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## General Docket

### US Court of Appeals for the Seventh Circuit

Court of Appeals Docket #: 02-2707

Filed: 6/28/02

Nsuit: 3442 Civil Rights Jobs-Fed. Ques.

Biondo, Peter, et al v. City of Chicago

Appeal from: United States District Court

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Lower court information:

District: 0752-1 : 88 C 3773  
 Court Reporter: Colleen Conway, Court Reporter  
 Ordering Judge: James F. Holderman, Judge  
 Date Filed: 4/29/88  
 Date order/judgment: 6/4/02  
 Date NOA filed: 6/27/02

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Fee status: paid-----  
Prior cases:

None

Current cases:

	Lead	Member	Start	End
Consolidated:				
	02- 2707	02- 3131	8/16/02	3/28/03
	02- 2707	03- 1921	4/8/03	
	02- 2707	02- 3099	8/13/02	
Related:				
	02- 2707	02- 3460	9/20/02	3/28/03

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PETER BIONDO

Plaintiff - Appellee

Linda Friedman  
 FAX 312/431-0228  
 312/431-0888  
 Suite 1400  
 [COR LD NTC ret]  
 STOWELL & FRIEDMAN  
 321 S. Plymouth Court  
 Chicago, IL 60604  
 USA

JOHN BYRNE

Plaintiff - Appellee

Linda Friedman  
 (See above)  
 [COR LD NTC ret]

TIMOTHY CORCORAN

Plaintiff - Appellee

Linda Friedman  
 (See above)

[COR LD NTC ret]

BRIAN GILHOOLY  
Plaintiff - Appellee

Linda Friedman  
(See above)  
[COR LD NTC ret]

PATRICK JOYCE  
Plaintiff - Appellee

Linda Friedman  
(See above)  
[COR LD NTC ret]

MICHAEL TIMOTHY  
Plaintiff - Appellee

Mary Stowell  
FAX 312/431-0228  
312/431-0888  
14th Floor  
[COR LD NTC ret]  
STOWELL & FRIEDMAN  
321 S. Plymouth Court  
Chicago, IL 60604  
USA

v.

CITY OF CHICAGO  
Defendant - Appellant

Benna R. Solomon  
FAX 312/744-3588  
312/744-7764  
Room 800  
[COR LD NTC ret]  
OFFICE OF THE CORPORATION  
COUNSEL  
Appeals Division  
30 N. LaSalle Street  
Chicago, IL 60602  
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PETER BIONDO, JOHN BYRNE, TIMOTHY CORCORAN, et al.,  
Intervening Plaintiffs - Appellees

v.

CITY OF CHICAGO,  
Defendant - Appellant

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6/28/02 Private civil case docketed. [02-2707] [1524104-1]  
Transcript information sheet due 7/8/02. Appellant's brief  
due 8/7/02 for City of Chicago. (squi) [02-2707]

6/28/02 [02-2707] ROA from No. Dist. of Il., E. Div. due 7/11/02. (squi) [02-2707]

6/28/02 Filed Appellant City of Chicago docketing statement. [02-2707] [1524112-1] (squi) [02-2707]

6/28/02 THIS CAUSE CONSISTS OF MORE THAN 5 PARTIES FOR EITHER SIDE. The following are those parties to this cause as reflected on the District Court docket, yet are not reflected on the Appellate docket/caption for administrative purposes: APPELLEES: Thomas Maliska, Bernard McDevitt, David McElroy, and Martin Wirtz. [02-2707] [1524104-1] (squi) [02-2707]

7/12/02 Filed Seventh Circuit Transcript Information Sheet by Jane Elinor Notz for Appellant City of Chicago. [02-2707] [1524104-1] (amyd) [02-2707]

7/16/02 Terminated attorney Mary Stowell for Patrick Joyce, attorney Mary Stowell for Brian Gilhooly, attorney Mary Stowell for Timothy Corcoran, attorney Mary Stowell for John Byrne, attorney Mary Stowell for Peter Biondo and added attorney Linda D. Friedman per disclosure statement. Disclosure statement filed for Appellee Peter Biondo, Appellee John Byrne, Appellee Timothy Corcoran, Appellee Brian Gilhooly, Appellee Patrick Joyce by Linda Friedman. [02-2707] [1524104-1] (julr) [02-2707]

7/24/02 Original record on appeal filed. Contents of record: 11 vol. pleadings; 14 vol. transcripts; 24 vol. loose pleadings; 5 vol. exhibits; . [02-2707] [1530992-1] (dave) [02-2707]

7/24/02 Filed oversized record in Section 7 of NORTH FILE ROOM: 4 boxes containing 11 vol. pleadings; 24 vol. loose pleadings; 14 vol. transcripts; 5 vol. exhibits. [1524104-1] [02-2707] (cove) [02-2707]

7/26/02 ORDER: Pursuant to Circuit Rule 33, briefing will proceed as follows: [1524104-1] SCO [02-2707] Appellant's brief due 9/20/02 for City of Chicago. Appellee's brief due 10/21/02 for Patrick Joyce, for Brian Gilhooly, for Timothy Corcoran, for John Byrne, for Peter Biondo. Appellant's reply brief due 11/4/02 for City of Chicago. (amyd) [02-2707]

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8/16/02 ORDER: The court orders these appeals CONSOLIDATED for purposes of briefing and disposition: [1537624-1] DW [02-2707, 02-3099] Appellant's brief due 9/23/02 for City of Chicago in 02-2707, for City of Chicago in 02-3099. The Biondo plaintiffs and the Cloud plaintiffs shall file their respective consolidated briefs on or before 10/23/02.

Appellant's reply brief due 11/6/02 for City of Chicago in 02-2707, for City of Chicago in 02-3099. (See order for further details). (kell) [02-2707 02-3099]

8/22/02 Supplemental record on appeal filed. Contents of record: 12 vol. transcripts; . [02-2707, 02-3099, 02-3131] [1540059-1] (greg) [02-2707 02-3099 02-3131]

8/26/02 Supplemental record on appeal filed. Contents of record: 9 vol. transcripts; . [02-2707] [1540810-1] (stef) [02-2707]

8/28/02 ORDER: The court orders these appeals CONSOLIDATED for purposes of briefing and disposition: [1539009-1] DW [02-2707, 02-3099, 02-3131] Appellant's consolidated brief due 9/30/02 for City of Chicago in 02-2707, for City of Chicago in 02-3099, for City of Chicago in 02-3131. Appellees' respective consolidated briefs due 10/30/02 for Patrick Joyce in 02-2707, for Brian Gilhooly in 02-2707, for Timothy Corcoran in 02-2707, for John Byrne in 02-2707, for Peter Biondo in 02-2707, for Steven Kolecki in 02-3099, for George Healy in 02-3099, for Clifford Gartner in 02-3099, for Michael Gacki in 02-3099, for Richard Cloud in 02-3099, for Brian in 02-3131, for Thomas Maliska in 02-3131, for Timothy Corcoran in 02-3131, for John Byrne in 02-3131, for Peter Biondo in 02-3131. Appellant's consolidated reply brief due 11/13/02 for City of Chicago in 02-2707, for City of in 02-3099, for City of Chicago in 02-3131. Counsel for appellees are cautioned to avoid unnecessary duplication by filing a joint brief or a joint appendix or by adopting parts of a co-appellee's brief. Duplicative briefing will be stricken and may result in disciplinary sanctions against counsel. (amyd) [02-2707 02-3099 02-3131]

9/3/02 Original record on appeal filed. Contents of record: 1 vol. pleadings; 1 envelope in camera. [02-3099, 02-2707, 02-3131] [1542652-1] (greg) [02-2707 02-3099 02-3131]

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9/10/02 ORDER: Pursuant to Circuit Rule 33, briefing will proceed as follows: [1539009-1] SCO [02-2707, 02-3099, 02-3131] Appellant's brief due 11/8/02 for City of Chicago in 02-2707, for City of Chicago in 02-3099, for City of Chicago in 02-3131. Appellee's brief due 12/9/02 for Patrick Joyce in 02-2707, for Brian Gilhooly in 02-2707, for Timothy Corcoran in 02-2707, for John Byrne in 02-2707, for Peter Biondo in 02-2707, for Steven Kolecki in 02-3099, for George Healy in 02-3099, for Clifford Gartner in 02-3099, for Michael Gacki in 02-3099, for Richard Cloud in 02-3099, for Brian Gilhooly in 02-3131, for Thomas Maliska in 02-3131, for Timothy Corcoran in 02-3131, for John Byrne in 02-3131, for Peter Biondo in 02-3131. Appellant's reply

brief due 12/23/02 for City of Chicago in 02-2707, for City of Chicago in 02-3099, for City of Chicago in 02-3131. (kell) [02-2707 02-3099 02-3131]

9/13/02 Supplemental record on appeal filed. Contents of record: 3 vol. transcripts; . [02-2707, 02-3099, 02-3131] [1546941-1] (stef) [02-2707 02-3099 02-3131]

10/3/02 Filed Appellant City of Chicago in 02-2707, Appellant City of Chicago in 02-3099, Appellant City of Chicago in 02-3131 jurisdictional memorandum. [02-2707, 02-3099, 02-3131] [1553630-1] (kell) [02-2707 02-3099 02-3131]

10/4/02 ORDER: Filed clerk's notice to Appellee Peter Biondo in 02-3460, Appellee John Byrne in 02-3460, Appellee Timothy Corcoran in 02-3460, Appellee Thomas Maliska in 02-3460, Appellee Brian Gilhooly in 02-3460 to file a response to appellant's JURISDICTIONAL MEMORANDUM. [1549783-1] DW [02-3460] Response due 10/10/02 for Brian Gilhooly, for Thomas Maliska, for Timothy Corcoran, for John Byrne, for Peter Biondo. (tiff) [02-3460]

10/7/02 Original record on appeal filed. Contents of record: 1 vol. pleadings; 5 vol. transcripts; . [02-3460] [1554129-1] (dave) [02-3460]

10/16/02 Supplemental record on appeal filed. Contents of record: 5 vol. transcripts; 1 vol. loose pleadings; . [02-2707, 02-3099, 02-3131, 02-3460] [1557549-1] (stef) [02-2707 02-3099 02-3131 02-3460]

10/17/02 Filed oversized record in Section 7 of NORTH FILE ROOM: 1 box containing 1 vol. pleadings; 5 vol. transcripts. [1549783-1] [02-2707, 02-3099, 02-3131, 02-3460] (cove) [02-2707 02-3099 02-3131 02-3460]

11/1/02 Filed motion by Appellant City of Chicago in 02-2707, Appellant City of Chicago in 02-3099, Appellant City of Chicago in 02-3131 to extend time to file appellant's brief. [1563438-1] [02-2707, 02-3099, 02-3131] (hudk) [02-2707 02-3099 02-3131]

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11/4/02 ORDER issued GRANTING motion for extension of time to file appellant's brief. [1563438-1] CMD [02-2707, 02-3099, 02-3131] 1. Appellant's brief due 12/9/02 for City of Chicago in 02-2707, for City of Chicago in 02-3099, for City of Chicago in 02-3131 . 2. The appellee(s) brief is due on or before 1/8/03 for Patrick Joyce in 02-2707, for Brian Gilhooly in 02-2707, for Timothy Corcoran in 02-2707, for John Byrne in 02-2707, for Peter Biondo in 02-2707, for Steven Kolecki in 02-3099, for George Healy in 02-3099, for Clifford Gartner in 02-3099, for Michael Gacki in 02-3099,

for Richard Cloud in 02-3099, for Brian Gilhooly in 02-3131, for Thomas Maliska in 02-3131, for Timothy Corcoran in 02-3131, for John Byrne in 02-3131, for Peter Biondo in 02-3131 . 3. The reply brief, if any, is due 1/22/03 for City of Chicago in 02-2707, for City of Chicago in 02-3099, for City of Chicago in 02-3131 . (hard) [02-2707 02-3099 02-3131]

11/4/02 ORDER: Defendant City of Chicago shall file a brief memorandum stating why Appeal No. 02-3131 should not be dismissed for lack of jurisdiction. A motion for voluntary dismissal pursuant to Fed. R. App. P. 42(b) will satisfy this requirement. [1549783-1] DW [02-2707, 02-3099, 02-3131] [1563593-1] Briefing is SUSPENDED pending further court order. (See order for further details) Jurisdictional memorandum due 11/15/02 for City of Chicago in 02-2707, for City of Chicago in 02-3099, for City of Chicago in 02-3131. (squi) [02-2707 02-3099 02-3131]

11/12/02 Filed Appellant City of Chicago in 02-2707, Appellant City of Chicago in 02-3099, Appellant City of Chicago in 02-3131, Appellant City of Chicago in 02-3460 jurisdictional memorandum. [02-2707, 02-3099, 02-3131, 02-3460] [1566282-1] (julr) [02-2707 02-3099 02-3131 02-3460]

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11/19/02 ORDER: Filed clerk's notice to Appellee Peter Biondo in 02-2707, Appellee John Byrne in 02-2707, Appellee Timothy Corcoran in 02-2707, Appellee Brian Gilhooly in 02-2707, Appellee Patrick Joyce in 02-2707, Appellee Richard Cloud in 02-3099, Appellee Michael Gacki in 02-3099, Appellee Clifford Gartner in 02-3099, Appellee George Healy in 02-3099, Appellee Steven Kolecki in 02-3099, Appellee Peter Biondo in 02-3131, Appellee John Byrne in 02-3131, Appellee Timothy Corcoran in 02-3131, Appellee Thomas Maliska in 02-3131, Appellee Brian Gilhooly in 02-3131 to file a response to JURISDICTIONAL MEMORANDUM addressing the jurisdictional issue raised in the court's order of 11/4/02. [1549783-1] DW [02-2707, 02-3099, 02-3131] Response due 11/26/02 for Patrick Joyce in 02-2707, for Brian Gilhooly in 02-2707, for Timothy Corcoran in 02-2707, for John Byrne in 02-2707, for Peter Biondo in 02-2707, for Steven Kolecki in 02-3099, for George Healy in 02-3099, for Clifford Gartner in 02-3099, for Michael Gacki in 02-3099, for Richard Cloud in 02-3099, for Brian Gilhooly in 02-3131, for Thomas Maliska in 02-3131, for Timothy Corcoran in 02-3131, for John Byrne in 02-3131, for Peter Biondo in 02-3131. (squi) [02-2707 02-3099 02-3131]

11/26/02 Filed Appellee Peter Biondo in 02-2707, Appellee John Byrne in 02-2707, Appellee Timothy Corcoran in 02-2707, Appellee Brian Gilhooly in 02-2707, Appellee Patrick Joyce in 02-2707, Appellee Richard Cloud in 02-3099, Appellee

Michael Gacki in 02-3099, Appellee Clifford Gartner in 02-3099, Appellee George Healy in 02-3099, Appellee Steven Kolecki in 02-3099, Appellee Peter Biondo in 02-3131, Appellee John Byrne in 02-3131, Appellee Timothy Corcoran in 02-3131, Appellee Thomas Maliska in 02-3131, Appellee Brian Gilhooly in 02-3131 jurisdictional memorandum.  
[02-2707, 02-3099, 02-3131] [1570826-1] (julr)  
[02-2707 02-3099 02-3131]

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3/28/03 ORDER: Appeal no. 02-3131 (an appeal from the amended judgments entered on 8/5/02 as to plaintiffs Corcoran and Maliska) is DISMISSED. The district court entered individual judgments under Fed. R. Civ. P. 54(b) as to plaintiffs Corcoran and Maliska, among others, on 2/28/02. The City of Chicago filed a notice of appeal (docketed as 02-2707) on 6/27/02, following the denial of plaintiffs timely Rule 59 motion. That appeal divested the district court of jurisdiction over Corcoran's and Maliska's cases and rendered a nullity the amended judgments as to Corcoran and Maliska entered on 8/5/02. With knowledge that the district court wanted to enter an amended judgment as to plaintiffs Corcoran and Maliska, we shall treat the district court's void amended judgments as a statement of the district court's intention to grant relief under Rule 60(b). On that premise, we REMAND this consolidated appeal to the district court to enable it to enter an appropriate amended judgment as to both Corcoran and Maliska. The City then can file a new appeal once the amended judgments are entered. Briefing in this consolidated appeal remains SUSPENDED. Appellant shall file, on or before 4/7/03, a status report regarding the action that the district court has taken pursuant to this order of remand. Circuit Judge Daniel A. Manion, Circuit Judge Michael S. Kanne, Circuit Judge Terence T. Evans. [02-3131] [1549783-1] (hudk) [02-3131]

3/28/03 ORDER: Counsel for Appellant City of Chicago in 02-2707, Appellant City of Chicago in 02-3099 are ordered to file a status report regarding the action that the district court has taken pursuant to this order of remand. (See this court's final order docketed in appeal no. 02-3131 for further details.) NOTE: This order was issued as a final order in appeal no. 02-3131. Appeal Nos. 02-2707 and 02-3099 were listed on that final order. [1549783-1] DW [02-2707, 02-3099] [1608030-1] Briefing is SUSPENDED pending further court order. (See order for further details) Status report due 4/7/03 for City of Chicago in 02-2707, for City of Chicago in 02-3099. (hudk) [02-2707 02-3099]

4/7/03 Filed status report by Appellant City of Chicago in 02-2707, Appellant City of Chicago in 02-3099. [02-2707, 02-3099] [1611196-1] (squi) [02-2707 02-3099]

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- 4/9/03 ORDER: The court orders these appeals CONSOLIDATED for purposes of briefing and disposition: [1611504-1] DW [02-2707, 02-3099, 03-1921] 1. Appellant's brief due 5/19/03 for City of Chicago in 02-2707, for City of Chicago in 02-3099, for City of Chicago in 03-1921. 2. Appellees' brief due 6/18/03 for Patrick Joyce in 02-2707, for Brian in 02-2707, for Timothy Corcoran in 02-2707, for John Byrne in 02-2707, for Peter Biondo in 02-2707, for Steven Kolecki in 02-3099, for George Healy in 02-3099, for Clifford Gartner in 02-3099, for Michael Gacki in 02-3099, for Richard Cloud in 02-3099, for Patrick Joyce in 03-1921, for Brian Gilhooly in 03-1921, for Timothy Corcoran in 03-1921, for John Byrne in 03-1921, for Peter Biondo in 03-1921. 3. Appellant's reply brief due 7/2/03 for City of Chicago in 02-2707, for City of Chicago in 02-3099, for City of in 03-1921. (hudk) [02-2707 02-3099 03-1921]
- 4/21/03 Record transferred from case 02-3131 to case 02-2707. (Contents transferred: 1 vol. pleadings; 1 vol. loose pleadings; 20 vol. transcripts; 1 env. in camera. ) [02-3131, 02-2707] [0-0] (cove) [02-2707 02-3131]
- 4/21/03 Record transferred from case 02-3460 to case 02-2707. (Contents transferred: 1 vol. pleadings; 5 vol. transcripts; ) [02-3460, 02-2707] [0-0] (cove) [02-2707 02-3460]
- 5/2/03 Original record on appeal filed. Contents of record: 1 vol. pleadings; 3 vol. transcripts. [03-1921] [1620022-1] (dave) [03-1921]
- 5/12/03 Filed motion by Appellant City of Chicago in 02-2707, Appellant City of Chicago in 02-3099, Appellant City of Chicago in 03-1921 to extend time to file appellant's brief. [1622749-1] [02-2707, 02-3099, 03-1921] (hudk) [02-2707 02-3099 03-1921]
- 5/13/03 ORDER issued GRANTING motion for extension of time to file appellant's brief. [1622749-1] CMD [02-2707, 02-3099, 03-1921] 1. Appellant's brief due 6/4/03 for City of Chicago in 02-2707, for City of Chicago in 02-3099, for City of Chicago in 03-1921. 2. The appellees' briefs are due on or before 7/7/03 for Patrick Joyce in 02-2707, for Brian Gilhooly in 02-2707, for Timothy Corcoran in 02-2707, for John Byrne in 02-2707, for Peter Biondo in 02-2707, for Steven Kolecki in 02-3099, for George Healy in 02-3099, for Clifford Gartner in 02-3099, for Michael Gacki in 02-3099, for Richard Cloud in 02-3099, for Patrick Joyce in 03-1921, for Brian Gilhooly in 03-1921, for Timothy Corcoran in 03-1921, for John Byrne in 03-1921, for Peter Biondo in 03-1921. 3. The reply brief, if any, is due 7/21/03 for City of Chicago in 02-2707, for City of Chicago in 02-3099, for



City of Chicago in 03-1921. (hudk) [02-2707 02-3099 03-1921]

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6/4/03 Filed 15c appellant's brief by City of Chicago in 02-2707, City of Chicago in 02-3099, City of Chicago in 03-1921. Disk filed. CORRECTED per order of 8/20/03. [02-2707, 02-3099, 03-1921] [0-0] (chuc) [02-2707 02-3099 03-1921]

6/5/03 Filed oversized record in Section 7 of NORTH FILE ROOM: 1 box containing briefs. [1611504-1] [02-2707, 02-3099, 03-1921] (cove) [02-2707 02-3099 03-1921]

6/27/03 Filed motion by Appellee Patrick Joyce in 02-2707, Appellee Brian Gilhooly in 02-2707, Appellee Timothy Corcoran in 02-2707, Appellee John Byrne in 02-2707, Appellee Peter Biondo in 02-2707, Appellee Steven Kolecki in 02-3099, Appellee George Healy in 02-3099, Appellee Clifford Gartner in 02-3099, Appellee Michael Gacki in 02-3099, Appellee Richard Cloud in 02-3099, Appellee Patrick Joyce in 03-1921, Appellee Brian Gilhooly in 03-1921, Appellee Timothy Corcoran in 03-1921, Appellee John Byrne in 03-1921, Appellee Peter Biondo in 03-1921 to extend time to file appellee's brief. [1637602-1] [02-2707, 02-3099, 03-1921] (hudk) [02-2707 02-3099 03-1921]

6/30/03 ORDER issued GRANTING motion for extension of time to file appellees' brief. [1637602-1] CMD [02-2707, 02-3099, 03-1921] 1. Appellees' brief due 8/8/03 for Peter Biondo in 02-2707, for John Byrne in 02-2707, for Timothy Corcoran in 02-2707, for Brian Gilhooly in 02-2707, for Patrick Joyce in 02-2707, for Richard Cloud in 02-3099, for Michael Gacki in 02-3099, for Clifford Gartner in 02-3099, for George Healy in 02-3099, for Steven Kolecki in 02-3099, for Peter Biondo in 03-1921, for John Byrne in 03-1921, for Timothy Corcoran in 03-1921, for Brian Gilhooly in 03-1921, for Patrick Joyce in 03-1921. 2. The reply brief if any is due on 8/22/03 for City of Chicago in 02-2707, for City of Chicago in 02-3099, for City of Chicago in 03-1921. (hudk) [02-2707 02-3099 03-1921]

7/31/03 Filed motion by Appellee Patrick Joyce in 02-2707, Appellee Brian Gilhooly in 02-2707, Appellee Timothy Corcoran in 02-2707, Appellee John Byrne in 02-2707, Appellee Peter Biondo in 02-2707, Appellee Patrick Joyce in 03-1921, Appellee Brian Gilhooly in 03-1921, Appellee Timothy Corcoran in 03-1921, Appellee John Byrne in 03-1921, Appellee Peter Biondo in 03-1921 to extend time to file appellee's brief. [1647804-1] [02-2707, 02-3099, 03-1921] (hudk) [02-2707 02-3099 03-1921]

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- 8/1/03 ORDER issued GRANTING motion for extension of time to file appellees' brief. [1647804-1] CMD [02-2707, 02-3099, 03-1921] 1. Appellees' brief due 8/22/03 for Peter Biondo in 02-2707, for John Byrne in 02-2707, for Timothy Corcoran in 02-2707, for Brian Gilhooly in 02-2707, for Patrick Joyce in 02-2707, for Richard Cloud in 02-3099, for Michael Gacki in 02-3099, for Clifford Gartner in 02-3099, for George Healy in 02-3099, for Steven Kolecki in 02-3099, for Peter Biondo in 03-1921, for John Byrne in 03-1921, for Timothy Corcoran in 03-1921, for Brian Gilhooly in 03-1921, for Patrick Joyce in 03-1921. 2. The reply brief if any is due on 9/5/03 for City of Chicago in 02-2707, for City of Chicago in 02-3099, for City of Chicago in 03-1921. (hudk) [02-2707 02-3099 03-1921]
- 8/11/03 Filed motion by Appellant City of Chicago in 02-2707, Appellant City of Chicago in 02-3099, Appellant City of Chicago in 03-1921 to correct appellant's brief. [1650609-1] [02-2707, 02-3099, 03-1921] (hudk) [02-2707 02-3099 03-1921]
- 8/13/03 ORDER re: Motion to correct appellant's brief. Briefing is SUSPENDED pending resolution of the motion to correct appellant's brief. [1650609-1] WLS [02-2707, 02-3099, 03-1921] (hudk) [02-2707 02-3099 03-1921]
- 8/20/03 ORDER issued GRANTING motion to correct brief. The appellant is permitted to withdraw its brief, make only the change specified in the motion, and submit a corrected brief by 8/26/03. The appellant is reminded that no substantive changes are permitted. The remainder of briefing shall proceed as follows: [1650609-1] WLS [02-2707, 02-3099, 03-1921] 1. Appellant's brief due 8/26/03 for City of Chicago in 02-2707, for City of Chicago in 02-3099, for City of Chicago in 03-1921. 2. Appellees' brief due 9/25/03 for Biondo in 02-2707, for John Byrne in 02-2707, for Timothy Corcoran in 02-2707, for Brian Gilhooly in 02-2707, for Patrick Joyce in 02-2707, for Richard Cloud in 02-3099, for Michael Gacki in 02-3099, for Clifford Gartner in 02-3099, for George Healy in 02-3099, for Steven Kolecki in 02-3099, for Peter Biondo in 03-1921, for John Byrne in 03-1921, for Timothy Corcoran in 03-1921, for Brian Gilhooly in 03-1921, for Patrick Joyce in 03-1921. 3. Appellant's reply brief due 10/9/03 for City of Chicago in 02-2707, for City of Chicago in 02-3099, for City of Chicago in 03-1921. (hudk) [02-2707 02-3099 03-1921]
- 8/21/03 Filed 15c CORRECTED appellant's brief by City of Chicago in 02-2707, City of Chicago in 02-3099, City of Chicago in 03-1921, per order. Disk filed. [02-2707, 02-3099, 03-1921] [0-0] (andb) [02-2707 02-3099 03-1921]

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9/25/03 Disclosure Statements filed by Mary Stowell for Appellee Michael Timothy, Appellee Peter Biondo, Appellee John Byrne, Appellee Timothy Corcoran, Appellee Brian Gilhooly, Appellee Patrick Joyce in 02-2707, Mary Stowell for Appellee Richard Cloud, Appellee Michael Gacki, Appellee Clifford Gartner, Appellee George Healy, Appellee Steven Kolecki in 02-3099, Mary Stowell for Appellee Peter Biondo, Appellee John Byrne, Appellee Timothy Corcoran, Appellee Brian Gilhooly, Appellee Patrick Joyce in 03-1921. [02-2707, 02-3099, 03-1921] [1537624-1] (amyd) [02-2707 02-3099 03-1921]

9/25/03 Filed 15c appellee's brief by Michael Timothy in 02-2707. Disk filed. [02-2707, 02-3099, 03-1921] [0-0] WITHDRAWN per the court's order of 10/1/03. (chuc) [02-2707 02-3099 03-1921]

9/25/03 Filed 15c appellee's brief by Patrick Joyce in 02-2707, Brian Gilhooly in 02-2707, Timothy Corcoran in 02-2707, John Byrne in 02-2707, Peter Biondo in 02-2707, Steven Kolecki in 02-3099, George Healy in 02-3099, Clifford Gartner in 02-3099, Michael Gacki in 02-3099, Richard Cloud in 02-3099, Patrick Joyce in 03-1921, Brian Gilhooly in 03-1921, Timothy Corcoran in 03-1921, John Byrne in 03-1921, Peter Biondo in 03-1921. Disk filed. [02-2707, 02-3099, 03-1921] [0-0] STRICKEN per this court's order of 10/29/03. (chuc) [02-2707 02-3099 03-1921]

9/30/03 Filed instant motion by Appellee Michael Timothy in 02-2707 to file corrected brief. [1665937-1] 15c brief tendered. [0-0] [02-2707] (amyd) [02-2707]

9/30/03 Filed motion by Appellant City of Chicago in 02-2707, Appellant City of Chicago in 02-3099, Appellant City of Chicago in 03-1921 to strike Appellee Patrick Joyce in 02-2707, Appellee Michael Timothy in 02-2707, Appellee Steven Kolecki in 02-3099, Appellee George Healy in 02-3099, Appellee Clifford Gartner in 02-3099, Appellee Michael Gacki in 02-3099, Appellee Richard Cloud in 02-3099, Appellee Patrick Joyce in 03-1921, Appellee Brian Gilhooly in 03-1921, Appellee Timothy Corcoran in 03-1921, Appellee John Byrne in 03-1921, Appellee Peter Biondo in 03-1921 brief. [1666299-1] [02-2707, 02-3099, 03-1921] (amyd) [02-2707 02-3099 03-1921]

10/1/03 ORDER issued GRANTING Motion for Leave to File Corrected Brief of Plaintiff-intervenor-appellee Michael Timothy Instantly. The clerk of this court shall file INSTANTLY the tendered copies of the corrected brief of plaintiff-intervenor-appellee Michael Timothy and withdraw the brief of appellee Timothy that was filed on September 25, 2003. [1665937-1] [1665937-1] JKL [02-2707, 02-3099, 03-1921] (amyd) [02-2707 02-3099 03-1921]

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10/1/03 Filed 15c appellee's CORRECTED brief by Michael Timothy in 02-2707, per order. Disk filed. [02-2707] [0-0] STRICKEN per this court's order of 10/29/03. (matt) [02-2707]

10/2/03 Filed motion by Appellant City of Chicago in 02-2707, Appellant City of Chicago in 02-3099, Appellant City of Chicago in 03-1921 to extend time to file appellant's reply brief. [1667500-1] [02-2707, 02-3099, 03-1921] (amyd) [02-2707 02-3099 03-1921]

10/3/03 Filed Appellee Patrick Joyce in 02-2707, Appellee Brian Gilhooly in 02-2707, Appellee Timothy Corcoran in 02-2707, Appellee John Byrne in 02-2707, Appellee Peter Biondo in 02-2707, Appellee Michael Timothy in 02-2707, Appellee Steven Kolecki in 02-3099, Appellee George Healy in 02-3099, Appellee Clifford Gartner in 02-3099, Appellee Michael Gacki in 02-3099, Appellee Richard Cloud in 02-3099, Appellee Patrick Joyce in 03-1921, Appellee Brian Gilhooly in 03-1921, Appellee Timothy Corcoran in 03-1921, Appellee John Byrne in 03-1921, Appellee Peter Biondo in 03-1921 response to Appellant City of Chicago in 02-2707, Appellant City of Chicago in 02-3099, Appellant City of Chicago in 03-1921 motion, to strike Appellee Patrick Joyce in 02-2707, Appellee Brian Gilhooly in 02-2707, Appellee Timothy Corcoran in 02-2707, Appellee John Byrne in 02-2707, Appellee Peter Biondo in 02-2707, Appellee Michael Timothy in 02-2707, Appellee Steven Kolecki in 02-3099, Appellee George Healy in 02-3099, Appellee Clifford Gartner in 02-3099, Appellee Michael Gacki in 02-3099, Appellee Richard Cloud in 02-3099, Appellee Patrick Joyce in 03-1921, Appellee Brian Gilhooly in 03-1921, Appellee Timothy Corcoran in 03-1921, Appellee John Byrne in 03-1921, Appellee Peter Biondo in 03-1921 brief and appellant's motion for extension of time to reply [1667881-2] and motion by Appellee Patrick Joyce in 02-2707, Appellee Brian Gilhooly in 02-2707, Appellee Timothy Corcoran in 02-2707, Appellee John Byrne in 02-2707, Appellee Peter Biondo in 02-2707, Appellee Michael Timothy in 02-2707, Appellee Steven Kolecki in 02-3099, Appellee George Healy in 02-3099, Appellee Clifford Gartner in 02-3099, Appellee Michael Gacki in 02-3099, Appellee Richard Cloud in 02-3099, Appellee Patrick Joyce in 03-1921, Appellee Brian Gilhooly in 03-1921, Appellee Timothy Corcoran in 03-1921, Appellee John Byrne in 03-1921, Appellee Peter Biondo in 03-1921, for leave nunc pro tunc to file two briefs. [1667881-3] [02-2707, 02-3099, 03-1921] (amyd) [02-2707 02-3099 03-1921]

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- 10/6/03 ORDER: Filed clerk's notice to Appellee Patrick Joyce in 02-2707, Appellee Brian Gilhooly in 02-2707, Appellee Timothy Corcoran in 02-2707, Appellee John Byrne in 02-2707, Appellee Peter Biondo in 02-2707, Appellee Michael Timothy in 02-2707, Appellee Steven Kolecki in 02-3099, Appellee George Healy in 02-3099, Appellee Clifford Gartner in 02-3099, Appellee Michael Gacki in 02-3099, Appellee Richard Cloud in 02-3099, Appellee Patrick Joyce in 03-1921, Appellee Brian Gilhooly in 03-1921, Appellee Timothy Corcoran in 03-1921, Appellee John Byrne in 03-1921, Appellee Peter Biondo in 03-1921 to file a response to APPELLANT'S MOTION TO STRIKE THE BRIEFS OF PLAINTIFF-INTERVENOR-APPELLEES. Counsel for the appellees shall explain why the filing of two briefs is justified in these appeals. Further briefing is SUSPENDED pending resolution of the motion. [0-0] JKL [02-2707, 02-3099, 03-1921] [1667574-1] Response due 10/15/03 for Michael Timothy in 02-2707, for Peter Biondo in 02-2707, for John Byrne in 02-2707, for Timothy Corcoran in 02-2707, for Brian Gilhooly in 02-2707, for Patrick Joyce in 02-2707, for Richard Cloud in 02-3099, for Michael Gacki in 02-3099, for Clifford Gartner in 02-3099, for George Healy in 02-3099, for Steven Kolecki in 02-3099, for Peter Biondo in 03-1921, for John Byrne in 03-1921, for Timothy Corcoran in 03-1921, for Brian Gilhooly in 03-1921, for Patrick Joyce in 03-1921. (amyd) [02-2707 02-3099 03-1921]
- 10/7/03 Filed joint motion by Appellee Patrick Joyce in 02-2707, Appellee Brian Gilhooly in 02-2707, Appellee Timothy Corcoran in 02-2707, Appellee John Byrne in 02-2707, Appellee Peter Biondo in 02-2707, Appellee Michael Timothy in 02-2707, Appellee Steven Kolecki in 02-3099, Appellee George Healy in 02-3099, Appellee Clifford Gartner in 02-3099, Appellee Michael Gacki in 02-3099, Appellee Richard Cloud in 02-3099, Appellee Patrick Joyce in 03-1921, Appellee Brian Gilhooly in 03-1921, Appellee Timothy Corcoran in 03-1921, Appellee John Byrne in 03-1921, Appellee Peter Biondo in 03-1921 to supplement their response to appellant's motion to strike appellees' briefs. [1668312-1] [02-2707, 02-3099, 03-1921] (amyd) [02-2707 02-3099 03-1921]
- 10/10/03 ORDER issued GRANTING Plaintiff-intervenor-appellees' Joint Request for Leave to Supplement Their Response to Defendant-appellant's Motion to Strike Plaintiff-intervenor-appellees' Brief. The court will not rule on the motion to strike until after October 15, 2003 to permit the appellees to file a supplement to their response to the motion, if any, by that date. [1668312-1] JKL [02-2707, 02-3099, 03-1921] (amyd) [02-2707 02-3099 03-1921]

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10/15/03 Filed Appellee Patrick Joyce in 02-2707, Appellee Brian

Gilhooly in 02-2707, Appellee Timothy Corcoran in 02-2707, Appellee John Byrne in 02-2707, Appellee Peter Biondo in 02-2707, Appellee Michael Timothy in 02-2707, Appellee Steven Kolecki in 02-3099, Appellee George Healy in 02-3099, Appellee Clifford Gartner in 02-3099, Appellee Michael Gacki in 02-3099, Appellee Richard Cloud in 02-3099, Appellee Patrick Joyce in 03-1921, Appellee Brian Gilhooly in 03-1921, Appellee Timothy Corcoran in 03-1921, Appellee John Byrne in 03-1921, Appellee Peter Biondo in 03-1921 joint supplemental response to Appellant City of Chicago in 02-2707, Appellant City of Chicago in 02-3099, Appellant City of Chicago in 03-1921 motion to strike Appellee Patrick Joyce in 02-2707, Appellee Brian Gilhooly in 02-2707, Appellee Timothy Corcoran in 02-2707, Appellee John Byrne in 02-2707, Appellee Peter Biondo in 02-2707, Appellee Michael Timothy in 02-2707, Appellee Steven Kolecki in 02-3099, Appellee George Healy in 02-3099, Appellee Clifford Gartner in 02-3099, Appellee Michael Gacki in 02-3099, Appellee Richard Cloud in 02-3099, Appellee Patrick Joyce in 03-1921, Appellee Brian Gilhooly in 03-1921, Appellee Timothy Corcoran in 03-1921, Appellee John Byrne in 03-1921, Appellee Peter Biondo in 03-1921 brief. [1671098-1] [1671098-1] [02-2707, 02-3099, 03-1921] (amyd) [02-2707 02-3099 03-1921]

10/29/03

ORDER re: 1) Motion to Strike the Briefs of Plaintiff-intervenor-appellees. 2) Motion for Extension of Time to File Brief of Defendant-appellant. 3) Plaintiff-intervenor-appellees' Joint Response to Defendant-appellant's Motion to Strike the Briefs of Plaintiff-intervenor-appellees and Defendant-appellant's Motion for Extension of Time to Reply and Plaintiff-intervenor-appellees' Cross-motion for Leave Nunc Pro Tunc to File Two Briefs. 4) Plaintiff-intervenor-appellees' Joint Supplemental Response to Defendant-appellant's Motion to Strike the Briefs of Plaintiff-intervenor-appellees. #1 is GRANTED. The two briefs filed by the appellees on September 25, 2003 and October 1, 2003 are STRICKEN. Because the only issues raised by the appellees are common issues, those issues must be raised in a single brief. The appellees shall file a compliant brief by November 28, 2003. The appellant shall file a reply brief, if any, by December 12, 2003. Accordingly, #2 is DENIED as unnecessary. [1666299-1] [1667500-1] JKL [02-2707, 02-3099, 03-1921] (amyd) [02-2707 02-3099 03-1921]

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12/1/03

Filed 15c appellee's CORRECTED brief by Patrick Joyce in 02-2707, Brian Gilhooly in 02-2707, Timothy Corcoran in 02-2707, Byrne in 02-2707, Peter Biondo in 02-2707, Michael Timothy in 02-2707, Steven Kolecki in 02-3099, George Healy in 02-3099, Clifford Gartner in 02-3099, Michael Gacki in

02-3099, Richard Cloud in 02-3099, Patrick Joyce in 03-1921, Brian Gilhooly in 03-1921, Timothy Corcoran in 03-1921, John Byrne in 03-1921, Peter Biondo in 03-1921, per order. Disk filed. [02-2707, 02-3099, 03-1921] [0-0] (matt) [02-2707 02-3099 03-1921]

- 12/4/03 Filed motion by Appellant City of Chicago in 02-2707, Appellant City of Chicago in 02-3099, Appellant City of Chicago in 03-1921 to strike refiled Appellee Patrick Joyce in 02-2707, Appellee Brian Gilhooly in 02-2707, Appellee Timothy Corcoran in 02-2707, Appellee John Byrne in 02-2707, Appellee Peter Biondo in 02-2707, Appellee Michael Timothy in 02-2707, Appellee Steven Kolecki in 02-3099, Appellee George Healy in 02-3099, Appellee Clifford Gartner in 02-3099, Appellee Michael Gacki in 02-3099, Appellee Richard Cloud in 02-3099, Appellee Patrick Joyce in 03-1921, Appellee Brian Gilhooly in 03-1921, Appellee Timothy Corcoran in 03-1921, Appellee John Byrne in 03-1921, Appellee Peter Biondo in 03-1921 brief. [1687202-1] [02-2707, 02-3099, 03-1921] (amyd) [02-2707 02-3099 03-1921]
- 12/5/03 Filed motion by Appellant City of Chicago in 02-2707, Appellant City of Chicago in 02-3099, Appellant City of Chicago in 03-1921 to extend time to file appellant's reply brief. [1687551-1] [02-2707, 02-3099, 03-1921] (amyd) [02-2707 02-3099 03-1921]
- 12/8/03 Filed Appellee Michael Timothy in 02-2707, Appellee Steven Kolecki in 02-3099, Appellee George Healy in 02-3099, Appellee Clifford Gartner in 02-3099, Appellee Michael Gacki in 02-3099, Appellee Richard Cloud in 02-3099 response to Appellant City of Chicago in 02-2707, Appellant City of Chicago in 02-3099, Appellant City of Chicago in 03-1921 motion to strike and [1688044-2] Filed motion by Appellee Michael Timothy in 02-2707, Appellee Steven Kolecki in 02-3099, Appellee George Healy in 02-3099, Appellee Gartner in 02-3099, Appellee Michael Gacki in 02-3099, Appellee Richard Cloud in 02-3099, to strike sections of Appellant City of Chicago in 02-2707, Appellant City of Chicago in 02-3099, Appellant City of Chicago in 03-1921 brief for failure to comply with FRAP 28(a)(7) and or request for leave to file plaintiff-intervenor-appellees' brief. [1688044-3] [02-2707, 02-3099, 03-1921] (amyd) [02-2707 02-3099 03-1921]

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- 12/9/03 Filed Appellant City of Chicago in 02-2707, Appellant City of Chicago in 02-3099, Appellant City of Chicago in 03-1921 response to Appellee Patrick Joyce in 02-2707, Appellee Brian Gilhooly in 02-2707, Appellee Timothy Corcoran in 02-2707, Appellee John Byrne in 02-2707, Appellee Peter Biondo in 02-2707, Appellee Michael Timothy in 02-2707,

Appellee Steven Kolecki in 02-3099, Appellee George Healy in 02-3099, Appellee Clifford Gartner in 02-3099, Appellee Michael Gacki in 02-3099, Appellee Richard Cloud in 02-3099, Appellee Patrick Joyce in 03-1921, Appellee Brian Gilhooly in 03-1921, Appellee Timothy Corcoran in 03-1921, Appellee John Byrne in 03-1921, Appellee Peter Biondo in 03-1921 motion to strike Appellant City of Chicago in 02-2707, Appellant City of Chicago in 02-3099, Appellant City of Chicago in 03-1921 brief. [1688581-1] [1688581-1] [02-2707, 02-3099, 03-1921] (amyd) [02-2707 02-3099 03-1921]

12/11/03 Filed Appellee Patrick Joyce in 02-2707, Appellee Brian Gilhooly in 02-2707, Appellee Timothy Corcoran in 02-2707, Appellee John Byrne in 02-2707, Appellee Peter Biondo in 02-2707, Appellee Michael Timothy in 02-2707, Appellee Steven Kolecki in 02-3099, Appellee George Healy in 02-3099, Appellee Clifford Gartner in 02-3099, Appellee Michael Gacki in 02-3099, Appellee Richard Cloud in 02-3099, Appellee Patrick Joyce in 03-1921, Appellee Brian Gilhooly in 03-1921, Appellee Timothy Corcoran in 03-1921, Appellee John Byrne in 03-1921, Appellee Peter Biondo in 03-1921 reply in support of their motion to strike Appellant City of Chicago in 02-2707, Appellant City of Chicago in Appellant City of Chicago in 03-1921 brief [1689225-1] and/or for leave to file their brief. [1689225-2] [02-2707, 02-3099, 03-1921] [1689225-2] (hudk) [02-2707 02-3099 03-1921]

12/15/03 ORDER re: 1. Motion to strike refiled brief of appellees. 2. Motion for extension of time to file brief of appellant. 3. Appellees' response to the City of Chicago's motion to strike and appellees' cross-motion to strike sections of brief of the City of Chicago for failure to comply with Fed. R. App. P. 28(a)(7) and/or request for leave to file appellees' brief. 4. Response of the City of Chicago to appellees' cross motion to strike sections of the city's appellant's brief. 5. Appellees' reply in support of their cross-motion to strike sections of brief of City of Chicago and/or request for leave to file their brief. #1 is DENIED. Although the appellees' brief does not comply with the type volume limitation, the court construes #3 as a request for leave to file an oversized brief, and that request is GRANTED. However, the appellees' request to strike the appellant's brief is DENIED. #2 is GRANTED. The appellant shall file its reply brief, if any, by 1/12/04. [1688044-2] [1688044-3] [1687551-1] [1687202-1] JKL [02-2707, 02-3099, 03-1921] (hudk) [02-2707 02-3099 03-1921]

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1/7/04 NOTICE: Jane Elinor Notz for Appellant City of Chicago in 02-2707, Jane Elinor Notz for Appellant City of Chicago in 02-3099, Jane Elinor Notz for Appellant City of Chicago in 03-1921 will not be available for oral argument February 12, 2004. [02-2707, 02-3099, 03-1921] [1537624-1] (odea)



[02-2707 02-3099 03-1921]

- 1/12/04 Filed 15c appellant's reply brief by City of Chicago in 02-2707, City of Chicago in 02-3099, City of Chicago in 03-1921. Disk filed. [02-2707, 02-3099, 03-1921] [0-0] (odea) [02-2707 02-3099 03-1921]
- 1/16/04 NOTICE: Benna R. Solomon for Appellant City of Chicago in 02-2707, Benna R. Solomon for Appellant City of Chicago in 02-3099, Benna R. Solomon for Appellant City of Chicago in 03-1921 will not be available for oral argument February 9-13, 17, 18, 23 and 24, 2004 . [02-2707, 02-3099, 03-1921] [1537624-1] (scze) [02-2707 02-3099 03-1921]
- 1/21/04 NOTICE: Benna R. Solomon for Appellant City of Chicago in 02-2707, Benna R. Solomon for Appellant City of Chicago in 02-3099, Benna R. Solomon for Appellant City of Chicago in 03-1921 will not be available for oral argument February 17, 18, 2004; March 1-3, 2004. [02-2707, 02-3099, 03-1921] [1537624-1] (fern) [02-2707 02-3099 03-1921]
- 1/21/04 Filed motion by Appellee Patrick Joyce in 02-2707, Appellee Brian Gilhooly in 02-2707, Appellee Timothy Corcoran in 02-2707, Appellee John Byrne in 02-2707, Appellee Peter Biondo in 02-2707, Appellee Michael Timothy in 02-2707, Appellee Steven Kolecki in 02-3099, Appellee George Healy in 02-3099, Appellee Clifford Gartner in 02-3099, Appellee Michael Gacki in 02-3099, Appellee Richard Cloud in 02-3099, Appellee Patrick Joyce in 03-1921, Appellee Brian Gilhooly in 03-1921, Appellee Timothy Corcoran in 03-1921, Appellee John Byrne in 03-1921, Appellee Peter Biondo in 03-1921 to strike Appellant City of Chicago in 02-2707, Appellant City of Chicago in 02-3099, Appellant City of Chicago in 03-1921 reply brief. [1700465-1] [02-2707, 02-3099, 03-1921] (hudk) [02-2707 02-3099 03-1921]

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- 1/22/04 Filed Appellant City of Chicago in 02-2707, Appellant City of Chicago in 02-3099, Appellant City of Chicago in 03-1921 response to Appellee Patrick Joyce in 02-2707, Appellee Brian Gilhooly in 02-2707, Appellee Timothy Corcoran in 02-2707, Appellee John Byrne in 02-2707, Appellee Peter Biondo in 02-2707, Appellee Michael Timothy in 02-2707, Appellee Steven Kolecki in 02-3099, Appellee George Healy in 02-3099, Appellee Clifford Gartner in 02-3099, Appellee Michael Gacki in 02-3099, Appellee Richard Cloud in 02-3099, Appellee Patrick Joyce in 03-1921, Appellee Brian Gilhooly in 03-1921, Appellee Timothy Corcoran in 03-1921, Appellee John Byrne in 03-1921, Appellee Peter Biondo in 03-1921 motion to strike argument in City of Chicago's reply brief. [1700836-1] [1700836-1] [02-2707, 02-3099, 03-1921] (hudk) [02-2707 02-3099 03-1921]

- 1/26/04 ORDER re: 1. PLAINTIFF-INTERVENOR-APPELLEES' MOTION TO STRIKE ARGUMENT CONTAINED IN CITY OF CHICAGO'S REPLY BRIEF. 2. RESPONSE TO PLAINTIFF-INTERVENOR-APPELLEES' MOTION TO STRIKE ARGUMENT CONTAINED IN CITY OF CHICAGO'S REPLY BRIEF. #1 and #2 will be taken with the case for determination by the assigned merits panel. The clerk of this court shall distribute a copy of #1, #2, any reply thereto, and a copy of this order to the merits panel. [1667881-3] JKL [02-2707, 02-3099, 03-1921] (hudk) [02-2707 02-3099 03-1921]
- 1/26/04 Filed Appellee Patrick Joyce in 02-2707, Appellee Brian Gilhooly in 02-2707, Appellee Timothy Corcoran in 02-2707, Appellee John Byrne in 02-2707, Appellee Peter Biondo in 02-2707, Appellee Michael Timothy in 02-2707, Appellee Steven Kolecki in 02-3099, Appellee George Healy in 02-3099, Appellee Clifford Gartner in 02-3099, Appellee Michael Gacki in 02-3099, Appellee Richard Cloud in 02-3099, Appellee Patrick Joyce in 03-1921, Appellee Brian Gilhooly in 03-1921, Appellee Timothy Corcoran in 03-1921, Appellee John Byrne in 03-1921, Appellee Peter Biondo in 03-1921 reply in support of their motion to strike argument contained in Appellant City of Chicago in 02-2707, Appellant City of Chicago in 02-3099, Appellant City of Chicago in 03-1921 reply brief. [1701765-1] [02-2707, 02-3099, 03-1921] [1701765-1] (hudk) [02-2707 02-3099 03-1921]
- 2/10/04 NOTICE: Benna R. Solomon for Appellant City of Chicago in 02-2707, Benna R. Solomon for Appellant City of Chicago in 02-3099, Benna R. Solomon for Appellant City of Chicago in 03-1921 will not be available for oral argument March 29 through April 1, 2004. [02-2707, 02-3099, 03-1921] [1537624-1] (scze) [02-2707 02-3099 03-1921]
- 2/27/04 ORDER: Argument set for Friday, April 2, 2004 at 9:30 a.m. Each side limited to 20 minutes. [02-2707, 02-3099, 03-1921] [1712128-1] (juli) [02-2707 02-3099 03-1921]

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- 4/2/04 Case heard and taken under advisement by panel: Circuit Judge Frank H. Easterbrook, Circuit Judge Daniel A. Manion, Circuit Judge Ann C. Williams. [02-2707, 02-3099, 03-1921] [1724320-1] (odea) [02-2707 02-3099 03-1921]
- 4/2/04 Case argued by Benna R. Solomon for Appellant City of Chicago in 02-2707, Linda Friedman for Appellee Peter Biondo, Appellee John Byrne, Appellee Timothy Corcoran, Appellee Brian Gilhooly, Appellee Patrick Joyce in 02-2707 . [02-2707, 02-3099, 03-1921] [1537624-1] (odea) [02-2707 02-3099 03-1921]
- 4/5/04 ORAL ORDER from the bench requesting that the parties shall submit by April 9, 2004 letters that indicate, if the

information is included in the record, what percentage of applicants who took the 1992 exam, but were not promoted, also took the 1998 exam and were promoted from that test. [02-2707, 02-3099, 03-1921] [1537624-1] (amyd) [02-2707 02-3099 03-1921]

- 4/7/04 Letter filed by Appellant City of Chicago in 02-2707, Appellant City of Chicago in 02-3099, Appellant City of Chicago in 03-1921 per this court's oral bench order of 4/5/04. [02-2707, 02-3099, 03-1921] [1726019-1] (amyd) [02-2707 02-3099 03-1921]
- 4/9/04 Filed Appellee Patrick Joyce in 02-2707, Appellee Brian Gilhooly in 02-2707, Appellee Timothy Corcoran in 02-2707, Appellee John Byrne in 02-2707, Appellee Peter Biondo in 02-2707, Appellee Patrick Joyce in 03-1921, Appellee Brian Gilhooly in 03-1921, Appellee Timothy Corcoran in 03-1921, Appellee John Byrne in 03-1921, Appellee Peter Biondo in 03-1921 response to court order of 4/5/04. [1537624-1] [02-2707, 02-3099, 03-1921] (hard) [02-2707 02-3099 03-1921]
- 4/9/04 Filed Appellee Patrick Joyce in 02-2707, Appellee Brian Gilhooly in 02-2707, Appellee Timothy Corcoran in 02-2707, Appellee John Byrne in 02-2707, Appellee Peter Biondo in 02-2707, Appellee Steven Kolecki in 02-3099, Appellee George Healy in 02-3099, Appellee Clifford Gartner in 02-3099, Appellee Michael Gacki in 02-3099, Appellee Richard Cloud in 02-3099, Appellee Patrick Joyce in 03-1921, Appellee Brian Gilhooly in 03-1921, Appellee Timothy Corcoran in 03-1921, Appellee John Byrne in 03-1921, Appellee Peter Biondo in 03-1921 post argument memorandum. Dist. [02-2707, 02-3099, 03-1921] [1537624-1] (tiff) [02-2707 02-3099 03-1921]
- 4/19/04 Filed Appellant City of Chicago in 02-2707, Appellant City of Chicago in 02-3099, Appellant City of Chicago in 03-1921 post argument memorandum. Dist. [02-2707, 02-3099, 03-1921] [1537624-1] (amyd) [02-2707 02-3099 03-1921]

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- 6/23/04 Filed Appellee Patrick Joyce in 02-2707, Appellee Brian Gilhooly in 02-2707, Appellee Timothy Corcoran in 02-2707, Appellee John Byrne in 02-2707, Appellee Peter Biondo in 02-2707, Appellee Steven Kolecki in 02-3099, Appellee George Healy in 02-3099, Appellee Clifford Gartner in 02-3099, Appellee Michael Gacki in 02-3099, Appellee Richard Cloud in 02-3099, Appellee Patrick Joyce in 03-1921, Appellee Brian Gilhooly in 03-1921, Appellee Timothy Corcoran in 03-1921, Appellee John Byrne in 03-1921, Appellee Peter Biondo in 03-1921 Citation of Additional Authority, per CR 28(e). Dist. [02-2707, 02-3099, 03-1921] [1750040-1] (amyd) [02-2707 02-3099 03-1921]

- 8/27/04 Filed opinion of the court by Judge Easterbrook. The judgments are VACATED, and the case is REMANDED for proceedings consistent with this opinion. Circuit Judge Frank H. Easterbrook, Circuit Judge Daniel A. Manion, Circuit Judge Ann C. Williams, concurring. [02-2707, 02-3099, 03-1921] [1537624-1] (tiff) [02-2707 02-3099 03-1921]
- 8/27/04 ORDER: Final judgment filed per opinion. With costs: City recovers costs. [02-2707, 02-3099, 03-1921] [1771135-1] (tiff) [02-2707 02-3099 03-1921]
- 9/2/04 ORDER: The opinion of this Court issued on 8/27/04 is corrected as follows: Page 14, line 7, the correct Hennessy cite is "Hennessy v. Penril Datacomm Networks, Inc., 69 F. 3d 1344(7th Cir. 1995)." [02-2707, 02-3099, 03-1921] [1537624-1] (tiff) [02-2707 02-3099 03-1921]
- 9/10/04 Filed 30c Petition for Rehearing and Petition for Rehearing Enbanc by Appellee Patrick Joyce in 02-2707, Appellee Brian Gilhooly in 02-2707, Appellee Timothy Corcoran in 02-2707, Appellee John Byrne in 02-2707, Appellee Peter Biondo in 02-2707, Appellee Michael Timothy in 02-2707, Appellee Steven Kolecki in 02-3099, Appellee George Healy in 02-3099, Appellee Clifford Gartner in 02-3099, Appellee Michael Gacki in 02-3099, Appellee Patrick Joyce in 03-1921, Appellee Brian Gilhooly in 03-1921, Appellee Timothy Corcoran in 03-1921, Appellee John Byrne in 03-1921, Appellee Peter Biondo in 03-1921. Dist. [02-2707, 02-3099, 03-1921] [1775699-1] (tiff) [02-2707 02-3099 03-1921]
- 9/10/04 Filed Appellant City of Chicago in 02-2707, Appellant City of Chicago in 02-3099, Appellant City of Chicago in 03-1921 Bill of Costs in the amount of \$793.00. [02-2707, 02-3099, 03-1921] [1537624-1] (eric) [02-2707 02-3099 03-1921]

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02-2707 Biondo, Peter, et al v. City of Chicago

- 9/21/04 ORDER: Appellee Patrick Joyce in 02-2707, Appellee Brian Gilhooly in 02-2707, Appellee Timothy Corcoran in 02-2707, Appellee John Byrne in 02-2707, Appellee Peter Biondo in 02-2707, Appellee Michael Timothy in 02-2707, Appellee Steven Kolecki in 02-3099, Appellee George Healy in 02-3099, Appellee Clifford Gartner in 02-3099, Appellee Michael Gacki in 02-3099, Appellee Richard Cloud in 02-3099, Appellee Patrick Joyce in 03-1921, Appellee Brian Gilhooly in 03-1921, Appellee Timothy Corcoran in 03-1921, Appellee John Byrne in 03-1921, Appellee Peter Biondo in 03-1921 Petition for Rehearing and Petition for Rehearing Enbanc is DENIED. [02-2707, 02-3099, 03-1921] [1775699-1] (tiff) [02-2707 02-3099 03-1921]

9/23/04 Objection to bill of costs filed by Appellee Patrick Joyce in 02-2707, Appellee Brian Gilhooly in 02-2707, Appellee Timothy Corcoran in 02-2707, Appellee John Byrne in 02-2707, Appellee Peter Biondo in 02-2707, Appellee Michael Timothy in 02-2707, Appellee Steven Kolecki in 02-3099, Appellee George Healy in 02-3099, Appellee Clifford Gartner in 02-3099, Appellee Michael Gacki in 02-3099, Appellee Richard Cloud in 02-3099, Appellee Patrick Joyce in 03-1921, Appellee Brian Gilhooly in 03-1921, Appellee Timothy Corcoran in 03-1921, Appellee John Byrne in 03-1921, Appellee Peter Biondo in 03-1921. [02-2707, 02-3099, 03-1921] [1537624-1] (tiff) [02-2707 02-3099 03-1921]

9/28/04 Filed Appellant City of Chicago in 02-2707, Appellant City of Chicago in 02-3099, Appellant City of Chicago in 03-1921 Memorandum In Support of Bill of Costs. [02-2707, 02-3099, 03-1921] [1537624-1] (tiff) [02-2707 02-3099 03-1921]

9/29/04 MANDATE ISSUED AND ENTIRE RECORD RETURNED WITH BILL OF COSTS IN THE AMOUNT OF \$ 793.00. (Contents returned: 14 vol. pleadings; 25 vol. loose pleadings; 50 vol. transcripts; 5 vol. exhibits; 1 env. in camera.) [02-2707, 02-3099, 03-1921] [1631232-1] (cove) [02-2707 02-3099 03-1921]

9/29/04 ORDER re: Memorandum in support of Bill of Costs. In light of this court's order of 9/29/04, the memorandum is filed without further court action. DMF [02-2707, 02-3099, 03-1921] (tiff) [02-2707 02-3099 03-1921]

9/29/04 ORDER issued DENYING objection to bill of costs. The appellant's bill of cost is administratively reduced to \$793.00 to reflect disallowance of the docketing fees in appeal nos. 02-3131 and 02-3460. [1524104-1] DMF [02-2707, 02-3099, 03-1921] (tiff) [02-2707 02-3099 03-1921]

10/1/04 Filed mandate receipt. [02-2707, 02-3099, 03-1921] [1782760-1] (tiff) [02-2707 02-3099 03-1921]

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02-2707 Biondo, Peter, et al v. City of Chicago

12/27/04 Filed notice from the Supreme Court of the filing of a Petition for Writ of Certiorari. Supreme Court Case No.: 04-853. [02-2707, 02-3099, 03-1921] [1811022-1] (hudk) [02-2707 02-3099 03-1921]

2/28/05 Filed order from the Supreme Court DENYING the Petition for Writ of Certiorari. Supreme Court Case No.: 04-853. [02-2707, 02-3099, 03-1921] [1832147-1] (amyd) [02-2707 02-3099 03-1921]

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<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
06/30/2010 13:50:06			
<b>PACER Login:</b>	hs0328	<b>Client Code:</b>	ABA Project
<b>Description:</b>	dkt report	<b>Case Number:</b>	02-2707
<b>Billable Pages:</b>	24	<b>Cost:</b>	1.92

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