

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

Theresa Kennedy and John Plummer,
individually and for others similarly
situated,

Plaintiffs,

v.

City of Chicago,

Defendant.

Case No. 20-cv-1440

Hon. Thomas M. Durkin

**DEFENDANT’S AGREED MOTION TO EXTEND BRIEFING SCHEDULE
FOR RULE 12(c) MOTION AND MOTION FOR RECONSIDERATION**

Defendant, the City of Chicago, by its undersigned counsel, moves the Court to extend the briefing schedule for its Motion for Judgment on the Pleadings pursuant to Federal Rule of Civil Procedure 12(c) (the “Rule 12(c) Motion”) (Dkt. 188) and for Plaintiffs’ Motion for Reconsideration (Dkt. 189). In support of this motion, the City states as follows:

1. On April 29, 2024, this Court entered an order granting and part and denying in part the City’s prior Motion for Judgment on the Pleadings Pursuant to Federal Rule of Civil Procedure 12(c). (Dkt. 184.)

2. On May 6, 2024, the parties filed a Joint Status Report, in which the City stated it intended to file another Rule 12(c) Motion and Plaintiffs stated that they intended to file a Motion for Reconsideration of the Court’s April 29, 2024 Order. (Dkt. 186 at 1-2.) The parties proposed a briefing schedule under which: (1) their forthcoming motions would be filed on or before May 31, 2024; (2) their responses in opposition to the motions would be filed on or before June 21, 2024; and (3) their replies in support of the motions would be filed on or before July 5, 2024. (*Id.* at 3.)

3. That same day, the Court ordered briefing to proceed pursuant to the parties' proposed briefing schedule, with the Rule 12(c) Motion and Motion for Reconsideration to be filed on or before May 31, 2024, responses to the motions to be filed on or before June 21, 2024, and replies to the motions to be filed on or before July 5, 2024. (Dkt. 187.)

4. The parties timely filed their respective motions on May 31, 2024. (Dkts. 188, 189.)

5. The City has been diligently working on its opposition to Plaintiffs' Motion for Reconsideration but believes an extension of time is necessary to adequately address the arguments raised in Plaintiffs' Motion for Reconsideration.

6. The City therefore requests an extension of the briefing schedule for its Rule 12(c) Motion and Plaintiffs' Motion for Reconsideration, such that the parties' responses are to be filed on or before July 8, 2024 (to account for the Independence Day holiday) and replies are to be filed on or before July 19, 2024.

7. This is the City's first request for an extension of time regarding the briefing schedule on the parties' motions. The extension of time is not being brought for purposes of undue delay, will not cause any party prejudice, and will allow for a full and fair determination of the issues of this case.

8. Counsel for the City has conferred with counsel for Plaintiffs, and Plaintiffs' counsel agrees to the extension of the briefing schedule sought in this motion.

WHEREFORE, the City respectfully requests that this Court enter an order: (1) extending the briefing schedule for the City's Rule 12(c) Motion and Plaintiffs' Motion for Reconsideration, such that the parties' responses are to be filed on or before July 8, 2024 and replies are to be filed on or before July 19, 2024; and (2) granting any other relief this Court deems equitable and just.

Dated: June 14, 2024

Respectfully submitted,

CITY OF CHICAGO

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