

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

DERRICK SCHAEFFER,)	
)	
Plaintiff,)	Case No. 19 C 7711
)	
v.)	Judge Robert M. Dow Jr.
)	
CITY OF CHICAGO, OFFICER JAMES A.)	Magistrate Judge Jeffrey T. Gilbert
BRANDON #7634, OFFICER MARIO)	
PEREZ #18936, OFFICER JAMES)	
KINSEY # 16189, and DETECTIVE)	
JOCELYN GREGOIRE-WATKINS, #20974,)	
)	
Defendants.)	

DEFENDANTS' MOTION FOR LEAVE TO FILE A SUR-REPLY

Defendant City of Chicago, by and through its attorney, Mark A. Flessner, Corporation Counsel for the City of Chicago, and Defendants James Brandon, Mario Perez, James Kinsey, and Jocelyn Gregoire-Watkins, by through one of their attorneys, Evan K. Scott, Assistant Corporation Counsel for the City of Chicago, (collectively, "Defendants") for their motion for leave to file a sur-reply to Plaintiff's reply in support of his motion to compel, state as follows:

1. On September 25, 2020, Plaintiff filed a reply to Defendants' response. Dkt. 60.
2. Defendants wish to file a brief sur-reply to clarify certain matters raised by Plaintiff.
3. A copy of Defendants' proposed sur-reply is attached as Exhibit A.
4. The decision to grant a motion for leave to file a sur-reply is within the Court's discretion.

University Health System Consortium v. United Health Group, Inc., 68 F.Supp.3d 917, 922 (N.D.Ill. 2014). Allowing the filing of a sur-reply "vouchsafes the aggrieved party's right to be heard and provides the court with the information necessary to make an informed decision." *In re Sulfuric Acid Antitrust Litigation*, 231 F.R.D. 320, 329 (N.D.Ill. 2005).

WHEREFORE, for the foregoing reasons, Defendants respectfully request that this Honorable Court grant their motion for leave to file a sur-reply and for any other relief this Court deems just.

Respectfully submitted,

/s/ Evan K. Scott

Evan K. Scott, Assistant Corporation Counsel
Gregory Beck, Assistant Corporation Counsel Supervisor
Jessica Ziswa, Assistant Corporation Counsel
Federal Civil Rights Litigation Division
City of Chicago Department of Law
30 N. LaSalle Street, Suite 900
Chicago, Illinois 60602
(312) 744-9031 (PHONE)
(312) 744-6566 (FAX)
Attorneys for Defendant Officers

MARK A. FLESSNER,
Corporation Counsel for City of Chicago

BY:

/s/ Raoul Vertick Mowatt

Iris Y. Chavira, Assistant Corporation Counsel Supervisor
Raoul Vertick Mowatt, Assistant Corporation Counsel
Stephanie Sotomayor, Assistant Corporation Counsel
Federal Civil Rights Litigation Division
City of Chicago Department of Law
30 N. LaSalle Street, Suite 900
Chicago, Illinois 60602
(312) 744-3283 (PHONE)
(312) 744-6566 (FAX)
Attorneys for Defendant City of Chicago

CERTIFICATE OF SERVICE

I hereby certify that on September 30, 2020, I served a copy of **DEFENDANTS' MOTION FOR LEAVE TO FILE A SUR-REPLY** upon Plaintiff via his attorney of record by causing it to be filed by the CM / ECF system.

/s/ Raoul Vertick Mowatt
Assistant Corporation Counsel