

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

Samuel Gonzalez,)
)
 Plaintiff,)
)
 -vs-) No. 24-cv-11448
)
 Village of Summit, Illinois,) (Chief Judge Kendall)
 Summit Police Officers Donato,)
 #155 and Pasquel, #310,)
)
 Defendants.)

JOINT INITIAL STATUS REPORT

The parties, by counsel, submit this Joint Initial Status Report pursuant to the Court's Order of December 3, 2024:

1. Plaintiff is represented by Joel A. Flaxman and Kenneth N. Flaxman, who are the attorneys expected to try the case for the plaintiff. Defendants are represented by Michael J. McGrath and Lauren M. DaValle, who are the attorneys expected to try the case for the defendants.

2. Federal jurisdiction is based on 28 U.S.C. § 1343 because of plaintiff's claims under 42 U.S.C. § 1983. Jurisdiction over plaintiff's state law malicious prosecution claim is based on supplemental jurisdiction, 28 U.S.C. § 1337.

3. Plaintiff alleges that he was subjected to constitutional violations and a malicious prosecution when the individual defendants

arrested him and caused him to be prosecuted. Plaintiff alleges that there was no basis for the arrest and prosecution.

4. All defendants have been served.

5. The principal legal issues will be whether plaintiff's arrest was made without probable cause, whether the subsequent prosecution of plaintiff exceeded legal bounds, and whether the individual officers are protected by qualified immunity.

6. The principal factual issues will be the circumstances surrounding plaintiff's arrest and prosecution.

7. Plaintiff has demanded a jury trial. Defendants will demand jury trials.

8. No discovery has taken place. The parties anticipate discovery will require written discovery and about five depositions.

9. The parties propose a discovery cut-off date in six months, and the parties do not anticipate expert discovery.

10. The parties will be ready for trial within 60 days of the resolution of any dispositive motions that may be filed after the close of discovery. The parties estimate that trial will last two days.

11. The parties do not consent unanimously to proceed before a magistrate judge.

12. The parties will engage in settlement discussion after they obtain more information about the case.

Respectfully submitted,

/s/ Joel A. Flaxman
Joel A. Flaxman
Kenneth N. Flaxman
200 S Michigan Ave Ste 201
Chicago, IL 60604-2430
(312) 427-3200
Attorneys for Plaintiff

/s/ Lauren M. DaValle
Odelson, Murphey, Frazier &
McGrath, LTD.
3318 W. 95th St.
Evergreen Park, IL 60805
(708) 424-5678
LDavalle@omfmlaw.com
Attorneys for Defendants