

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JAMIE HERNANDEZ,)	
)	
Plaintiff,)	09-cv-661
)	
vs.)	Honorable Judge
)	Robert W. Gettleman
THOMAS DART, et al.,)	
)	
Defendants.)	

NOTICE OF MOTION

To: Jaime Hernandez

PLEASE TAKE NOTICE that on February 4, 2010 at 9:00 a.m., I shall appear before the Honorable Judge Robert W. Gettleman in the courtroom usually occupied by him in Room 1703 of the United States District Court, Northern District of Illinois, Eastern Division, and present the attached *Defendant's Motion for an Enlargement of Time to Complete Discovery*.

Respectfully Submitted,

ANITA ALVAREZ
State's Attorney of Cook County

By: /s/ Michael Jacobs
Michael Jacobs
Assistant State's Attorney
Civil Actions Bureau
500 Richard J. Daley Center
Chicago, Illinois 60602
(312) 603-3401

CERTIFICATE OF SERVICE

I, Michael Jacobs Assistant State's Attorney, hereby certify that the attached motion was served upon the person named above on January 29, 2010, electronically via the ECF-CM system, if possible, and by depositing the same in the U.S. Mail located at 500 Richard J. Daley Center with proper postage prepaid.

/s/ Michael Jacobs
Michael Jacobs

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

JAIME HERANDEZ,)	
)	No. 09 C 661
Plaintiff,)	
)	HONORABLE JUDGE
vs.)	ROBERT W. GETTLEMAN
)	
THOMAS DART, ET AL.,)	
)	
Defendants.)	

**COUNTY OF COOK'S MOTION TO ENLARGE
THE TIME PERIOD IN WHICH TO ANSWER**

Now Comes the Defendants, by and through their attorney, Anita Alvarez, State's Attorney of Cook County, through her assistant, Michael D. Jacobs, and move this Court, pursuant to F.R.C.P. 6(b)(1), to enlarge the time period in which to complete the outstanding discovery issued by Defendant. In support of their motion, the Defendants state:

1. That Defendants prepared and filed a status report indicating a proposed discovery schedule for the parties. Said status report was filed on November 6, 2009.
2. Based upon that report and information provided to the Court, a discovery cutoff was set for February 4, 2010.
3. Pursuant to that schedule, Defendants issued written discovery to plaintiff. Said discovery was due on or about January 9, 2010.
4. After the discovery was not received by the Defendants, the undersigned issued a demand letter requesting compliance by January 27, 2010 so that Plaintiff's deposition could proceed as scheduled on February 1, 2010.
5. On January 27, 2010, the Parties appeared before Magistrate Judge Valdez.

6. At that time the undersigned advised Judge Valdez of plaintiff's failure to comply with the written discovery requests as required. Moreover, Plaintiff did not provide the responses to the Defendants' written discovery requests at the hearing. Accordingly, the Plaintiff's deposition was cancelled.

7. In response to the Judge Valdez's inquiry, Plaintiff stated that he was unable to do so because he had been unable to obtain certain transcripts.

8. After the undersigned advised Judge Valdez that the transcripts were not part of the Defendants' discovery requests, she ordered Plaintiff to comply Plaintiff to comply with the defendants' written discovery requests by February 1, 2010.

9. Assuming there is complete compliance with Judge Valdez's order, the undersigned will need approximately two weeks to review any records received and an additional two weeks to schedule and complete Plaintiff's deposition.

10. Neither the undersigned nor the Defendants are bringing this motion for dilatory reasons and apologize for any inconvenience or delay that it may cause.

WHEREFORE, Defendants respectfully request that this Court grant an enlargement of time up to and including March 2, 2010 to complete any outstanding discovery previously issued by the Defendants in this matter.

Respectfully submitted,

ANITA ALVAREZ
State's Attorney of Cook County

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