

**United States District Court  
Northern District of Illinois – CM/ECF LIVE, Ver 6,1 (Chicago)  
CIVIL DOCKET FOR CASE #: 1:13-cv-07150**

Koger v. Dart  
Assigned to: Honorable Matthew F. Kennelly  
Cause: 42:1983 Civil Rights Act

Date Filed: 10/04/2013  
Date Terminated: 07/15/2015  
Jury Demand: Both  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

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V.

**Defendant**

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**Defendant**

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Date Filed	#	Docket Text
10/04/2013	<u>1</u>	COMPLAINT filed by Gregory Koger; jury demand. Filing fee \$ 400, receipt number 0752-8799169. (Attachments: # <u>1</u> Exhibit A)(Weinberg, Mark) (Entered: 10/04/2013)
10/04/2013	<u>2</u>	CIVIL Cover Sheet (Weinberg, Mark) (Entered: 10/04/2013)

10/04/2013		CASE ASSIGNED to the Honorable Matthew F. Kennelly. Designated as Magistrate Judge the Honorable Arlander Keys. (nsf, ) (Entered: 10/04/2013)
10/04/2013	<u>3</u>	ATTORNEY Appearance for Plaintiff Gregory Koger by Mark G. Weinberg (Weinberg, Mark) (Entered: 10/04/2013)
10/09/2013		SUMMONS Issued as to Defendants Cook County, Thomas J. Dart (pg, ) (Entered: 10/09/2013)
10/11/2013	<u>4</u>	SUMMONS Returned Executed by Gregory Koger as to Cook County on 10/11/2011, answer due 11/1/2011. (Weinberg, Mark) (Entered: 10/11/2013)
10/11/2013	<u>5</u>	MOTION by Plaintiff Gregory Koger for preliminary injunction (Weinberg, Mark) (Entered: 10/11/2013)
10/11/2013	<u>6</u>	NOTICE of Motion by Mark G. Weinberg for presentment of motion for preliminary injunction <u>5</u> before Honorable Matthew F. Kennelly on 10/17/2013 at 09:30 AM. (Weinberg, Mark) (Entered: 10/11/2013)
10/11/2013	<u>7</u>	MEMORANDUM by Gregory Koger in support of motion for preliminary injunction <u>5</u> (Attachments: # <u>1</u> Exhibit A)(Weinberg, Mark) (Entered: 10/11/2013)
10/11/2013	<u>8</u>	CERTIFICATE of Service <i>Regarding Motion for Prel. Injunction, Notice of Motion, and Memorandum In Support of Injunction</i> by Mark G. Weinberg on behalf of Gregory Koger (Weinberg, Mark) (Entered: 10/11/2013)
10/12/2013	<u>9</u>	SUMMONS Returned Executed by Gregory Koger as to Thomas J. Dart on 10/11/2013, answer due 11/1/2013. (Weinberg, Mark) (Entered: 10/12/2013)
10/17/2013	<u>10</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Status hearing held on 10/17/2013 and continued to 10/21/2013 at 09:30 a.m.Mailed notice. (jpg, ) (Entered: 10/17/2013)
10/18/2013	<u>11</u>	ATTORNEY Appearance for Defendant Thomas J. Dart by Brenden Rae Bryant (Bryant, Brenden) (Entered: 10/18/2013)
10/18/2013	<u>12</u>	ATTORNEY Appearance for Defendant Thomas J. Dart by Michael L. Gallagher (Gallagher, Michael) (Entered: 10/18/2013)
10/18/2013	<u>13</u>	ATTORNEY Appearance for Plaintiff Gregory Koger by Zisl Taub Edelson (Edelson, Zisl) (Entered: 10/18/2013)
10/21/2013	<u>14</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Status hearing held on 10/21/2013. Defendant's response to plaintiff's motion for preliminary injunction <u>5</u> is due 10/31/2013. Status hearing set for 11/4/2013 at 09:30 a.m. Mailed notice. (jpg, ) (Entered: 10/21/2013)
10/31/2013	<u>15</u>	RESPONSE by Thomas J. Dartin Opposition to MOTION by Plaintiff Gregory Koger for preliminary injunction <u>5</u> (Attachments: # <u>1</u> Exhibit I)(Bryant, Brenden) (Entered: 10/31/2013)
11/04/2013	<u>16</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Status hearing held on 11/4/2013. Reply to motion for preliminary injunction <u>5</u> is due by 11/18/2013. Sur-reply is due by 12/3/2013. Status hearing set for 12/5/2013 at 09:30 a.m. Mailed notice. (jpg, ) (Entered: 11/04/2013)
11/13/2013	<u>17</u>	MOTION by Plaintiff Gregory Koger for leave to file <i>amended complaint</i> (Attachments: # <u>1</u> Exhibit amended complaint, # <u>2</u> Notice of Filing)(Weinberg, Mark) (Entered: 11/13/2013)
11/14/2013	<u>18</u>	NOTICE of Motion by Mark G. Weinberg for presentment of motion for leave to file <u>17</u> before Honorable Matthew F. Kennelly on 11/19/2013 at 9:30 a.m.(jpg, ) (Entered: 11/14/2013)
11/19/2013	<u>19</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Motion hearing held on 11/19/2013. Motion for leave to file <u>17</u> is granted. Motion for preliminary injunction <u>5</u> is terminated as moot. The status hearing set for 12/5/2013 remains as scheduled. Mailed notice. (jpg, ) (Entered: 11/19/2013)

11/19/2013	<u>20</u>	FIRST AMENDED complaint by Gregory Koger against Cook County, Thomas J. Dart. (ao,) (Entered: 11/20/2013)
12/05/2013	<u>21</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Status hearing held on 12/5/2013. Fed.R.Civ.P. 26(a)(1) disclosures are due by 1/9/2014. The deadline for amending pleadings and adding parties is 2/11/2014. Discovery is ordered closed by 4/11/2014. Status hearing is set for 1/29/2014 at 9:30 a.m. Mailed notice. (png, ) (Entered: 12/05/2013)
01/17/2014	<u>22</u>	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM (Bryant, Brenden) (Entered: 01/17/2014)
01/17/2014	<u>23</u>	NOTICE of Motion by Brenden Rae Bryant for presentment of Motion to Dismiss for Failure to State a Claim <u>22</u> before Honorable Matthew F. Kennelly on 1/29/2014 at 09:30 AM. (Bryant, Brenden) (Entered: 01/17/2014)
01/29/2014	<u>24</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Status hearing held on 1/29/2014. Response to Argument No. 1 of the Motion to Dismiss for Failure to State a Claim <u>22</u> to be filed by 2/12/2014; Defendant to reply by 2/26/2014. Ruling on Motion to Dismiss <u>22</u> set for 3/5/2014 at 9:30 a.m. Argument No. 2 of Motion to Dismiss <u>22</u> is overruled for reasons stated in open court. Status hearing set for 3/5/2014 at 9:30 a.m. Mailed notice. (png, ) (Entered: 01/29/2014)
02/11/2014	<u>25</u>	MEMORANDUM RESPONSE by Gregory Kogerin Opposition to MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <u>22</u> (Edelson, Zisl) (Entered: 02/11/2014)
02/26/2014	<u>26</u>	REPLY by Cook County, Thomas J. Dart to response in opposition to motion <u>25</u> (Bryant, Brenden) (Entered: 02/26/2014)
02/28/2014	<u>27</u>	MOTION by Plaintiff Gregory Koger to file instanter <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit Exhibit A)(Weinberg, Mark) (Entered: 02/28/2014)
02/28/2014	<u>28</u>	NOTICE of Motion by Mark G. Weinberg for presentment of motion to file instanter <u>27</u> before Honorable Matthew F. Kennelly on 3/5/2014 at 09:30 AM. (Weinberg, Mark) (Entered: 02/28/2014)
03/03/2014	<u>29</u>	MINUTE entry before the Honorable Matthew F. Kennelly: The Court denies defendant's motion to dismiss. As the Court previously stated in an oral ruling, the complaint states a claim; defendant's contention that the claim lacks merit because plaintiff suffered no actual damage but only nominal damage is legally frivolous, because the law permits a person to sue for violation of his constitutional rights in this situation even if he suffered no tangible monetary loss. Defendant also argues that plaintiff lacks standing to seek injunctive relief. Perhaps so—there is a strong probability that plaintiff will be unable to obtain a permanent injunction due to the absence of a likelihood that he will be subjected to the challenged practice in the future—but because plaintiff has stated a claim for damages that he clearly has standing to pursue, the Court need not determine definitively at this point exactly what types of relief plaintiff may obtain if he prevails. That is appropriately be taken up if and when it becomes an issue. The request for an injunction is not a separate claim for relief that the Court can or should deal with separately at this point; it is a request for a type of relief on the single claim that plaintiff has made. Defendant is directed to answer the complaint by no later than 3/17/2014, and both sides are directed to make Rule 26(a)(1) disclosures by that same date. The status hearing set for 3/5/2014 is vacated and reset to 3/19/2014 at 9:00 a.m. and will be held in chambers (Room 2188), for the purpose of setting a discovery and pretrial schedule. (mk) (Entered: 03/03/2014)
03/04/2014	<u>30</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Plaintiff's motion to cite additional authority <u>27</u> is terminated as moot. (mk) (Entered: 03/04/2014)
03/17/2014	<u>31</u>	ANSWER to amended complaint by Cook County, Thomas J. Dart(Bryant, Brenden) (Entered: 03/17/2014)
03/19/2014	<u>32</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Rule 16(b) status hearing held on 3/19/2014 with attorneys for both sides. Deadline for amending pleadings and adding parties is 4/30/2014. Fact discovery ordered closed by 5/30/2014. Status hearing is set for 5/21/2014 at 9:30 a.m. Mailed notice. (png, )

		(Entered: 03/19/2014)
04/13/2014	<u>33</u>	ATTORNEY Appearance for Plaintiff Gregory Koger by Adele D. Nicholas (Nicholas, Adele D.) (Entered: 04/13/2014)
05/01/2014	<u>34</u>	MOTION by Plaintiff Gregory Koger to compel <i>Responses To Plaintiff's Outstanding Discovery</i> (Attachments: # <u>1</u> Exhibit Plaintiff's Written discovery, # <u>2</u> Exhibit Plaintiff's Notice of 30(b)(6) Deposition, # <u>3</u> Exhibit E-Mail Correspondences)(Weinberg, Mark) (Entered: 05/01/2014)
05/01/2014	<u>35</u>	NOTICE of Motion by Mark G. Weinberg for presentment of motion to compel, <u>34</u> before Honorable Matthew F. Kennelly on 5/7/2014 at 09:30 AM. (Weinberg, Mark) (Entered: 05/01/2014)
05/06/2014	<u>36</u>	RESPONSE by Cook County, Thomas J. Dartin Opposition to MOTION by Plaintiff Gregory Koger to compel <i>Responses To Plaintiff's Outstanding Discovery</i> <u>34</u> (Bryant, Brenden) (Entered: 05/06/2014)
05/07/2014	<u>37</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Motion hearing held on 5/7/2014 regarding Motion to compel <u>34</u> . Hearing is continued to 5/19/2014 at 9:30 AM. Mailed notice. (pjpg, ) (Entered: 05/07/2014)
05/19/2014	<u>38</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Hearing held on 5/19/2014 regarding motion to compel <u>34</u> . The discovery deadline is extended to 7/15/2014. The status hearing set for 5/21/2014 is vacated and reset to 7/21/2014 at 9:30 a.m. Mailed notice. (pjpg, ) (Entered: 05/19/2014)
06/06/2014	<u>39</u>	MOTION by Plaintiff Gregory Koger to compel <i>Defendants to Answer Outstanding Discovery</i> (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Nicholas, Adele D.) (Entered: 06/06/2014)
06/06/2014	<u>40</u>	NOTICE of Motion by Adele D. Nicholas for presentment of motion to compel <u>39</u> before Honorable Matthew F. Kennelly on 6/11/2014 at 09:30 AM. (Nicholas, Adele D.) (Entered: 06/06/2014)
06/09/2014	<u>41</u>	MINUTE entry before the Honorable Matthew F. Kennelly: On the Court's motion, the hearing date on plaintiffs' motion to compel is reset to 6/12/2014 at 9:30 AM due to Judge Kennelly's unavailability on 6/11/2014 at 9:30 AM. (mk) (Entered: 06/09/2014)
06/11/2014	<u>42</u>	RESPONSE by Defendant Thomas J. Dart to motion to compel <u>39</u> (Attachments: # <u>1</u> Exhibit A)(Bryant, Brenden) (Entered: 06/11/2014)
06/12/2014	<u>43</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Motion hearing held on 6/12/2014. Motion to compel <u>39</u> is granted in part and denied in part as stated in open court. Telephone status hearing, to be initiated by the parties, is set for 6/23/2014 at 9:00 AM. Mailed notice. (pjpg, ) (Entered: 06/12/2014)
06/23/2014	<u>44</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Telephone status hearing held on 6/23/2014 with attorneys for both sides. Status hearing set for 7/21/2014 at 9:30 a.m. Mailed notice. (pjpg, ) (Entered: 06/23/2014)
07/13/2014	<u>45</u>	MOTION by Plaintiff Gregory Koger for extension of time to complete discovery (Attachments: # <u>1</u> Exhibit (Production Requests), # <u>2</u> Exhibit (Interrogatory))(Nicholas, Adele D.) (Entered: 07/13/2014)
07/13/2014	<u>46</u>	NOTICE of Motion by Adele D. Nicholas for presentment of motion for extension of time to complete discovery <u>45</u> before Honorable Matthew F. Kennelly on 7/21/2014 at 09:30 AM. (Nicholas, Adele D.) (Entered: 07/13/2014)
07/21/2014	<u>47</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Status hearing and motion hearing held on 7/21/2014. Motion for extension of time to complete discovery <u>45</u> is granted. The deadline for fact discovery is extended to 8/7/2014. Status hearing set for 8/12/2014 at 9:30 AM. Mailed notice. (pjpg, ) (Entered: 07/21/2014)
07/21/2014	<u>48</u>	MINUTE entry before the Honorable Matthew F. Kennelly: The case is referred to Magistrate Judge Keys to conduct a settlement conference. Mailed notice. (pjpg, ) (Entered: 07/21/2014)

07/21/2014	<u>49</u>	Pursuant to Local Rule 72.1, this case is hereby referred to the calendar of Honorable Arlander Keys for the purpose of holding proceedings related to a settlement conference. Mailed notice.(png, ) (Entered: 07/21/2014)
07/22/2014	<u>50</u>	MINUTE entry <u>49</u> is corrected as follows: This case will be referred to a magistrate judge of this court for the purpose of holding proceedings related to a settlement conference. Mailed notice. (png, ) (Entered: 07/22/2014)
07/22/2014	<u>51</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Referral to Magistrate Judge Keys is hereby withdrawn. Mailed notice. (png, ) (Entered: 07/22/2014)
07/23/2014	<u>52</u>	EXECUTIVE COMMITTEE ORDER: Case referred to the Honorable Maria Valdez for settlement conference. Signed by Executive Committee on July 23, 2014. (ao,) (Entered: 07/24/2014)
07/28/2014	<u>53</u>	MINUTE entry before the Honorable Maria Valdez: This case has been referred to Judge Valdez to conduct a settlement conference. The parties are ordered to appear for status on 7/31/2014 at 10:00 a.m. in Courtroom 1041 to set a settlement conference date. The Parties are further directed to consult with their respective clients before the status date to determine the dates of unavailability for a settlement conference that may be set within the next eight weeks. Because of the volume of settlement conferences conducted by Judge Valdez, once a settlement conference date has been agreed upon, no continuance will be granted without a motion showing extreme hardship. Mailed notice (lp, ) (Entered: 07/28/2014)
07/29/2014	<u>54</u>	STATUS Report ( <i>Joint Initial Magistrate Judge Status Report</i> ) by Gregory Koger (Nicholas, Adele D.) (Entered: 07/29/2014)
07/31/2014	<u>55</u>	MINUTE entry before the Honorable Maria Valdez: Magistrate Judge Status hearing held on 7/31/2014. This case is set to 9/5/2014 at 2:00 p.m. in courtroom 1041 for settlement conference. Judge Valdez requires full compliance with the Court's Standing Order on Settlement Conference found on Judge Valdez's website available at <a href="http://www.ilnd.uscourts.gov">www.ilnd.uscourts.gov</a> , or the parties can contact courtroom deputy, Lisa Provine, at 312/408-5135 for a copy. Failure to comply with the provisions of the Court's Standing Order may result in the unilateral cancellation of the settlement conference by the Court. Absent leave from the Court, cancellation will result if the Plaintiff fails to submit to chambers copies of the settlement letters four days prior to the settlement conference. Because of the volume of settlement conferences conducted by Judge Valdez, once a settlement conference date has been agreed upon, no continuance will be granted without a motion showing extreme hardship. Mailed notice (lp, ) (Entered: 07/31/2014)
08/12/2014	<u>56</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Status hearing held on 8/12/2014 and continued to 9/18/2014 at 9:30 a.m. Mailed notice. (png, ) (Entered: 08/12/2014)
09/05/2014	<u>57</u>	MINUTE entry before the Honorable Maria Valdez: Settlement conference held on 9/5/2014. Parties unable to reach terms of settlement at this time. All matters relating to the referral of this action having been resolved, the case is returned to the assigned judge. Mailed notice (lp, ) (Entered: 09/05/2014)
09/18/2014	<u>58</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Status hearing held on 9/18/2014. Plaintiff's motion for summary judgment is due by 10/20/2014. Defendant's response and cross motion is due by 11/18/2014; Response and reply due by 12/2/2014; Final reply is due by 12/12/2014. Mailed notice. (png, ) (Entered: 09/18/2014)
10/14/2014	<u>59</u>	MOTION by Plaintiff Gregory Koger for leave to file excess pages <i>in support of Plaintiff's Motion for Summary Judgment</i> (Nicholas, Adele D.) (Entered: 10/14/2014)
10/14/2014	<u>60</u>	NOTICE of Motion by Adele D. Nicholas for presentment of motion for leave to file excess pages <u>59</u> before Honorable Matthew F. Kennelly on 10/21/2014 at 09:30 AM. (Nicholas, Adele D.) (Entered: 10/14/2014)
10/17/2014	<u>61</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Plaintiff's motion for leave to file a brief with excess pages <u>59</u> is granted in part; plaintiff's summary judgment brief may be up to 20 pages long. The case involves a single claim, and

		the Court is not persuaded that a 25 page brief is warranted. (mk) (Entered: 10/17/2014)
10/20/2014	<u>62</u>	MOTION by Plaintiff Gregory Koger for summary judgment (Nicholas, Adele D.) (Entered: 10/20/2014)
10/20/2014	<u>63</u>	RULE 56.1(a)(1) Statement by Gregory Koger regarding motion for summary judgment <u>62</u> (Nicholas, Adele D.) (Entered: 10/20/2014)
10/20/2014	<u>64</u>	APPENDIX Rule 56 statement <u>63</u> , motion for summary judgment <u>62</u> (Attachments: # <u>1</u> Exhibit Koger Dep, # <u>2</u> Exhibit Kurtovich Dep, # <u>3</u> Exhibit Lyons Dep, # <u>4</u> Exhibit Notice of Returned Mail, # <u>5</u> Exhibit G.O. 14.10, # <u>6</u> Exhibit G.O. 9.7.1, # <u>7</u> Exhibit Photos of Property Box, # <u>8</u> Exhibit 8/22/13 Grievance, # <u>9</u> Exhibit Handbook, # <u>10</u> Exhibit Interrogatory Answers (1st), # <u>11</u> Exhibit Returned Envelope, # <u>12</u> Exhibit Incident Reports, # <u>13</u> Exhibit Koger Declaration, # <u>14</u> Exhibit Commissary List, # <u>15</u> Exhibit Jail Policies, # <u>16</u> Exhibit Holmes Declaration, # <u>17</u> Exhibit Interrogatory Answers (2nd Set))(Nicholas, Adele D.) (Entered: 10/20/2014)
11/18/2014	<u>65</u>	MOTION by Defendants Cook County, Thomas J. Dart for extension of time to file response/reply as to motion for summary judgment <u>62</u> <i>and any cross-motion for summary judgment</i> (Gallagher, Michael) (Entered: 11/18/2014)
11/18/2014	<u>66</u>	NOTICE of Motion by Michael L. Gallagher for presentment of motion for extension of time to file response/reply, motion for relief <u>65</u> before Honorable Matthew F. Kennelly on 11/25/2014 at 09:30 AM. (Gallagher, Michael) (Entered: 11/18/2014)
11/21/2014	<u>67</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Defendant's motion to enlarge time is granted. Due date for response to summary judgment motion and cross-motion (if any) is extended to 12/16/2014; due date for plaintiff's response / reply is extended to 12/30/2014; due date for defendant's reply on the cross-motion is extended to 1/9/2015. (mk) (Entered: 11/21/2014)
12/12/2014	<u>68</u>	ATTORNEY Appearance for Defendants Cook County, Thomas J. Dart by Anthony E. Zecchin (Zecchin, Anthony) (Entered: 12/12/2014)
12/16/2014	<u>69</u>	ATTORNEY Appearance for Defendants Cook County, Thomas J. Dart by Martin D Syvertsen (Syvertsen, Martin) (Entered: 12/16/2014)
12/16/2014	<u>70</u>	MOTION by Defendants Thomas J. Dart, Cook County for summary judgment (Syvertsen, Martin) (Entered: 12/16/2014)
12/16/2014	<u>71</u>	RULE 56.1 Statement by Cook County, Thomas J. Dart regarding motion for summary judgment <u>70</u> (Attachments: # <u>1</u> Exhibit A- Plaintiff's Deposition, # <u>2</u> Exhibit B- Kurtovich Deposition, # <u>3</u> Exhibit C- Incoming Mail, # <u>4</u> Exhibit D- Lyons Deposition, # <u>5</u> Exhibit E- Moreci Affidavit, # <u>6</u> Exhibit F- IMACs Sheet, # <u>7</u> Exhibit G- Agreed Order)(Syvertsen, Martin) (Entered: 12/16/2014)
12/16/2014	<u>72</u>	MEMORANDUM by Cook County, Thomas J. Dart in support of motion for summary judgment <u>70</u> (Syvertsen, Martin) (Entered: 12/16/2014)
12/16/2014	<u>73</u>	NOTICE by Cook County, Thomas J. Dart re Rule 56 statement, <u>71</u> , MOTION by Defendants Thomas J. Dart, Cook County for summary judgment <u>70</u> , memorandum in support of motion <u>72</u> (Syvertsen, Martin) (Entered: 12/16/2014)
12/16/2014	<u>74</u>	RESPONSE by Defendants Cook County, Thomas J. Dart to Rule 56 statement <u>63</u> (Attachments: # <u>1</u> Exhibit A- Moreci Affidavit, # <u>2</u> Exhibit B- Agreed Order)(Syvertsen, Martin) (Entered: 12/16/2014)
12/16/2014	<u>75</u>	RESPONSE by Cook County, Thomas J. Dartin Opposition to MOTION by Plaintiff Gregory Koger for summary judgment <u>62</u> (Syvertsen, Martin) (Entered: 12/16/2014)
12/16/2014	<u>76</u>	NOTICE by Cook County, Thomas J. Dart re response in opposition to motion <u>75</u> , Response <u>74</u> (Syvertsen, Martin) (Entered: 12/16/2014)
12/24/2014	<u>77</u>	MOTION by Plaintiff Gregory Koger to strike Response <u>74</u> ( <i>Affidavit of Dan Moreci</i> ) (Attachments: # <u>1</u> Exhibit (declaration of Holmes), # <u>2</u> Exhibit

		(interrogatory answers), # <u>3</u> Exhibit (Kurtovich Dep excerpt))(Nicholas, Adele D.) (Entered: 12/24/2014)
12/24/2014	<u>78</u>	NOTICE of Motion by Adele D. Nicholas for presentment of motion to strike, motion for relief <u>77</u> before Honorable Matthew F. Kennelly on 12/30/2014 at 09:30 AM. (Nicholas, Adele D.) (Entered: 12/24/2014)
12/29/2014	<u>79</u>	MINUTE entry before the Honorable Matthew F. Kennelly: The hearing on plaintiff's motion to strike is reset to 1/5/2015 at 9:30 AM because Judge Kennelly is not holding court through 1/2/2015. (mk) (Entered: 12/29/2014)
12/30/2014	<u>80</u>	RESPONSE by Plaintiff Gregory Koger to response in opposition to motion <u>75</u> for summary judgment and reply in support of his motion for summary judgment (Nicholas, Adele D.) (Entered: 12/30/2014)
12/30/2014	<u>81</u>	RULE 56 (b)(3) Statement ( <i>Plaintiff's Response to Defendants' Statement of Undisputed Facts</i> ) (Nicholas, Adele D.) (Entered: 12/30/2014)
12/30/2014	<u>82</u>	RULE 56 (a)(3) Statement ( <i>Plaintiff's Response to Defendants' Statement of Additional Facts</i> ) (Nicholas, Adele D.) (Entered: 12/30/2014)
12/31/2014	<u>83</u>	MOTION by Plaintiff Gregory Koger for leave to file <i>combined reply in support of his motion for summary judgment and response to defendants' cross-motion for summary judgment</i> (Nicholas, Adele D.) (Entered: 12/31/2014)
12/31/2014	<u>84</u>	NOTICE of Motion by Adele D. Nicholas for presentment of motion for leave to file <u>83</u> before Honorable Matthew F. Kennelly on 1/5/2015 at 09:30 AM. (Nicholas, Adele D.) (Entered: 12/31/2014)
01/02/2015	<u>85</u>	ATTORNEY Appearance for Defendants Cook County, Thomas J. Dart by John M. Power (Power, John) (Entered: 01/02/2015)
01/06/2015	<u>86</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Motion hearing held on 1/5/2015. Motion for leave to file instanter <u>83</u> is granted. Response to motion to strike <u>77</u> is due by 1/9/2015. Motion to strike <u>77</u> is entered and continued to 1/13/2015 at 9:30 a.m. Mailed notice. (png, ) (Entered: 01/06/2015)
01/09/2015	<u>87</u>	RESPONSE by Cook County, Thomas J. Dartin Opposition to MOTION by Plaintiff Gregory Koger to strike Response <u>74</u> ( <i>Affidavit of Dan Moreci</i> ) <u>77</u> (Attachments: # <u>1</u> Notice of Filing)(Syvertsen, Martin) (Entered: 01/09/2015)
01/09/2015	<u>88</u>	ATTORNEY Appearance for Defendants Cook County, Thomas J. Dart by Conor Thomas Fleming (Fleming, Conor) (Entered: 01/09/2015)
01/09/2015	<u>89</u>	REPLY by Cook County, Thomas J. Dart to Rule 56 statement, <u>71</u> , Response <u>80</u> , MOTION by Defendants Thomas J. Dart, Cook County for summary judgment <u>70</u> , memorandum in support of motion <u>72</u> (Fleming, Conor) (Entered: 01/09/2015)
01/09/2015	<u>90</u>	NOTICE by Cook County, Thomas J. Dart re reply to response to motion <u>89</u> (Fleming, Conor) (Entered: 01/09/2015)
01/11/2015	<u>91</u>	REPLY by Plaintiff Gregory Koger to response in opposition to motion <u>87</u> ( <i>reply in support of motion to strike affidavit of Dan Moreci</i> ) (Attachments: # <u>1</u> Exhibit G.O. 14.10)(Nicholas, Adele D.) (Entered: 01/11/2015)
01/13/2015	<u>92</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Motion hearing held on 1/13/2015. Motion to strike <u>77</u> is granted. Affidavit of Dan Moreci and arguments based on it, as well as summary judgment briefs <u>72</u> , <u>75</u> , <u>80</u> , and <u>89</u> are stricken. Defendant has until 1/27/2015 to refile a combined summary judgment memorandum / response memorandum. Plaintiff has until 2/10/2015 to file a combined response / reply memorandum. Defendant has until 2/17/2015 to file a reply brief on its cross-motion. Mailed notice. (png, ) (Entered: 01/13/2015)
01/27/2015	<u>93</u>	MOTION by Defendants Thomas J. Dart, Cook County for summary judgment (Syvertsen, Martin) (Entered: 01/27/2015)
01/27/2015	<u>94</u>	RULE 56.1(b) Statement by Cook County, Thomas J. Dart regarding motion for summary judgment <u>93</u> , motion for summary judgment <u>62</u> (Attachments: # <u>1</u> Exhibit A- Plaintiff's Mail History, # <u>2</u> Exhibit B- Agreed Order)(Syvertsen,



		Martin) (Entered: 01/27/2015)
01/27/2015	<u>95</u>	MEMORANDUM motion for summary judgment <u>93</u> , motion for summary judgment <u>62</u> by Cook County, Thomas J. Dart <i>Combined Memorandum in support and Response</i> (Syvertsen, Martin) (Entered: 01/27/2015)
01/27/2015	<u>96</u>	NOTICE by Cook County, Thomas J. Dart re MOTION by Defendants Thomas J. Dart, Cook County for summary judgment <u>93</u> , memorandum <u>95</u> , Rule 56 statement, <u>94</u> (Syvertsen, Martin) (Entered: 01/27/2015)
02/09/2015	<u>97</u>	RESPONSE by Gregory Kogerin Opposition to MOTION by Defendants Thomas J. Dart, Cook County for summary judgment <u>93</u> ( <i>combined response to Defendants' Motion for Summary Judgment and Rely in Support of Plaintiff's Motion for Summary Judgment</i> ) (Nicholas, Adele D.) (Entered: 02/09/2015)
02/09/2015	<u>98</u>	RULE 56.1(a)(3) Statement by Gregory Koger regarding motion for summary judgment <u>62</u> ( <i>Plaintiff's Response to Defendants' Statement of Additional Facts</i> ) (Nicholas, Adele D.) (Entered: 02/09/2015)
02/17/2015	<u>99</u>	REPLY by Defendants Cook County, Thomas J. Dart to response in opposition to motion, <u>97</u> (Attachments: # <u>1</u> Notice of Filing)(Syvertsen, Martin) (Entered: 02/17/2015)
07/06/2015	<u>100</u>	MEMORANDUM OPINION AND ORDER signed by the Honorable Matthew F. Kennelly on 7/6/2015: For the reasons state din the accompanying Memorandum Opinion and Order, the Court partly grants and partly denies both motions for summary judgment [dkt. nos. 62, 70 &93]. The Court will issue a declaratory judgment in plaintiff's favor and will award plaintiff nominal damages in the amount of one dollar. The Court denies plaintiff's request for an injunction. The parties' proposed form(s) of judgment are to be submitted by July 13, 2015. The case is set for a status hearing on July 15, 2015 at 9:30 a.m. (mk) (Entered: 07/06/2015)
07/15/2015	<u>101</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Status hearing held on 7/15/2015. Judgment to be entered in favor of plaintiff Gregory Koger and against defendants Sheriff Thomas J. Dart and Cook County. The Court concludes that the Cook County Jail's ban on newspapers violates the First Amendment to the United States Constitution. Plaintiff is awarded \$1.00 in damages. Plaintiff's request for injunctive relief is denied as moot. Fee petitions are to be filed by 8/12/2015. Status hearing set for 8/19/2015 at 9:00 AM. Mailed notice. (png, ) (Entered: 07/15/2015)
07/15/2015	<u>102</u>	ENTERED JUDGMENT ON 7/15/2051. Mailed notice. (png, ) (Entered: 07/15/2015)
07/15/2015		***Civil Case Terminated. (png, ) (Entered: 08/03/2015)
08/04/2015	<u>103</u>	MOTION by Plaintiff Gregory Koger for bill of costs (Attachments: # <u>1</u> Exhibit Itemization, # <u>2</u> Exhibit Exhibit 1 (clerk costs), # <u>3</u> Exhibit Exhibit 2 (deposition costs), # <u>4</u> Exhibit Exhibit 3 (other costs))(Nicholas, Adele D.) (Entered: 08/04/2015)
08/07/2015	<u>104</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Response to bill of costs is to be filed by 8/231/2015. Reply to response is to be filed by 8/28/2015. (mk) (Entered: 08/07/2015)
08/11/2015	<u>105</u>	MOTION by Plaintiff Gregory Koger for leave to file <i>instanter the attached amended bill of costs (unopposed)</i> (Attachments: # <u>1</u> Exhibit Amended Bill of Costs, # <u>2</u> Exhibit Amended Itemization of Costs, # <u>3</u> Exhibit (Ex. 1 to Bill of Costs – Clerk Costs), # <u>4</u> Exhibit (Ex. 2 to Bill of Costs – Deposition Costs), # <u>5</u> Exhibit (Ex. 3 to Bill of Costs – Other Costs))(Nicholas, Adele D.) (Entered: 08/11/2015)
08/11/2015	<u>106</u>	NOTICE of Motion by Adele D. Nicholas for presentment of motion for leave to file, <u>105</u> before Honorable Matthew F. Kennelly on 8/19/2015 at 09:00 AM. (Nicholas, Adele D.) (Entered: 08/11/2015)
08/12/2015	<u>107</u>	MOTION by Plaintiff Gregory Koger for attorney fees (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit)(Nicholas, Adele D.) (Entered: 08/12/2015)

08/14/2015	<u>108</u>	MINUTE entry before the Honorable Matthew F. Kennelly: The status and motion hearing set for 8/19/2015 is moved to 9:30 AM on that date. (mk) (Entered: 08/14/2015)
08/19/2015	<u>109</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Status hearing and motion hearing held on 8/19/2015. Plaintiff's motion for leave to file instanter the amended bill of costs <u>105</u> is granted without objection. Costs awarded in favor of plaintiff and against defendant in the amount of \$1,025.34. Motion for bill of costs <u>103</u> is terminated as moot. Response to motion for attorney fees <u>107</u> to be filed by 9/15/2015 Replies due by 9/29/2015. Mailed notice. (png, ) (Entered: 08/19/2015)
10/16/2015	<u>110</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Plaintiff, the prevailing party in this case, moved for an award of attorney's fees and expenses under 42 USC 1988. Defendant did not file an objection or response within the time ordered by the Court and did not seek an extension of time. Defendant is deemed to have conceded the merits of the motion. The Court grants plaintiff's motion and awards plaintiff attorney's fees in the amount of \$110,163 and \$232.70 in expenses. (Mk) (Entered: 10/16/2015)
10/16/2015	<u>111</u>	NOTICE OF EMAIL NOTIFICATION FAILURE, for document # <u>110</u> sent to Attorney Zisl Taub Edelson zisl@zedelsonlaw.com returned as: Bad destination host. The Clerk mailed to attorney Zisl Taub Edelson Letter re: bounce back email and a Notification of Change of Address form. Notices have been set to No. Counsel must email the Clerk's Office at Docketing_ILND@uscourts.gov when a Notification of Change of Address has been filed to ensure electronic notification is reset. (mr, ) (Entered: 10/19/2015)
10/20/2015	<u>112</u>	STIPULATION ( <i>Settlement of Attorneys Fees and Costs</i> ) (Nicholas, Adele D.) (Entered: 10/20/2015)