

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

**DEFENDANTS' *UNOPPOSED* MOTION FOR LIMITED EXTENSION OF TIME
TO COMPLETE FED. R. CIV. P. 30(B) DEPOSITION(S) OF COOK COUNTY STATE'S
ATTORNEY'S OFFICE PERSONNEL**

NOW COME Defendants, by and through their attorneys and move this Honorable Court for an extension of time to complete certain Fed. R. Civ. P. 30(b)(6) Discovery from the Cook County State's Attorney's Office. In support of its motion, Defendants state as follows:

1. After consulting with personnel from CCSAO and with their request, Defendants seek an additional 45 days to complete the Fed. R. Civ. P. 30(b)(6) deposition(s) of CCSAO personnel pursuant to Defendants' rider to their Fed. R. Civ. P. 30(b)(6) notice and this Court's April 8, 2025 order on same. Defendants diligently attempted to proceed with this discovery over the last few months while, at the same time, attempting to give CCSAO the necessary time to

designate, prepare, and present the proper person(s) to provide the requested testimony. However, for reasons beyond Defendants' control, CCSAO has indicated it will not be able to designate, prepare, and present the relevant deponent(s) by May 16, 2025 and requested an additional 45 days to complete such discovery.

2. On January 31, 2025, the CCSAO was subpoenaed for a 30(b)(6) deposition to proceed February 24, 2025.
3. On February 21, 2025, the Friday before the deposition was to proceed, CCSAO advised Defendants that the deposition would not proceed as noticed and indicated that their "outside counsel" would be in contact regarding the discovery.
4. On February 24, 2025, CCSAO indicated that they would be "discussing internally" and would respond.
5. The following day, on February 25, 2025, Defendants filed a motion for limited extension of time to complete certain depositions, including, among several other matters, the outstanding CCSAO 30(b)(6) deposition. *See* Dckt. No. 103.
6. On March 3, 2025, this Court entered an order entering and continuing Defendants' motion as it pertained to the CCSAO 30(b)(6) discovery.
7. On April 8, 2025, this Court entered an order granting Defendant leave to conduct this 30(b)(6) discovery on Topics 1-4 of the notice and indicating that Defendants may work with CCSAO to further refine discovery as to Topics 5-8. *See* Dckt. No. 119. However, this Court noted that CCSAO was still entitled to raise objections to Defendants' 30(b)(6) notice. *Id.*
8. The following day, on April 9, Defendants' counsel sent a copy of this court's order to Assistant State's Attorney Jessica Scheller, Chief of the Civil Actions Bureau of the Cook County State's Attorney's Office and Assistant State's Attorney David A. Adelman, Supervisor – Specialized Discovery Section of the Civil Actions Bureau of the Cook County State's

Attorney's Office and requested a time to discuss moving forward on this discovery and work out any objections lodged by CCSAO.

9. On April 21, having heard no response from CCSAO on the matter, Defendants' counsel followed up again seeking to discuss these matters with CCSAO per order of this Court and to work out any objections and scheduling issues.
10. Later that day, ASA Adelman responded to Defendants counsel proposing that the parties discuss the matter on April 24, 2025 (a date that was later rescheduled to April 28, 2025).
11. On April 28, 2025, Defendants' counsel held a telephone conference with ASA Adelman about the CCSAO 30(b)(6) deposition.
12. During this conversation, ASA Adelman requested that CCSAO be given until Monday, May 5 to designate an appropriate 30(b)(6) witness.
13. During this communication, Defendants again referenced the current May 16, 2025 court deadline for this deposition and requested that CCSAO advise if they anticipated that producing any witness(es) by the May 16 date would not be feasible.
14. On May 5, ASA Adelman e-mailed Defendants' counsel and indicated that he would be unable to discuss the matter that day and requested that the parties discuss the matter two days later (on May 7, 2025).
15. In response, Defendants' counsel agreed to accommodate this scheduling change but again advised CCSAO of the looming May 16 deadline and asked that CCSAO advise Defendants' counsel if they anticipated any trouble meeting the May 16 deadline for production of any 30(b)(6) witness(es).
16. On May 6, Jennifer Bagby, Chief Deputy at the Cook County State's Attorney's Office, reached out to Defendants' counsel seeking a time to discuss scheduling, witnesses to address the notice, and scope of the depositions.

17. Defendants' counsel agreed and, again, sought clarification on whether CCSAO would be able to meet the May 16, 2025 deposition deadline.
18. ASA Bagby indicated that CCSAO would, in fact, need some additional time to designate and prepare such witnesses and requested that Defendants ask this Court for additional time to complete this discovery.
19. Defendants agreed to make such request to this Court and to ask this Court for an additional 45 days for this 30(b)(6) discovery to proceed.
20. Defendants' counsel reached out to Plaintiffs' counsels and asked whether they opposed this request. Plaintiffs' counsel advised that they do not oppose this request for relief.
21. As this Court is aware, the parties still have *Monell*-based fact discovery which is proceeding at present and there is no date for expert disclosures, dispositive motions, or a trial in this case. Accordingly, no party will be prejudiced by this extension to complete this limited discovery.
22. Additionally, this discovery is third-party discovery from an exceptionally busy prosecutorial agency pertaining to matters stretching back many years on three separate (but related) criminal matters.
23. Accordingly, Defendants request an additional 45 days to complete this CCSAO 30(b)(6) discovery, until June 30, 2025.

WHEREFORE, Defendants, REYNALDO GUEVARA, THE CITY OF CHICAGO, GERI LYNN YANOW as Special Representative for ERNEST HALVORSEN, deceased, STEPHEN GAWRYS, and ANTHONY RICCIO, respectfully request this Honorable Court grant Defendants' Motion for Extension of Time to Complete Certain CCSAO 30(b)(6) Discovery and for any other relief as this Court deems just and reasonable.

Respectfully submitted,

By: /s/ Timothy P. Scahill

Timothy P. Scahill
Special Assistant Corporation Counsel

Steven B. Borkan
Timothy P. Scahill
Andrea F. Checkai
Whitney N. Hutchinson
BORKAN & SCAHILL, LTD.
20 South Clark Street, Suite 1700
Chicago, Illinois 60603
(312) 580-1030
Counsel for Reynaldo Guevara

/s/ Josh M. Engquist
Josh M. Engquist
Special Assistant Corporation Counsel

Josh M. Engquist
Caroline P. Golden
David A. Brueggen
Jeffrey R. Kivetz
Kyle T. Christie
Allison L. Romelfanger
Special Assistant Corporation Counsel
THE SOTOS LAW FIRM, P.C.
141 W. Jackson, Suite 1240A
Chicago, Illinois 60604
630-735-3300
Counsel for Individual Defendants

/s/ Eileen E. Rosen
Special Assistant Corporation Counsel

Eileen E. Rosen
Catherine M. Barber
Lauren Ferrise
Rock, Fusco, & Connelly
333 W. Wacker, 19th Floor
Chicago, Illinois 60606
(312) 494-1000
Counsel for Defendant City of Chicago