

Exhibit 1

Subject: Phone calls in McClendon

From: Brian Wilson <bwilson@nklawllp.com>

To: Joel Flaxman <jaf@kenlaw.com>

Cc: Kenneth Flaxman <knf@kenlaw.com>, "Lisa M. McElroy" <mcelroy@jbltd.com>, "Brian P. Gainer" <gainerb@jbltd.com>,

Shneur Nathan <snathan@nklawllp.com>

Date Sent: Friday, December 22, 2023 2:13:02 PM GMT-06:00

Date Received: Friday, December 22, 2023 2:13:30 PM GMT-06:00

Joel,

Defendants believe that given information learned in the depositions taken thus far, there is a sufficient basis to obtain and listen to the following phone calls. Most of these are Cook County Jail calls, which as you know Lisa and Brian have recordings of already because they were mistakenly produced by the Sheriff (although they have not been listened to). This email is notice to you that Defendants intend to obtain the calls listed below that we do not already have, and to listen to the calls listed below that we already have.

However, we want to respect your holiday plans and are not putting a deadline by which we will listen to the calls already received or serve subpoenas to obtain calls not yet received. Instead, Defendants will take no such actions until you have had a chance to consider our position and let us know if you intend to file a motion for a protective order. I'll likely contact you sometime next week to see if you've had such an opportunity and to keep the ball moving; but again, no ultimatums are being issued.

SHERIFF/JAIL PHONE CALLS:

1. All calls to Ken Ross
2. Oct 11 call to Plaintiff's mother(number 0750)
3. Oct 12 call to Moneka Curtis (number 9345)
4. Oct. 12 calls to Plaintiff's mother
5. Oct 13 call to Diamond Glover (number 8109)
6. Every phone call that represents the first time McClendon called any number while in Cook County Jail

IDOC MCCLENDON PHONE CALLS:

1. All calls to Ken Ross using the number we have for him.
2. All calls between McClendon and Poe between Oct 21 and Feb 13, 2014.
3. The call reflected in Exhibit 4 to Plaintiff's dep (CITY 1953-54).

POE IDOC PHONE CALLS:

Any calls between McClendon and an attorney from Peter Limperis's firm.

Have a nice holiday and a happy new year if we don't talk before then.

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Regards,

Brian Wilson

Nathan & Kamionski LLP

33 W. Monroe St., Suite 1830

Chicago, IL 60603

312-957-6649