

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

## **PLAINTIFF'S MOTION TO QUASH DEPOSITION SUBPOENAS**

To finally bring discovery to a close, plaintiff respectfully requests that the Court quash defendants' forthcoming deposition subpoenas to third-party witnesses Brittany Hill and Moneka Curtis.

The fact discovery deadline is January 31, 2023; the parties intend to complete the remaining depositions of two defendants, a non-party police officer involved in plaintiff's arrest, and two damages witnesses (plaintiff's mother and wife). Adding two additional unnecessary depositions would likely require another extension of the deadline.

Neither Ms. Hill nor Ms. Curtis witnessed any of the events at issue in this lawsuit. Plaintiff will not rely on the testimony of either woman, and defendants have not disclosed either Ms. Hill or Ms. Curtis as having discoverable information that they may use to support their case. Neither

witness will give relevant testimony and their depositions are not be proportional to the needs of the case.

On January 5, 2024, at about 9:30 a.m., Attorney Brian Wilson for defendant City of Chicago and Attorney Joel Flaxman for plaintiff conferred by phone about discovery issues, including defendants' request to depose Ms. Hill and Ms. Curtis. The parties made good faith attempts to resolve their differences, and they are unable to reach an accord.

Ms. Hill is the mother of plaintiff's daughter. Plaintiff spoke to her by phone when he was in custody, and defendants apparently want to ask Ms. Hill about the content of those conversations. As explained in plaintiff's contemporaneously filed motion about recorded jail and prison calls and plaintiff's previous motions on that issues, defendants' belief that these calls contain any relevant information rests only on speculation. Plaintiff will testify that he was injured because his wrongful imprisonment kept him away from the daughter he had with Ms. Hill, but testimony by Ms. Hill on this issue is not relevant or proportional to plaintiff's claim.

The same speculation about the relevance of calls with Ms. Hill also applies to the content of calls that plaintiff had with Ms. Curtis while in custody. Plaintiff and Ms. Curtis were dating at the time of his arrest. They married and divorced while plaintiff was in prison. Plaintiff answered

questions about their relationship at deposition, but there is no reason to pose those questions to Ms. Curtis as well.

“All good things, including discovery, must come to an end.” *U.S. ex rel. Taylor v. Hicks*, 513 F.3d 228, 238 (5th Cir. 2008). The Court should quash defendants’ forthcoming deposition subpoenas to third-party witnesses Brittany Hill and Moneka Curtis.

Respectfully submitted,

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