

**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' UNOPPOSED MOTION FOR AN EXTENSION OF TIME TO FILE
REPLY IN SUPPORT OF THEIR 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, pursuant to Federal Rule of Civil Procedure 6(b)(1)(A), respectfully requests an extension of time to May 20, 2024, to file a reply in support of their motion for summary judgment. In support of this unopposed motion, defendants state as follows:

1. On March 4, 2024, this Court granted defendants an extension of time to file their motion for summary judgment. (ECF No. 63.)
2. On March 25, 2024, defendants filed their motion for summary judgment along with their memorandum in support and Rule 56.1 statement of undisputed facts. (ECF No. 65-67.)

3. On April 10, 2024, after a conference with plaintiff's counsel, defendants filed an amended motion for summary judgment and amended memorandum in support. (ECF No. 71-72.)

4. On April 29, 2024, plaintiff's counsel filed a response to defendants' motion for summary judgment (ECF No. 77.)

5. The current deadline for defendants to file a reply is May 13, 2024.

6. In the past week, Jordan Yurchich has been ill and out of the office. Mr. Yurchich is Michael Dinard's partner and supervisor in this matter.

7. Mr. Yurchich has not been able to contribute to the drafting of defendants' reply.

8. On May 8, 2024, Mr. Yurchich was able to return to work in a limited capacity.

9. Mr. Yurchich's participation in the drafting and reviewing of the reply is tantamount to defense counsel's representation of their clients.

10. 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).

11. Due to these circumstances, Defendants respectfully request a one-week extension of time to May 20, 2024, to file their reply. This request is not made for dilatory purposes, and Plaintiff will not suffer any prejudice by the granting of such extension.

12. Defense counsel contacted lead counsel for Plaintiff regarding this motion. Counsel for Plaintiff does not object to this motion.

WHEREFORE, Defendants respectfully request that this Court extend the time for them to file a reply in support of their motion for summary judgment, to and including May 20, 2024, and any other relief this Court finds reasonable and just.

Dated: May 8, 2024

Respectfully submitted,

/s/ Michael J. Dinard
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CERTIFICATE OF SERVICE

I hereby certify that, on **May 8, 2024**, I submitted with the Clerk for the Northern District of Illinois using the Court's electronic filing system or CM/ECF **Defendants' Unopposed Motion for an Extension of Time to File Reply in Support of Their 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