

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

Jose Tinajero,)	
)	
<i>Plaintiff,</i>)	
)	
-vs-)	No. 24-cv-1598
)	
City of Chicago, <i>et al.</i> ,)	(<i>Judge Alexakis</i>)
)	
<i>Defendants.</i>)	

MOTION TO ORDER SETTLEMENT CONFERENCE

Plaintiff requests that the Court order defendant Cook County to attend a settlement conference for the following reasons:

1. Plaintiff has learned that Cook County, the indemnifier of defendant Jacob Rubinstein, has agreed to resolve the claims advanced by the plaintiffs in the two cases consolidated with this one, *Kelly v. Guevara*, 24-cv-5354 and *Martinez v. Guevara*, No. 23-cv-1741.
2. Plaintiff Tinajero brings the same claims against Cook County and Rubinstein as plaintiffs Kelly and Martinez.
3. Since September 27, 2024, plaintiff's undersigned counsel has attempted to confer with Jessica Scheller and Lyle Henretty, the Assistant State's Attorneys supervising these cases. Except for one brief phone call with Henretty on October 1, 2024, Counsel's attempts have been unsuccessful: telephone calls are not returned and email correspondence is ignored.

4. The Court has the power to order Cook County to appear before this Court or the Magistrate Judge for a settlement conference. *G. Heileman Brewing Co., Inc. v. Joseph Oat Corp.*, 871 F.2d 648, 651-53 (7th Cir. 1989) (en banc); *Goss Graphics Sys v. DEV Indus.*, 267 F.3d 624, 627 (7th Cir. 2001). Plaintiff is not asking the Court to order Cook County to settle, but only to attend a settlement conference.

It is therefore respectfully requested that the Court order defendant Cook County to attend a settlement conference, before this Court or the assigned Magistrate Judge, to discuss a resolution of plaintiff's claims against defendants Cook County and Jacob Rubinstein.

Respectfully submitted,

/s/ Joel A. Flaxman
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