

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

Derrick Schaeffer,)	
)	
<i>Plaintiff,</i>)	No. 19-cv-7711
)	
-vs-)	(Judge Dow)
)	
City of Chicago, et al.)	(Magistrate Judge Gilbert)
)	
<i>Defendants.</i>)	

JOINT STATUS REPORT CONCERNING DEPOSITIONS

Pursuant to the Court's Order of March 11, 2021, the parties file this status report concerning depositions:

1. Since the filing of the last status report, the parties have completed all scheduled depositions.
2. The parties have not yet taken the depositions of three on-scene witnesses: Janice Branscomb, Cheryl Young, and Harold Fields.
3. Defense counsel has been unsuccessful in their attempts to schedule depositions for the on-scene witnesses. Within counsel's few successful attempts at making contact, all witnesses have expressed reluctance to testifying in this matter.
4. Defense counsel was also unsuccessful in their attempt to serve Cheryl Young with a deposition subpoena in November of 2020.
5. Plaintiff's counsel has also sought to reach the on-scene witnesses by telephone: one expressed an unwillingness to testify voluntarily, one has not

returned voicemail messages, and plaintiff's counsel reached a family member of the third, who stated that the witness did not want to speak to plaintiff's counsel.

6. Plaintiff's counsel has been reluctant to attempt in-person service of subpoenas in light of the COVID-19 pandemic.

7. The parties agree that the testimony of these witnesses is necessary, and request additional time to compel them to testify by making personal service of deposition subpoenas and, if necessary, seeking the assistance of the Court to compel compliance with the subpoenas.

8. Defendants also seek to schedule the depositions of Assistant State's Attorneys Lisa Mateck and Nahed Zayyed. Defendants expect that the Assistant State's Attorneys will cooperate with subpoenas and sit for depositions.

9. The parties have conferred about a Rule 30(b)(6) deposition directed to defendant City of Chicago's policies relating to in-car camera video; the parties are optimistic that this fact issue will be resolved within the next 14 days without a formal deposition.

10. The parties respectfully request an additional 60 days to complete the discovery described above.

Respectfully submitted,

/s/ Joel A. Flaxman
Joel A. Flaxman
Kenneth N. Flaxman
200 S Michigan Ave, Ste 201
Chicago, IL 60604
(312) 427-3200
Attorneys for Plaintiff

/s/ Evan K. Scott (with consent)
Evan K. Scott
Jessica Ziswa
Gregory M. Beck
City of Chicago Department of Law
30 North LaSalle Street, Suite 900
Chicago, Illinois 60602
(312) 744-3982
Attorneys for Individual Defendants

CELIA MEZA
Acting Corporation Counsel for the City of
Chicago

By: /s/ Raoul Vertick Mowatt (with consent)
Raoul Vertick Mowatt
Iris Y. Chavira
Stephanie A. Sotomayor
City of Chicago Department of Law
30 North LaSalle Street, Suite 900
Chicago, Illinois 60602
(312) 744-3283
Attorneys for the City of Chicago