

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

Jevarreo Kelley-Lomax,)	
)	
<i>Plaintiff,</i>)	
)	
-vs-)	No. 20-cv-4595
)	
City of Chicago, Robert Garduno,)	Judge Gary S. Feinerman
Anthony Spicuzza, Joel Ortiz,)	
George Davros, and William)	
Doolin,)	
)	
<i>Defendants.</i>)	

JOINT STATUS REPORT

The Plaintiff and Defendants, through counsel, submit the following joint status report in order to apprise the Court on the progress of discovery:

The parties had tentatively scheduled several party depositions to be completed on or before 31 August 2021. However, shortly prior to the commencement of the depositions, counsel for the individual officer Defendants learned that relevant surveillance video footage may have been created but has not been produced. The footage, if it exists, would show events at the gas station where Plaintiff was arrested before the officers arrived. Defense counsel learned that the footage may have been captured from a video screen at the gas station on a police body worn camera (“BWC”) in the days or weeks following the occurrence. The parties agree that counsel should

exhaust efforts to locate this footage before the parties proceed with depositions.

As of the date of filing of this joint status report, counsel for the individual officer Defendants has requested BWC footage for a total of eight days in early 2019 for two officers. However, the requested footage has not yet been compiled and forwarded to defense counsel. Unfortunately, digital requests are currently taking upwards of two months to be retrieved and compiled. Counsel for the individual officer Defendants cannot be certain precisely when the compilation of the extensive amount of footage will be retrieved, however anticipates another 30-day status would be realistic considering the amount of data requested.

Once received, all of the requested footage must be reviewed to determine whether the relevant gas station video surveillance footage was captured on BWC. If so, that BWC footage must be produced and reviewed by the parties prior to any depositions taking place.

The parties respectfully request that this honorable Court strike the currently set 08 September 2021 status date and re-set the matter for a status in 30-days so that the parties may advise the Court as to their progress in completion of this new discovery, oral discovery, and a more definitive and realistic outlook on completion of fact discovery. *Dkt.#38*

Respectfully submitted,

/s/ Joel A. Flaxman

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