

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

NICKOLAS HOWELL,)	
)	
Plaintiff,)	
)	
v.)	Case No. 25-cv-13959
)	
CITY OF CHICAGO et al.,)	Honorable John F. Kness
)	
Defendants.)	

**DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION OF TIME
TO ANSWER OR OTHERWISE PLEAD TO PLAINTIFFS' COMPLAINT**

Defendant, Nicu Tohatan, by and through his undersigned attorneys, respectfully request that this Honorable Court extend the time for Defendant Tohatan to answer or otherwise plead to Plaintiff's complaint, up to and including January 12, 2026. In support of this motion, Defendants state the following:

1. On November 13, 2025, Plaintiff filed his Complaint [Dkt. 1].
2. On December 1, 2025, Defendant Tohatan was served with summons and a copy of the Complaint.
3. On December 22, 2025, Brian Gainer, Lisa McElroy, and Jack Gainer, of Johnson & Bell Ltd., filed their appearance on behalf of Defendant Tohatan.
4. Undersigned counsel was recently assigned this matter and needs additional time to confer with Defendant Tohatan and learn more about the incident which forms the basis of the Complaint in this case. Additional time is also necessary to allow for counsel and Defendant Tohatan to determine how to respond to Plaintiff's Complaint.
5. This request is not made for the purpose of delay or for any other improper purpose.

6. Plaintiff will not be prejudiced if Defendant's motion is granted. Defendants will be significantly prejudiced if this motion is denied. Undersigned counsel has conferred with Plaintiff's counsel about this request, and Plaintiff's counsel has indicated that he does not oppose this motion.

Defendant Tohatan respectfully requests this Honorable Court grant an extension of time, up to and including January 12, 2026, to plead in response to Plaintiff's Complaint [Dkt. 1], as set forth above.

Dated: December 23, 2025

Respectfully submitted,

/s/ *Brian P. Gainer*
One of the Attorneys for Defendants

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CERTIFICATE OF SERVICE

I certify that I served this motion by electronically mailing a copy to each person to whom it is directed at the address above indicated by using the CM/ECF system on December 22, 2025

Respectfully submitted,

/s/ *Brian P. Gainer*
One of the Attorneys for Defendants

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