

62369-LSK

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

ELGIN JORDAN,

Plaintiff,

v.

CITY OF CHICAGO; BRYAN COX, PETER
THEODORE, DAVID SALGADO, and ROCCO
PRUGER,

Defendants.

No. 20 CV 04012

Judge Gottschall

**DEFENDANT OFFICERS' MOTION TO JOIN CO-DEFENDANT CITY OF
CHICAGO'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT**

NOW COME Defendants, OFFICER BRYAN COX, SGT. PETER THEODORE and DETECTIVE ROCCO PRUGER, by and through their attorneys, QUERREY & HARROW, LTD., and for their Motion to Join Co-Defendant City of Chicago's Motion to Dismiss Plaintiff's Complaint, state as follows:

1. Plaintiff, Elgin Jordan, has filed his Complaint alleging various § 1983 claims against Defendant Officers, as well as *Monell* claim and Malicious Prosecution claims against Defendant City. This cause of action stems from the circumstances surrounding Plaintiff's March 31, 2015 arrest and his subsequent criminal case.

2. Co-Defendant, City of Chicago, has filed its Motion to Dismiss Plaintiff's Complaint for reasons that are equally applicable to Defendant Officers. First, Plaintiff's Complaint fails to satisfy Section 1983's personal involvement requirement because it does not adequately identify a plausible prospect of relief as to each individual Defendant

Officer. Additionally, Plaintiff's Fourth Amendment claims and their contingent claims should be dismissed with prejudice because they are barred by the statute of limitations.

3. Accordingly, Defendant Officers Ramirez, Torres, Luevano, and Perez respectfully request to join Co-Defendant City's Motion to Dismiss and adopt the arguments therein because the arguments raised by Co-Defendant City are equally applicable to Defendants Officer Cox, Sgt Theodore, and Detective Pruger.

WHEREFORE, Defendants, OFFICER BRYAN COX, SGT. PETER THEODORE and DETECTIVE ROCCO PRUGER, respectfully request that this Court allow them to join Co-Defendant City of Chicago's Motion to Dismiss Plaintiff's Complaint, and for any other relief this Court deems just.

Respectfully Submitted,

By: /s/ Larry S. Kowalczyk
Special Assistant Corporation Counsel

Larry S. Kowalczyk - Special Assistant Corporation Counsel
Megan K. Monaghan - Special Assistant Corporation Counsel
QUERREY & HARROW, LTD.
175 West Jackson Blvd., Suite 1600
Chicago, Illinois 60604-2827
312/540-7000
lkowalczyk@querrey.com
mmonaghan@querrey.com
*Counsel for Defendants Officer Cox, Sgt. Theodore, and
Detective Pruger*