

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

JAMIE DE AVILA,)	
)	
Plaintiff,)	
)	No. 1:24-cv-00400
v.)	
)	Judge Manish S. Shah
CITY OF CHICAGO et al.,)	
)	Magistrate Judge Beth W. Jantz
Defendants.)	
)	
)	
)	
)	

**DEFENDANTS CITY OF CHICAGO’S UNOPPOSED MOTION TO EXTEND THE
TIME TO ANSWER OR OTHERWISE PLEAD**

The City of Chicago (“the City”), by and through one of its attorneys, Cheryl Friedman, Assistant Corporation Counsel for the City of Chicago, respectfully requests an extension of time to answer or otherwise plead up to and including April 17, 2024 pursuant to Rule 6(b)(1)(A). In support of this unopposed motion, the City states as follows:

1. Plaintiff filed his initial complaint on January 16, 2024. *See* Dkt. No. 1.
2. On January 18, 2024, Plaintiff filed his Amended Complaint. *See* Dkt. No. 5.
3. The undersigned counsel was recently assigned to represent the City in the above captioned matter and filed an appearance for the City on February 7, 2024. Dkt. No. 7.
4. In order to properly prepare responsive pleadings, the undersigned counsel will need to obtain relevant records and investigate the facts underlying Plaintiff’s Amended Complaint

5. Additionally, Plaintiff has named one officer, Timothy Murphy. Plaintiff has sent a copy of the complaint to the Chicago Police Department's Office of Legal Affairs, which is attempting to facilitate service upon Officer Murphy. However, upon information and belief, Officer Murphy has not yet been served with a copy of the complaint.
6. Therefore, the City has not had an opportunity to speak to Officer Murphy in order to prepare its responsive pleadings. Nor has Officer Murphy been able to retain counsel to represent him in this matter.
7. The City anticipates by extending time for all parties to answer or otherwise plead to April 17, 2024, all parties should have sufficient time to enter appearances, research the factual and legal sufficiency of Plaintiff's amended complaint and file answers or other responsive pleadings.
8. Defense counsel has communicated with Plaintiff's counsel, Joel Flaxman, regarding this motion, and Mr. Flaxman indicated that Plaintiff is not opposed to the relief sought by this motion.
9. This is the City's first motion for an extension of time to answer or otherwise plead. This motion is not brought to cause undue delay or prejudice to Plaintiff, but rather to allow the City time to file a complete response to Plaintiff's claims.

WHEREFORE, the City requests this Court grant its motion for an extension of time to answer or otherwise plead up to and including April 17, 2024 and for any other relief this Court deems just and appropriate.

Respectfully submitted,

/s/ Cheryl Friedman
Cheryl Friedman

Assistant Corporation Counsel

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CERTIFICATE OF SERVICE

I, an attorney, hereby certify that, on **February 7, 2024**, I submitted with the Clerk for the Northern District of Illinois using the Court's electronic filing system or CM/ECF **DEFENDANT CITY OF CHICAGO'S UNOPPOSED MOTION TO EXTEND THE TIME TO ANSWER OR OTHERWISE PLEAD** and thereby provided a copy of same by service to all attorneys of record at the electronic addresses they provided to the court.

/s/ Cheryl Friedman
Cheryl Friedman
Assistant Corporation Counsel