

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

Dennis Jackson, )  
Plaintiff, )  
v. )  
City of Chicago, Patrick Boyle, Jennifer Burmistrz, ) No. 1:22-cv-04337  
Efrain Carreno, Matthew Evans, John Foertsch, ) Honorable Jorge L. Alonso  
Edward Garcia, Michael Higgins, Gerald Lau, and ) Honorable M. David Weisman  
Jeffrey Lawson, )  
Defendants. )

**DEFENDANTS' OPPOSED MOTION FOR AN  
EXTENSION OF TIME TO FILE MOTION FOR SUMMARY JUDGMENT**

Defendants' City of Chicago, Patrick Boyle, Jennifer Burmistrz, Efrain Carreno, Matthew Evans, John Foertsch, Edward Garcia, Michael Higgins, Gerald Lau, and Jeffrey Lawson,, by and through one of their attorneys, Michael J. Dinard, respectfully requests an extension of time to March 25, 2024, to file a motion for summary judgment. In support of this opposed motion, Defendants state as follows:

1. On February 14, 2024, former assistant corporation counsel Alexander Michelini, the former lead attorney on this matter, filed his motion to withdraw as attorney for Defendants. (ECF No. 58.)
2. On February 15, 2024, this Court granted said motion. (ECF No. 59.)
3. Attorney Alexander Michelini is no longer employed by the city of Chicago.

4. Assistant corporation counsel Michael J. Dinard was assigned this matter on February 9, 2024.

5. Assistant corporation counsel Michael J. Dinard has been working diligently not only to get up to speed with this matter but also to draft the Defendants' Motion for Summary Judgment.

6. Despite these efforts, counsel needs additional time to adequately review all completed discovery in this matter as well as to thoroughly review each of the deposition transcripts generated during said discovery.

7. Based on the factual record that was developed during the litigation, the legal issues that are to be raised in Defendants' Motion for Summary Judgment, and in light of defense counsel's recent withdrawal from the matter, Defendants request that the March 1, 2024, deadline be extended to March 25, 2024.

8. Federal Rule of Civil Procedure 6(b) sets forth the circumstances under which an extension of a time may be granted. Pursuant to the rule, if a request for an extension of time is received within the period that had been prescribed, the court for "good cause" may grant the request. Fed. R. Civ. P. 6(b)(1)(A). Rule 6(b)(1) provides a district court with discretion to grant or deny a request for an extension of time. See *Blue v. Hartford Life & Accident Insurance Co.*, 698 F.3d 587, 593 (7th Cir. 2012) (the decision to grant or deny an extension of time pursuant to Rule 6(b)(1) is within the district court's discretion). In exercising its discretion, district courts "look not just at the request itself but also at what led up to the request." *Spears v. City of Indianapolis*, 74 F.3d 153, 157 (7th Cir. 1996).

9. In this case, the former lead attorney Alexander Michelini, has ceased employment as assistant corporation counsel for the City of Chicago. Mr. Michelini's Motion to Withdraw as Attorney was granted by this Court on February 15, 2024.

10. Due to these circumstances, Defendants respectfully request an extension of time to March 25, 2024, to file their motion for summary judgment. This request is not made for dilatory purposes, and Plaintiff will not suffer any prejudice by the granting of such extension.

11. Defense counsel contacted lead counsel for Plaintiff regarding this motion. Counsel for Plaintiff indicated that they would object to this motion but did not state a reason as to why.

**WHEREFORE**, Defendants respectfully request that this Court extend the time for them to file their motion for summary judgment to and including March 25, 2024, and any other relief this Court finds reasonable and just.

Dated: February 28, 2024

Respectfully submitted,

/s/ Michael J. Dinard  
MICHAEL J. DINARD  
Assistant Corporation Counsel

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**CERTIFICATE OF SERVICE**

I hereby certify that, on **February 28, 2024**, I submitted with the Clerk for the Northern District of Illinois using the Court's electronic filing system or CM/ECF **Defendants' Opposed Motion for an Extension of Time to File Motion for Summary Judgment**, and thereby provided a copy of same by service to all attorneys of record at the electronic addresses they provided to the court.

/s/ Michael J. Dinard  
MICHAEL J. DINARD  
Assistant Corporation Counsel