a</b>    5       <b>lawsuit. You want to join me"?</b>    6       A. No. And -- not like that.    7       <b>Q. Well, tell me how it was.</b>    8       A. Well, he has got a -- see, it's    9       something he don't know how to -- like, a lot of    10      peoples get caught with these random peoples.    11      That's how people sell you out, and you don't    12      get sold out -- because I'm not taking no plea    13      deal if I'm -- I'm not wrong.    14      <b>Q. Mm-hmm.</b>    15      A. But, you know, in a court they force    16      peoples to jump off the cliff because they want    17      to scare you with other time and all that, which    18      is -- it seems like if you lose, that's might    19      what you gonna get. But I had a talk with him,    20      though, because, "Man, we need to get down to    21      the bottom of this. We want to know why the    22      drugs was planted on us, and why you think that    23      that would be cool that the police do that."    24      It's -- it's still -- police out there</p>
<p>1       <b>Q. Okay. And so it was after that that</b>    2       <b>you went to see Mr. Flaxman?</b>    3       A. Well, something like that.    4       <b>Q. Okay. By the time you went to see</b>    5       <b>Mr. Flaxman, were you aware of a lawsuit brought</b>    6       <b>by a gentleman named Ben Baker?</b>    7       A. I don't know no Ben Baker.    8       <b>Q. Well, that is my next question.</b>    9       <b>You don't know Ben Baker?</b>    10      A. No.    11      <b>Q. Have you ever heard of Ben Baker?</b>    12      A. No.    13      <b>Q. Now, when you went to see Mr. Flaxman,</b>    14      <b>did you go with Germain?</b>    15      A. No.    16      <b>Q. Okay. Who went to see Mr. Flaxman</b>    17      <b>first, you or Germain?</b>    18      MR. FLAXMAN: Objection.    19      MR. PALLE: If you know?    20      THE COURT REPORTER: Objection --    21      MR. FLAXMAN: Withdraw it based on the    22      clarification.    23      BY MR. PALLE:     24      <b>Q. If you know?</b></p>	<p>1       doing it right now. It's just they ain't being    2       caught.    3       <b>Q. Mm-hmm.</b>    4       A. But they got caught. So that made my    5       whole dream, my life. Oh, yeah. You thought I    6       sat in that jailhouse on all that time, too.    7       So, you know, that was the time going back and    8       forth rassling this case.    9       <b>Q. Yes.</b>    10      A. Yeah. You got to -- you got to pay me    11      for that.    12      <b>Q. Sorry? I'm misunderstanding the end.</b>    13      <b>When you say, "You got to pay me," you</b>    14      <b>are talking about this --</b>    15      A. I mean, if I'm finna sue you --    16      <b>Q. Yeah.</b>    17      A. -- it's coming with two different    18      things.    19      THE COURT REPORTER: With -- sorry?    20      BY MR. PALLE:     21      <b>Q. Coming with two different things?</b>    22      A. Yeah.    23      <b>Q. Okay. What are those?</b>    24      A. State and the City.</p>

Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

Page 61	Page 63
<p>1       <b>Q. Got you.</b></p> <p>2       A. That's all I want to talk about.</p> <p>3       <b>Q. Okay. All right. So basically you're</b>  <b>saying that you felt that because you were</b>  <b>wrongfully arrested and convicted you were</b>  <b>entitled to file a lawsuit to receive money to</b>  <b>compensate you for the --</b></p> <p>4       A. No, no, no, not like that.</p> <p>5       <b>Q. Okay. Well, you explain it then.</b></p> <p>6       A. It was -- it was called get them back</p> <p>7       the way they sat there and lied on you.</p> <p>8       <b>Q. Yeah?</b></p> <p>9       A. Get you -- get you an attorney. I</p> <p>10      don't --</p> <p>11      THE COURT REPORTER: Get you --</p> <p>12      BY THE WITNESS:</p> <p>13      A. A lawyer, which is a lawyer.</p> <p>14      BY MR. PALLES:</p> <p>15      <b>Q. Yeah.</b></p> <p>16      A. Get you a lawyer. We going -- we gonna</p> <p>17      bring these charges to the -- to the table.</p> <p>18      <b>Q. You're going to bring these charges</b>  <b>because of the fact that the police lied about</b>  <b>your arrest?</b></p>	<p>1       <b>Q. Yeah.</b></p> <p>2       A. -- it's day for day.</p> <p>3       <b>Q. Right.</b></p> <p>4       A. So two days or one day, it could</p> <p>5       probably be -- like, one day it'll turn into</p> <p>6       two days. Two days just might -- just -- I</p> <p>7       don't know.</p> <p>8       <b>Q. Yeah.</b></p> <p>9       A. That's -- that's why I got to go</p> <p>10      through my lawyer and --</p> <p>11      <b>Q. Okay. Well, did you ever talk to</b>  <b>Germain about what you think --</b></p> <p>12      A. No. He --</p> <p>13      <b>Q. -- about what -- what it's worth?</b></p> <p>14      MR. FLAXMAN: Yeah. Make sure you let him</p> <p>15      finish the question.</p> <p>16      BY THE WITNESS:</p> <p>17      A. Uh-uh.</p> <p>18      THE COURT REPORTER: Sorry?</p> <p>19      BY THE WITNESS:</p> <p>20      A. No. He have to figure that out</p> <p>21      hisself.</p> <p>22      BY MR. PALLES:</p> <p>23      <b>Q. Have you ever talked to anybody else,</b></p>
<p>1       A. That's all it is.</p> <p>2       <b>Q. Okay. Fine.</b></p> <p>3       THE COURT REPORTER: That's -- sorry.</p> <p>4       BY THE WITNESS:</p> <p>5       A. That's all it is.</p> <p>6       BY MR. PALLES:</p> <p>7       <b>Q. All right. Well, now, as I understand</b>  <b>it, you're claiming that you were wrongfully</b>  <b>incarcerated for 393 days as a result of this</b>  <b>arrest and conviction.</b></p> <p>8       <b>Does that sound right to you? It's a</b>  <b>little more than a year.</b></p> <p>9       A. It's probably more than that.</p> <p>10      <b>Q. Well, it's, like, about 13 months?</b></p> <p>11      A. We'll just -- we'll say a year and a</p> <p>12      month.</p> <p>13      <b>Q. A year and a month, right. Okay.</b></p> <p>14      <b>How much is that worth?</b></p> <p>15      A. I don't know. I got to talk to my</p> <p>16      lawyer.</p> <p>17      <b>Q. Have you ever thought about what it</b>  <b>might be worth?</b></p> <p>18      A. I don't -- what I know, when you --</p> <p>19      when we in jail --</p>	<p>1       <b>family members, or your girlfriend about --</b></p> <p>2       A. I talked to my mama.</p> <p>3       <b>Q. Okay. And what did you tell her?</b></p> <p>4       <b>Did you tell her how much money you</b>  <b>think this is worth?</b></p> <p>5       A. No. She don't even know.</p> <p>6       <b>Q. Okay. Let me mark this. This was</b>  <b>Exhibit No. 2, your answers to interrogatories.</b></p> <p>7       <b>For you there.</b></p> <p>8       <b>Does anybody --</b></p> <p>9       MR. FLAXMAN: I think I need a copy.</p> <p>10      MR. PALLES: Yeah. Sure.</p> <p>11      THE COURT REPORTER: This is Exhibit 2, you</p> <p>12      said?</p> <p>13      MR. PALLES: It was Exhibit 2. Now I don't</p> <p>14      have a copy, but that's okay. I have notes.</p> <p>15      (Whereupon, Lindsey Deposition</p> <p>16      Exhibit No. 2 was marked for</p> <p>17      identification.)</p> <p>18      MS. JOHNSON: Do you want me to pull it up?</p> <p>19      MR. PALLES: No, no, no.</p> <p>20      BY MR. PALLES:</p> <p>21      <b>Q. Now, you were asked in Exhibit No. 5</b>  <b>[sic] to describe all the narcotics activities,</b></p>

Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

<p style="text-align: center;">Page 65</p> <p>1 if any, you participated in or observed at    2 Ida B. Wells apartment complex during 2009, and    3 your answer was none. Okay?    4       <b>You agree with that, right?</b>    5       A. Mm-hmm. Say that again?    6       <b>Q. Okay. Describe all narcotics</b>    7       <b>activities, if any, you participated in or</b>    8       <b>observed at Ida B. Wells apartment complex</b>    9       <b>during 2009, and you said none.</b>    10      A. No. I don't think I said nothing.    11      <b>Q. Well, okay.</b>    12      A. But I think I did.    13      <b>Q. Well, I think you did.</b>    14      A. Because I -- I --    15      <b>Q. But you didn't sell at Ida B. Wells,</b>    16      <b>did you?</b>    17      A. I've -- I've been in Ida B. Wells. I    18      sold -- I sold a lot of places. If -- if you    19      caught me, then you would know.    20      <b>Q. Okay.</b>    21      A. But right now that's not what we trying    22      to talk about.    23      <b>Q. Right. I got you.</b>    24      <b>You understand that a lot of the cases</b></p>	<p style="text-align: center;">Page 67</p> <p>1       A. That's -- that's -- that -- yeah. I    2      understand that.    3       <b>Q. Okay.</b>    4       A. We not that far from each other,    5      though.    6       <b>Q. Okay.</b>    7       A. But I've been in the Ida B. Wells.    8       <b>Q. Okay. And you sold in the</b>    9       <b>Ida B. Wells?</b>    10      A. Once upon a time.    11      <b>Q. Okay. What did you sell?</b>    12      A. Rocks.    13      <b>Q. Rocks. Okay.</b>    14      That's crack cocaine, right?    15      A. Weed.    16      <b>Q. Weed is cannabis or marijuana we used</b>    17      <b>to call it back in the day.</b>    18      <b>During the year 2009, can you tell me</b>    19      <b>on average how much money you made in a single</b>    20      <b>week selling drugs?</b>    21      A. I wouldn't tell you that.    22      <b>Q. You wouldn't tell me that?</b>    23      A. No. It's --    24      <b>Q. Why not?</b></p>
<p style="text-align: center;">Page 66</p> <p>1       <b>that we're -- that we deal with, we attorneys,</b>    2       <b>arose out of the Ida B. Wells complex?</b>    3       A. Mm-hmm.    4       <b>Q. Do you understand that?</b>    5       MR. FLAXMAN: Objection, foundation.    6       Go ahead.    7       BY THE WITNESS:    8       A. Be consistent about it.    9       What you mean?    10      BY MR. PALLES:    11      <b>Q. Well, you know there are other lawsuits</b>    12      <b>involving other people who are claiming the same</b>    13      <b>thing you are.</b>    14      A. Well, I'm not --    15      MR. FLAXMAN: Objection, form, foundation.    16      BY THE WITNESS:    17      A. I'm not them peoples.    18      BY MR. PALLES:    19      <b>Q. You're not what?</b>    20      A. I'm not them.    21      <b>Q. I know you're not them, but a lot of</b>    22      <b>them came from the Ida B. Wells apartment --</b>    23      A. Well --    24      <b>Q. Do you understand that?</b></p>	<p style="text-align: center;">Page 68</p> <p>1       A. It's not your business.    2       <b>Q. Not so big?</b>    3       THE COURT REPORTER: Not your --    4       THE WITNESS: Not your business.    5       THE COURT REPORTER: Not your business.    6       BY MR. PALLES:    7       <b>Q. Not my business.</b>    8       A. I wouldn't tell the police that.    9       <b>Q. Okay.</b>    10      THE COURT REPORTER: Sorry?    11      THE WITNESS: They'd have to catch me.    12      THE COURT REPORTER: Sorry?    13      BY THE WITNESS:    14      A. I wouldn't tell the police that word.    15      BY MR. PALLES:    16      <b>Q. Okay. Well, are you -- just so I</b>    17      <b>understand it, are you saying -- are you</b>    18      <b>asserting your Fifth Amendment rights against</b>    19      <b>self-incrimination?</b>    20      <b>Do you understand?</b>    21      MR. FLAXMAN: Hold on.    22      THE WITNESS: No.    23      MR. FLAXMAN: We're going to take a break --    24      MR. PALLES: Yeah.</p>

20 (Pages 65 to 68)

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MSJ-SL EXHIBIT 11

Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

Page 69	Page 71
<p>1       MR. FLAXMAN: -- to talk about a privilege.    2       MR. PALLES: Okay. All right.    3       THE WITNESS: Yeah.    4       THE VIDEOGRAPHER: Okay. The time is 11:08,    5 and we are now off the record.    6               (Whereupon, a short break was    7               taken.)    8       THE VIDEOGRAPHER: Okay. The time is    9       11:14 a.m., and we are back on the record.    10      BY MR. PALLES:    11       <b>Q. Okay. Robert, before we went off, we</b>    12       <b>were talking about -- I was -- I was asking you</b>    13       <b>about how much -- what the volume of your drug</b>    14       <b>sales was in 2009. And, of course, that was</b>    15       <b>16 years ago.</b>    16       <b>Are you willing to answer that question</b>    17       <b>now?</b>    18       A. (Nonverbal response.)    19       <b>Q. Kind of?</b>    20       A. Kind of.    21       <b>Q. Okay. Well, let's put it this way: In</b>    22       <b>a given week, what was -- what was your best</b>    23       <b>week in terms of sales, you know, where you</b>    24       <b>said, "Man, this is a lot of bread I'm making</b></p>	<p>1       BY MR. PALLES:    2       <b>Q. Yes.</b>    3       A. I have been a known -- what you    4       call it, a drug dealer from the -- from a    5       certain officer.    6       <b>Q. Got you.</b>    7       A. Not the whole United States of the    8       world.    9       <b>Q. Okay.</b>    10       A. Certain officers.    11       <b>Q. Mm-hmm.</b>    12       A. So that's why I can't tell you how much    13       money I made.    14       <b>Q. Okay.</b>    15       A. And some -- some stuff happened way    16       before this -- I mean, way before this case.    17       <b>Q. Okay.</b>    18       A. So that don't make sense to me.    19       <b>Q. Okay.</b>    20       A. Because I've already probably went to    21       jail for that.    22       <b>Q. All right.</b>    23       A. I'm just wanting know about why -- why    24       this -- this case has been put on me.</p>
<p style="text-align: center;">Page 70</p> <p>1       <b>from the -- from narcotics"?</b>    2       MR. FLAXMAN: And you -- you're asking about    3       the time when he was arrested in 2009?    4       BY MR. PALLES:    5       <b>Q. The year of 2009 prior to the time you</b>    6       <b>were arrested.</b>    7       A. I won't be able to tell you all that.    8       <b>Q. How about on average? How much money</b>    9       <b>do you think you were bringing in from drugs</b>    10       <b>on -- in a weekly --</b>    11       A. I forgot --    12       <b>Q. Okay.</b>    13       A. -- how much.    14       <b>Q. Okay. And what were you selling? I</b>    15       <b>think you said rocks and marijuana?</b>    16       MR. FLAXMAN: You're asking him in 2009.    17       MR. PALLES: 2009.    18       MR. FLAXMAN: Okay. At the time you were    19       arrested in this case?    20       MR. PALLES: Yeah.    21       BY THE WITNESS:    22       A. We -- no. See, in -- way before this    23       case.    24</p>	<p style="text-align: center;">Page 72</p> <p>1       <b>Q. Okay.</b>    2       A. And I told ya'll how it is.    3       <b>Q. Okay. We -- you talked before about</b>    4       <b>your rap sheet. We have -- and I don't think</b>    5       <b>I'm going to put it into evidence.</b>    6       <b>But would you be -- if I told you you'd</b>    7       <b>been arrested 50 times, would you agree with</b>    8       <b>that?</b>    9       MR. FLAXMAN: I'm sorry. Did you say 5-0?    10       BY MR. PALLES:    11       <b>Q. 5-0.</b>    12       A. Let me see.    13       <b>Q. I'm talking about arrests.</b>    14       MR. FLAXMAN: What I have says 46. Do you    15       have a new one?    16       MR. PALLES: Okay. Here we go. Sure. We    17       might as well. How many do I have? Well, I --    18       MR. FLAXMAN: We don't need to make it an    19       exhibit.    20       MR. PALLES: No. I'm not going to. You keep    21       that.    22       MR. FLAXMAN: I just want to make sure I'm    23       looking at the same thing.    24</p>

21 (Pages 69 to 72)

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MSJ-SL EXHIBIT 11

Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

<p style="text-align: center;">Page 73</p> <p>1 BY THE WITNESS:    2 A. That was about -- it seemed like --    3 well, some of them was, like, misdemeanors,    4 so --    5 BY MR. PALLE:    6 Q. Of course.    7 A. So --    8 Q. Yeah.    9 A. You just -- you just putting, like,    10 really anything that I ever did in the system.    11 Q. Yeah, everything you ever did --    12 A. It's gonna -- it's still gonna count.    13 Q. Okay. Let me tell you what I -- what I    14 got and -- and you could disagree if you want.    15 According to this, there were 50    16 arrests, 25 of them misdemeanors?    17 A. Mm-hmm.    18 Q. Fifteen felonies, and I guess the rest    19 might have been ordinance. You were convicted    20 four times.    21 Does that sound right?    22 MR. FLAXMAN: Just objection, form,    23 foundation.    24</p>	<p style="text-align: center;">Page 75</p> <p>1 Q. Okay. Now, again, I thought that you    2 said at the time that the Mercury Mystique was a    3 gift that was made to you by a friend?    4 A. Yes.    5 Q. Okay.    6 A. But the car -- once I -- I bought    7 another car. I bought another car.    8 Q. And gave that car to your mom?    9 A. Gave it to my mama.    10 Q. That's what I wanted to clean up.    11 That other car was an Oldsmobile    12 Intrigue?    13 A. Mm-hmm.    14 Q. Yes?    15 A. Yes.    16 Q. And what did you pay for that car?    17 A. I paid like three -- three bands for    18 it.    19 THE COURT REPORTER: Sorry?    20 BY THE WITNESS:    21 A. 3,000.    22 BY MR. PALLE:    23 Q. 3,000.    24 And what was the source of money that</p>
<p style="text-align: center;">Page 74</p> <p>1 BY THE WITNESS:    2 A. No. That ain't correct, because I had    3 like five.    4 BY MR. PALLE:    5 Q. Five convictions?    6 A. Mm-hmm.    7 Q. All right. Other than this conviction,    8 are there any others that you consider to be    9 bogus?    10 A. Bogus?    11 Q. Bogus.    12 A. No.    13 Q. Okay. One or two points that I want to    14 clean up or clear up from your last deposition    15 is this: When you were arrested, you were    16 driving a Mercury Mystique, correct?    17 A. Right.    18 Q. Now, at one point, I think you said it    19 was your car and another time you said it was    20 your mama's car. So let me clar -- let me    21 figure out which is which here.    22 Did -- was the Mercury Mystique your    23 mom's car or yours?    24 A. It was my mom's car.</p>	<p style="text-align: center;">Page 76</p> <p>1 you had for that car? How did you pay for that    2 car?    3 A. Well, I had a -- a -- a -- I had a    4 settlement.    5 THE COURT REPORTER: Sorry?    6 BY THE WITNESS:    7 A. I had a settlement. Somebody died. I    8 mean, that's my pops' --    9 BY MR. PALLE:    10 Q. Got you.    11 A. I got his money.    12 Q. Okay. The settlement for your father's    13 death, was that -- I -- Well, let me back up a    14 minute.    15 Am I correct that you received social    16 security payments as a result of your father's    17 death?    18 A. All of it ran together.    19 Q. Okay. But what I want to understand    20 is, other than the social security payment from    21 your father's death, was there another    22 settlement, say, relating to a lawsuit that    23 resulted in your father's death?    24 A. No.</p>

22 (Pages 73 to 76)

Royal Reporting Services, Inc.  
 312.361.8851

MSJ-SL EXHIBIT 11

Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

Page 77	Page 79
<p>1     <b>Q. Okay. So the money that you're talking</b>    2     <b>about from your dad was through social security?</b></p> <p>3     A. Well, I wanna say it was through social    4     security. It said before you die -- you have    5     probably like four, five kids --</p> <p>6     <b>Q. Yeah.</b></p> <p>7     A. -- but out of -- out of five of them, I    8     have a baby. And so whoever my baby child,    9     that's the one probably get everything.</p> <p>10    <b>Q. Okay.</b></p> <p>11    A. And it's up to him if he want to share.</p> <p>12    <b>Q. Mm-hmm.</b></p> <p>13    A. I would say the mil- -- and he come    14    from military. So it -- so that mean he fought    15    for the -- this nation.</p> <p>16    <b>Q. Did -- okay. Just so I understand</b>    17    <b>this, so you're saying as well that you received</b>    18    <b>a military pension as a result of your father --</b>    19    <b>from your father's --</b></p> <p>20    A. Whatever --</p> <p>21    <b>Q. -- death?</b></p> <p>22    A. Whatever the State, the world owed    23    him --</p> <p>24    <b>Q. You got it?</b></p>	<p>1     <b>correct?</b></p> <p>2     A. Yes, sir.</p> <p>3     <b>Q. Okay. And either before that time or</b>    4     <b>any time after, did you have any conversations</b>    5     <b>with Mohammed?</b></p> <p>6     A. Cuss him out, yeah.</p> <p>7     <b>Q. Cussed him out. Okay.</b></p> <p>8     <b>Do you remember anything he said to</b>    9     <b>you?</b></p> <p>10    A. All type of stuff.</p> <p>11    <b>Q. All type of stuff?</b></p> <p>12    A. Yeah.</p> <p>13    <b>Q. Do you remember anything specifically?</b></p> <p>14    A. If I tell you, then it's -- it's just    15    like where the -- that you could say this to me,    16    like, I ain't got no righteous.</p> <p>17    <b>Q. I'm sorry?</b></p> <p>18    A. The word that he said to me it's like    19    me arguing with him. It's not going to get    20    nowhere until I could see what's the -- what's    21    the ball game. Then, I'm going to get my    22    lawyer, and that's how I came.</p> <p>23    <b>Q. Okay.</b></p> <p>24    A. But you know I -- I told you, I</p>
<p style="text-align: center;">Page 78</p> <p>1     A. -- I got it.</p> <p>2     <b>Q. All right.</b></p> <p>3     MR. PALLES: Can you find -- I e-mailed you    4     his deposition transcript. I'm looking for    5     page 89.</p> <p>6     I'm getting close to the end here,    7     Robert, and I'm going to turn it over in a    8     moment, but I just want to look over my notes    9     for a second.</p> <p>10    BY MR. PALLES:</p> <p>11    <b>Q. All right. So I just want to clarify</b>    12    <b>for one moment -- one of the things I wanted to</b>    13    <b>clarify was Mohammed's relationship with this</b>    14    <b>incident.</b></p> <p>15    <b>Now, just -- again, so I recall your</b>    16    <b>testimony -- and if I'm wrong, you let me</b>    17    <b>know -- you didn't see Mohammed until you got</b>    18    <b>into the station, correct, that day?</b></p> <p>19    A. Yeah.</p> <p>20    <b>Q. Okay.</b></p> <p>21    A. Yes.</p> <p>22    <b>Q. And when you saw Mohammed, he was</b>    23    <b>walking out of the room with Brown and Watts at</b>    24    <b>the time when Watts laid the drugs on you,</b></p>	<p style="text-align: center;">Page 80</p> <p>1     didn't -- I didn't get along with Mohammed and    2     Brown and Watts. I only -- I only sat down and    3     some Arabs --</p> <p>4     THE COURT REPORTER: "Some..."</p> <p>5     BY THE WITNESS:</p> <p>6     A. -- Arab cops.</p> <p>7     BY MR. PALLES:</p> <p>8     <b>Q. Arab cops?</b></p> <p>9     A. Yeah.</p> <p>10    <b>Q. Arab.</b></p> <p>11    A. So them the only ones was playing --</p> <p>12    <b>Q. Okay.</b></p> <p>13    A. -- the righteous.</p> <p>14    <b>Q. Okay.</b></p> <p>15    THE COURT REPORTER: "They're the ones that's    16    playing..."</p> <p>17    THE WITNESS: Righteous, being righteous.</p> <p>18    THE COURT REPORTER: Being righteous?</p> <p>19    BY THE WITNESS:</p> <p>20    A. Yeah. They don't -- they really    21    don't -- they just doing what Mohammed and Brown    22    and Watts just told them to do.</p> <p>23    BY MR. PALLES:</p> <p>24    <b>Q. Okay. So as I understand what you're</b></p>

23 (Pages 77 to 80)

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Germin Sims, et al. v. City of Chicago, et al.  
Continued Deposition of Robert Lindsey - Taken 5/5/2025

Page 81	Page 83
<p>1 saying, Mohammed is basically telling you --  2 you're bitching him out, and he's saying, "Don't  3 talk to me. Talk -- you know, it's not my  4 deal"?</p> <p>5 A. No, no. It's -- it's -- he ain't got  6 to say -- he ain't got to say it like that.</p> <p>7 Q. Okay.</p> <p>8 A. That's why I'm already knowing.</p> <p>9 Q. Mm-hmm.</p> <p>10 A. Just -- just pay attention to the ball  11 game.</p> <p>12 Q. Okay.</p> <p>13 A. And that's what they said anyway.</p> <p>14 Q. Okay. Now, this is going to be my last  15 area.</p> <p>16 At one point, you said that during this  17 arrest Brown took \$3,500 from you that you had  18 on your person?</p> <p>19 A. Yes. I told you that.</p> <p>20 Q. Okay.</p> <p>21 A. The money never showed up.</p> <p>22 Q. Okay.</p> <p>23 A. Just --</p> <p>24 Q. The thing I'm unclear about is where</p>	<p>1 Q. 69th and Ashland?</p> <p>2 A. Yeah.</p> <p>3 Q. Do you remember what the bank was  4 called?</p> <p>5 A. It's a Chase.</p> <p>6 Q. Chase? Okay.</p> <p>7 A. That's where my checks go.</p> <p>8 MR. PALLS: Okay. All right. Those are  9 going to be all the questions that I have.</p> <p>10 Thank you, Robert. I really appreciate  11 your --</p> <p>12 THE WITNESS: I appreciate you, too.</p> <p>13 MR. PALLS: -- time.</p> <p>14 And maybe if Joel will let you, you  15 could ask questions of me when we're off the  16 record.</p> <p>17 In -- in the meantime, I'm passing to  18 somebody.</p> <p>19 MR. GAINER: Okay. Hannah, do you have any?</p> <p>20 MS. BESWICK-HALE: I do have a couple, but  21 if -- if ya'll in person want to go first,  22 that's okay, or if you want, I can go.</p> <p>23 MR. GAINER: Go ahead, Hannah, if you're good  24 to go.</p>
<p>1 that money came from.</p> <p>2 A. Well, I told you I had a lawsuit. I  3 mean -- wait. Not a lawsuit. I had a  4 settlement. I wasn't never broke.</p> <p>5 Q. Okay.</p> <p>6 A. I didn't have to never sell drugs  7 after -- after the -- that little ball game.</p> <p>8 THE COURT REPORTER: Sorry? Sorry?</p> <p>9 MR. PALLS: He -- he didn't have to sell  10 drugs. Okay.</p> <p>11 BY THE WITNESS:</p> <p>12 A. I always kept my money.</p> <p>13 BY MR. PALLS:</p> <p>14 Q. You always kept \$3,500 in your pocket?</p> <p>15 A. No. I just had got that money. I had  16 went to the -- to the bank.</p> <p>17 Q. Okay.</p> <p>18 A. And that's how I was going to buy  19 that -- the gray car.</p> <p>20 Q. Got you.</p> <p>21 A. The Intrigue, but I ran into them.</p> <p>22 Q. What bank -- where did you bank?</p> <p>23 A. Over by my house over there on Western,  24 like on 69th, like, and Ashland.</p>	<p>1 EXAMINATION  2 BY MS. BESWICK-HALE:</p> <p>3 Q. Hi, Mr. Lindsey.</p> <p>4 Can you hear me okay?</p> <p>5 A. I hear you real good.</p> <p>6 Q. Okay. Thanks. Let me know if you  7 can't hear me, and I'll speak up. I just have a  8 couple follow-up questions.</p> <p>9 We talked a lot already about  10 Officer Jones, who I think you referred to as  11 Brown; is that right?</p> <p>12 A. Similar, yeah.</p> <p>13 Q. Okay. So when you say "Brown," you're  14 referring to officer Alvin Jones; is that right?</p> <p>15 A. Similar, yeah.</p> <p>16 Q. Okay. We talked about him a lot. I'm  17 not going to ask you any other questions about  18 him. I'm going to ask you a couple of questions  19 about some other officers and you'll -- if you  20 don't mind, you'll let me know if you remember  21 that officer and what their involvement would  22 be.</p> <p>23 Does that sound okay?</p> <p>24 A. Go ahead.</p>

24 (Pages 81 to 84)

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Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

<p style="text-align: right;">Page 85</p> <p>1     <b>Q. Okay. The first officer I'm going to</b>    2     <b>ask you about is Brian Bolton.</b>    3         <b>Does that name stand out to you?</b>    4         A. Brian Bolton. No, I don't know him by    5         that name and all that.    6         <b>Q. Okay. Do you think you know him by a</b>    7         <b>nickname?</b>    8         A. I would have to see his --    9         MR. FLAXMAN: Objection, foundation.    10        BY THE WITNESS:    11         A. I'd have to see his face.    12        BY MS. BESWICK-HALE:    13         <b>Q. What does he look like to you?</b>    14         MR. FLAXMAN: Objection, form, foundation.    15        BY THE WITNESS:    16         A. I don't know. If I -- if I -- if I --    17         if I don't know him by that name you gave me,    18         then I don't --    19        BY MS. BESWICK-HALE:    20         <b>Q. I'm sorry. I thought you said, "I see</b>    21         <b>his face."</b>    22         A. No. I'm got -- I'm gonna -- I'm gonna    23         have to see his face.    24         <b>Q. I got it. My apologies. Okay.</b></p>	<p style="text-align: right;">Page 87</p> <p>1         him -- knew him from being in that -- in that    2         circle. I -- I heard that name. I was probably    3         still hearing that name.    4         THE COURT REPORTER: Sorry? "I was    5         probably..."    6         BY THE WITNESS:    7         A. Still hearing that name. I just -- I    8         got to picture his face. It sounds like a    9         little Mexican or Puerto Rican or somebody.    10        BY MS. BESWICK-HALE:    11         <b>Q. I'm sorry.</b>    12         <b>Did you say it sounds like a Mexican or</b>    13         <b>Puerto Rican?</b>    14         A. Yeah.    15         <b>Q. Do you remember either way whether</b>    16         <b>Officer Gonzalez was present during your arrest</b>    17         <b>on October 15th, 2009?</b>    18         A. Probably. I'm -- I'm -- I'm not -- I'm    19         not worrying about him. I'm talking about    20         Brown, Mohammed, and Watts. That's all that my    21         mind is on.    22         <b>Q. You're not worried about Gonzalez --</b>    23         A. No.    24         <b>Q. -- is that right?</b></p>
<p style="text-align: right;">Page 86</p> <p>1         <b>So fair to say you're not sure what</b>    2         <b>Brian Bolton's involvement was, if any, on that</b>    3         <b>day you were arrested?</b>    4         A. You keep on saying Brian Bolton. Who    5         is Brian Bolton? If that's Watts or Mohammed    6         or --    7         <b>Q. Okay. That's fine. We can move on.</b>    8         <b>Do you recognize the name</b>    9         <b>Officer Robert Gonzalez?</b>    10        A. Is he -- is he Puerto Rican or he's    11         Black?    12        MR. FLAXMAN: She's just asking you about the    13         name. Do you recognize the name?    14        BY THE WITNESS:    15         A. That name sounds familiar.    16        BY MS. BESWICK-HALE:    17         <b>Q. What about the name sounds familiar?</b>    18         <b>Like something about how the person looked or --</b>    19         A. No, no.    20         <b>Q. -- anything else?</b>    21         MR. FLAXMAN: Objection, form.    22         Go ahead.    23        BY THE WITNESS:    24         A. Actually, I probably -- I -- I knew</p>	<p style="text-align: right;">Page 88</p> <p>1         A. No. I --    2         <b>Q. Okay. Does the name Elsworth Smith,</b>    3         <b>Officer Elsworth Smith, ring a bell to you? He</b>    4         <b>also went by the nickname Smitty.</b>    5         A. Smitty. Oh, yeah, I know Smitty.    6         <b>Q. Okay. Do you know if Smitty was</b>    7         <b>present for your arrest on October 15th, 2009?</b>    8         A. Yeah. Smitty was part of it, but I --    9         I -- I ain't got nothing against Smitty. It    10        goes back to who I just said: Watts, Brown, and    11        Mohammed.    12         <b>Q. So if I'm understanding correctly, you</b>    13         <b>think that Smitty was part of that arrest, but</b>    14         <b>you're not very concerned with his involvement?</b>    15         MR. FLAXMAN: Objection, form.    16        BY THE WITNESS:    17         A. I have no -- I have nothing to talk    18         about Smitty.    19        BY MS. BESWICK-HALE:    20         <b>Q. Do you remember anything he did in</b>    21         <b>particular during that arrest?</b>    22         A. Well, he just probably was a random    23         person. It's seven officers. So out of    24         seven --</p>

25 (Pages 85 to 88)

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Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

<p style="text-align: center;">Page 89</p> <p>1       THE COURT REPORTER: Sorry?    2       BY THE WITNESS:    3       A. Out of seven officers, I just told you    4       I'm only coming for three. The rest of them, I    5       don't care about them.    6       BY MS. BESWICK-HALE:    7       <b>Q. Okay. The next officer -- let me know</b>    8       <b>if this name rings a bell to you --</b>    9       <b>Officer Manuel Leano. Some people also called</b>    10       <b>him China Man?</b>    11       A. I know China Man.    12       <b>Q. You knew him?</b>    13       A. Yeah.    14       <b>Q. What did you know about him?</b>    15       A. China Man.    16       <b>Q. I'm sorry?</b>    17       A. China Man is a -- is a random officer    18       that I ran into -- I ran in -- I had ran-ins    19       with him before, but they -- they never, like,    20       did no crooked stuff to me. So when we do see    21       each other, I'm, like, what you call -- if I got    22       arrested today with them, they would come back    23       probably tomorrow -- or if they see me on the    24       street, they like to -- they like to call my</p>	<p style="text-align: center;">Page 91</p> <p>1       A. Yeah, he was there. But I still go    2       back to it. I don't want to talk about him.    3       <b>Q. Okay. You don't know what his</b>    4       <b>involvement was that day?</b>    5       A. No. It's the same thing. Just like    6       "Take them to the station. We will holler when    7       we get there."    8       THE COURT REPORTER: Sorry? "We..."    9       BY THE WITNESS:    10       A. We will holler at -- when we get there.    11       That mean the police, Watts and Brown and    12       Mohammed said, "Take them. So we get to the    13       station, we will be able to just put all --    14       everything to the table."    15       MS. BESWICK-HALE: Just give me one second to    16       look at my notes.    17       Okay. All right, Mr. Lindsey. I think    18       that's all the questions I have. Thank you for    19       your time. I appreciate it.    20       THE WITNESS: Thank you for telling me that,    21       too. That's wild. Gotta listen.    22       MR. PALLE: Not quite done yet.    23       THE WITNESS: Gotta listen.    24       MS. HARRIS: I can go.</p>
<p style="text-align: center;">Page 90</p> <p>1       name, Robert. Like, that's how my girlfriend    2       call me, Robert.    3       <b>Q. Do you remember if China Man was</b>    4       <b>involved in this arrest we've been talking</b>    5       <b>about?</b>    6       A. He was in it. But I don't want to talk    7       about them. I'm giving him a pass.    8       <b>Q. Okay. Do you remember if he did</b>    9       <b>anything specific during this arrest?</b>    10       A. No. He didn't do nothing, but Watts    11       told him and Brown and Mohammed just say, "Bring    12       them in." That's all they -- that's all they    13       did. They didn't put the drugs on me. It was    14       just Watts and Brown and Mohammed and them.    15       <b>Q. All right. Last officer I am going to</b>    16       <b>ask you about, do you recognize the name</b>    17       <b>Officer Doug Nichols?</b>    18       A. Yes. Them all --    19       <b>Q. What do you remember?</b>    20       A. They all -- they all was -- that was --    21       that was the team that day.    22       <b>Q. Do you remember whether Officer Nichols</b>    23       <b>was there on the day of your arrest at issue in</b>    24       <b>this case?</b></p>	<p style="text-align: center;">Page 92</p> <p>1       THE VIDEOGRAPHER: Could you also attach your    2       microphone?    3       MS. HARRIS: Yeah. That would be useful.    4       EXAMINATION    5       BY MS. HARRIS:    6       <b>Q. Okay. Hi, Mr. Lindsey. My name is</b>    7       <b>Dhaviella Harris. I represent the City of</b>    8       <b>Chicago. So I just have a few questions for</b>    9       <b>you. It won't be nearly as long as the previous</b>    10       <b>questions.</b>    11       <b>Are you claiming any emotional damages</b>    12       <b>as a result of your 2009 arrest?</b>    13       MR. FLAXMAN: Objection, form, foundation.    14       BY THE WITNESS:    15       A. Be consistent with that. When you    16       say --    17       THE COURT REPORTER: Sorry?    18       BY THE WITNESS:    19       A. When you dam -- when you say dam --    20       BY MS. HARRIS:    21       <b>Q. So are you -- are you claiming any</b>    22       <b>damages for, like, anxiety or depression? Do</b>    23       <b>you have trouble sleeping, anything of that sort</b>    24       <b>that stemmed from your 2009 arrest?</b></p>

26 (Pages 89 to 92)

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Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

<p style="text-align: center;">Page 93</p> <p>1       A. Well, I'm always having some problems    2       with the -- with this case. I had problems when    3       I was in -- in prison.</p> <p>4       <b>Q. And what problems did you have while    5       you were in prison that's related to this    6       2009 --</b></p> <p>7       A. I can't believe that they did put them    8       drugs on us like that.</p> <p>9       <b>Q. Did it cause you any emotional    10      suffering? Like, did you suffer depression at    11      all from it?</b></p> <p>12       A. No. I -- I seen 'em in my -- in my    13      dream -- in my sleep. I -- I can't sleep until    14      I could just -- what they call -- just put -- to    15      put it in God hands.</p> <p>16       <b>Q. And when you mean [sic] you can't    17      sleep, how long have you been having sleeping    18      issues?</b></p> <p>19       A. Well, ever since that day.</p> <p>20       <b>Q. Did you have sleeping issues prior to    21      that?</b></p> <p>22       A. Nah. Sometimes if I -- like, I have to    23      see something go -- go -- go wrong in my face or    24      something that happened that I can -- I just</p>	<p style="text-align: center;">Page 95</p> <p>1       BY MS. HARRIS:</p> <p>2       <b>Q. So I'm saying you've had other -- other    3       experiences in life that have affected your    4       sleep, correct?</b></p> <p>5       A. Well, when something like this occur,    6       don't nobody ever could forget this. I told you    7       I have been locked up for a lot of stuff, and I    8       still see that stuff.</p> <p>9       <b>Q. And when you say you still see that    10      stuff, do you mean in your dreams while you're    11      sleeping?</b></p> <p>12       A. Sometime in my sleep. Sometimes just    13      sitting up like this thinking about the stuff    14      right now.</p> <p>15       <b>Q. And what other arrests ha- -- do you    16      ruminate on or keeps you up -- keeps you up    17      instead of sleeping?</b></p> <p>18       A. Oh. The fact that after this --</p> <p>19       THE COURT REPORTER: Sorry?</p> <p>20       THE WITNESS: After this -- this charge right    21      here, I have been charged with another charge.</p> <p>22       THE COURT REPORTER: Sorry?</p> <p>23       BY THE WITNESS:</p> <p>24       A. I've been charged with another charge,</p>
<p style="text-align: center;">Page 94</p> <p>1       can't let it go.</p> <p>2       <b>Q. So you've had other, let's say --</b></p> <p>3       A. It -- it beats me --</p> <p>4       <b>Q. Sorry.</b></p> <p>5       A. Huh?</p> <p>6       THE COURT REPORTER: It -- sorry?</p> <p>7       BY THE WITNESS:</p> <p>8       A. It beats me in my sleep.</p> <p>9       BY MS. HARRIS:</p> <p>10       <b>Q. So when you -- just when you -- when    11      you encounter a traumatizing situation for -- or    12      just a bad situation, that can affect your    13      sleep, correct?</b></p> <p>14       A. True.</p> <p>15       <b>Q. And so it's not just this -- it's not    16      just this 2009 arrest that affected your sleep?</b></p> <p>17       <b>You have other issues in your life that    18      have --</b></p> <p>19       A. No. Well --</p> <p>20       <b>Q. -- affected your sleep?</b></p> <p>21       THE COURT REPORTER: Sorry? If you could --</p> <p>22       MS. HARRIS: Sorry.</p> <p>23       MR. FLAXMAN: Make sure you let her finish.</p> <p>24</p>	<p style="text-align: center;">Page 96</p> <p>1       a similar -- similar to this same charge. That    2       means I'm getting the -- what they call harassed    3       and somebody say I sold to the police and all    4       that. And come to find out if I sold you    5       something, why you didn't get the money and all    6       that stuff? So it just some -- like, bug stuff.    7       But I remember I still have to fight for my    8       life.</p> <p>9       BY MS. HARRIS:</p> <p>10       <b>Q. Now, you've had a number of arrests and    11      convictions after this 2009 arrest by    12      Officer Watts and the tactical team.</b></p> <p>13       <b>So when you're speaking of selling --    14      you were arrested for selling drugs to another    15      officer, are you speaking about your 2015 arrest    16      for possession of a controlled substance or --</b></p> <p>17       A. That was him -- that's -- he was the    18       same -- well, I didn't see him that day. I saw    19       Brown that day.</p> <p>20       <b>Q. You saw Brown which day?</b></p> <p>21       A. Probably on the 2- -- 2015 arrest.</p> <p>22       <b>Q. Well, your 2015 arrest was on 63rd and    23      Ashland?</b></p> <p>24       A. No. That's a -- that's -- that's --</p>

27 (Pages 93 to 96)

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Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

Page 97	Page 99
<p>1 that's probably Al. That's -- that's a --    2 that's -- that was nothing. I saw him and -- I    3 saw Brown -- where was that? It's still -- I    4 think it was still in like '09; '09, '07,    5 something like that.</p> <p>6 <b>Q. Okay. So you've had other arrests</b>    7 <b>prior to and after your 2009 arrest that -- that</b>    8 <b>you ruminate on, that keep you up instead of</b>    9 <b>sleeping that you still just think about on a --</b>    10 <b>that you still think about?</b></p> <p>11 A. Yeah.</p> <p>12 <b>Q. And these were all drug arrests that</b>    13 <b>you're -- that keep you up?</b></p> <p>14 A. Basically, I go to jail, then yeah. If    15 I ain't coming home, then something ain't right.</p> <p>16 <b>Q. So any time you're at jail, you</b>    17 <b>experience some sort of emotional suffering?</b></p> <p>18 A. I can't let it go off my mind.</p> <p>19 <b>Q. Okay.</b></p> <p>20 A. I'm missing my family. I've got kids.</p> <p>21 <b>Q. And it looks like the last time that</b>    22 <b>you were in jail and/or prison was sometime</b>    23 <b>around 2018, 2019?</b></p> <p>24 A. Something like that.</p>	<p>1 A. Similar to the '09 case, the same stuff    2 that he said before.</p> <p>3 <b>Q. And what did he say before?</b></p> <p>4 A. Oh. He say he deserve [sic] -- he    5 deserve me doing a hand-to-hand with somebody,    6 and when ya'll did the hand-to-hand with    7 somebody, actually --</p> <p>8 THE COURT REPORTER: Sorry?</p> <p>9 BY THE WITNESS:</p> <p>10 A. Actually, it wasn't the police, it was    11 a -- it was a -- a -- a known neighborhood hype.</p> <p>12 THE COURT REPORTER: A neighborhood?</p> <p>13 BY THE WITNESS:</p> <p>14 A. Crack head, crack head, crack head,    15 crack head. So that's -- that -- that mean    16 they -- they using crack heads to go scheme on    17 the police -- I mean, on the drug dealers.</p> <p>18 So once the crack heads come to you,    19 you don't be knowing --</p> <p>20 THE COURT REPORTER: "You don't..."</p> <p>21 BY THE WITNESS:</p> <p>22 A. You don't be knowing what's the    23 consequences behind it. You just want the    24 money. You only going to know when you see --</p>
<p style="text-align: center;">Page 98</p> <p>1 <b>Q. And your 2018 arrest was also for a</b>    2 <b>possession of narcotics.</b></p> <p>3 <b>Do you recall that?</b></p> <p>4 A. Mm-hmm.</p> <p>5 <b>Q. And are you --</b></p> <p>6 MR. FLAXMAN: You've got to say yes.</p> <p>7 BY THE WITNESS:</p> <p>8 A. Yes.</p> <p>9 BY MS. HARRIS:</p> <p>10 <b>Q. Are you claiming that that's a false</b>    11 <b>arrest?</b></p> <p>12 A. Yeah, that was -- that was -- that was    13 weird, too.</p> <p>14 <b>Q. And what do you mean, it was weird?</b></p> <p>15 A. Because I think that time right there    16 Watts wasn't working that -- he wasn't working    17 that day.</p> <p>18 <b>Q. I'm talking about your May 2018 arrest.</b></p> <p>19 A. Yeah. That's Br- -- that's --</p> <p>20 that's -- that's -- I think that's the case with    21 Brown because he took the stand on me.</p> <p>22 <b>Q. And what did he say during -- what did</b>    23 <b>Officer Brown say on the stand regarding this</b>    24 <b>arrest?</b></p>	<p style="text-align: center;">Page 100</p> <p>1 that that's been like 5 or 10 minutes and then    2 you see a cop coming. "Oh, no." Just don't --    3 you ain't got to be scared, but just pay    4 attention.</p> <p>5 So that mean evidently in them last    6 five minutes that they drove off whoever it was    7 in the car. Because it wasn't a police car.    8 They ain't gonna never pull up in no police car    9 and think they can get some drugs from a guy.    10 No. It's never happened like that.</p> <p>11 They use the neighborhood peoples    12 that -- like, I don't think that it's the right    13 thing that they should do, because these peoples    14 get out of jail, and these peoples still around.    15 You know, you -- you done -- you done got that    16 person killed or something because you just --</p> <p>17 BY MS. HARRIS:</p> <p>18 <b>Q. Okay.</b></p> <p>19 A. -- you just wanted me.</p> <p>20 <b>Q. So you're stating for your last arrest</b>    21 <b>in 2018, that -- that there was a crack head</b>    22 <b>that came up to you that wanted -- that was</b>    23 <b>looking to buy drugs from you, correct?</b></p> <p>24 A. Mm-hmm.</p>

Germin Sims, et al. v. City of Chicago, et al.  
Continued Deposition of Robert Lindsey - Taken 5/5/2025

Page 101	Page 103
<p>1       <b>Q. Okay. And so you're admitting that you</b>  2       <b>were selling drugs that day?</b></p> <p>3       A. Yes.</p> <p>4       <b>Q. Okay. So -- and you were arrested for</b>  5       <b>possession of a narcotic.</b></p> <p>6       <b>So that is not a false arrest then?</b></p> <p>7       A. No, no, no. It's fal- -- it's -- it's  8       false about how you hooked it up. I just told  9       you.</p> <p>10      <b>Q. Okay.</b></p> <p>11      A. She is not a police. And then if you  12       are -- you are so -- some of these police guys  13       say they smart. They've been there. They've  14       done that. Who ain't been there and done that?  15       You probably got a family member you don't like,  16       but he's a drug dealer.</p> <p>17      <b>Q. No. Actually, I don't. But okay.</b></p> <p>18      A. I'm just being real.</p> <p>19      MR. FLAXMAN: Just -- Okay. Just answer the  20       question. You're doing fine.</p> <p>21      BY MS. HARRIS:</p> <p>22      <b>Q. Okay. So are you claiming any physical</b>  23       <b>injuries from -- related to your 2009 arrest?</b></p> <p>24      MR. FLAXMAN: Objection, form, foundation.</p>	<p>1       <b>on you or physically abused you in any -- any</b>  2       <b>manner or fashion?</b></p> <p>3       A. No. They just -- they just was  4       aggressive pushing me into the back of 51st to  5       the cell. But they ain't -- they ain't put  6       my -- put their hands on me. Just push me  7       like -- like, "Go, go, go." I stop. They --  8       they, like, get a little -- a little -- a little  9       strong arm and --</p> <p>10      <b>Q. Okay. And then moving on from this.</b></p> <p>11      <b>So you stated while you were in the</b>  12       <b>station and you were handcuffed to the bench,</b>  13       <b>that you happened to see Willie Martin and/or</b>  14       <b>Willie Brownlee at the station, correct?</b></p> <p>15      MR. FLAXMAN: Objection, foundation,  16       misstates testimony.</p> <p>17      Go ahead.</p> <p>18      BY THE WITNESS:</p> <p>19      A. Yeah.</p> <p>20      BY MS. HARRIS:</p> <p>21      <b>Q. Okay. And then you stated that you</b>  22       <b>believed that they took the officers,</b>  23       <b>Officers Watts, Mohammed -- I mean, I'm sorry --</b>  24       <b>Officers Watts, Brown, and I -- maybe it is</b></p>
<p style="text-align: center;">Page 102</p> <p>1       BY THE WITNESS:</p> <p>2       A. No. They ain't -- they ain't -- they  3       ain't -- they ain't -- they ain't -- they want  4       to beat me up, but I -- I just went -- got threw  5       in the back.</p> <p>6       BY MS. HARRIS:</p> <p>7       <b>Q. But you're admitting that no one placed</b>  8       <b>their hands on you or physically abused -- or no</b>  9       <b>officer placed their --</b></p> <p>10      A. No, no. They wanted --</p> <p>11      <b>Q. -- hand on you or physically abused</b>  12       <b>you?</b></p> <p>13      A. They wanted to.</p> <p>14      THE COURT REPORTER: Sorry? Sorry? I didn't  15       get the question.</p> <p>16      BY MS. HARRIS:</p> <p>17      <b>Q. You're --</b></p> <p>18      MR. FLAXMAN: Yeah. Let her -- let her  19       finish the question.</p> <p>20      MS. HARRIS: Yeah.</p> <p>21      MR. FLAXMAN: Okay.</p> <p>22      BY MS. HARRIS:</p> <p>23      <b>Q. So you're claiming that no officer</b>  24       <b>related to your 2009 arrest placed their hands</b></p>	<p style="text-align: center;">Page 104</p> <p>1       <b>Mohammed.</b></p> <p>2       A. Mohammed.</p> <p>3       <b>Q. And Mohammed. You saw them take drugs</b>  4       <b>from --</b></p> <p>5       A. Will booty.</p> <p>6       <b>Q. -- Will's butt --</b></p> <p>7       MR. FLAXMAN: Let her finish the question.</p> <p>8       BY MS. HARRIS:</p> <p>9       <b>Q. -- and you believe those were the drugs</b>  10       <b>that was placed on you.</b></p> <p>11       <b>That's what you were charged with?</b></p> <p>12       A. Yeah.</p> <p>13       <b>Q. And you said that they were in a back</b>  14       <b>room?</b></p> <p>15       A. Mm-hmm.</p> <p>16       <b>Q. And was there a door to this back room?</b></p> <p>17       A. Yeah.</p> <p>18       <b>Q. Was the door closed?</b></p> <p>19       A. No.</p> <p>20       <b>Q. So you were able to see what was</b>  21       <b>happening --</b></p> <p>22       A. We hear them.</p> <p>23       <b>Q. You heard them.</b></p> <p>24       <b>But did you actually physically see</b></p>

Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

Page 105	Page 107
<p>1   <b>with your own eyes?</b></p> <p>2   A. I saw. They -- they -- them</p> <p>3   officers -- them officers that I just told you,</p> <p>4   I didn't want to put them involved with it,</p> <p>5   because I -- I done got -- could have got them</p> <p>6   too. But, no, I don't think that that was they</p> <p>7   job to -- to do what they didn't really wanted</p> <p>8   to do. So I'm going to keep it to what I told</p> <p>9   you: Mohammed, Watts, and Brown.</p> <p>10   <b>Q. So you saw Mohammed, Watts, and Brown</b></p> <p>11   <b>inside the room with Willie --</b></p> <p>12   A. They was in back, back there.</p> <p>13   THE COURT REPORTER: Sorry? Sorry? I didn't</p> <p>14   get that question.</p> <p>15   BY MS. HARRIS:</p> <p>16   <b>Q. You saw Mohammed, Watts, and Brown in</b></p> <p>17   <b>the back room with Willie?</b></p> <p>18   A. True.</p> <p>19   <b>Q. And did you actually see them</b></p> <p>20   <b>physically take the drugs from his butt?</b></p> <p>21   A. Yeah, we saw.</p> <p>22   <b>Q. And did you see them strip-search</b></p> <p>23   <b>Willie?</b></p> <p>24   A. Well, they didn't -- they didn't --</p>	<p>1   <b>BY THE WITNESS:</b></p> <p>2   A. I'm telling my rappee, "Look what they</p> <p>3   doing. They force -- forcing him out of our</p> <p>4   face and we still hearing him back there."</p> <p>5   "Man, get" -- all type of words coming</p> <p>6   out of his mouth.</p> <p>7   So them officers that you -- you spoked</p> <p>8   about, the ones I told you I didn't want to get</p> <p>9   in trouble, they told -- they told -- they</p> <p>10   two bigger -- big boys, whatever. "Come back</p> <p>11   here. He -- he really think we playing with</p> <p>12   him." But, see, it was a lot of stuff taking</p> <p>13   place at that time. So they go to the back</p> <p>14   where -- where Will at.</p> <p>15   They tell Will, "Don't make it so hard</p> <p>16   on yourself." We -- we asked -- Watts asking</p> <p>17   him to give up the drugs. Mohammed and 'em</p> <p>18   just sitting -- standing there.</p> <p>19   THE COURT REPORTER: My -- sorry?</p> <p>20   THE WITNESS: Mohammed and 'em just standing</p> <p>21   there.</p> <p>22   THE COURT REPORTER: Mohammed?</p> <p>23   BY THE WITNESS:</p> <p>24   A. Mohammed. Mohammed just sitting there,</p>
<p style="text-align: center;">Page 106</p> <p>1   they didn't, like -- see, they -- this is what</p> <p>2   they did. We sitting right here, door open.</p> <p>3   Way before all the -- the roughing and all the</p> <p>4   rassling and everything they wanted him to do</p> <p>5   the same thing that we -- we supposed to came in</p> <p>6   the station and did.</p> <p>7   THE COURT REPORTER: That we --</p> <p>8   MR. FLAXMAN: We were supposed to come in the</p> <p>9   station and do.</p> <p>10   BY THE WITNESS:</p> <p>11   A. Go to the washroom and strip-search.</p> <p>12   All right.</p> <p>13   For some reason, I think -- Will know</p> <p>14   these officers. So Will -- it's not --</p> <p>15   THE COURT REPORTER: Didn't --</p> <p>16   BY THE WITNESS:</p> <p>17   A. Will know these officers. So he's not</p> <p>18   worrying about what they really talking about.</p> <p>19   So he's playing rough with them. Me and my --</p> <p>20   me and Germain is -- is cuffed to the thing and</p> <p>21   I'm telling Germain, "Look. Look how they just</p> <p>22   trying to get out on people, man. Ya'll are" --</p> <p>23   THE COURT REPORTER: Sorry?</p> <p>24</p>	<p style="text-align: center;">Page 108</p> <p>1   standing there. At the same time, they said,</p> <p>2   "If we have to take 'em down, take 'em down."</p> <p>3   So we heard a little -- a scuff- -- like, a</p> <p>4   little -- scruff- -- like a scruffle. They got</p> <p>5   Willie in a figure four.</p> <p>6   THE COURT REPORTER: In a figure four?</p> <p>7   MR. PALLES: Figure four.</p> <p>8   BY THE WITNESS:</p> <p>9   A. Somebody -- somebody -- they got his</p> <p>10   clothes down, and all I could hear Will saying,</p> <p>11   "Ya'll some hoe ass niggers."</p> <p>12   So they take the -- take the -- because</p> <p>13   they got gloves on. They take -- take the</p> <p>14   little bags out, out of his booty, and then tell</p> <p>15   him -- tell him, "See, now? Was that shit so</p> <p>16   hard, man, to do, man? We already could have</p> <p>17   smelt you had something on you. So just chill</p> <p>18   the fuck" -- excuse me about my language --</p> <p>19   "just chill the fuck out."</p> <p>20   So now -- now these two officers</p> <p>21   that -- that snatched the stuff out his booty is</p> <p>22   coming back towards me and Germain.</p> <p>23   And -- and I'm telling Germain, "Man,</p> <p>24   look. They done got the shit out his ass."</p>

30 (Pages 105 to 108)

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MSJ-SL EXHIBIT 11

Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

Page 109	Page 111
<p>1 Now, we don't know what's finna go on, but we    2 know we ain't leaving the station. For what    3 reason? You said you were taking the car, put    4 the canine dogs in it. We went to the bathroom,    5 and nothing fall out of our ass. We have did --    6 what you call -- corroborating with you. But    7 this turns out Will drugs our drugs.</p> <p>8 So that's the last of the story.</p> <p>9 BY MS. HARRIS:</p> <p>10 <b>Q. Okay. So you also did not include any</b>  <b>11 of those details in your affidavit.</b></p> <p>12 <b>In your affidavit, you stated that they</b>  <b>13 took Martin into a back room and about 15 to</b>  <b>14 20 minutes later some officers came out of that</b>  <b>15 room.</b></p> <p>16 <b>Why did you not include any of those</b>  <b>17 details that you just testified about?</b></p> <p>18 A. Well, the officers --</p> <p>19 MR. FLAXMAN: Ah, ah, ah -- objection, form,    20 foundation.</p> <p>21 BY THE WITNESS:</p> <p>22 A. I didn't want to put them in there. I    23 told you who I wanted. I want the top dogs.</p> <p>24</p>	<p>1 testimony.    2 Go ahead.</p> <p>3 BY THE WITNESS:    4 A. I told you what it was.</p> <p>5 BY MS. HARRIS:</p> <p>6 <b>Q. Okay. Switching directions again.</b></p> <p>7 <b>Have you ever had any hallucinations or</b>  <b>8 been diagnosed with hallucinations?</b></p> <p>9 A. Be consistent with that.</p> <p>10 <b>Q. Do you see things in your sleep or</b>  <b>11 while you're awake?</b></p> <p>12 A. No. I -- I --</p> <p>13 <b>Q. Have you ever heard things in your</b>  <b>14 sleep?</b></p> <p>15 A. No. Besides gunshots.</p> <p>16 THE COURT REPORTER: Sorry?</p> <p>17 BY THE WITNESS:    18 A. Besides gunshots.</p> <p>19 MR. FLAXMAN: Do you mean seeing things that    20 aren't there?</p> <p>21 MS. HARRIS: Seeing things that aren't there.</p> <p>22 Thank you. Yes. Yes. I'm sorry. Let me re-    23 -- reask that.</p> <p>24</p>
<p style="text-align: center;">Page 110</p> <p>1 BY MS. HARRIS:</p> <p>2 <b>Q. But why didn't you include that?</b></p> <p>3 <b>Because you're -- you just testified that --</b></p> <p>4 MR. FLAXMAN: Hold --</p> <p>5 BY MS. HARRIS:</p> <p>6 <b>Q. -- Watts, Mohammed, and Jones were in</b>  <b>7 the back room, correct?</b></p> <p>8 MR. FLAXMAN: Objection.</p> <p>9 I'm instructing the witness not to    10 answer about why certain things were included or    11 not included in the affidavit.</p> <p>12 MR. PALLS: Based on?</p> <p>13 MR. FLAXMAN: Attorney-client privilege, work    14 product privilege.</p> <p>15 BY MS. HARRIS:</p> <p>16 <b>Q. Are you going to take your -- your</b>  <b>17 attorney's advice and not answer these</b>  <b>18 questions?</b></p> <p>19 A. Yes.</p> <p>20 <b>Q. So you're now testifying that you</b>  <b>21 actually witnessed what ha- -- what occurred in</b>  <b>22 this back room and did not just hear scuffling,</b>  <b>23 as you testified earlier?</b></p> <p>24 MR. FLAXMAN: Objection, form, misstates</p>	<p style="text-align: center;">Page 112</p> <p>1 BY MS. HARRIS:</p> <p>2 <b>Q. How do you -- do you ever see things</b>  <b>3 that aren't there or hear things that aren't</b>  <b>4 there?</b></p> <p>5 A. Sometimes, and sometimes I don't.</p> <p>6 <b>Q. And when do you see things that aren't</b>  <b>7 there?</b></p> <p>8 A. When it ain't there.</p> <p>9 <b>Q. And have you ever had any of these</b>  <b>10 experiences with -- do you see police that</b>  <b>11 aren't there at times?</b></p> <p>12 A. I ain't going to say like that, but if    13 I do see them, if I -- if I'm going to bring    14 them up on charges, then I might, and then to --</p> <p>15 THE COURT REPORTER: Sorry?</p> <p>16 BY THE WITNESS:</p> <p>17 A. The ones that I want to bring up on    18 charges, that's the ones I see. The other    19 peoples, I don't see them, but I know them.</p> <p>20 BY MS. HARRIS:</p> <p>21 <b>Q. Okay. And have you ever been on</b>  <b>22 medication for -- for hallucinations or paranoia</b>  <b>23 or anything of the sort?</b></p> <p>24 A. Well, I had -- I had -- I had a</p>

Germin Sims, et al. v. City of Chicago, et al.  
Continued Deposition of Robert Lindsey - Taken 5/5/2025

Page 113	Page 115
<p>1 black -- well, I blink -- black -- black out 2 once upon a time in school, but anything else 3 from -- no. No. I think -- Oh, wait. 4 I had a fight with my sister once -- 5 once upon a time when I was like about like 12 6 or 10 years old. And I lost, like, a little, 7 little sight that day. But once I got back 8 older, all my memories -- it's like robo cop 9 now.</p> <p>10 <b>Q. Okay.</b> 11 A. I don't forget stuff.</p> <p>12 <b>Q. So -- so let me just ask you -- and</b> 13 <b>have you ever been on medications for any type</b> 14 <b>of paranoia, hallucinations --</b> 15 A. No, no. I ain't paranoid.</p> <p>16 <b>Q. Have you ever been on medi- -- any type</b> 17 <b>of mental --</b> 18 A. No.</p> <p>19 <b>Q. -- mental health medications?</b> 20 A. No.</p> <p>21 <b>Q. Okay. And switching gears one last</b> 22 <b>time.</b> 23 <b>Are you a -- currently a drug dealer?</b> 24 A. No.</p>	<p>1 <b>Q. Oh, okay.</b> 2 A. -- keep going back to jail. They gotta 3 come back out and fill it out. 4 MR. FLAXMAN: All right. Let them -- 5 MS. HARRIS: Okay. Those are all my 6 questions for now. Thank you. 7 THE WITNESS: Thank you. 8 MR. GAINER: All right. Is everyone good to 9 keep going before I get -- get rolling? 10 MR. FLAXMAN: Yeah. Go ahead. 11 MR. GAINER: Good to go? 12 EXAMINATION 13 BY MR. GAINER: 14 <b>Q. Mr. Lindsey, I'm Jack Gainer. We met</b> 15 <b>last time. I represent Ron Watts.</b> 16 <b>And last time we were here you said</b> 17 <b>that you -- and based off your testimony, you</b> 18 <b>know who Ronald Watts is, right?</b> 19 A. I've been knowing Watts. 20 <b>Q. When was the first time you met Ronald</b> 21 <b>Watts?</b> 22 A. I met Watts back in 2000- like -5, -4. 23 <b>Q. How -- what were the circumstances of</b> 24 <b>you meeting Ron Watts?</b></p>
<p>1 <b>Q. When was the last time you sold drugs?</b> 2 A. Oh, it's been like a while now. 3 <b>Q. Can you put a year on that?</b> 4 A. Well, about like more than a year. 5 <b>Q. Well, you admitted to selling drugs in</b> 6 <b>2018.</b> 7 <b>Did you sell drugs in 2019?</b> 8 A. No. 9 <b>Q. Did you stop selling drugs after your</b> 10 <b>last incarceration?</b> 11 A. Well, I've been -- I've been -- I've 12 been out of, like, selling drugs -- I've been 13 out of that since '18, what you just said. 14 <b>Q. Okay. And so you're not selling crack,</b> 15 <b>cocaine, heroin, weed, or any other illegal --</b> 16 A. No. 17 MS. HARRIS: Okay. Those are all my 18 questions. Thank you. 19 BY THE WITNESS: 20 A. I want my check. 21 BY MS. HARRIS: 22 <b>Q. I'm sorry? You --</b> 23 A. That check. I want my social security 24 check. I can't --</p>	<p>1 A. Well, Watts would never -- no, no -- 2 well, he has been on a -- on a -- what you 3 call -- he's been on the force for, like, a -- a 4 nice little piece of minute, and Watts have took 5 a lot of peoples off the streets. So I guess 6 with him doing that, you know -- you know, once 7 you be so long with the force, it's -- it's -- 8 it's things that you -- like, they say you've 9 been here so long. Do you want to take this 10 spot or do you just want to be the same person? 11 Well, I think Watts said, "It's about 12 time for me to step my game up." That mean, 13 I -- "I wanna be a sarge. I wanna be a 14 lieutenant." You hear me? 15 <b>Q. Mm-hmm.</b> 16 MR. FLAXMAN: Make sure you're listening to 17 his question. He wants to know -- 18 THE WITNESS: So -- 19 MR. FLAXMAN: -- when the first time you met 20 him was. 21 BY THE WITNESS: 22 A. -- back in them days, Watts wasn't no 23 sarge or lieutenant. 24</p>

Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

<p style="text-align: right;">Page 117</p> <p>1 BY MR. GAINER:</p> <p>2 <b>Q. So he was a blue shirt, though?</b></p> <p>3 A. He was in the blue shirts.</p> <p>4 <b>Q. Okay. So what happened?</b></p> <p>5 A. Well, he just -- what I just told you.</p> <p>6 He -- he made -- made his name for himself.</p> <p>7 <b>Q. What do you mean by that?</b></p> <p>8 A. Taking down a lot of convicteds, doing</p> <p>9 convicteds. That's what I mean. He has been</p> <p>10 doing his job until he ran -- he ran up</p> <p>11 across -- let me see. That's -- I said I've</p> <p>12 been knowing him since '05.</p> <p>13 <b>Q. Mm-hmm.</b></p> <p>14 A. Yeah. So he had been doing -- he had</p> <p>15 been doing dirty stuff since '05, but he just</p> <p>16 now risen to get popped off with all this -- the</p> <p>17 people that he think he knew.</p> <p>18 <b>Q. Can you explain what you mean by that?</b></p> <p>19 A. Like, I mean, if I know you in '05 --</p> <p>20 You a cop, all right?</p> <p>21 <b>Q. Okay.</b></p> <p>22 A. All right. Now, we done had some</p> <p>23 run -- we done had some run-ins. So that mean</p> <p>24 running in with you. I got to watch you.</p>	<p style="text-align: right;">Page 119</p> <p>1 THE WITNESS: Yeah.</p> <p>2 MR. PALLES: Okay.</p> <p>3 THE WITNESS: So you would just appeal the</p> <p>4 case back up.</p> <p>5 BY MR. GAINER:</p> <p>6 <b>Q. Okay.</b></p> <p>7 A. And once -- once you bring it back to</p> <p>8 the courts, then everybody going to start making</p> <p>9 some decisions around here.</p> <p>10 <b>Q. Okay.</b></p> <p>11 A. So, you know, I'm always been -- I</p> <p>12 always watched him, and then I start -- the</p> <p>13 people that he hangs with like Brown, Mohammed,</p> <p>14 them being -- them being the -- them being</p> <p>15 the -- they used to be in blue shirts.</p> <p>16 Basically -- basically, they all come from the</p> <p>17 blue shirt and just Watts have made it before</p> <p>18 them.</p> <p>19 <b>Q. So you've been -- you've watched --</b></p> <p>20 <b>observing Watts since 2005?</b></p> <p>21 A. Yeah. He was running my projects.</p> <p>22 <b>Q. Okay. And then is that the same with</b></p> <p>23 <b>the other officers --</b></p> <p>24 A. All of them.</p>
<p style="text-align: right;">Page 118</p> <p>1 <b>Q. Okay.</b></p> <p>2 A. And you got to watch me.</p> <p>3 <b>Q. Okay.</b></p> <p>4 A. It's because it's been plenty of times</p> <p>5 that I should have did this, but I was gonna see</p> <p>6 how long you gonna keep on --</p> <p>7 THE COURT REPORTER: Sorry?</p> <p>8 BY THE WITNESS:</p> <p>9 A. It could have been plenty of times that</p> <p>10 I could have sued him or bring him up, make him</p> <p>11 go back to court. I can appeal the case up.</p> <p>12 THE COURT REPORTER: Sorry? "I can..."</p> <p>13 MR. PALLES: Appeal?</p> <p>14 THE WITNESS: Appeal. Is you -- is you</p> <p>15 listening?</p> <p>16 MR. PALLES: She's -- she's trying.</p> <p>17 BY THE WITNESS:</p> <p>18 A. No. You -- all right. Well, you</p> <p>19 say -- hear me say appeal, that mean -- What's</p> <p>20 that mean.</p> <p>21 MR. PALLES: I know what it means.</p> <p>22 Is that what you --</p> <p>23 THE WITNESS: Yeah.</p> <p>24 MR. PALLES: -- were saying?</p>	<p style="text-align: right;">Page 120</p> <p>1 <b>Q. -- just kind of keeping a tally on</b></p> <p>2 <b>who's working with Watts?</b></p> <p>3 A. Yeah.</p> <p>4 <b>Q. Is that what you're saying?</b></p> <p>5 A. Yeah. Well, they -- they never -- they</p> <p>6 never turn they backs on each other.</p> <p>7 <b>Q. Okay. What makes you say that?</b></p> <p>8 A. Because I -- I've -- I can see them.</p> <p>9 Nobody -- nobody never -- like we complains, but</p> <p>10 some people don't know how to go put it on black</p> <p>11 and white and get them.</p> <p>12 <b>Q. Okay. So you're saying --</b></p> <p>13 A. We playing a lot of games with Watts</p> <p>14 and them.</p> <p>15 <b>Q. Okay. What kind of games?</b></p> <p>16 A. Pshht. You -- you know. If -- if I'm</p> <p>17 a cop, I could -- think I could trust you?</p> <p>18 <b>Q. Who am I? If you're the cop, like,</b></p> <p>19 <b>what are you -- what are you talking -- can you</b></p> <p>20 <b>just explain?</b></p> <p>21 A. I'm going -- I'm going to be -- I watch</p> <p>22 you. I done caught you about a few times and</p> <p>23 all that.</p> <p>24 THE COURT REPORTER: Sorry. Three?</p>

Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

<p style="text-align: center;">Page 121</p> <p>1 BY THE WITNESS:    2 A. A few times I done caught him.    3 MR. PALLE: A few.    4 THE COURT REPORTER: Okay.    5 BY THE WITNESS:    6 A. So I'm gonna need -- I'm gonna need    7 you -- nah. I ain't cutting you no deals all    8 the time, you know.    9 BY MR. GAINER:    10 Q. Okay.    11 A. I'd rather put you in prison and get    12 you off the street.    13 Q. Okay.    14 A. But most of the time, nah. It ain't    15 gonna go -- it don't go like that. Because    16 Watts and them always been for guns. They get    17 paid up under the table if -- if you could keep    18 your mouth closed. And, you know, I done saw    19 them take money besides out -- what they took    20 out of my pocket. I done seen them probably    21 take -- take money from probably big drug    22 dealers.    23 Q. Okay. Which big drug -- which big drug    24 dealers did you see them take money from?</p>	<p style="text-align: center;">Page 123</p> <p>1 THE COURT REPORTER: Into this --    2 THE WITNESS: But, you know --    3 THE COURT REPORTER: "The money is into    4 this..."    5 BY THE WITNESS:    6 A. Into the -- to the pot -- I mean, in    7 your pocket. So once -- once they don't see    8 that -- but they know. You know, when a drug    9 dealer, when he gets some money, nine times out    10 of ten if he ain't smart to go put it up right    11 then and there -- and, you know, we having any    12 run-ins with the police and stuff, and you --    13 you look up. They said this. They said that.    14 And you get a piece of paper, like your bond    15 money and all that stuff.    16 BY MR. GAINER:    17 Q. Like a receipt?    18 A. Yeah. You gonna have a receipt.    19 Sometime your receipt is not matching that money    20 that you had in your pocket so you know    21 evidently it's been pinched then.    22 Q. And this happened to you personally?    23 A. I already told ya'll that.    24 Q. Yes or no?</p>
<p style="text-align: center;">Page 122</p> <p>1 A. Random peoples. Some peoples like --    2 Q. How did you know they were big drug    3 dealers?    4 A. Because they -- I was a drug dealer.    5 Q. Okay. And in what time period are you    6 talking about right now?    7 A. Through the years. Like, he do -- he    8 just do him. It's like -- I can't just tell you    9 what days he gonna --    10 Q. Well, you said you saw him --    11 A. -- catch the money.    12 Q. -- take money from big drug dealers.    13 I'm asking you --    14 THE COURT REPORTER: Sorry. If you could --    15 BY THE WITNESS:    16 A. If you -- if -- if -- see, the -- this    17 one thing about drugs dealers. Most drug    18 dealers, you know, you can't really take our    19 money unless you got some type of -- the money    20 might have them. You -- some of them scam    21 stuff, like, yeah, you sold the drugs to -- to    22 her, and we came back and got you. And we went    23 up into the money, and that money is -- into    24 this biz now. So you don't get it back.</p>	<p style="text-align: center;">Page 124</p> <p>1 A. Yes.    2 Q. Okay.    3 A. I told you 3,500.    4 Q. 3,500. Okay. And that's from your    5 2009 arrest, right?    6 A. Yes.    7 Q. Okay. And so then back to my first    8 question, I asked you the first time you met    9 Ronald Watts, and you never really talked that    10 down.    11 So when was the first time you met    12 Ronald Watts?    13 A. I told you it was between sometime like    14 '04, '05.    15 Q. Okay. Yeah. Then you described how    16 you were observing him and the people he works    17 with?    18 A. Yeah.    19 Q. When did you meet him?    20 A. '05. They always run through the    21 building, the same cops.    22 Q. And you spoke with him directly?    23 A. No. I ran into him one day.    24 Q. Okay. Can you explain what happened?</p>

Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

Page 125	Page 127
<p>1       A. Well, I ran into him coming down the    2       stairs.</p> <p>3       <b>Q. Okay.</b></p> <p>4       A. I think that was -- that was the first    5       time me and him ever -- ever knew each other    6       because he had caught me with a gun coming down    7       the stairway.</p> <p>8       <b>Q. And you had the gun on your person?</b></p> <p>9       A. Yeah. I had it on me, because I --    10      he -- see, what happened, the same thing they    11      doing right now -- I mean, what is -- this case    12      we -- we talking about right now. It was a    13      surveillance.</p> <p>14      THE COURT REPORTER: Sorry. What?    15      BY THE WITNESS:</p> <p>16      A. Surveillance, surveillance. That means    17      watching.</p> <p>18      MR. PALLE: Surveillance.</p> <p>19      BY MR. GAINER:</p> <p>20      <b>Q. They were -- they were surveilling the    21      building?</b></p> <p>22      A. Yeah. They were surveilling the    23      building at the time.</p> <p>24      <b>Q. Okay.</b></p>	<p>1       A. I said, "Oh, my." So he was trying to    2       grab my other friend, but my other friend shot    3       past me. So he had me like this. And I --    4       and --</p> <p>5       <b>Q. By your collar?</b></p> <p>6       A. Yeah. And I'm telling -- I'm telling,    7       "Man, I got a gun on me." It look like he    8       wanted to shoot me then. I -- I done got a gun    9       on me. He took the little -- it was like a    10      little 22 or something.</p> <p>11      <b>Q. Okay.</b></p> <p>12      A. So he took the gun off me, and he had    13      placed me under arrest.</p> <p>14      But through that whole process,    15      somebody end up getting hurt, and it was not the    16      police. It was my friend.</p> <p>17      <b>Q. Who is your friend?</b></p> <p>18      A. Well, he is -- he's probably -- he is    19      probably not in -- in Chicago now.</p> <p>20      <b>Q. Well, what's his name?</b></p> <p>21      A. Foray (phonetic.)</p> <p>22      THE COURT REPORTER: Sorry?</p> <p>23      BY MR. GAINER:</p> <p>24      <b>Q. What was it?</b></p>
<p style="text-align: center;">Page 126</p> <p>1       A. And, like, everybody went in and went    2       to sleep. They snuck in overnight. So they    3       have -- when it's --</p> <p>4       <b>Q. The police snuck in overnight, you're    5       saying?</b></p> <p>6       A. Yeah. Watts and them snuck in    7       overnight.</p> <p>8       <b>Q. Okay.</b></p> <p>9       A. So they snuck in. They was in a vacant    10      apartment.</p> <p>11      <b>Q. Mm-hmm.</b></p> <p>12      A. So they -- they -- you know, they    13      count -- counting the time down to see how long    14      is the drug dealers going to pop out.</p> <p>15      Now, for some reason I pop out. Some    16      more people pop out.</p> <p>17      <b>Q. Where did you pop out from?</b></p> <p>18      A. Out of my house.</p> <p>19      <b>Q. Okay.</b></p> <p>20      A. So when I coming down the stairs, I see    21      a police car fly up in front of the building. I    22      goes to try to run back up the stairs, and I run    23      dead into Watts like a football player, boom.</p> <p>24      <b>Q. Okay.</b></p>	<p style="text-align: center;">Page 128</p> <p>1       A. Foray.</p> <p>2       <b>Q. Foray?</b></p> <p>3       A. Foray.</p> <p>4       <b>Q. Is -- is that his real name or his    5       nickname?</b></p> <p>6       A. That's his nick- -- nickname.</p> <p>7       <b>Q. What's his real name?</b></p> <p>8       A. Brafen (phonetic.)</p> <p>9       THE COURT REPORTER: Sorry?</p> <p>10      BY THE WITNESS:</p> <p>11      A. Brafen, Brafen. Foray Brafen.</p> <p>12      BY MR. GAINER:</p> <p>13      <b>Q. Foray Brafen?</b></p> <p>14      A. Yeah.</p> <p>15      <b>Q. Do you have a spelling for that by    16       chance?</b></p> <p>17      A. I don't --</p> <p>18      <b>Q. Or if you had to do your best    19       spelling --</b></p> <p>20      A. I can't. I can't spell nobody else's    21      last name.</p> <p>22      <b>Q. Okay.</b></p> <p>23      A. Unless I'm -- really could see your    24      name.</p>

35 (Pages 125 to 128)

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Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

<p style="text-align: right;">Page 129</p> <p>1     <b>Q. All right. Are you still friends with</b>    2     <b>Mr. Braflen?</b>    3         <b>Am I saying that right? Braflen?</b>    4         A. Yeah. He is always my family.    5         <b>Q. Okay. Do you still have contact with</b>    6         <b>For -- with Mr. Braflen?</b>    7         A. No. Because he all out of town.    8         <b>Q. Where does he live?</b>    9         THE COURT REPORTER: All -- sorry? Out of    10        town?    11        BY THE WITNESS:    12           A. He's somewhere -- all the way in    13            Danville somewhere living the life.    14        BY MR. GAINER:    15         <b>Q. Danville, Illinois?</b>    16         A. (Nonverbal response.)    17         <b>Q. Okay. Or is that in Indiana?</b>    18         A. No. It's still in Illinois.    19         <b>Q. Illinois. Okay.</b>    20         <b>So since that first evening where you</b>    21        <b>ran into Ronald Watts when you were -- he pulled</b>    22        <b>the 22 off of you, how many times after that</b>    23        <b>have you interacted with Ronald Watts?</b>    24         A. It's been like -- like, it's been</p>	<p style="text-align: right;">Page 131</p> <p>1         <b>Q. In 2005?</b>    2         A. When I got caught with the gun --    3         THE COURT REPORTER: Sorry?    4        BY THE WITNESS:    5           A. -- it's still -- it's still, like, the    6            same, like, few months.    7        BY MR. GAINER:    8         <b>Q. Okay.</b>    9         A. So the next time I got caught with some    10        drugs, and Watts know he has got -- what they    11        call us -- gang bangers, so --    12         <b>Q. He knew you were in a gang, you're</b>    13        <b>saying?</b>    14         A. He knew I was in a gang.    15         <b>Q. Okay.</b>    16         A. So this is about the -- the -- the best    17        time I could have ran into Watts.    18         THE COURT REPORTER: "I could have..."    19        BY THE WITNESS:    20           A. He gave -- he gave -- he gave me a    21            chance with the drugs.    22        BY MR. GAINER:    23         <b>Q. Okay.</b>    24         A. Just like what I'm trying to tell you</p>
<p style="text-align: right;">Page 130</p> <p>1        like -- like seven times that I've been --    2         <b>Q. Seven total?</b>    3         A. Yeah.    4         <b>Q. Okay. And after that 2005 occurrence</b>    5        <b>in the stairway, what -- when was the next one?</b>    6         A. Shit. Not that far. It's still    7        probably in the same month.    8         <b>Q. Do you remember what happened?</b>    9         A. No. I was just -- I was just being    10        bad, you know. And I think -- I think I had --    11        I got caught with some -- some -- some more    12        drugs, but it wasn't -- it wasn't a gun. It was    13        the drugs, so --    14         <b>Q. Did Watts catch you?</b>    15         A. At that time, Watts must have started    16        to be -- be cool with me, because I -- I wasn't    17        so, like, hostile about it like right now.    18         <b>Q. Okay.</b>    19         A. So he catch me with the drugs the next    20        time.    21         <b>Q. And is this -- this is still the second</b>    22        <b>time, right?</b>    23         A. It's still, like, in the same month    24        from --</p>	<p style="text-align: right;">Page 132</p> <p>1        with what he did with Will. Just want you to    2        tell on peoples. You can get killed like that,    3        but I ain't tell on nobody. Nobody there.    4         <b>Q. So what happened?</b>    5         A. I stole -- I stole a gun.    6         <b>Q. Which gun?</b>    7         A. Shit. I don't know. I went -- I just    8        got a gun for him.    9         <b>Q. Okay.</b>    10        A. He asked me. "Put the gun in the    11        garbage can, and I give you a call. You know,    12        from -- I don't know -- I -- call my phone, my    13        phone -- whatever. Just give me my -- give me    14        that gun, or if you don't, I'm going to -- I'm    15        going to target you every time I see you."    16         <b>Q. Okay.</b>    17         A. "And now, you know, for not giving that    18        gun to me, we might have a -- might have a big    19        old -- big old birthday for you then." So that    20        he might put -- put two guns on you.    21         <b>Q. Okay. And did you end up finding him a</b>    22        <b>gun?</b>    23         A. Yeah.    24         <b>Q. And you said you put that in a garbage</b></p>

Germin Sims, et al. v. City of Chicago, et al.  
Continued Deposition of Robert Lindsey - Taken 5/5/2025

<p>Page 133</p> <p>1     <b>can?</b>    2     A. Yeah, just took the drugs and got the    3     gun and pulled off. We cool.    4     <b>Q. Was -- how far after he caught you with</b>    5     <b>the drugs did you put the gun in the garbage</b>    6     <b>can?</b>    7     A. That was, like, probably -- I got two    8     days to get him the gun, so I --    9     <b>Q. He gave you two days to get the gun?</b>    10    A. Mm-hmm. So I --    11    <b>Q. Okay.</b>    12    A. -- I found -- I found the gun somewhere    13    around in the projects.    14    <b>Q. Whereabout?</b>    15    A. It was somewhere. It was just lay --    16    somewhere somebody probably laid it down. Once    17    the police could hit the building, you never --    18    some people don't never have a chance to grab    19    their stash.    20    <b>Q. Mm-hmm.</b>    21    A. So, you know, I was -- I'm a little    22    boy. I always been watching drugs dealers. So    23    I saw that -- didn't -- not pick that gun up.    24    <b>Q. Okay.</b></p>	<p>Page 135</p> <p>1     off days, too.    2     <b>Q. Okay.</b>    3     A. So --    4     <b>Q. How do you know that?</b>    5     A. Because I -- I got a family member work    6     for the police.    7     <b>Q. Okay. Which family member?</b>    8     A. I can't tell ya'll that.    9     <b>Q. How come?</b>    10    A. Huh?    11    <b>Q. How come?</b>    12    A. Because that's not -- that's not what I    13    supposed to be telling you.    14    <b>Q. You can tell me, if you want.</b>    15    A. No.    16    MR. FLAXMAN: We are going to confer about a    17    privilege.    18    THE WITNESS: No.    19    MR. FLAXMAN: Robert, we're going to take a    20    break.    21    THE WITNESS: Yeah.    22    MR. GAINER: Off the record, please.    23    THE WITNESS: That have nothing to do with    24    you.</p>
<p>Page 134</p> <p>1     A. The police didn't pick it up. So you    2     know what I did? I snuck out the -- out the    3     building with it. I went to stash it.    4     <b>Q. Where did you stash it?</b>    5     A. Probably in the -- in somebody yard or    6     I buried it.    7     <b>Q. Do you remember where specifically?</b>    8     A. No, I didn't.    9     <b>Q. Okay.</b>    10    A. That's -- that's a long --    11    <b>Q. Sure.</b>    12    A. -- a long time. So I just get him the    13    gun. So now we like this.    14    <b>Q. What does that mean?</b>    15    A. This?    16    <b>Q. Yeah.</b>    17    A. I don't -- I don't owe you no more. I    18    got timeout for you.    19    <b>Q. Oh, like you're even for now?</b>    20    A. We even right now.    21    <b>Q. Okay.</b>    22    A. But if -- if I do wrong again, I think    23    sometime the polices always get more money if    24    you bring a gun, and you get off -- you get some</p>	<p>Page 136</p> <p>1     THE VIDEOGRAPHER: Okay. The time is    2     12:14 p.m., and we are now off the record.    3     (Whereupon, a short break was    4     taken.)    5     THE VIDEOGRAPHER: Okay. The time is    6     12:19 p.m., and we are back on the record.    7     MR. GAINER: Okay. Where are we at, Joel, on    8     the privilege discussion?    9     MR. FLAXMAN: Oh. We're not going to assert    10    a privilege. You can ask him follow-up about    11    the relative.    12    BY MR. GAINER:    13    <b>Q. Okay. Who is your relative on the</b>    14    <b>police department, Mr. Lindsey?</b>    15    A. Some -- some -- some -- somebody that's    16    been around family. It's my mama -- my mama    17    friend's grandson. You want to know his name?    18    His name is Bob.    19    <b>Q. Bob what?</b>    20    A. I don't know his last name by heart.    21    <b>Q. You said he's your mom's?</b>    22    A. Just friend -- a friend's grandson.    23    <b>Q. So you said he was a family member.</b>    24    <b>Yeah?</b></p>

Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

Page 137	Page 139
<p>1        A. No. I -- I done take -- I take that    2        back. He is not a family member. Well, you    3        know, most of all my mama friends, when they    4        come down to me, I -- I treat them like    5        families.</p> <p>6        <b>Q. Okay. So like family?</b></p> <p>7        A. So -- so a friend could turn into a    8        friend -- a family with me.</p> <p>9        <b>Q. Okay.</b></p> <p>10       A. Because I -- I have been raised by this    11      person.</p> <p>12       <b>Q. Have you ever run into Bob when Bob was</b>    13      <b>working?</b></p> <p>14       A. Bob work some -- somewhere here where I    15      don't -- I don't keep up with his job. I just    16      know what -- what he do.</p> <p>17       <b>Q. Okay. So I think where we left off it</b>    18      <b>was --</b></p> <p>19       A. You want to know how -- how I know that    20      they get paid for a -- a gun when they catch a    21      gun.</p> <p>22       <b>Q. That's right.</b></p> <p>23       A. Right.</p> <p>24       <b>Q. Thanks for the reminder.</b></p>	<p>1        what -- what's his first name is Bob.</p> <p>2        <b>Q. Okay. So back to the -- the gun that</b>    3        <b>you said Ron Watts had you steal.</b></p> <p>4        <b>I think last we talked -- or last --</b>    5        <b>where we left off, you stashed it somewhere</b>    6        <b>outside the building?</b></p> <p>7        A. Yes.</p> <p>8        <b>Q. What kind of gun was it?</b></p> <p>9        A. It ain't nothing but a little 9.</p> <p>10       <b>Q. A 9?</b></p> <p>11       <b>Do you remember the -- the -- the make?</b></p> <p>12       A. No, I don't. I don't -- just a gun. I    13      don't know what -- I just know it's a 9.</p> <p>14       <b>Q. Okay. Have you ever fired a gun?</b></p> <p>15       A. Huh?</p> <p>16       <b>Q. Have you ever fired a gun?</b></p> <p>17       A. At a range or --</p> <p>18       <b>Q. At a range?</b></p> <p>19       A. (Nonverbal response.)</p> <p>20       <b>Q. How many times have you gone to the gun</b>    21      <b>range?</b></p> <p>22       A. Probably one or two.</p> <p>23       <b>Q. Okay. And do you have a FOID card?</b></p> <p>24       A. No. I -- I -- I -- I shoot guns at --</p>
<p style="text-align: center;">Page 138</p> <p>1        <b>How do you know?</b></p> <p>2        A. Anybody know that.</p> <p>3        <b>Q. How do they know that?</b></p> <p>4        A. Because you go in the law library.</p> <p>5        <b>Q. And do what?</b></p> <p>6        A. Find out through -- through the --</p> <p>7        through the system. So, you know, it's my mama</p> <p>8        friends. I've been raised by them since a baby.</p> <p>9        <b>Q. Bob, you're talking about?</b></p> <p>10       A. Yeah. So I mean --</p> <p>11       <b>Q. He helped raise you?</b></p> <p>12       A. Yeah.</p> <p>13       <b>Q. And you don't know his last name?</b></p> <p>14       A. I don't know his last name by heart.</p> <p>15       <b>Q. Okay. Would you be able to find his</b>    16      <b>last name?</b></p> <p>17       A. Would I find it?</p> <p>18       <b>Q. Yeah.</b></p> <p>19       <b>Would you be able to find out his last</b>    20      <b>name?</b></p> <p>21       A. Ahhh... I -- I don't -- I don't</p> <p>22       really -- unless -- I had to probably ask my</p> <p>23       mama who a -- a friend grandson is, but until</p> <p>24       then, that's not on my mind. I just gave you</p>	<p style="text-align: center;">Page 140</p> <p>1        at -- at -- or like down south. I'm a -- I'm a    2        country person. All right? I'm from    3        Mississippi and Arkansas. So we have all type    4        of guns.</p> <p>5        <b>Q. Got you. I guess the gun rules are</b>    6        <b>probably a little different there than they are</b>    7        <b>in Illinois?</b></p> <p>8        A. Yeah, yeah, yeah, yeah. So you    9        could -- you could take anybody with you.</p> <p>10       <b>Q. Okay. Do you have a gun license to</b>    11      <b>shoot in Illinois?</b></p> <p>12       A. No, no, no, no, no.</p> <p>13       <b>Q. Okay.</b></p> <p>14       A. That's why I don't own a gun in</p> <p>15       Illinois.</p> <p>16       <b>Q. Understood.</b></p> <p>17       <b>So when Ron told you to go find him a</b>    18      <b>gun, what did you think he was going to do with</b>    19      <b>it?</b></p> <p>20       A. For a minute --</p> <p>21       THE COURT REPORTER: Sorry?</p> <p>22       BY THE WITNESS:</p> <p>23       A. For a minute I have to think. Can I    24       trust you? Can I trust you? Can I trust you?</p>

Germin Sims, et al. v. City of Chicago, et al.  
Continued Deposition of Robert Lindsey - Taken 5/5/2025

<p style="text-align: center;">Page 141</p> <p>1        Hmmm, I guess. When he let me go and 2        he took the drugs, whatever little couple of 3        dollars I had around, you know, and take your 4        money. All right? 5        "But -- but if you listen to me, 6        because you know I already supposed to be 7        putting you somewhere behind bars." 8        BY MR. GAINER: 9        <b>Q. Okay. But what did you think he was</b> 10      <b>going to do the -- with the gun?</b> 11      A. He just took it. 12      <b>Q. I know he just took it.</b> 13      <b>What did you think he was going to do</b> 14      <b>with it?</b> 15      A. Give it -- if he don't -- what he going 16      to do with it? Keep it? 17      <b>Q. I'm asking you.</b> 18      <b>What did you think?</b> 19      A. I know he going to take it and turn it 20      in. That's all I could tell you. 21      <b>Q. Turn it in to what?</b> 22      A. To his force. 23      <b>Q. Okay. Do you know whether he did that</b> 24      <b>or not?</b></p>	<p style="text-align: center;">Page 143</p> <p>1        ain't gonna tell nobody what the -- what you 2        going to do with the gun unless you -- you 3        would -- you was a dirty cop, and you went to go 4        kill somebody with a gun. Then that's more -- 5        more on you; but, nah, he just took the gun and 6        just turned it in. 7        <b>Q. Okay. So he took the gun and turned it</b> 8        <b>in?</b> 9        A. Left -- left his ass there. 10      <b>Q. Okay.</b> 11      THE COURT REPORTER: Sorry? 12      BY THE WITNESS: 13      A. Left his ass there. Nothing else to 14      talk about it. "But I want to tell you, be 15      careful, because the..." 16      BY MR. GAINER: 17      <b>Q. He told you be careful?</b> 18      A. Yeah, because he -- he know -- he said 19      most -- most polices is not going to operate 20      like me. 21      <b>Q. Okay.</b> 22      A. So I -- 23      <b>Q. What did you take that to mean?</b> 24      A. Huh?</p>
<p style="text-align: center;">Page 142</p> <p>1        A. Huh? 2        <b>Q. Do you know if he did that?</b> 3        A. If he didn't, it's out of my hands. 4        <b>Q. I'm -- I'm just asking if you know.</b> 5        A. I'm not going to -- I'm going -- not 6        going to state that. 7        <b>Q. You're not going to state what?</b> 8        A. I know what he did with the gun. I 9        just told you he took it. 10      <b>Q. And that's the last you've seen him</b> 11      <b>with the gun?</b> 12      A. (Nonverbal response.) 13      <b>Q. Okay.</b> 14      A. And -- 15      <b>Q. Did he tell you what he was going to do</b> 16      <b>with the gun --</b> 17      A. (Nonverbal response.) 18      <b>Q. -- or why he wanted it?</b> 19      A. Well, no. He just said what I just 20      told you, my mama friend's son -- 21      <b>Q. Yeah.</b> 22      A. -- grandson? 23      <b>Q. Bob?</b> 24      A. Yeah. He -- just get the gun. You</p>	<p style="text-align: center;">Page 144</p> <p>1        <b>Q. How -- what did you understand that to</b> 2        <b>mean when he said that?</b> 3        A. Most cops is not going to operate like 4        that. Some people play by they rules and 5        they -- they book. 6        <b>Q. Okay.</b> 7        A. Some of them don't. So that's how I 8        got a blessing. 9        <b>Q. Okay. So you got a blessing from Ron</b> 10      <b>Watts with the gun?</b> 11      A. (Nonverbal response.) 12      <b>Q. And the drugs they found on you --</b> 13      A. Yes, sir. 14      <b>Q. -- you're not saying those were planted</b> 15      <b>on you, right?</b> 16      A. Not -- no, no. That's how it all 17      boiled down to. 18      <b>Q. Okay. So --</b> 19      A. You caught. 20      <b>Q. Got you.</b> 21      A. So I got -- I got to tell you 22      something. I don't think everybody know this, 23      but it's between me and you. 24      <b>Q. Okay.</b></p>

Germin Sims, et al. v. City of Chicago, et al.  
Continued Deposition of Robert Lindsey - Taken 5/5/2025

<p style="text-align: center;">Page 145</p> <p>1       A. So if I think I can hold -- hold you as 2 a quiet person, and you want your life, you want 3 your freedom, these little -- these little -- 4 these little -- these little bags of drugs, 5 whatever --</p> <p>6       THE COURT REPORTER: Sorry? 7       BY THE WITNESS: 8       A. These little bag of drugs is not worth 9 you going sitting in prison and -- 10 BY MR. GAINER: 11       <b>Q. Sure.</b> 12       A. You know, I'm going to give you a 13 break. 14       <b>Q. So is it kind of like a transactional</b> 15 <b>relationship?</b> 16       A. That's what it is. 17       <b>Q. Okay. And when -- so this was the</b> 18 <b>second time. And you said you met with Watts,</b> 19 <b>and it was around the same month -- the first</b> 20 <b>time where you ran into him in the stairwell,</b> 21 <b>right?</b> 22       A. When he caught me with the first gun. 23       <b>Q. Okay. Was there any transaction with</b> 24 <b>the first gun?</b></p>	<p style="text-align: center;">Page 147</p> <p>1       BY MR. GAINER: 2       <b>Q. X, okay.</b> 3       A. That means they want to X you. Every 4 time you go to -- you somewhere, you get an X on 5 your back. 6       <b>Q. Okay. On the clothes you're issued</b> 7 <b>when you're in, you're saying?</b> 8       A. Huh? 9       <b>Q. You are saying on -- oh, like a target</b> 10 <b>on your back?</b> 11       A. Any -- 12       <b>Q. Oh, okay.</b> 13       A. -- anytime you commit a crime, it's an 14 X on your back. So that mean all these -- these 15 charges you looking up on -- on your -- on your 16 paper and stuff, telling me how many charges I 17 have been having -- 18       <b>Q. Yeah.</b> 19       A. -- that's an X. 20       <b>Q. Oh, okay. Understood.</b> 21       A. So that means it kind of ended my 22 career a little bit. 23       <b>Q. Which career?</b> 24       A. My life.</p>
<p style="text-align: center;">Page 146</p> <p>1       A. No. First -- first -- first, no, no. 2 I was -- did time for that gun. 3       <b>Q. Okay. And then had -- but it happened</b> 4 <b>again after?</b> 5       A. When I got out. 6       <b>Q. And that was when you put it in the</b> 7 <b>garbage can.</b> 8       <b>And that was about -- that was also in</b> 9 <b>2005? Yeah?</b> 10       A. Yeah, yeah. 11       <b>Q. And so --</b> 12       A. I didn't do so much time. It was, 13 like -- I did, like, a -- 14       <b>Q. Did you --</b> 15       A. Like, I did like a few -- few months or 16 something like that. 17       <b>Q. Did you go to prison, or did you go to</b> 18 <b>jail?</b> 19       A. I went to prison. 20       <b>Q. Okay.</b> 21       A. They may have wanted an X. It was -- 22 THE COURT REPORTER: Sorry? 23 BY THE WITNESS: 24       A. They want an X.</p>	<p style="text-align: center;">Page 148</p> <p>1       <b>Q. Okay. And so you had those first two</b> 2 <b>interactions with Ron.</b> 3       <b>Did you have any other transaction</b> 4 <b>relationships or interactions with Mr. Watts</b> 5 <b>before 2009?</b> 6       <b>You said you met him, what --</b> 7       A. Yeah, '05. 8       <b>Q. -- six times or seven times?</b> 9       A. '05 -- 10       <b>Q. Right. We've been talking about '05.</b> 11       A. -- when I first knew him. 12 THE COURT REPORTER: Sorry. If you could 13 wait until -- 14       MR. GAINER: Yeah, my bad. 15       MR. FLAXMAN: Yeah. Wait. Let -- let him 16 ask the whole question, and then answer. Okay? 17 BY MR. GAINER: 18       <b>Q. I interrupted you that time. That's my</b> 19 <b>fault.</b> 20       <b>Go ahead.</b> 21       A. I said '05. 22       <b>Q. Okay. I'm saying --</b> 23       A. With all this transaction. 24       <b>Q. So all of the interactions you said --</b></p>

Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

<p style="text-align: right;">Page 149</p> <p>1     <b>you said seven total, right, before 2009?</b>    2         <b>They all took place in 2005?</b>    3         A. No, no, no, no, no.    4         <b>Q. If we talked --</b>    5         A. I'm usually -- I'm usually getting    6         caught every like two years, one year.    7         <b>Q. Okay. So spaced out a little bit?</b>    8         A. Yeah, yeah. It's not going to always    9         be in the months and stuff like that unless I'm    10        just a -- what you call it -- asshole.    11        <b>Q. That's what we're trying to find out</b>    12        <b>here.</b>    13        A. Yeah. No, no, no, no.    14        <b>Q. I'm just trying to build a timeline for</b>    15        <b>your interactions with -- with Ronald Watts.</b>    16        A. Uh-uh.    17        <b>Q. So after that second time where you</b>    18        <b>found him the gun, when was the third about?</b>    19        A. I wasn't -- I wasn't gonna trust him    20        the third.    21        <b>Q. How come? You said the second one went</b>    22        <b>fine, right?</b>    23        A. No. I wasn't going to trust him -- I    24        only trusted him one time with a gun.</p>	<p style="text-align: right;">Page 151</p> <p>1         <b>He pulled one off you, and you got him</b>    2         <b>one, right?</b>    3         A. Yeah. But I only got -- I only -- only    4         traded him one time.    5         <b>Q. Okay. And the third time you</b>    6         <b>interacted with Ron Watts there was no gun</b>    7         <b>involved, right?</b>    8         A. No.    9         <b>Q. Well, what happened?</b>    10        A. The third time -- the third time he --    11        it's -- it's -- it's -- I'm being a target now.    12        <b>Q. You're the target?</b>    13        A. I'm the target now.    14        <b>Q. So do you know what about year -- like,</b>    15        <b>which year about this happened?</b>    16        A. I don't -- it's that -- it's probably    17        this is -- this is -- it's probably the case    18        now.    19        <b>Q. Okay. So the next interaction you</b>    20        <b>recall with Ron Watts was the 2009 arrest --</b>    21        A. Yeah.    22        <b>Q. -- in October?</b>    23        A. And push -- and anything else behind    24        that it's been like these same cops. I just --</p>
<p style="text-align: right;">Page 150</p> <p>1         <b>Q. Okay.</b>    2         A. That's when he caught me after the    3         first time I told you --    4         <b>Q. Right.</b>    5         A. -- in the stairway with the gun. I    6         never gave him no gun for that.    7         <b>Q. Okay.</b>    8         A. So I had -- I did do some time for    9         that.    10        <b>Q. But the second instance you did give</b>    11        <b>him a gun?</b>    12        A. I gave the second one --    13        <b>Q. Okay.</b>    14        A. -- because I knew who I was running to,    15        and then it just seemed like it's that same    16        officer.    17        <b>Q. Okay.</b>    18        A. He hang with the same -- the two -- the    19        two stooges.    20        <b>Q. Who are the stooges you're talking</b>    21        <b>about?</b>    22        A. Brown and -- and Mohammed.    23        <b>Q. Okay. And so after -- so the -- you</b>    24        <b>only got him that one gun.</b></p>	<p style="text-align: right;">Page 152</p> <p>1         I just -- I know I -- I know they can't be doing    2         this if it ain't a sarge or a lieutenant or    3         somebody is behind this shit.    4         <b>Q. Is behind what?</b>    5         A. Man, every time they -- every time    6         they -- and they see me -- they see me they    7         always say, "He had this. He had that," so now,    8         I'm about to argue. Some of -- some of this    9         stuff I got to argue. Like, this is the only --    10        only time I ever argue. Besides taking plea    11        deals and all that, this is the only time I only    12        arguing.    13        THE COURT REPORTER: You said "argue," right?    14        THE WITNESS: Arguing.    15        BY MR. GAINER:    16        <b>Q. You're talking about what we're -- the</b>    17        <b>case here, the 2009 arrest?</b>    18        A. What happened and all that.    19        <b>Q. Now, you are saying -- when you say</b>    20        <b>you're arguing, is this the first one you're</b>    21        <b>fighting back on is what you're saying?</b>    22        A. Yeah. It's the first one I ever fought    23        back.    24        <b>Q. Okay.</b></p>

Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

Page 153	Page 155
<p>1       A. All the rest of them I served my time.    2       <b>Q. Okay.</b>    3       A. Or I took pro- -- probation or    4       something like that.    5       <b>Q. And none of the other ones were put on</b>    6       <b>you, right?</b>    7       <b>Those were -- you got caught?</b>    8       A. No. So -- yeah. Most of them I got    9       caught, but it's just the way I got caught.    10       It's only made like a -- a deal, deal, deal,    11       deal, but it's like --    12       <b>Q. A deal with Watts or a deal with your</b>    13       <b>attorneys?</b>    14       A. It's a deal with -- with all of them.    15       <b>Q. I'm not understanding what you're</b>    16       <b>talking about.</b>    17       A. It -- it could be the -- my attorney --    18       but not -- you know when it comes down to my    19       attorney, it's my attorney telling me not to --    20       not to even sit and waste your time.    21       <b>Q. Okay. So this is -- and I don't want</b>    22       <b>to get into anything -- any advice your attorney</b>    23       <b>is giving you.</b>    24       A. Right.</p>	<p>1       <b>BY THE WITNESS:</b>    2       A. If I ain't see him, it's still somebody    3       in that station. See, he would just pop up.    4       <b>BY MR. GAINER:</b>    5       <b>Q. What do you mean by that?</b>    6       A. He'd just come -- come to the scene --    7       <b>Q. Okay.</b>    8       A. -- and check his officers.    9       <b>Q. But do you think that you were being</b>    10       <b>targeted in the October of 2009 arrest?</b>    11       A. I'm all -- any -- any time I see -- see    12       Watts --    13       <b>Q. That's what you think?</b>    14       A. -- I'm always gotta watch him, because    15       I don't think he is playing his card- -- he --    16       like, if he -- always him, Brown.    17       <b>Q. Yes or no.</b>    18       <b>For the October 2009 arrest, do you</b>    19       <b>think --</b>    20       A. I just think --    21       <b>Q. -- you were being targeted by Ronald</b>    22       <b>Watts?</b>    23       THE COURT REPORTER: Sorry?    24       MR. FLAXMAN: Objection, form.</p>
<p style="text-align: center;">Page 154</p> <p>1       <b>Q. But I want just -- the deal -- the</b>    2       <b>nature of the deals you referenced, it's not you</b>    3       <b>making a deal with Ron --</b>    4       A. No, no.    5       <b>Q. -- like with the guns?</b>    6       A. No.    7       <b>Q. It's about -- it's like in court --</b>    8       A. I made only one deal. I just told you.    9       <b>Q. Okay.</b>    10       A. That's all.    11       <b>Q. Understood.</b>    12       A. That's the last deal I ever did with    13       him.    14       <b>Q. Okay. And then do you -- you said you</b>    15       <b>were a target of -- of Ronald Watts; that's --</b>    16       <b>is that right?</b>    17       A. Yeah.    18       <b>Q. Were you a target on -- in October of</b>    19       <b>2009?</b>    20       MR. FLAXMAN: Objection, form.    21       BY THE WITNESS:    22       A. I can't -- well, if I ain't see him --    23       THE COURT REPORTER: Sorry?    24</p>	<p style="text-align: center;">Page 156</p> <p>1       <b>BY THE WITNESS:</b>    2       A. Yeah.    3       <b>BY MR. GAINER:</b>    4       <b>Q. Yes?</b>    5       A. Yes.    6       <b>Q. Okay. Thank you.</b>    7       A. That's all I'm going to tell you.    8       <b>Q. Why do you think you were being</b>    9       <b>targeted in 2009?</b>    10       MR. FLAXMAN: Objection, form, foundation.    11       BY THE WITNESS:    12       A. I can't -- I don't -- can't really tell    13       ya'll that one, because I -- I basically told    14       you the reason why you -- I'm targeted.    15       <b>BY MR. GAINER:</b>    16       <b>Q. I know we talked about 2005, a</b>    17       <b>couple -- the couple instances back then.</b>    18       <b>Why in 2009 -- you said you were -- you</b>    19       <b>were this, right? You were on timeout after</b>    20       <b>2 -- you gave him the gun?</b>    21       A. See, on -- see, no, no. Putting this    22       charges on Watts and them, this just don't go    23       through my lawyer, man. I done been to the FBI.    24       I done been to the COPAs, all type of stuff.</p>

Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

<p style="text-align: center;">Page 157</p> <p>1      <b>Q. Okay.</b>    2      A. So he didn't never knew until I -- I    3      bring it to his attention.    4      <b>Q. Are you talking --</b>    5      MR. FLAXMAN: So try to --    6      THE WITNESS: My lawyer.    7      MR. FLAXMAN: You're not answering his    8      question. He is asking -- Can you try to listen    9      to his question one more time? Because he's not    10     asking about what you talked to your lawyer --    11     or what you talked about at COPA.    12     THE WITNESS: He said how many times I have    13     been targeted --    14     MR. FLAXMAN: No, no, no.    15     THE WITNESS: -- by Watts.    16     MR. FLAXMAN: Can you give him -- can you    17     read him the question one more time?    18     MR. GAINER: Yeah.    19     MR. FLAXMAN: I'm sorry.    20     BY MR. GAINER:    21     <b>Q. In 2009, why do you think you were</b>    22     <b>being targeted by Ron Watts?</b>    23     A. Because I'm a snitch.    24     <b>Q. How many times have you snitched to Ron</b></p>	<p style="text-align: center;">Page 159</p> <p>1      <b>little bit. I'm thinking -- when you say you're</b>    2      <b>snitching, I thought you meant you were</b>    3      <b>providing the police information.</b>    4      A. No. That's being -- when I snitch,    5      that mean I'm telling on you.    6      <b>Q. You're telling on the police?</b>    7      A. Yeah.    8      <b>Q. Oh, okay.</b>    9      A. And then they go back and tell them.    10     And then they come and hunt me for real.    11     <b>Q. Understood.</b>    12     <b>So when did you file your first</b>    13     <b>complaint against Ronald Watts?</b>    14     A. I can't really tell you what day that    15     was, but I know -- I think I got out in like    16     2010. Did I? Yeah. I got out in 2010 for a --    17     a charge that I was in -- in jail for.    18     <b>Q. Okay. And that's --</b>    19     A. And when I got out --    20     <b>Q. That was the first complaint you made?</b>    21     A. That's when I -- that's when I -- I    22     looked Watts -- I looked Watts up, and I got --    23     got with the -- the state's and all of them.    24     <b>Q. The state's attorney?</b></p>
<p style="text-align: center;">Page 158</p> <p>1      <b>Watts?</b>    2      A. Man, anytime I could get -- get a    3      chance, that's the -- the snitch on.    4      <b>Q. Okay.</b>    5      A. Most of the time.    6      <b>Q. And --</b>    7      A. I ain't seen him.    8      THE COURT REPORTER: "I ain't..."    9      BY THE WITNESS:    10     A. Most of the time I ain't seen him since    11     the last time I told on him, which is this    12     charges.    13     BY MR. GAINER:    14     <b>Q. He -- you -- so the October of 2009</b>    15     <b>arrest involved you informing Ronald Watts?</b>    16     A. Yeah.    17     <b>Q. Who were you informing on?</b>    18     A. Huh?    19     <b>Q. Who were you snitching on in 2009?</b>    20     A. All of them.    21     <b>Q. All of who?</b>    22     A. Watts, Brown, Mohammed.    23     <b>Q. Okay. So you were talking to COPA, and</b>    24     <b>you thought that's why -- or explain that a</b></p>	<p style="text-align: center;">Page 160</p> <p>1      A. (Nonverbal response.)    2      <b>Q. And --</b>    3      A. Yeah.    4      <b>Q. -- you are saying you made your</b>    5      <b>complaint to the state's attorney?</b>    6      A. (Nonverbal response.)    7      <b>Q. Do you remember who you spoke to</b>    8      <b>from --</b>    9      THE COURT REPORTER: Sorry?    10     BY MR. GAINER:    11     <b>Q. -- from the state's attorney's office?</b>    12     A. I can't -- I can't -- I can't say    13     who -- who the person name was because it's --    14     it's been -- it's been some time.    15     <b>Q. Okay.</b>    16     A. So --    17     <b>Q. So the first time you put --</b>    18     A. -- if you could look it up.    19     <b>Q. -- you put anything on paper about Ron</b>    20     <b>Watts was after you got out from the 2009</b>    21     <b>arrest?</b>    22     A. Mm-hmm.    23     <b>Q. So then why before the 2009 arrest did</b>    24     <b>you believe you had a target on your back?</b></p>

Germin Sims, et al. v. City of Chicago, et al.  
Continued Deposition of Robert Lindsey - Taken 5/5/2025

Page 161	Page 163
<p>1       A. Because I've been -- I've been breaking 2       the law.</p> <p>3       <b>Q. Okay. In 2009, you were?</b></p> <p>4       A. I -- no. I've been breaking the law 5       '05, '04. I just told you that's how I really 6       know Watts --</p> <p>7       <b>Q. Yeah, right, yeah.</b></p> <p>8       A. -- and Brown and them.</p> <p>9       <b>Q. And then -- but -- so when you gave</b> 10      <b>Watts the gun in 2005, you put it in the garbage</b> 11      <b>can, right?</b></p> <p>12       A. Yeah.</p> <p>13       <b>Q. And you -- you put your hands like a T.</b> 14       <b>You said you and Watts were on a</b> 15       <b>timeout, and you were even for then, right?</b></p> <p>16       A. Yep.</p> <p>17       <b>Q. When did that change?</b></p> <p>18       A. Shit. That same month.</p> <p>19       <b>Q. In 2005?</b></p> <p>20       A. Yeah.</p> <p>21       <b>Q. So you're saying you had a target on</b> 22      <b>your back in 2005 until 2009?</b></p> <p>23       A. Yep.</p> <p>24       <b>Q. Okay.</b></p>	<p>1       that I could see you anywhere in my presence, 2       I'm not trying to be -- let you see nothing that 3       I do.</p> <p>4       <b>Q. Okay.</b></p> <p>5       A. Because you -- I'm already knowing if 6       you -- if -- if I was a cop, I -- I -- I tell 7       you this, but, see, I don't tell you everything 8       about me. I know I'm gonna catch you again.</p> <p>9       <b>Q. Okay.</b></p> <p>10       A. And that's all that is.</p> <p>11       <b>Q. Okay. So then going to the 2009</b> 12      <b>incident, on that day, it took place on</b> 13      <b>October 15th, right?</b></p> <p>14       <b>So what part of -- at what point in the</b> 15      <b>incident was the first time you saw Ronald Watts</b> 16      <b>on October 15th, 2009?</b></p> <p>17       A. I think I saw him -- that was the 15th. 18       I think we saw him in, like, probably, like -- I 19       think we saw him about, like, on -- on, like -- 20       well, when I first got out in -- in -- what's 21       that? '10 or '07.</p> <p>22       MR. FLAXMAN: No. You're talking about 23       years.</p> <p>24       THE WITNESS: Right.</p>
<p style="text-align: center;">Page 162</p> <p>1       A. I'm --</p> <p>2       <b>Q. Why?</b></p> <p>3       A. Because I -- I think I was somebody, 4       like -- well, the -- in that time, I was, like, 5       heavy out in the streets --</p> <p>6       <b>Q. Okay.</b></p> <p>7       A. -- just being bad, but...</p> <p>8       <b>Q. So you thought you were being targeted</b> 9       <b>just because you're a criminal -- you were a</b> 10      <b>criminal at the time, I should say?</b></p> <p>11       A. No. I probably -- I'm gonna -- I'm 12       gonna know -- I'm gonna know when you gonna 13       target me -- you target me, because, well, look. 14       If you catch me this time, that don't mean 15       you're not through catching.</p> <p>16       <b>Q. Okay.</b></p> <p>17       A. And when you catching --</p> <p>18       THE COURT REPORTER: Sorry?</p> <p>19       BY THE WITNESS:</p> <p>20       A. If you catch me this time, that don't 21       mean I'm through catching you. All right?</p> <p>22       BY MR. GAINER:</p> <p>23       <b>Q. Okay.</b></p> <p>24       A. So that means every time I could think</p>	<p style="text-align: center;">Page 164</p> <p>1       MR. FLAXMAN: You want to ask him about the 2       incident --</p> <p>3       MR. GAINER: Yeah.</p> <p>4       MR. FLAXMAN: -- when he was arrested?</p> <p>5       BY MR. GAINER:</p> <p>6       <b>Q. I'm talking the day you were arrested</b> 7       <b>in October of 2009.</b></p> <p>8       <b>On that day, when was the first time</b> 9       <b>you saw Ronald Watts?</b></p> <p>10       A. Oh, that morning.</p> <p>11       <b>Q. Where at?</b></p> <p>12       A. On 42nd and Prairie.</p> <p>13       <b>Q. So where you were -- the Mistique was</b> 14      <b>parked?</b></p> <p>15       A. At -- at White Boy House.</p> <p>16       <b>Q. Okay. White Boy Bug.</b></p> <p>17       <b>And he's the mechanic, right?</b></p> <p>18       A. Yeah.</p> <p>19       <b>Q. Okay. And at one point, you -- you and</b> 20      <b>Mr. Sims were talking to White Boy Bug, right?</b></p> <p>21       A. Yeah. We just sit -- sitting right 22       talking to him. I had basically -- I had got 23       out the car and went and knocked at his door. 24       He said to let him put his clothes on. So I</p>

44 (Pages 161 to 164)

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Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

<p style="text-align: center;">Page 165</p> <p>1 walked back --    2 THE COURT REPORTER: Sorry. You said --    3 sorry?    4 BY THE WITNESS:    5 A. Bug say he going to put his clothes on.    6 "I be -- I be out."    7 So we sat there. Not even all of but    8 20, 30 -- no -- not -- in no time. It's    9 probably like 10 to -- 10 to 15 minutes.    10 BY MR. GAINER:    11 Q. Mm-hmm.    12 A. So he in there putting his clothes on.    13 I'm sitting there talking to my friend, Germain.    14 Q. In the car?    15 A. Yeah. Never -- and he ain't never got    16 out the car. I'm the only one -- only person    17 got out the car.    18 Q. Okay.    19 A. So when we -- when we sitting there    20 talking to him, we see -- we see Bug come out.    21 Bug -- Bug say, "What you say" -- my nickname is    22 No-No.    23 THE COURT REPORTER: Sorry?    24 THE WITNESS: My nickname is No-No.</p>	<p style="text-align: center;">Page 167</p> <p>1 A. So -- so when he found out what I'm    2 talking about, he goes to look -- look up under    3 the car. So he's like, "Turn the wheel."    4 Q. Mm-hmm.    5 A. So when we -- I'm turning -- turning    6 the wheel, he heard the pop.    7 So he -- he said, "You need a -- a ball    8 joint or something in the -- in the tire."    9 Q. Right, right, right.    10 And at some point, the police come,    11 right?    12 A. As soon as he -- as soon as he walk off    13 from the car, go in the house, and tell me to go    14 to 47th to Auto Zone, O'Reilly, or whatever that    15 was -- Auto Zone --    16 Q. Mm-hmm.    17 A. -- he tell me what it was. So I'm    18 about to go get the piece. Before I could put    19 this car back in gear, I just saw two    20 detectives' cars -- just one smashed me in the    21 front, one smashed in the back. They --    22 Q. Were they marked police cars, or were    23 they unmarked?    24 A. They the detective car now. That mean</p>
<p style="text-align: center;">Page 166</p> <p>1 MR. GAINER: Okay.    2 THE WITNESS: So he's like --    3 THE COURT REPORTER: What is the nickname?    4 MR. PALLES: New New?    5 THE WITNESS: No-No.    6 THE COURT REPORTER: No-No?    7 BY THE WITNESS:    8 A. So he asked me, "What's wrong with the    9 car?"    10 I was like, "Bug, every time I turn my    11 steering wheel, it's like something popping."    12 BY MR. GAINER:    13 Q. Are you in the car for this, or are you    14 outside the car?    15 A. In the car.    16 Q. Okay. And where's Bug at?    17 A. He just sitting -- standing right on --    18 on the passenger's side with the window all the    19 way down.    20 Q. Is he at the window?    21 A. Yeah.    22 Q. Is he, like, talking right to you?    23 A. He at the car.    24 Q. He's at the car. Okay.</p>	<p style="text-align: center;">Page 168</p> <p>1 plain cars.    2 Q. Okay.    3 A. So he done jumped out. Told me to cut    4 the car off. We already don't know -- I don't    5 think some -- some people if -- if you -- if you    6 will play with me like that, and how life is out    7 with the police.    8 THE COURT REPORTER: Sorry? "If you..."    9 THE WITNESS: I was --    10 THE COURT REPORTER: "If you play with me    11 like that..."    12 BY THE WITNESS:    13 A. If -- if you would not listen to what    14 the police say -- all right. When the police    15 come up to the car, he's automatically saying --    16 well, they ain't say -- Oh, as a matter of fact,    17 he did -- they did read me my rights.    18 MR. FLAXMAN: Well, you're not answering --    19 BY MR. GAINER:    20 Q. They read you your rights?    21 A. Yeah, they read me my rights.    22 Q. So --    23 A. They said, "Do you have license and    24 insurance?"</p>

Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

<p style="text-align: right;">Page 169</p> <p>1       <b>Q. -- let's pause what your saying.</b>    2        MR. FLAXMAN: Yeah. Stop what you're saying.    3        Listen to what he's -- his question, and try to    4        just answer that. Okay?    5        BY MR. GAINER:    6           <b>Q. So you got pulled out of the car,</b>    7           <b>right --</b>    8            A. Both of us.    9           <b>Q. -- or were you already out of the car?</b>    10          A. Both of us. Both of us.    11          MR. FLAXMAN: He's asking about you, and just    12        say yes or no.    13        BY THE WITNESS:    14          A. No. It's -- and ain't no time, Joel.    15        It's both of us get out of the car.    16        BY MR. GAINER:    17           <b>Q. Okay.</b>    18           A. That mean on this side of the car it    19        was Brown holding my friend, the bald head --    20        THE COURT REPORTER: Sorry? It was Brown...    21        THE WITNESS: Brown.    22        BY MR. GAINER:    23           <b>Q. And last time you said Scottie Pippin</b>    24        <b>pulled you out, right?</b></p>	<p style="text-align: right;">Page 171</p> <p>1       <b>Q. You saw Ronald Watts dial the phone?</b>    2        A. Yeah.    3       <b>Q. Where was he standing?</b>    4        A. Who? Oh, Watts?    5       <b>Q. Yeah.</b>    6        A. Watts somewhere in the gangway. I just    7        told you. I'm not -- I'm just deserving what    8        the person said off their phone.    9           <b>Q. Let me explain why I'm a little</b>    10          <b>confused.</b>    11          <b>You said that Ron -- Ron Watts was off</b>    12          <b>in a gangway somewhere, right?</b>    13          A. Right.    14          <b>Q. Then you said you didn't actually see</b>    15          <b>Ron Watts, and then you said you saw Ron Watts</b>    16          <b>dial the phone and call Officer Brown?</b>    17          A. No, no. We -- we -- let me give it to    18        you like this: This is a traffic stop, man.    19        You hear me?    20          <b>Q. Okay.</b>    21          A. This is a traffic stop. All right?    22        For some reason in this traffic stop, I told    23        you, it ain't hard to figure out something    24        around you and then I don't -- I ain't -- I</p>
<p style="text-align: right;">Page 170</p> <p>1       A. Yeah. Some -- some dude looked like    2       Scottie Pippin, but I think, if I could -- if --    3       she -- she said a name, and that's -- I think    4       that was his name. But we won't go back through    5       that, because he -- he ain't even in the    6       picture.    7          <b>Q. Okay.</b>    8          A. It's --    9          <b>Q. All right. So at what point did you</b>    10       <b>see Watts in front of White Boy Bug's house?</b>    11          A. Watts wasn't right there. Watts was,    12        like, on the other side somewhere in a -- like a    13        gangway.    14          <b>Q. Other side of where?</b>    15          A. Behind Bug house or -- or on the -- on    16        the same front street where we was at.    17          <b>Q. Okay. And you saw him?</b>    18          A. I got -- I -- yeah, no, no. I didn't    19        see him.    20          <b>Q. You didn't see him?</b>    21          A. I saw him -- I saw him call Brown    22        phone.    23          <b>Q. You saw Ronald Watts call Brown?</b>    24          A. Yeah, cell phone.</p>	<p style="text-align: right;">Page 172</p> <p>1       don't recognize the polices using your phone    2       anyway on the -- on the job for -- what you --    3       what you say, crime?    4          <b>Q. Okay.</b>    5          A. You got a walkie-talkie.    6          <b>Q. Okay.</b>    7          A. So what I saw -- when we -- when we got    8        out that car --    9          <b>Q. Mm-hmm?</b>    10       A. -- just the way they lie and say, "Oh,    11        I just grabbed my pocket" -- he grab his sock.    12       What police would have let a person start    13       grabbing for something? I would have thought    14       you was trying to get -- get a gun off you. I'd    15       have probably shot you.    16          <b>Q. You would have shot him?</b>    17          A. Yeah. I would have shot you --    18          <b>Q. How come?</b>    19          A. -- because that's -- I'd have -- I'd    20        have read you your rights. "I told you, put    21        your hands up."    22        MR. FLAXMAN: You're -- you're not talking    23        about what you said.    24        THE WITNESS: No, no, no. That's what they</p>

Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

Page 173	Page 175
<p>1 supposed to -- they -- they --</p> <p>2 MR. FLAXMAN: Try to --</p> <p>3 THE WITNESS: They said that.</p> <p>4 MR. FLAXMAN: Yeah. Try to listen to his</p> <p>5 question --</p> <p>6 MR. GAINER: Yeah.</p> <p>7 MR. FLAXMAN: -- and just give an answer to</p> <p>8 the question. Okay?</p> <p>9 THE WITNESS: I was finna tell him what he --</p> <p>10 he want to know.</p> <p>11 MR. FLAXMAN: You're -- you're telling him</p> <p>12 much more than he is asking. Listen to his</p> <p>13 question and give an answer to that.</p> <p>14 BY MR. GAINER:</p> <p>15 <b>Q. Where was Ronald Watts at when you</b></p> <p>16 <b>watched him with your eyes dial the phone and</b></p> <p>17 <b>call Brown?</b></p> <p>18 A. Now I'm finna to tell you again. Me</p> <p>19 and Germain getting pulled out of the car,</p> <p>20 right?</p> <p>21 <b>Q. Right.</b></p> <p>22 A. Now, at this time, me and Germain is</p> <p>23 being placed to the back of his car -- my mama</p> <p>24 car. So we standing there. Mohammed done put</p>	<p>1 A. No, no, no. I'm putting my eyes on</p> <p>2 Brown.</p> <p>3 <b>Q. Okay. You put your eyes on Brown?</b></p> <p>4 A. Yeah.</p> <p>5 <b>Q. When did you put your eyes on Ronald</b></p> <p>6 <b>Watts?</b></p> <p>7 A. When I saw him come in that station.</p> <p>8 <b>Q. Okay. So you didn't see Ronald Watts</b></p> <p>9 <b>until the police station?</b></p> <p>10 A. No. He trail -- he trailed all of us</p> <p>11 in -- into the station.</p> <p>12 <b>Q. He did -- trailered [sic] you, you</b></p> <p>13 <b>said?</b></p> <p>14 A. Yeah.</p> <p>15 <b>Q. How did you get to the police station?</b></p> <p>16 I know last time we were kind of running out of</p> <p>17 gas and you said it was a jet ski, but something</p> <p>18 tells me that's --</p> <p>19 MR. FLAXMAN: Jet ski? I --</p> <p>20 BY MR. GAINER:</p> <p>21 <b>Q. -- it might be different.</b></p> <p>22 A. No.</p> <p>23 MR. FLAXMAN: I think that misstates</p> <p>24 testimony.</p>
<p style="text-align: center;">Page 174</p> <p>1 the -- his little cuffs on my -- on Germain. So</p> <p>2 they got to, like, double -- double cuff us.</p> <p>3 <b>Q. Okay.</b></p> <p>4 A. So they put both his cuffs and this</p> <p>5 cuff on me. So we standing there, and I just</p> <p>6 told you, I -- I -- I remember Watts, Mohammed,</p> <p>7 and Brown and them always being together.</p> <p>8 <b>Q. Okay.</b></p> <p>9 A. So we standing there letting them do</p> <p>10 they -- whatever you proceed, search, whatever.</p> <p>11 <b>Q. At this point -- let me pause you for a</b></p> <p>12 <b>second.</b></p> <p>13 <b>At this point, have you seen Ronald</b></p> <p>14 <b>Watts yet?</b></p> <p>15 A. Have I saw?</p> <p>16 <b>Q. Yeah. Like, on that day you're at --</b></p> <p>17 <b>you're on the back of the car with Germain,</b></p> <p>18 <b>you're double cuffed. At this point --</b></p> <p>19 A. No, no, no, no.</p> <p>20 THE COURT REPORTER: Sorry, sorry. If you</p> <p>21 can --</p> <p>22 BY MR. GAINER:</p> <p>23 <b>Q. At that point, have you put your eyes</b></p> <p>24 <b>on Ronald Watts in person yet?</b></p>	<p style="text-align: center;">Page 176</p> <p>1 THE WITNESS: See, look. No.</p> <p>2 MR. GAINER: You can check the transcript.</p> <p>3 BY THE WITNESS:</p> <p>4 A. No. He -- see, look. They saying</p> <p>5 this, this, this, this. This the G-code right</p> <p>6 here.</p> <p>7 THE COURT REPORTER: Sorry. "This is..."</p> <p>8 BY THE WITNESS:</p> <p>9 A. This the -- this the truth right here.</p> <p>10 BY MR. GAINER:</p> <p>11 <b>Q. Okay.</b></p> <p>12 A. I told you. All right? We is on the</p> <p>13 back of the car.</p> <p>14 <b>Q. Yep.</b></p> <p>15 A. The car -- we know ain't nothing in the</p> <p>16 car. So we gonna see how long this --</p> <p>17 <b>Q. You're going to let -- watching it play</b></p> <p>18 <b>out?</b></p> <p>19 A. Yeah.</p> <p>20 <b>Q. Okay.</b></p> <p>21 A. So we sitting there. We hear a phone</p> <p>22 go off, right?</p> <p>23 <b>Q. Mm-hmm.</b></p> <p>24 A. So now Brown is the one's phone going</p>

Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

<p style="text-align: center;">Page 177</p> <p>1 off. Ain't none of the other officers' phones    2 going off.</p> <p>3 <b>Q. Okay.</b></p> <p>4 A. They just standing right there,    5 deserving whatever finna take place. All right?</p> <p>6 <b>Q. Okay.</b></p> <p>7 A. So I see Brown step back a little bit.    8 Like, Bug got a gate around his house, so --</p> <p>9 <b>Q. Okay. Like, in the gangway, you mean,    10 alongside?</b></p> <p>11 A. Yeah, yeah. You know how your houses    12 has got fences around?</p> <p>13 <b>Q. Yeah, yeah.</b></p> <p>14 A. So I see him bag back, right?</p> <p>15 <b>Q. Mm-hmm.</b></p> <p>16 A. I'm telling him, you know -- Well, it's    17 Germain. I'm like, "Man, that motherfucker over    18 there on -- on the phone talking to" --</p> <p>19 THE COURT REPORTER: Sorry?</p> <p>20 BY THE WITNESS:</p> <p>21 A. I said, "That motherfucker over there    22 on the phone talking to somebody. I don't know    23 who it is, but we finna get to the bottom of    24 this."</p>	<p style="text-align: center;">Page 179</p> <p>1 BY MR. GAINER:</p> <p>2 <b>Q. Watts did or Brown did?</b></p> <p>3 A. Oh, oh, whoever. You know, Watts, --    4 Brown, he going to relate to it.</p> <p>5 He's like, "What to these guys?"    6 He's like, "Man, well, you know, the    7 driver, he -- he talking to us bullshit. But I    8 told him if he keep on talking shit, this little    9 open alcohol bottle in the back of your mama    10 seat, I'll pound this motherfuckin' car."</p> <p>11 I'm like, "Come on, man."</p> <p>12 "All right. Well, I'm gonna leave you    13 alone."</p> <p>14 <b>Q. All right. Well, let's -- let's take a    15 step back.</b></p> <p>16 <b>You said you saw Brown back into the    17 gate, right?</b></p> <p>18 A. Back to the gate and done talk on the    19 phone.</p> <p>20 <b>Q. Was he on the other side of the fence?</b></p> <p>21 A. No. He ain't on the other side of the    22 fence. He just back --</p> <p>23 <b>Q. Okay.</b></p> <p>24 A. His back --</p>
<p style="text-align: center;">Page 178</p> <p>1 BY MR. GAINER:</p> <p>2 <b>Q. Okay.</b></p> <p>3 A. We gonna -- we gonna know. If we    4 don't -- if he don't let us go, it's something    5 else going on. So it -- it was something going    6 on. So the whole time he asked -- he asked    7 Brown. He said, "What's to them guys?"    8 Brown is like, "Man."</p> <p>9 <b>Q. And -- sorry. Go ahead. Sorry, sorry,    10 sorry.</b></p> <p>11 <b>Brown said what?</b></p> <p>12 A. You wanna hear?</p> <p>13 <b>Q. No. I do. My bad. I got jumpy. Go    14 ahead.</b></p> <p>15 A. So Brown and Watts on the phone. Watts    16 said, "What's to the guys?"</p> <p>17 <b>Q. Okay.</b></p> <p>18 A. Because them -- them some -- some    19 who -- the BAN, we know them.</p> <p>20 THE COURT REPORTER: Sorry?</p> <p>21 BY THE WITNESS:</p> <p>22 A. So he call us some -- some little bitch    23 ass niggers or whatever they want to call us.</p>	<p style="text-align: center;">Page 180</p> <p>1 <b>Q. He's leaning up on it?</b></p> <p>2 A. He just -- he just got out our face.</p> <p>3 <b>Q. Understood.</b></p> <p>4 <b>So could you hear what he was saying on    5 the phone?</b></p> <p>6 A. I just told you what he asked him. He    7 say --</p> <p>8 <b>Q. I'm asking if you could hear --</b></p> <p>9 THE COURT REPORTER: Sorry?</p> <p>10 BY MR. GAINER:</p> <p>11 <b>Q. -- what he was saying.</b></p> <p>12 A. Yeah. I -- I witnessed -- I witnessed    13 he asked him, "What's to these guys?"</p> <p>14 <b>Q. That's what he said?</b></p> <p>15 A. (Nonverbal response.)</p> <p>16 <b>Q. Okay.</b></p> <p>17 A. Officer --</p> <p>18 <b>Q. Okay. Is that all you heard Jones say,    19 or did you hear his whole conversation?</b></p> <p>20 A. No. I then -- then right after that,    21 it -- it -- it turned around. When he said,    22 "They don't have nothing. The car clean. But I    23 just don't like the driver smart mouth, you    24 know."</p>

Germin Sims, et al. v. City of Chicago, et al.  
Continued Deposition of Robert Lindsey - Taken 5/5/2025

<p style="text-align: right;">Page 181</p> <p>1     <b>Q. Okay. You heard that, or that's what</b>    2     <b>you think he said?</b>    3     A. I heard it.    4     <b>Q. Okay. And --</b>    5     A. That's why I left him alone.    6     <b>Q. Okay. Understood.</b>    7     <b>So could you hear what -- the person he</b>    8     <b>was talking to, what they were saying?</b>    9     A. Yeah. He told --    10    <b>Q. How could you hear what they were</b>    11    <b>saying if they're on the phone?</b>    12    A. He told -- he told him --    13    <b>Q. Who told who?</b>    14    A. Watts. Watts told Brown, "Before    15    ya'll" -- no. He's saying before they let us    16    go, "I got one more. I got one more thing on    17    my -- on my mind." And I'm -- I'm looking like,    18    you know, what the fuck are you finna figure out    19    now?    20    <b>Q. Mm-hmm?</b>    21    A. Because right now if the car wasn't    22    dirty, we -- didn't have nothing on us, ya'll    23    should've been pulling off --    24    <b>Q. Okay.</b></p>	<p style="text-align: right;">Page 183</p> <p>1     <b>Q. Okay.</b>    2     A. Because I don't -- that's -- that's --    3     that will kind of throw me off, because you --    4     you are looking down. You're nervous. No.    5     What you going to be nervous for? You ain't got    6     nothing.    7     <b>Q. So how did you hear who Brown was</b>    8     <b>talking to on the phone if he was the length of</b>    9     <b>this room away from you talking on a cell phone?</b>    10    A. Cause I'm seeing some things that    11    didn't supposed to occur with us, and now I    12    gotta tell --    13    THE COURT REPORTER: Sorry? "I seen    14    something..."    15    BY THE WITNESS:    16    A. Something didn't supposed to happen    17    around us. It's supposed to just --    18    MR. FLAXMAN: Things that weren't supposed to    19    happen?    20    BY THE WITNESS:    21    A. Yeah. It wasn't supposed to happen.    22    So I -- I'm telling you watching -- watching    23    Brown, I saw Watts on the phone with him telling    24    him it's something that he's wanting to just do</p>
<p style="text-align: right;">Page 182</p> <p>1     A. -- and was wasting time.    2     But, no, Watts told him, "Proceed with    3     the -- what you call a -- holding." That mean    4     hold us still.    5     <b>Q. Okay.</b>    6     A. Because right now he's saying he see    7     something that we -- or the other officers don't    8     see. So what I seen --    9     <b>Q. And let me pause you for a second.</b>    10    <b>You're saying Ronald Watts said this?</b>    11    A. Yeah. That's what he telling --    12    telling Brown.    13    <b>Q. On the phone?</b>    14    <b>Was -- how close was Brown when he was</b>    15    <b>on the phone to you?</b>    16    A. Let's just say -- let's just say --    17    let's just say this the -- this the building.    18    <b>Q. Okay.</b>    19    A. That's my car right there on that wall.    20    <b>Q. Okay. So about the span of this room?</b>    21    A. Yeah. And I'm always -- never, never    22    put your, like -- when you go to court, I don't    23    even put my -- my head down if I ain't going to    24    look the judge in the eye.</p>	<p style="text-align: right;">Page 184</p> <p>1     out of his own -- his mind.    2     He said, "I don't -- don't let him go    3     yet." So --    4     BY MR. GAINER:    5     <b>Q. That's what Brown said?</b>    6     A. No. Watts said that.    7     <b>Q. Did you see Watts say that?</b>    8     A. Evidently he said it, because on the --    9     on the phone, how would Brown know what to do?    10    <b>Q. How do you know what Watts said on the</b>    11    <b>phone?</b>    12    A. Cause he called Brown phone and told    13    Brown, "Look on the -- I think the north side of    14    the street. Man, I think I see -- I see a -- I    15    see a nigger there. I think I saw that nigger    16    before somewhere around them niggers."    17    <b>Q. Is that about Willie Brownlee?</b>    18    A. Duh.    19    <b>Q. Is that a -- yes or no?</b>    20    A. That's -- yeah, yeah. That's -- that's    21    how -- that's how -- that's how the ball game    22    play.    23    <b>Q. Okay.</b>    24    A. The --</p>

49 (Pages 181 to 184)

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Germin Sims, et al. v. City of Chicago, et al.  
Continued Deposition of Robert Lindsey - Taken 5/5/2025

<p style="text-align: center;">Page 185</p> <p>1     <b>Q. And so did you -- you were present for</b>    2     <b>Ronald Watts saying this on the phone?</b>    3     A. Yeah.    4     <b>Q. Or just for Brown hearing it?</b>    5     A. No. Both of them, Brown and Watts.    6     <b>Q. So where was Watts when you saw him</b>    7     <b>talking on the phone?</b>    8     A. Watts couldn't be that far. It's not    9     that far. See, Watts -- Watts probably been    10    somewhere like -- I told you. The corner is    11    right here. It's all the little gangways that    12    you could walk all down Prairies and just hide    13    out in, and then you got your boys down    14    somewhere.    15     <b>Q. Did you see Watts in any of those?</b>    16     THE COURT REPORTER: Sorry? "You got    17    your..."    18     THE WITNESS: Huh?    19     THE COURT REPORTER: "You got your..."    20     MR. FLAXMAN: You got your boys in? Is that    21    what you --    22     BY THE WITNESS:    23     A. Oh, yeah. Yeah, you got your boys.    24     You got your boys, and they hide in the gangway.</p>	<p style="text-align: center;">Page 187</p> <p>1     BY THE WITNESS:    2     A. No, no. I didn't see him in the    3     gangway. I just told you. He just made a call    4     off a phone. Like, he don't want it -- it -- it    5     could have came off their -- it could have came    6     off their walkie-talkie. But if it came off    7     their walkie-talkie, we would have heard all    8     that -- what was going on, which is I heard him,    9     like, to Brown trying to get him straight    10    directly to this man.    11     THE COURT REPORTER: "Trying to get him    12    to..."    13     BY THE WITNESS:    14     A. Straight direct to Will's. And he    15    found out that the ones -- the officers that I    16    told you I ain't tacking them, so --    17     BY MR. GAINER:    18     <b>Q. Yeah. You said that was China Man --</b>    19     A. China --    20     <b>Q. -- and Nichols?</b>    21     A. China Man and some other little    22    rambling little officer that China Man -- they    23    be together all the time. You feel me?    24     <b>Q. Okay.</b></p>
<p style="text-align: center;">Page 186</p> <p>1     BY MR. GAINER:    2     <b>Q. At any point in time on</b>    3     <b>October 15th, 2009, did you see Ronald Watts</b>    4     <b>hiding in a gangway?</b>    5     A. When I first -- when I first saw    6     Watts --    7     <b>Q. You said that was at the station,</b>    8     <b>right?</b>    9     A. That was -- that's just at the station.    10    But, no, before this even took place, I -- I did    11    recognize one day. I did see Watts.    12     <b>Q. I'm talking on October 15th, 2009 --</b>    13     A. Yeah.    14     <b>Q. -- you saw him in a gangway?</b>    15     A. Yeah.    16     <b>Q. Where at?</b>    17     A. I was on -- I was on 42nd and Wabash    18    then.    19     <b>Q. Mm-hmm.</b>    20     A. And --    21     MR. FLAXMAN: That -- that's a different day.    22     THE WITNESS: Yeah, yeah. That's a different    23    day.    24     MR. FLAXMAN: He's asking about this day.</p>	<p style="text-align: center;">Page 188</p> <p>1     A. So they told them, jump in the car    2     in -- on the back of us and bag that car back    3     and go northbound on the -- the same block.    4     <b>Q. Okay.</b>    5     A. "It's a -- it's a heavyset nigger. I    6     just saw him serve a few items to somebody out    7     here."    8     THE COURT REPORTER: "A few..."    9     THE WITNESS: Items, items.    10    MR. FLAXMAN: Items.    11     BY THE WITNESS:    12     A. Like bags of drugs. So where -- when    13    we standing on the car and we knowing that, that    14    shouldn't have nothing to do with us.    15     BY MR. GAINER:    16     <b>Q. Okay.</b>    17     A. We -- we sitting on the car. I guess    18    they get Will, put -- rassle him down, put him    19    in the cuffs. So once Brown saw that, all of a    20    sudden me and -- me and Germain is going to    21    the -- the cars that was left in the front.    22    They put us in that car. Like, "What ya'll    23    taking us for?"    24     <b>Q. Okay. Let me back you up. I'm going</b></p>

50 (Pages 185 to 188)

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Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

<p style="text-align: right;">Page 189</p> <p>1   <b>to ask you a series of yes-or-no questions here.</b>    2   <b>Okay?</b>    3   <b>Did you see Ronald Watts talking on a</b>    4   <b>cell phone on October 15th, 2009?</b>    5    A. Well, I didn't see him, but I know --    6    MR. FLAXMAN: Just so you --    7    BY MR. GAINER:    8      <b>Q. Yes or no?</b>    9      MR. FLAXMAN: He wants to know if you saw it.    10     BY THE WITNESS:    11      A. I saw Brown. I -- I only see -- I    12     didn't see Watts. All right? That's all I    13     could tell you. All right?    14     BY MR. GAINER:    15      <b>Q. At any point in time that day, you</b>    16     <b>never saw Ronald Watts --</b>    17      A. No --    18      <b>Q. -- on a cell phone?</b>    19      A. I didn't see Watts, but I saw Brown.    20      <b>Q. At any point in time on</b>    21     <b>October 15th, 2009, did you hear Ronald Watts</b>    22     <b>talking on a cell phone?</b>    23      A. I can hear -- I could -- I could    24     understand his voice.</p>	<p style="text-align: right;">Page 191</p> <p>1    A. So when we got in the station and we    2    was just -- just sitting there -- because they    3    talking about it's not up to them.    4      <b>Q. Who is they?</b>    5      A. His officers.    6      <b>Q. Just random officers or part of</b>    7     <b>the crew?</b>    8      A. The one -- the one that was on the    9     crime scene.    10     <b>Q. Which one?</b>    11     A. The little China -- China Man and all    12     them.    13     <b>Q. I'm talking about the officer you're</b>    14     <b>talking about specifically right now.</b>    15     <b>Which officer was it?</b>    16     A. It was the one that came out that way,    17     and I don't know all these names like -- like    18     that.    19     <b>Q. No. I'm not asking for a name.</b>    20     A. I said --    21     <b>Q. How do you identify them?</b>    22     A. China Man, some old Arab dude.    23     <b>Q. Okay.</b>    24     A. Yeah. So I -- I've been -- I've been</p>
<p style="text-align: right;">Page 190</p> <p>1   <b>Q. So you could hear Ronald Watts through</b>    2   <b>a cell phone from the width of this room away?</b>    3   <b>Is that what you're saying today?</b>    4    A. I got -- remember, everything is on    5    Brown, and I'm not worrying about Watts until I    6    can see who he was talking to.    7   <b>Q. Okay. So you're saying you're -- what</b>    8   <b>do you mean by "everything is on Brown"?</b>    9    A. Cause he talking to --    10   <b>Q. To who?</b>    11    A. -- somebody on the phone.    12   <b>Q. Okay.</b>    13    A. Now I'm going to tell you who that    14    somebody became when we was in the station.    15   <b>Q. Okay. So you didn't think it was Watts</b>    16   <b>on the phone until you got to the station?</b>    17    A. I saw -- well, when -- yeah, yeah. No,    18    no. I had a good -- I had a good -- I had a    19    good think.    20   <b>Q. So you thought it was Ronald Watts who</b>    21   <b>was --</b>    22    A. No. I had a good -- a good -- what you    23    call that -- remember.    24   <b>Q. Okay. You remember.</b></p>	<p style="text-align: right;">Page 192</p> <p>1    bugging -- bugging -- bugging them all day,    2    but --    3      <b>Q. You said Bug was at the station?</b>    4      A. No.    5      <b>Q. Okay.</b>    6      A. I told -- Bug, he ain't -- he ain't --    7      they weren't even worried about Bug. They was    8      just trying to get the real drug dealers.    9      <b>Q. Do you know whether or not Bug has ever</b>    10     <b>been an informant for the police?</b>    11     A. I don't know. Shit, I didn't even know    12     Will -- Will was informing and all -- There's a    13     lot of people.    14     MR. FLAXMAN: Just focus on the question.    15     THE WITNESS: I don't know.    16     MR. FLAXMAN: He wants to know about Bug.    17     BY THE WITNESS:    18      A. No, no. Bug's a crack head. No. I    19      don't know about that.    20     BY MR. GAINER:    21      <b>Q. Is Willie a crack head?</b>    22      A. All of them is --    23      <b>Q. All the drugs?</b>    24      A. All of them.</p>

Germin Sims, et al. v. City of Chicago, et al.  
Continued Deposition of Robert Lindsey - Taken 5/5/2025

<p style="text-align: center;">Page 193</p> <p>1       <b>Q. Okay. And you mean, like, he uses all</b>    2       <b>the drugs?</b>    3       A. Just about.    4       <b>Q. He -- he sold them, too?</b>    5       A. Yeah. That's what he been doing when    6       he die.    7       <b>Q. Okay. And so when you got to the</b>    8       <b>station, you said that was the first time you</b>    9       <b>saw Ronald Watts, correct?</b>    10      A. Yeah, cause he came in there. He came    11      in there talking to -- because once the other    12      officers informed me -- like, I was -- I was    13      telling my friend, like, "Something ain't right.    14      Brown acting like a same -- same like Watts    15      there."    16      <b>Q. Are you talking -- you're at the police</b>    17      <b>station for this right now?</b>    18      A. Yeah, we in the station.    19      <b>Q. Okay.</b>    20      A. So at this particular time, I -- I told    21      ya'll in my -- in my -- in my -- in my -- what's    22      the name. We didn't go straight to the station.    23      <b>Q. Okay.</b>    24      A. We made other stops.</p>	<p style="text-align: center;">Page 195</p> <p>1       all them peoples that you just bringing in here    2       and looking like we try to sell them some drugs    3       and all that. We don't even know these people.    4       <b>Q. Okay. So -- but at some point, you got</b>    5       <b>to the station, right?</b>    6       A. Yeah. We in the station.    7       <b>Q. When is the first time -- did Watts</b>    8       <b>come in after you or before you?</b>    9       A. No. He came in behind us.    10      <b>Q. Okay. So you were already on the bench</b>    11      <b>with --</b>    12      A. Just sitting there -- sitting there    13      waiting for Watts to come in there.    14      <b>Q. Why were you waiting for Watts?</b>    15      MR. FLAXMAN: Objection, foundation.    16      BY THE WITNESS:    17      A. Why we sitting there waiting for him?    18      BY MR. GAINER:    19      <b>Q. Yeah. You just said you were sitting</b>    20      <b>there waiting for Watts to come in.</b>    21      A. Cause it's -- it's up to Watts.    22      Whatever -- whatever the ball game going to    23      play --    24      <b>Q. Okay.</b></p>
<p style="text-align: center;">Page 194</p> <p>1       <b>Q. How many stops?</b>    2       A. Well, that drug spot is right down the    3       street from 51st.    4       <b>Q. Okay.</b>    5       A. So he -- they took the whole Prairie.    6       <b>Q. All the way down?</b>    7       A. To 51st.    8       <b>Q. Okay.</b>    9       A. What I know is that one of the officers    10      in the car answered -- answered some questions,    11      but they told them to keep moving. "We right    12      behind ya'll."    13      <b>Q. So are you in the car, or are you in</b>    14      <b>the police station for this?</b>    15      A. We in the -- we going -- we was in the    16      car going to the police station.    17      <b>Q. Okay.</b>    18      A. They're cutting off -- I don't know why    19      they cutting off, and we was -- we was -- this    20      is our crime right here. This supposed to have    21      been our crime right here.    22      <b>Q. Right.</b>    23      A. We're going to the another crime scene    24      and all that stuff. We don't know nothing about</p>	<p style="text-align: center;">Page 196</p> <p>1       A. -- it's Watts's word. He got to tell    2       us and all that stuff. And the stuff that he    3       said, he didn't make no sense.    4       <b>Q. Okay. So when he came in after you at</b>    5       <b>the station, is that the first time you put eyes</b>    6       <b>on Ronald Watts that day?</b>    7       A. No. I actually was like -- when he    8       came in there, I was like, "Oh, man. Not you,    9       man."    10      He is like, "Man, sit ya'll    11      motherfucking ass down. I don't want to hear    12      nothing from ya'll."    13      I was like, "Damn. I thought you    14      supposed to be my boy." Now you know why I say    15      being my boy. I told you I -- I gave him that    16      gun. I thought we were still like this.    17      <b>Q. Yeah.</b>    18      A. No, no. We ain't like that.    19      <b>Q. And is -- but that's the first time you</b>    20      <b>put eyeballs on Ronald Watts was when --</b>    21      A. No, no. I been having my eyes on him.    22      <b>Q. I'm saying, when you got to the station</b>    23      <b>that day, that's the first --</b>    24      A. Oh, yeah, yeah. Well, we --</p>

Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

<p style="text-align: center;">Page 197</p> <p>1       <b>Q. -- time you saw him?</b>    2       THE COURT REPORTER: Sorry? Sorry?    3       BY MR. GAINER:    4       <b>Q. Okay.</b>    5       A. Yeah. We saw him.    6       MR. GAINER: Did you get it, Madam Reporter?    7       THE COURT REPORTER: Could you repeat that?    8       BY MR. GAINER:    9       <b>Q. When you got to the station and he came in after you and said the things you just said, was that the first time you put your eyes on Ronald Watts on October 15th, 2009?</b>    10      A. Yeah, yeah, yeah. Right up in that station.    11      <b>Q. All right. Okay.</b>    12      A. Yeah.    13      <b>Q. So after you had that interaction when he walked in, is that when he went back in the back room?</b>    14      A. Yeah. He -- he walked -- walked to his -- his spot back there.    15      <b>Q. Okay.</b>    16      A. That was sarge -- that's sarge's space back there.</p>	<p style="text-align: center;">Page 199</p> <p>1       like -- like, they babysitting us.    2       <b>Q. Okay.</b>    3       A. So where we -- we just waiting for Watts to come in.    4       <b>Q. And then he comes in?</b>    5       A. Because Brown -- Brown and Mohammed, they popped up about the same time, all three of them.    6       <b>Q. Same time as Watts?</b>    7       A. Yeah.    8       <b>Q. Okay. And Watts went into his office, you said.</b>    9       <b>Where did Brown and Mohammed go?</b>    10      A. All of them went in the office --    11      <b>Q. Okay.</b>    12      A. -- walking right past us.    13      <b>Q. Is that the same office where they took Willie?</b>    14      A. Yes.    15      <b>Q. So they took Willie Brownlee into Ronald Watts's office, you're saying?</b>    16      A. Yes.    17      <b>Q. Did Ron Watts's have a window?</b>    18      A. Yeah. It got a window in there.</p>
<p style="text-align: center;">Page 198</p> <p>1       <b>Q. Like, his office?</b>    2       A. Yeah. His office is back there.    3       <b>Q. Okay. And at this point in time, had Willie been brought in yet?</b>    4       A. Yeah, yeah. He was already in there before Watts.    5       <b>Q. Watts -- okay.</b>    6       <b>So it was you -- you and Germain -- or Germain -- sorry -- and then Willie and then Watts, in that order?</b>    7       A. No. See, this is what happened.    8       <b>Q. Okay.</b>    9       A. Willie came in with a gang of, like, random peoples. I don't know these peoples.    10      <b>Q. Okay.</b>    11      A. Me and Germain was already sitting there trying to wait and see what was finna to go on.    12      <b>Q. Right.</b>    13      A. What I know -- that China Man and them, they don't got nothing right off the top to put on us.    14      <b>Q. Okay.</b>    15      A. So they just sitting there holding,</p>	<p style="text-align: center;">Page 200</p> <p>1       <b>Q. You said it did?</b>    2       A. Yeah.    3       <b>Q. So could you see into his office?</b>    4       A. No. The door wide open.    5       <b>Q. Okay. So you could see through the door?</b>    6       A. It --    7       <b>Q. Could you see through the window?</b>    8       A. No. If the bench right here, the door right there. You see this little -- there's a door right here?    9       <b>Q. Sure.</b>    10      A. This is how -- this is a little -- this is how the table is right there, too.    11      <b>Q. Okay.</b>    12      A. I could come two different ways to come in through here to the back --    13      <b>Q. Where you were sitting in the police station --</b>    14      A. -- on this side.    15      <b>Q. -- could you see through the window of Ronald Watts's office?</b>    16      A. I've been back there before.    17      <b>Q. When you were sitting on the bench in</b></p>

Germin Sims, et al. v. City of Chicago, et al.  
Continued Deposition of Robert Lindsey - Taken 5/5/2025

Page 201	Page 203
<p>1   <b>the police station on October 15th, 2009, next</b>  2   <b>to Germain Sims handcuffed to the bench --</b>  3   A. No, no, no. We ain't --  4   <b>Q. -- could you see through the window?</b>  5   A. Ain't no windows.  6   <b>Q. There aren't no -- Okay.</b>  7   <b>There are no windows?</b>  8   A. No windows.  9   <b>Q. So you could see through the door?</b>  10   A. We -- we could see through that door.  11   <b>Q. Could you see the whole room from your</b>  12   <b>vantage point through the door?</b>  13   A. I've been -- I've been just [sic] that  14   room before.  15   <b>Q. I'm not asking if you've been in that</b>  16   <b>room before.</b>  17   A. Yeah.  18   <b>Q. I'm asking from the bench --</b>  19   THE COURT REPORTER: Sorry? If you --  20   BY MR. GAINER:  21   <b>Q. -- could you see the whole --</b>  22   A. Yeah. I could see that. I could see  23   that, yeah.  24   THE COURT REPORTER: Sorry. Could you wait</p>	<p>1   A. Yeah.  2   <b>Q. Okay. Did you have -- did you talk to</b>  3   <b>Ronald Watts any more on that day?</b>  4   A. No. After -- after he said, "Sit  5   ya'll -- shut the fuck up. Sit your ass down.  6   I don't want to hear shit from ya'll," that's  7   when I -- I turned into a -- what you call -- a  8   bug. I wanted to fight.  9   <b>Q. Okay.</b>  10   THE COURT REPORTER: And --  11   MR. FLAXMAN: You turned into a bug?  12   THE WITNESS: Yeah.  13   MR. FLAXMAN: And you wanted to fight?  14   THE WITNESS: Yeah, yeah. I'm angry now.  15   MR. FLAXMAN: He was angry now.  16   BY MR. GAINER:  17   <b>Q. So -- but you never had any more</b>  18   <b>interactions with Ronald Watts that day?</b>  19   A. No. After -- after -- cause he -- he  20   didn't want to talk to me no more. And he told  21   his boys -- he told his -- told them other  22   officers, "Man, put his ass in there. Put him  23   in lockup, man. I -- we'll get a chance to go  24   back there and talk to him when he cool the fuck</p>
<p style="text-align: center;">Page 202</p> <p>1   until he finishes?  2   BY MR. GAINER:  3   <b>Q. So if you could see the whole inside of</b>  4   <b>the room, did you see the drugs come out of</b>  5   <b>Willie's butt?</b>  6   A. I -- I -- I think I could -- saw him.  7   They rassled Will.  8   <b>Q. I'm just asking if you saw it.</b>  9   MR. FLAXMAN: Yeah, just -- just give him --  10   just give him the --  11   BY THE WITNESS:  12   A. Pull- -- yeah, yeah, yeah, yeah.  13   Pulled -- he pulled them out of his ass with the  14   plastic gloves.  15   BY MR. GAINER:  16   <b>Q. Who pulled them out?</b>  17   A. One of them Arabs. It wasn't  18   China Man, though. I'm sure of that. It was --  19   it looked like it was a dude about you size, two  20   of them.  21   <b>Q. Okay. And where was Ronald Watts at</b>  22   <b>this point?</b>  23   A. Back there.  24   <b>Q. In the room?</b></p>	<p style="text-align: center;">Page 204</p> <p>1   down and all that." I still ain't cooled down.  2   <b>Q. Okay.</b>  3   A. So that means he just put the case  4   together.  5   <b>Q. Did you ever see the drugs that they --</b>  6   <b>you say they ended up putting on you?</b>  7   A. Yes. We saw the drugs.  8   <b>Q. What did the -- what did the drugs</b>  9   <b>look --</b>  10   A. And it --  11   <b>Q. -- like?</b>  12   A. And it -- and it wasn't -- I could  13   not -- I could say -- I could say it didn't look  14   like no 13 bags or nothing like that. It looked  15   like no more than probably like eight or nine  16   bags.  17   <b>Q. Individual bags?</b>  18   A. Yeah. Because he got caught serving  19   somebody that -- that day.  20   <b>Q. Okay. You're talking about Willie?</b>  21   A. Yeah.  22   <b>Q. Okay. So did he pull individual bags?</b>  23   <b>Is that what you said? About nine?</b>  24   A. It looked like nine bags that came up</p>

Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

Page 205	Page 207
<p>1 out his ass.</p> <p>2 <b>Q. One by one?</b></p> <p>3 A. No, no. He's just having them just</p> <p>4 wrapped up and he stuffed them in his booty.</p> <p>5 <b>Q. Got you.</b></p> <p>6 <b>Did they unwrap them in front of you?</b></p> <p>7 A. No. They just kind of wiggle the</p> <p>8 plastic in our face like, "You motherfuckers,</p> <p>9 ya'll think ya'll was slick, huh? Ya'll gave</p> <p>10 the drugs to Willie."</p> <p>11 <b>Q. Who said that?</b></p> <p>12 A. The officer.</p> <p>13 <b>Q. Which officer?</b></p> <p>14 A. Watts said that.</p> <p>15 <b>Q. Watts said that?</b></p> <p>16 A. Brown said that.</p> <p>17 <b>Q. Who else said that?</b></p> <p>18 A. Mohammed.</p> <p>19 <b>Q. So all three of them said it?</b></p> <p>20 A. Really, the whole table was just</p> <p>21 laughing, like. But, see, I knew China Man and</p> <p>22 them, they was looking like, "It's not up to us.</p> <p>23 It's Watts and Brown and them. So ya'll got to</p> <p>24 dig them out."</p>	<p>1 seen you often at that house, which is -- that's</p> <p>2 his -- his girl mama house. They do -- they do</p> <p>3 be sometime off of there.</p> <p>4 <b>Q. Okay.</b></p> <p>5 A. So they must know something about him</p> <p>6 if they know he be there all the time, you and</p> <p>7 this -- this lady.</p> <p>8 <b>Q. When is the last time you spoke to</b></p> <p>9 <b>Willie Brownlee?</b></p> <p>10 A. Shit. I was trying to speak to him</p> <p>11 before he got killed.</p> <p>12 <b>Q. Did you ever have a chance to?</b></p> <p>13 A. Yeah. I spoke to him when I spoke to</p> <p>14 him. It's like that -- that following week.</p> <p>15 <b>Q. After you got out --</b></p> <p>16 A. No, no, no.</p> <p>17 <b>Q. -- or after this arrest?</b></p> <p>18 A. It's after this arrest.</p> <p>19 <b>Q. Okay. But the -- how did that</b></p> <p>20 <b>conversation go?</b></p> <p>21 A. He is gonna come back -- he was gonna</p> <p>22 come in and testify.</p> <p>23 <b>Q. Okay.</b></p> <p>24 A. He was gonna tell -- tell you he gave</p>
<p style="text-align: center;">Page 206</p> <p>1 <b>Q. They said that to you?</b></p> <p>2 A. Actually, I could -- I could -- I'm,</p> <p>3 like, a smart person when it comes down to,</p> <p>4 like, they ain't doing nothing. All --</p> <p>5 <b>Q. Right.</b></p> <p>6 A. All they doing --</p> <p>7 <b>Q. I'm trying -- I'm trying o figure out</b></p> <p>8 <b>what they said to you, though.</b></p> <p>9 A. I just told you.</p> <p>10 <b>Q. I know -- I know you're a smart guy and</b></p> <p>11 <b>you think, you know, whatever you think.</b></p> <p>12 <b>But what did they say to you?</b></p> <p>13 A. They said ya'll need to not even be</p> <p>14 asking no questions. "Fuck you. Fuck him.</p> <p>15 These are ya'll drugs."</p> <p>16 <b>Q. Okay.</b></p> <p>17 A. That's all -- that's all I could tell</p> <p>18 you. And then now with just that said, they</p> <p>19 went back to somebody house and got more -- more</p> <p>20 drugs.</p> <p>21 <b>Q. How do you know that?</b></p> <p>22 A. Cause we -- we heard them on the phone</p> <p>23 telling -- telling Will to call you -- call</p> <p>24 you -- whoever you stay with. Cause we haven't</p>	<p style="text-align: center;">Page 208</p> <p>1 the drugs out his ass because they said they</p> <p>2 didn't want to do nothing to him. "We just want</p> <p>3 to take these two guys."</p> <p>4 <b>Q. Okay. Where did that conversation take</b></p> <p>5 <b>place?</b></p> <p>6 A. Shit. Right there in -- in Watts's</p> <p>7 office.</p> <p>8 <b>Q. You guys went back to Watts's office a</b></p> <p>9 <b>week after your arrest and had that</b></p> <p>10 <b>conversation?</b></p> <p>11 A. No, no, no, no. That's been -- took</p> <p>12 place, how you got the drugs off of him.</p> <p>13 <b>Q. Yeah.</b></p> <p>14 A. So he said -- and the way we hearing</p> <p>15 Will, he's saying, "Get ya'll hoe ass hands off</p> <p>16 me, Bro." But, see --</p> <p>17 <b>Q. This is when they're taking the drugs</b></p> <p>18 <b>off --</b></p> <p>19 A. They're taking the drugs off him in</p> <p>20 the -- in the -- in the -- on 51st.</p> <p>21 <b>Q. I'm asking you after that, after this</b></p> <p>22 <b>arrest -- you got locked up for this, right?</b></p> <p>23 A. Yeah.</p> <p>24 <b>Q. How long were you in for?</b></p>

55 (Pages 205 to 208)

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MSJ-SL EXHIBIT 11

Germin Sims, et al. v. City of Chicago, et al.  
Continued Deposition of Robert Lindsey - Taken 5/5/2025

Page 209	Page 211
<p>1       A. About -- I think it was a whole year.    2       I would say about a year and, I would say, a    3       month.    4       <b>Q. After you got let out, did you speak to</b>    5       <b>Willie Brownlee at all?</b>    6       A. Yeah. I told him I finna to -- we    7       finna -- we finna do the -- what you call --    8       repeal this case?    9       <b>Q. Appeal?</b>    10      A. I'm finna -- I'm finna get a good    11      lawyer.    12      <b>Q. Did he agree to sign an affidavit?</b>    13      A. Yep.    14      <b>Q. He told you that?</b>    15      A. Yep.    16      <b>Q. Did you have the affidavit when you</b>    17      <b>were talking to him?</b>    18      A. I told you, he got killed too fast.    19      <b>Q. How long --</b>    20      THE COURT REPORTER: "He got killed..."    21      MR. PALLES: Too fast.    22      BY MR. GAINER:    23      <b>Q. So when you were talking -- after you</b>    24      <b>got out of prison and you were talking to</b></p>	<p>1       <b>Q. Okay.</b>    2       A. Do you know what an affidavit is?    3       <b>Q. I do.</b>    4       A. That's called we's not saying we    5       guilty. He's saying he the one -- who has the    6       drugs.    7       <b>Q. And he agreed to do it?</b>    8       A. And he agreed to come here and tell.    9       He -- his wife -- his wife is still living right    10      now, so --    11      <b>Q. Do you know her name?</b>    12      A. No. I just knew her nickname.    13      <b>Q. What's her nickname?</b>    14      A. Her name's Sheila.    15      <b>Q. Sheila?</b>    16      A. (Nonverbal response.)    17      <b>Q. You don't know a last name?</b>    18      A. No, not right off the top.    19      <b>Q. Is it Brownlee?</b>    20      A. I don't -- I don't know her last name.    21      It's just Sheila.    22      <b>Q. Okay.</b>    23      A. And we -- I spoke to her.    24      <b>Q. Do you know where Sheila lives?</b></p>
<p style="text-align: center;">Page 210</p> <p>1       <b>Willie, was this on the phone?</b>    2       A. No.    3       <b>Q. Was it an in-person conversation?</b>    4       A. It's person.    5       <b>Q. Where did you meet him?</b>    6       A. At his -- at his -- at his girl mama    7       house.    8       <b>Q. At his girl's mama house?</b>    9       A. I seen him all the time walking the    10      neighborhood.    11      <b>Q. Okay. So you're pretty familiar with</b>    12      <b>him and his family?</b>    13      A. I'm not -- I'm familiar with him, but I    14      just know he walks the streets. His girl, they    15      off -- they drugs head, so --    16      <b>Q. Okay. Was Mr. Sims there for this</b>    17      <b>conversation?</b>    18      A. No. He -- no, no. He -- he never    19      talked to him himself. He don't need to talk to    20      him with me.    21      <b>Q. Okay.</b>    22      A. Basically, he gonna say the same thing    23      to him. We just need him to come sign the    24      affidavits.</p>	<p style="text-align: center;">Page 212</p> <p>1       A. Yeah. She stay in Iowa now.    2       <b>Q. Iowa?</b>    3       THE COURT REPORTER: You said --    4       THE WITNESS: She stay in Iowa, Iowa City,    5       Illinois. Iowa.    6       MR. GAINER: Ira?    7       THE WITNESS: Iowa, Iowa.    8       MR. FLAXMAN: Iowa, I-O-W-A.    9       MR. GAINER: Iowa. Thank you. Sorry about    10      that. Okay. That's all I have for you, Mr. --    11      Mr. Lindsey. Thank you.    12      MR. PALLES: I have one or two follow-ups.    13      FURTHER EXAMINATION    14      BY MR. PALLES:    15      <b>Q. I want to go back to -- you had a</b>    16      <b>learning disability, correct?</b>    17      A. That's when I was young.    18      <b>Q. Yeah, when you were young. And Germain</b>    19      <b>had one as well.</b>    20      <b>Are you aware of that?</b>    21      A. I don't -- I can't judge what he -- he    22      had.    23      <b>Q. Okay.</b>    24      A. We don't sleep in the same house.</p>

Germin Sims, et al. v. City of Chicago, et al.  
 Continued Deposition of Robert Lindsey - Taken 5/5/2025

<p style="text-align: center;">Page 213</p> <p>1     <b>Q. Well, this was at the Fuller school for</b>    2     <b>elementary, right?</b>    3     A. Mm-hmm, yeah.    4     <b>Q. Okay. And as I understand it from</b>    5     <b>Germain, there were two kinds of classes. There</b>    6     <b>were -- there was an LD class and an MH class.</b>    7     <b>Do you remember that?</b>    8     A. That's -- that -- that's -- that's --    9     that's -- basically sound like the same class.    10    <b>Q. Yeah.</b>    11    A. But --    12    <b>Q. Were you in the LD class or the MH --</b>    13    A. I was in -- I was in the MH class.    14    <b>Q. Okay.</b>    15    A. He was in a -- like, a -- what you    16    call? Not really no, like -- what you -- the    17    second one you said. No. He was in one, like,    18    almost -- oh. He -- oh. He got past his grade.    19    He got past me.    20    <b>Q. Okay. Well, let me ask you this: The</b>    21    <b>MH, to the extent that it stands for mental</b>    22    <b>health, do you have an understanding of what</b>    23    <b>your situation was in addition to the learning</b>    24    <b>disability that resulted in your placement in</b></p>	<p style="text-align: center;">Page 215</p> <p>1     ass.    2     <b>Q. Okay. My last question: Mr. Gainer</b>    3     <b>asked you, you know, whether or not you thought</b>    4     <b>you -- you know, he asked you why you were a --</b>    5     <b>a target for Sergeant Watts.</b>    6     <b>My question to you is, do you have</b>    7     <b>any -- excuse me -- do you know why these</b>    8     <b>officers gave Willie a pass that day?</b>    9     A. Because they didn't want him.    10    <b>Q. They wanted you?</b>    11    A. They want me and Germain.    12    <b>Q. Okay. And you don't know why?</b>    13    A. I don't know why they want us.    14    MR. PALLE: Okay. All right. That's all    15    the questions I have. Thank you.    16    You're done? You're not going to ask    17    anything, Joel?    18    MR. FLAXMAN: We're going to reserve    19    signature.    20    Yes. We're done.    21    MR. PALLE: Okay.    22    MR. FLAXMAN: Thank you.    23    MR. PALLE: Reserve signature. Okay.    24    THE VIDEOGRAPHER: Okay. This is the end of</p>
<p style="text-align: center;">Page 214</p> <p>1     <b>the MH class?</b>    2     A. Some of it.    3     <b>Q. Yeah. What is it?</b>    4     A. Oh. I was in the MH -- I mean, in the    5     MH class because I was, like -- what you call --    6     a slow learner?    7     <b>Q. Yes.</b>    8     A. So it was, like, my reading.    9     <b>Q. Yes.</b>    10    A. Anything else probably with math and    11    stuff like that --    12    <b>Q. Mm-hmm.</b>    13    A. -- I could -- I could get past the    14    math --    15    <b>Q. Mm-hmm.</b>    16    A. -- but probably my reading and, like,    17    my spelling, them was like off, off, off. So    18    that's why I was in -- placed in the MH class.    19    <b>Q. I think you also said, too, though,</b>    20    <b>when you were young, you were hyper.</b>    21    <b>Was that one of the reasons you were in</b>    22    <b>that class?</b>    23    A. Well, no. I wasn't -- when I was    24    hyper, I'm just -- I'm just -- just being a bad</p>	<p style="text-align: center;">Page 216</p> <p>1     the deposition. This is the end of today's    2     testimony. The time is 1:19 p.m., and the    3     recording length is 3 hours, 0 minutes, and    4     33 seconds. We are now off the record.    5     (Whereupon, a discussion was had    6     off the video record.)    7     THE COURT REPORTER: Did you need a copy of    8     the transcript, Mr. Flaxman?    9     MR. FLAXMAN: Is he ordering the original?    10    THE COURT REPORTER: Yes.    11    MR. PALLE: Yeah. I'm ordering the original.    12    MR. FLAXMAN: Yes. I'll take a copy.    13     (Deposition concluded at    14     1:19 p.m.)</p>

Germin Sims, et al. v. City of Chicago, et al.  
Continued Deposition of Robert Lindsey - Taken 5/5/2025

Page 217

1

2 IN THE UNITED STATES DISTRICT COURT  
3 NORTHERN DISTRICT OF ILLINOIS  
4 EASTERN DIVISION

5

6 ROBERT LINDSEY and GERMAIN )  
7 SIMS, )  
8 Plaintiffs, )  
9 vs. ) No. 19-CV-2347  
10 CITY OF CHICAGO, et al., )  
11 Defendants. )

12

13 I, ROBERT LINDSEY, state that I have read  
14 the foregoing transcript of the testimony given  
15 by me at my deposition on May 5, 2025, and that  
16 said transcript constitutes a true and correct  
17 record of the testimony given by me at said  
18 deposition except as I have so indicated on the  
19 errata sheets provided herein.

20

21

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ROBERT LINDSEY

22

No corrections (Please  
initial) \_\_\_\_\_  
16 Number of errata sheets  
17 submitted \_\_\_\_\_ (pgs.)

18

SUBSCRIBED AND SWORN to  
20 Before me this \_\_\_\_\_ day  
21 of \_\_\_\_\_, 2025

22

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NOTARY PUBLIC

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Germin Sims, et al. v. City of Chicago, et al.  
Continued Deposition of Robert Lindsey - Taken 5/5/2025

Page 218

1 STATE OF ILLINOIS )  
2 ) SS.  
2 COUNTY OF COOK )

3

4 I, Kari Wiedenhaupt, Certified Shorthand  
5 Reporter, do hereby certify that on May 5, 2025,  
6 the deposition of the witness, ROBERT LINDSEY,  
7 called by the Defendants, was taken before me,  
8 reported stenographically, and was thereafter  
9 reduced to typewriting under my direction.

10 The said deposition was taken at the  
11 offices of Mohan Groble Scolaro, P.C., 55 West  
12 Monroe Street, Suite 1600, Chicago, Illinois;  
13 and there were present counsel as previously set  
14 forth.

15 The said witness, ROBERT LINDSEY, was  
16 first duly sworn to tell the truth, the whole  
17 truth, and nothing but the truth, and was then  
18 examined upon oral interrogatories.

19 I further certify that the foregoing is a  
20 true, accurate, and complete record of the  
21 questions asked of and answers made by the said  
22 witness, ROBERT LINDSEY, at the time and place  
23 hereinabove referred to.

24 The signature of the witness, ROBERT

Royal Reporting Services, Inc.  
312.361.8851

MSJ-SL EXHIBIT 11

Germin Sims, et al. v. City of Chicago, et al.  
Continued Deposition of Robert Lindsey - Taken 5/5/2025

Page 219

1 LINDSEY, was reserved by agreement of counsel.

2 The undersigned is not interested in the  
3 within case, nor of kin or counsel to any of the  
4 parties.

5 Witness my signature as a Certified  
6 Shorthand Reporter for the State of Illinois, on  
7 May 9, 2025.

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Kari Wiedenhaupt, CSR  
161 North Clark Street  
Suite 3050  
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Phone: 312.361.8851



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MSJ-SL EXHIBIT 11