

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

MADELINE MENDOZA,)	
)	
<i>Plaintiff,</i>)	
)	No. 23-cv-2441
-vs-)	
)	<i>(Judge Durkin)</i>
REYNALDO GUEVARA, <i>et al.</i> ,)	
)	<i>(Magistrate Judge Kim)</i>
<i>Defendants.</i>)	
MARILYN MULERO,)	
)	
<i>Plaintiff,</i>)	
)	No. 23-cv-4795
-vs-)	
)	<i>(Judge Durkin)</i>
REYNALDO GUEVARA, <i>et al.</i> ,)	
)	<i>(Magistrate Judge Kim)</i>
<i>Defendants.</i>)	

JOINT STATUS REPORT

The parties, by counsel, submit this joint status report on depositions pursuant to the Court's Order of April 8, 2025:

1. Father Jeremiah Lynch—Father Lynch was deposed on March 3, 2025.
2. Demaris Gonzalez—Ms. Gonzalez was deposed on April 14, 2025.
3. Joan Roberts—Ms. Roberts is scheduled to be deposed on May 14, 2025.
4. Justin Brooks –
 - a. Defense position

Subsequent to this Court's order permitting them to depose Mr. Brooks, Defendants decided not to depose Mr. Brooks. Prior to April 21, 2025, Plaintiff Mulero had not listed Mr.

Brooks as a witness for her case pursuant to Fed. R. Civ. P. 26(a). However, on April 21, 2025, Plaintiff's added Mr. Brooks to their Fed. R. Civ. P. 26(a) disclosures. If this Court permits this late disclosure, Defendants are now considering deposing Mr. Brooks.

b. Plaintiffs' position

This is the first time Defendants have disclosed their intent to withdraw Mr. Brooks' deposition subpoena. Defendants' disclosed Mr. Brooks in their initial Rule 26 disclosures on February 2, 2024, and in their January 8, 2025, supplemental disclosures. As such, Plaintiff Mulero adding this same witness to her disclosures, prior to the close of fact discovery, is not a "late disclosure."

Moreover, on January 31, 2025, Defendants subpoenaed Justin Brooks for deposition, and on February 25, 2025, they sought a discovery extension to depose Mr. Brooks, along with various other witnesses including Father Jeremiah Lynch. On March 3, 2025, Defendants deposed Father Jeremiah Lynch regarding his representation of Ms. Mulero. For his part, Mr. Brooks is a criminal defense attorney with decades of experience in capital litigation, also served as Ms. Mulero's attorney during her criminal proceedings, and has unique knowledge of the same issues to which Father Jeremiah Lynch testified. In anticipation of what Plaintiffs understood would be Mr. Brooks' upcoming deposition, Plaintiff Mulero formally disclosed Mr. Brooks and the testimony they anticipate.

Regardless of Defendants apparent new position that Mr. Brooks deposition may not be necessary, Plaintiff Mulero now requires his testimony at trial. Finally, Plaintiff's disclosure of Mr. Brooks is not prejudicial as the parties still have four weeks remaining on the current fact discovery schedule.

5. Yvette Rodriguez – Defendants have been in contact with Ms. Rodriguez’s treating psychiatrist who has informed them that Ms. Rodriguez is suffering from a serious mental health condition that has required hospitalization this year and she is, thus, unable to provide deposition testimony. The doctor also informed Defendants that because her condition is chronic, he does not anticipate any significant recovery if any. Defendants will provide the doctor’s written correspondence in camera if the Court requests them to do so.

6. Michael Krejci - Mr. Krejci was recently assigned counsel for his deposition in this matter. Defendants are currently coordinating with this counsel to find a mutually agreeable date for his deposition to proceed in this matter in May.

7. CCSAO - On April 9, 2025, Defendants tendered a copy of this Court’s Order Dckt. No. 119 to CCSAO regarding the representative deponent for CCSAO and requested that CCSAO engage in a discussion regarding the substance of this Order to coordinate the relevant deposition(s). After getting no response, Defendants followed up with CCSAO to again open a dialogue regarding this notice to attempt to determine whether CCSAO would be lodging any objections to the Topics 1-4 of the notice that this Court granted Defendant leave to depose CCSAO representative(s) and to attempt to refine Topics 5-8 pursuant to this Court’s Order Dckt. No. 119. On April 21, David Adelman, Supervisor of Specialized Discovery Section of the Civil Actions Bureau of CCSAO, responded to Defendants and proposed a time this week to discuss these matters. Defendants anticipate that Defendants and CCSAO will have further clarification on these matters this week and Defendants will either schedule the requisite deposition(s) to proceed in May or bring any remaining disputes to the attention of this Court promptly.

Respectfully submitted,

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