

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

JEVARREO KELLEY-LOMAX,)	
)	
)	
Plaintiff)	
v.)	20-CV-04595
)	
)	
CITY OF CHICAGO, ROBERT GARDUNO,)	Judge Gary S. Feinerman
ANTHONY SPICUZZA, JOEL ORTIZ,)	
GEORGE DAVROS, AND WILLIAM)	Magistrate Judge Gabriel A. Fuentes
DOOLIN,)	
)	
Defendants.)	

-UNOPPOSED-
DEFENDANTS' JOINT MOTION TO EXTEND TIME TO ANSWER OR
OTHERWISE PLEAD TO PLAINTIFF'S COMPLAINT and TO
EXTEND TIME TO SUBMIT THE JOINT STATUS REPORT

NOW COME the Defendants, **ROBERT GARDUNO, ANTHONY SPICUZZA, JOEL ORTIZ, GEORGE DAVROS, and WILLIAM DOOLIN**, by and through their attorney, Special Assistant Corporation Counsel Elaine C. Davenport of Sanchez Daniels & Hoffman LLP, and **THE CITY OF CHICAGO**, by and through its attorney Allan Slagel of Taft Stettinius & Hollister LLP, and for their Unopposed Joint Motion to Extend time to Answer or Otherwise Plead to Plaintiff's complaint and to Extend time to submit the Joint Status Report, state as follows:

1. Plaintiff filed his complaint on 05 August 2020 alleging certain civil rights violations that purportedly stemmed from his arrest on 18 February 2019, and subsequent prosecution. *Dkt.1.*
2. Plaintiff submitted summons to the City of Chicago to effectuate service on the individual Defendant officers on or about 12 August 2020. Through the City of Chicago

specifically the Chicago Police Department's Office of Legal Affairs, personal service was effectuated on **ROBERT GARDUNO** on 22 August 2020, **ANTHONY SPICUZZA** on 21 August 2020, **JOEL ORTIZ** on 19 August 2020, **GEORGE DAVROS** on 21 August 2020, and **WILLIAM DOOLIN** on 09 September 2020.

3. Elaine C. Davenport submitted her appearance on behalf of the individual Defendant officers on 09 September 2020 and on 28 September 2020. *Dkt.9,10.*

4. The City of Chicago was served with Plaintiff's complaint on or about August 12. 2020. Counsel Allan T. Slagel, Elizabeth E. Babbitt, Anne L. Yonover, and Adam W. Decker submitted their appearances on behalf of the City of Chicago on 12 October 2020. *Dkt.11-14.*

5. Defendants all respectfully request an extension of time up to and including 03 November 2020 to submit their answer and/or other responsive pleading to the complaint, so that they may have an opportunity to conduct the necessary background investigation in order to properly respond to the factual allegations of the complaint. Defendants submit that allowing the same responsive pleading date for all Defendants will also simplify the litigation through a consistency of due dates.

6. Also, the parties respectfully request an extension of time by which to submit the Joint Status Report, which is currently due on 22 October 2020. *Dkt.8.* The parties request that the joint status report be due on 18 November 2020 in order to allow Defendants to first submit their responsive pleadings to the complaint before the parties confer on the status of litigation and submit their report. The parties further submit that there is no objection if such an extension to the Joint Status Report would result in a short continuance of the status date set for 29 October 2020 to accommodate these extensions.

7. This motion is not being brought to delay the litigation, to cause any undue hardship

to the parties or the Court, or to harass the parties. Counsel for the Defendants submit that no party will be prejudiced by the granting of this motion.

8. This motion has been discussed with counsel for Plaintiff, who has extended the professional courtesy of agreeing to the extension.

WHEREFORE, the Defendants **ROBERT GARDUNO, ANTHONY SPICUZZA, JOEL ORTIZ, GEORGE DAVROS, WILLIAM DOOLIN, and THE CITY OF CHICAGO** respectfully request that this Honorable Court grant their Motion to Extend and enter an Order in their favor allowing all Defendants up to and including 03 November 2020 to answer and/or otherwise plead to Plaintiff's complaint, and for any other relief that this Honorable Court deems just.

Respectfully Submitted,

SANCHEZ DANIELS & HOFFMAN LLP

By: /s/ Elaine C. Davenport

Elaine C. Davenport
One of the Attorneys for Defendants,
ROBERT GARDUNO, ANTHONY SPICUZZA, JOEL ORTIZ, GEORGE DAVROS, and WILLIAM DOOLIN

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Respectfully submitted,

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By:

/s/ Allan T. Slagel

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