

**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>	)	

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**JOINT STATUS REPORT**

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The parties, by and through counsel, submit this report in accordance with the Court’s order (Doc. 73).

On August 10, 2024, this Court set a non-Monell discovery deadline of January 10, 2024, and instructed the parties to advise the court of the following:

**1) Depositions completed**

The parties have completed the following depositions:

- i. Defendant Reynaldo Guevara, completed on September 24, 2024;
- ii. Defendant Anthony Riccio, completed on October 18, 2024;
- iii. Third-party Lawrence Poli, completed on October 30, 2024
- iv. Defendant Steven Gawrys, completed on November 8, 2024.

**2) Depositions each side still requires and scheduled**

The parties have scheduled the following additional depositions:

- i. Defendant Robert Biebel, scheduled for November 22, 2024;
- ii. Third-party witness Jacqueline Montanez, scheduled for December 3, 2024;
- iii. Plaintiff Marilyn Mulero, scheduled for December 23, 2024; and
- iv. Plaintiff Madeline Mendoza, scheduled for December 27, 2024

**3) Depositions each side still requires but not scheduled**

The parties are seeking to locate the following individuals to schedule their depositions:

- i. Third-party witness Joan Roberts Santiago;
- ii. Third-party witness Rhonda Riley;
- iii. Third-party witness Marilyn Serrano;
- iv. Third-party witness Antonio Perez
- v. Third-party witness Yvette Rodriguez;
- vi. Third-party witness Iris Perez;
- vii. Third party witness Maria Suez;
- viii. Third-party witness Jack Smeeton; and
- ix. Third-party witness Maria Mendoza

Plaintiffs are also seeking to schedule the deposition of former-Assistant State's Attorney John Dillon, and Plaintiffs' counsel is conferring with the attorneys who represent Dillon in other lawsuits.

**4) Whether each side plans on retaining experts.**

Plaintiff Mulero intends on retaining at least three experts.

Plaintiff Mendoza intends on retaining at least three experts.

Defendants are not yet able to determine which expert witnesses they will retain, as the number largely depends on how many experts Plaintiffs disclose and for what topics. Defendants anticipate disclosing witnesses to rebut Plaintiffs' experts.

#### **5) Additional discovery issues**

Pursuant to the Court's prior ruling (Doc. 73), Plaintiffs' counsel has obtained files from the multiple offices of Plaintiffs' prior counsel and supplemented their document production accordingly. However, outstanding documents include:

- *Ms. Lauren Myerscough-Mueller from The Exoneration Project*: Plaintiff Mulero continues to follow-up regarding the status of their production and will keep the defense apprised;
- *Office of the Illinois Appellate Defender*: Plaintiff Mulero received these records, and on October 24, 2024, advised the defense that the records were produced in hard form and comprised thousands of pages in multiple bankers boxes. Plaintiff Mulero offered to allow Defendants to either inspect the documents or have the documents digitized and bates labeled for production. Defendants opted for the latter. Plaintiff Mulero is working to complete said process and advised the defense that the documents will be produced upon completion, and that a privilege log will accompany the production.
- *Cook County Public Defender*: The Public Defender's Office represented plaintiff Mendoza in an appeal of a post-conviction petition. Plaintiff Mendoza continues to follow-up on the Office's attempt to locate this file. A representative of the Office has stated that the file will not contain anything except filed pleadings and transcripts.

The parties have held discussions regarding priority in questioning for Jacqueline Montanez's deposition and they may seek court intervention if the matter is not resolved promptly.

Dated: November 8, 2024

Respectfully submitted,

/s/ Carter Grant

Steven A. Hart  
Brian Eldridge  
Carter Grant  
John Marrese  
Hart McLaughlin & Eldridge, LLC  
One South Dearborn St, Ste 1400  
Chicago, Illinois 60603  
(312) 955-0545  
shart@hmelegal.com  
beldridge@hmelegal.com  
cgrant@hmelegal.com  
jmarrese@hmelegal.com

Antonio M. Romanucci  
Bhavani Raveendran  
Sam Harton  
Patrick Driscoll  
Romanucci & Blandin, LLC  
321 N. Clark Street, Ste 900  
Chicago, Illinois 60654  
(312) 458-1000  
[aromanucci@rblaw.net](mailto:aromanucci@rblaw.net)  
[b.raveendran@rblaw.net](mailto:b.raveendran@rblaw.net)  
[sharton@rblaw.net](mailto:sharton@rblaw.net)  
PDriscoll@rblaw.net  
*Attorneys for Plaintiff Mulero*

/s/ Catherine M. Barber

*Counsel for Defendant City of Chicago.  
Special Assistant Corporation Counsel*

Eileen E. Rosen  
Austin G. Rahe  
Catherine M. Barber,  
Theresa B. Carney,  
Lauren Ferrise,  
Jessica Zehner,

Rock, Fusco, & Connelly  
333 W. Wacker, 19th Floor  
Chicago, Illinois 60606  
(312) 494-1000

/s/ Joel A. Flaxman

Joel A. Flaxman  
Kenneth N. Flaxman  
200 S Michigan Ave Ste 201  
Chicago, IL 60604-2430  
(312) 427-3200  
jaf@kenlaw.com  
knf@kenlaw.com  
*Attorneys for Plaintiff Mendoza*

/s/ Josh Engquist

*Counsel for Geri Lynn Yanow, as Special  
Representative for Ernest Halvorsen,  
Deceased, Stephen Gawryls, and Anthony  
Riccio, Special Assistant Corporation  
Counsel*

James Sotos  
Josh M. Engquist  
John Timbo  
Elizabeth Fleming  
Thomas Sotos  
George Yamin, Jr.  
THE SOTOS LAW FIRM, P.C.  
141 West Jackson Blvd. #1204A  
Chicago, Illinois 60604

/s/ Andrea F. Checkai  
*Counsel for Defendant Guevara*  
*Special Assistant Corporation Counsel*

Steven B. Borkan  
Timothy P. Scahill  
Krystal R. Gonzalez  
Andrea F. Checkai

BORKAN & SCAHILL, LTD.  
20 South Clark Street, Suite 1700  
Chicago, Illinois 60603  
(312) 580-1030