

APPEAL,CASREF,PROTO,WEISMAN

**United States District Court
Northern District of Illinois – CM/ECF LIVE, Ver 6.3.3 (Chicago)
CIVIL DOCKET FOR CASE #: 1:20–cv–02134**

Mays et al v. Thomas
Assigned to: Honorable Robert W. Gettleman
Referred to: Honorable M. David Weisman
Case in other court: 20–01792
Cause: 42:1983 Civil Rights Act

Date Filed: 04/03/2020
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

Anthony Mays
*Individually and on behalf of a class of
similarly situated persons*

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Plaintiff

Jackson Judia

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similarly situated persons
next of friend
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Stephen H. Weil
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V.

Defendant

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Sheriff of Cook County

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Intervenor Defendant

**International Brotherhood of
Teamsters Local 700**
TERMINATED: 05/01/2020

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Date Filed	#	Docket Text
04/03/2020	<u>1</u>	COMPLAINT filed by Anthony Mays, Jackson Judia; Filing fee \$ 400, receipt number 0752-16911626. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P, # <u>17</u> Exhibit Q, # <u>18</u> Exhibit R, # <u>19</u> Exhibit S, # <u>20</u> Exhibit T, # <u>21</u> Exhibit U, # <u>22</u> Exhibit V)(Weil, Stephen) (Entered: 04/03/2020)
04/03/2020	<u>2</u>	MOTION by Plaintiffs Jackson Judia, Anthony Mays for preliminary injunction <i>or temporary restraining order (emergency)</i> (Van Brunt, Alexa) (Entered: 04/03/2020)
04/03/2020	<u>3</u>	MOTION by Plaintiffs Jackson Judia, Anthony Mays FOR AN EXPEDITED HEARING ON MOTION FOR A TEMPORARY RESTRAINING ORDER OR PRELIMINARY INJUNCTION (Van Brunt, Alexa) (Entered: 04/03/2020)
04/03/2020	<u>4</u>	ATTORNEY Appearance for Plaintiffs Jackson Judia, Anthony Mays by Alexa Van Brunt (Van Brunt, Alexa) (Entered: 04/03/2020)
04/03/2020	<u>5</u>	CIVIL Cover Sheet (Weil, Stephen) (Entered: 04/03/2020)
04/03/2020	<u>6</u>	MOTION by Plaintiffs Jackson Judia, Anthony Mays to certify class Responses due by 4/6/2020 (Attachments: # <u>1</u> Exhibit A: Declaration of Alison Horn, # <u>2</u> Exhibit B: Declaration of Stephen H. Weil, # <u>3</u> Exhibit C: Declaration of Alexa A. Van Brunt, # <u>4</u>

		Exhibit D: Declaration of Locke E. Bowman, # <u>5</u> Exhibit E: Declaration of Charles E. Gerstein)(Van Brunt, Alexa) (Entered: 04/03/2020)
04/03/2020	<u>7</u>	ATTORNEY Appearance for Plaintiffs Jackson Judia, Anthony Mays by Stephen H. Weil (Weil, Stephen) (Entered: 04/03/2020)
04/03/2020	<u>8</u>	ATTORNEY Appearance for Plaintiffs Jackson Judia, Anthony Mays by Sarah Copeland Grady (Grady, Sarah) (Entered: 04/03/2020)
04/03/2020	<u>9</u>	ATTORNEY Appearance for Plaintiffs Jackson Judia, Anthony Mays by Locke E. Bowman, III (Bowman, Locke) (Entered: 04/03/2020)
04/03/2020	<u>10</u>	MINUTE entry before the Honorable Matthew F. Kennelly: This order is entered by Judge Kennelly in his capacity as emergency judge. Plaintiffs have filed a putative class action on behalf of Cook County Jail detainees against Cook County Sheriff Thomas Dart. <i>Mays v. Dart</i> , Case No. 20 C 2134. The case, having been filed after the close of business today, has not yet been assigned to a district judge. Plaintiffs have also filed a motion for a temporary restraining order or preliminary injunction (TRO/PI) and a motion seeking an expedited hearing, specifically on 4/6/2020. Plaintiffs advise in the latter motion that on today's date, before filing suit, they gave notice of their intent to file the suit and the TRO/PI motion to the Sheriff's general counsel and to supervisory personnel in the Cook County State's Attorney's Office (CCSAO). Plaintiffs' motion for an expedited hearing is granted to the extent stated in this order. By 12:00 p.m. on 4/6/2020, plaintiffs are directed to supplement their TRO/PI motion to provide their position regarding the applicability and effect of 18 U.S.C. § 3626 to their lawsuit and, in particular, to the relief they are requesting in the TRO/PI motion. Defendant is directed to file a response to the TRO/PI motion by no later than 8:00 p.m. on 4/6/2020. Defendant's response should include a description of any steps defendant has taken and is taking to protect detainees from contracting the Coronavirus and to care for detainees who have already contracted the virus. A hearing on the TRO/PI motion—at least, a preliminary hearing—is set for 4/7/2020 at 10:30 a.m. and will be conducted by telephone. Counsel are to use the following call-in number: 888-684-8852, conference code 746-1053. The Court strongly encourages the parties to confer to attempt to reach a reasonable resolution of the dispute, taking into consideration the health and safety of detainees, the safety of the public, and the operation of the criminal justice system. At the hearing on April 7, the Court reserves the right to order further briefing and argument and to direct the parties to pursue mediation of the dispute. Because no attorney has yet filed an appearance for defendant, plaintiffs' counsel is directed to immediately provide notice of this order to the Sheriff's general counsel and to the CCSAO supervisory personnel to whom they provided notice of their intent to file the lawsuit and to file a verification that they have done so. (mk) (Entered: 04/03/2020)
04/03/2020	<u>11</u>	Verification of Service by Jackson Judia, Anthony Mays of <i>Judge Kennelly's Order (Dkt. 10)</i> (Grady, Sarah) (Entered: 04/03/2020)
04/03/2020	<u>12</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Telephone hearing before Judge Kennelly set for 4/7/2020 at 10:30 AM. (mk) (Entered: 04/03/2020)
04/04/2020	<u>13</u>	ATTORNEY Appearance for Plaintiffs Jackson Judia, Anthony Mays by Locke E. Bowman, III (Bowman, Locke) (Entered: 04/04/2020)
04/04/2020	<u>14</u>	MINUTE entry before the Honorable Matthew F. Kennelly: The Court amends its minute order of 4/3/2020 [dkt. no. 10] as follows. The call-in number listed in the 4/3/2020 minute entry will <u>not</u> be used for the hearing set for 4/7/2020 at 10:30 AM. Instead, the Clerk will advise counsel for the parties of a different call-in number that counsel should use for the hearing. For members of the media or public who wish to listen to the hearing, it will be simultaneously played via loudspeaker in Courtroom 2541 at the Dirksen Courthouse. (mk) (Entered: 04/04/2020)
04/05/2020	<u>15</u>	ATTORNEY Appearance for Defendant Dart J Thomas by Gretchen Harris Sperry (Sperry, Gretchen) (Entered: 04/05/2020)
04/05/2020	<u>16</u>	ATTORNEY Appearance for Defendant Dart J Thomas by Adam Robert Vaught (Vaught, Adam) (Entered: 04/05/2020)

04/05/2020	<u>17</u>	ATTORNEY Appearance for Defendant Dart J Thomas by James Matthias Lydon (Lydon, James) (Entered: 04/05/2020)
04/05/2020	<u>18</u>	ATTORNEY Appearance for Defendant Dart J Thomas by Robert Thomas Shannon (Shannon, Robert) (Entered: 04/05/2020)
04/05/2020	<u>19</u>	ATTORNEY Appearance for Defendant Dart J Thomas by Lari Ann Dierks (Dierks, Lari) (Entered: 04/05/2020)
04/06/2020	<u>20</u>	MOTION for Leave to Appear Pro Hac Vice Filing fee \$ 150, receipt number 0752-16912398. (Gerstein, Charles) (Entered: 04/06/2020)
04/06/2020		CASE ASSIGNED to the Honorable Robert W. Gettleman. Designated as Magistrate Judge the Honorable M. David Weisman. Case assignment: Random assignment. (axc,) (Entered: 04/06/2020)
04/06/2020	<u>21</u>	ATTORNEY Appearance for Defendant Dart J Thomas by Robert Thomas Shannon <i>CORRECTED</i> (Shannon, Robert) (Entered: 04/06/2020)
04/06/2020	<u>22</u>	ATTORNEY Appearance for Defendant Dart J Thomas by James Matthias Lydon <i>CORRECTED</i> (Lydon, James) (Entered: 04/06/2020)
04/06/2020	<u>23</u>	ATTORNEY Appearance for Defendant Dart J Thomas by Gretchen Harris Sperry <i>CORRECTED</i> (Sperry, Gretchen) (Entered: 04/06/2020)
04/06/2020	<u>24</u>	ATTORNEY Appearance for Defendant Dart J Thomas by Adam Robert Vaught <i>CORRECTED</i> (Vaught, Adam) (Entered: 04/06/2020)
04/06/2020	<u>25</u>	MOTION for Leave to Appear Pro Hac Vice Filing fee \$ 150, receipt number 0752-16913153. (Karakatsanis, Alec) (Entered: 04/06/2020)
04/06/2020	<u>26</u>	MOTION by Plaintiffs Jackson Judia, Anthony Mays for leave to file <i>oversized brief in response to the Court's April 3, 2020 Order</i> (Attachments: # <u>1</u> Plaintiffs' Proposed Response, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H)(Grady, Sarah) (Entered: 04/06/2020)
04/06/2020	<u>27</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Motions of Charles Gerstein <u>20</u> and Alex Karakatsanis <u>25</u> to appear pro hac vice are granted. Plaintiff's motion for leave to file oversized brief <u>26</u> is also granted. (mk) (Entered: 04/06/2020)
04/06/2020	<u>28</u>	MINUTE entry before the Honorable Matthew F. Kennelly: The Court directs counsel for the parties to send to Judge Kennelly's proposed order e-mail address (Proposed_Order_Kennelly@ilnd.uscourts.gov.), by no later than 9:00 PM today, a joint report describing the progress of their discussions pursuant to the Court's April 3, 2020 order (dkt. no. 10) "strongly encourag[ing] the parties to confer to attempt to reach a reasonable resolution of the dispute." (mk) (Entered: 04/06/2020)
04/06/2020	<u>29</u>	RESPONSE by Dart J Thomasin Opposition to MOTION by Plaintiffs Jackson Judia, Anthony Mays for preliminary injunction <i>or temporary restraining order (emergency)</i> <u>2</u> (Attachments: # <u>1</u> Defendant's Brief in Opposition to Pltfs Emergency Motion for TRO or Preliminary Injunciton)(Sperry, Gretchen) (Entered: 04/06/2020)
04/06/2020	<u>30</u>	RESPONSE by Dart J Thomasin Opposition to MOTION by Plaintiffs Jackson Judia, Anthony Mays for preliminary injunction <i>or temporary restraining order (emergency)</i> <u>2</u> (Attachments: # <u>1</u> Exhibit Exh A to Dkt 29, # <u>2</u> Exhibit Exh B to Dkt 29, # <u>3</u> Exhibit Exh C to Dkt 29, # <u>4</u> Exhibit Exh D to Dkt 29, # <u>5</u> Exhibit Exh E to Dkt 29, # <u>6</u> Exhibit Exh F to Dkt 29, # <u>7</u> Exhibit Exh G to Dkt 29, # <u>8</u> Exhibit Exh H to Dkt 29, # <u>9</u> Exhibit Exh I to Dkt 29, # <u>10</u> Exhibit Exh J to Dkt 29, # <u>11</u> Exhibit Exh K to Dkt 29, # <u>12</u> Exhibit Exh L to Dkt 29, # <u>13</u> Exhibit Exh M to Dkt 29, # <u>14</u> Exhibit Exh N to Dkt 29, # <u>15</u> Exhibit Exh O to Dkt 29, # <u>16</u> Exhibit Exh P to Dkt 29, # <u>17</u> Exhibit Exh Q to Dkt 29, # <u>18</u> Exhibit Exh R to Dkt 29)(Sperry, Gretchen) (Entered: 04/06/2020)
04/06/2020	<u>31</u>	RESPONSE by Dart J Thomasin Opposition to MOTION by Plaintiffs Jackson Judia, Anthony Mays for preliminary injunction <i>or temporary restraining order (emergency)</i> <u>2</u> (Attachments: # <u>1</u> Exhibit Exh E to Dkt 29, # <u>2</u> Exhibit Exh M to Dkt 29, # <u>3</u> Exhibit Exh Q to Dkt 29)(Sperry, Gretchen) (Entered: 04/06/2020)
04/06/2020	<u>32</u>	MOTION by Defendant Dart J Thomas to seal document <i>Exhibit P to Dkt 29</i> (Shannon, Robert) (Entered: 04/07/2020)

04/07/2020	<u>33</u>	NOTICE of Motion by Robert Thomas Shannon for presentment of motion to seal document <u>32</u> before Honorable Matthew F. Kennelly on 4/14/2020 at 09:30 AM. (Shannon, Robert) (Entered: 04/07/2020)
04/07/2020	<u>34</u>	SEALED EXHIBIT by Defendant Dart J Thomas <i>Exhibit P to Dkt 29</i> (Shannon, Robert) (Entered: 04/07/2020)
04/07/2020	<u>35</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Defendant has made a motion to file under seal Exhibit P to its response to plaintiffs' motion for a temporary restraining order, which is a 21 page document entitled "Coronavirus Operation Plan." The entirety of the justification for the motion is a statement that "This plan contains sensitive law enforcement internal strategy and controls." The Court has reviewed the document in its entirety and cannot conclude that defendant has shown that the <i>entire</i> document must be kept out of the public record. The document contains an assessment of the Coronavirus outbreak and its impact on, among other things, the Cook County Jail; it details steps the Sheriff's Office has taken to attempt to deal with the outbreak; and it addresses planning for ongoing developments regarding the outbreak and the Jail. A good deal of it provides the support for what the defendant has discussed in its publicly-filed response to the motion for temporary restraining order. It is conceivable that some part of the document ought to be kept out of the public record, but the proposition that it must be sealed in its entirety is unsupported and likely unsupportable. The Court will deny the motion to seal unless defendant files, before today's telephone hearing, further support identifying the particular portions of the exhibit that should be redacted from the version to be filed in the public record and a particularized explanation for why these portions should be redacted (preferably an affidavit, though the Court acknowledges that the time before the hearing is short, so it may not insist on that for the time being). (mk) (Entered: 04/07/2020)
04/07/2020	<u>36</u>	MOTION by Plaintiffs Jackson Judia, Anthony Mays to supplement <i>the Record</i> (Attachments: # <u>1</u> Supplement Exhibit 1, # <u>2</u> Supplement Exhibit 2)(Weil, Stephen) (Entered: 04/07/2020)
04/07/2020	<u>37</u>	NOTICE of Motion by Stephen H. Weil for presentment of motion to supplement <u>36</u> before Honorable Robert W. Gettleman on 4/7/2020 at 10:30 AM. (Weil, Stephen) (Entered: 04/07/2020)
04/07/2020	<u>38</u>	MOTION by Defendant Dart J Thomas to seal <i>Certain Information in Exhibit P</i> (Shannon, Robert) (Entered: 04/07/2020)
04/07/2020	<u>39</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Preliminary telephonic hearing on Plaintiff's emergency motion for temporary restraining order or preliminary injunction (TRO/PI) <u>2</u> held on 4/7/2020. For the reasons stated on the record, Defendant's motion for leave to file certain information in Exhibit P under seal <u>38</u> is granted. The defendant is to file a redacted version of Exhibit P on the public record that redacts the phone numbers and email addresses of senior staff from the exhibit. Defendant's motion for leave to file exhibit under seal <u>32</u> is terminated as moot. Plaintiffs' motion to supplement the record <u>36</u> is granted. The parties have leave to file supplemental briefs addressing the issues set forth by the Court. Submissions are due by 11:59 p.m. tonight, 4/7/2020. The briefs are for legal argument only. Defendant has leave, however, to supplement Mr Miller's declaration if it is uploaded to the docket by 2:00 p.m. today. The parties have leave to file oversized briefs of no more than twenty pages. Mailed notice (cn). (Entered: 04/07/2020)
04/07/2020	<u>40</u>	RESPONSE by Dart J Thomas in Opposition to MOTION by Plaintiffs Jackson Judia, Anthony Mays for preliminary injunction <i>or temporary restraining order (emergency)</i> <u>2</u> (Attachments: # <u>1</u> Exhibit P to Dkt 29- REDACTED per court order)(Sperry, Gretchen) (Entered: 04/07/2020)
04/07/2020	<u>41</u>	RESPONSE by Defendant Dart J Thomas <i>Supplemental Brief</i> (Attachments: # <u>1</u> Exhibit A)(Shannon, Robert) (Entered: 04/07/2020)
04/07/2020	<u>42</u>	Supplemental Brief in Support of Motion for Temporary Restraining Order by Jackson Judia, Anthony Mays (Attachments: # <u>1</u> Exhibit A: Miami TRO)(Van Brunt, Alexa) (Entered: 04/07/2020)
04/08/2020	<u>43</u>	ATTORNEY Appearance for Amicus City Of Chicago by Stephen J Kane <i>Mark A. Flessner</i> (Kane, Stephen) (Entered: 04/08/2020)

04/08/2020	<u>44</u>	ATTORNEY Appearance for Amicus City Of Chicago by Stephen J Kane (Kane, Stephen) (Entered: 04/08/2020)
04/08/2020	<u>45</u>	MOTION by Amicus City Of Chicago for leave to file <i>Amicus Curiae Brief</i> (Attachments: # <u>1</u> Exhibit Brief of Amicus Curiae City of Chicago)(Kane, Stephen) (Entered: 04/08/2020)
04/09/2020	<u>46</u>	MINUTE entry before the Honorable Matthew F. Kennelly: The Courts grants the City of Chicago's motion for leave to file an amicus curiae brief in support of defendants. The Court notes, however, that this brief has played no appreciable role in its decision in the case, for reasons that will become clear in the Court's decision, which it will issue momentarily. (mk) (Entered: 04/09/2020)
04/09/2020	<u>47</u>	MEMORANDUM OPINION AND ORDER signed by the Honorable Matthew F. Kennelly, as emergency judge, on 4/9/2020: For the reasons stated in the accompanying Memorandum Opinion and Order, the Court grants in part plaintiffs' motion for a temporary restraining order [dkt. no. 2] with regard to Count 1 of the complaint but otherwise denies the motion. The Court enters a temporary restraining order to the extent explained in the relief section of this opinion. The Court directs the Sheriff to file a report by 4:00 p.m. on April 13, 2020 regarding his implementation of the Court's directives. The case is set for a telephonic status hearing before the undersigned judge, as emergency judge, on April 14, 2020 at 9:00 a.m. The Clerk will provide the parties with call-in information prior to April 14. (mk) (Entered: 04/09/2020)
04/09/2020	<u>48</u>	CORRECTED MEMORANDUM OPINION AND ORDER signed by the Honorable Matthew F. Kennelly on 4/9/2020: This corrected memorandum opinion and order corrects a scrivener's error at line 10 of page 30. (mk) (Entered: 04/09/2020)
04/11/2020	<u>49</u>	TRANSCRIPT OF PROCEEDINGS held on 4/7/2020 before the Honorable Matthew F. Kennelly. Order Number: 38391. Court Reporter Contact Information: Kathleen_Fennell@ilnd.uscourts.gov. <P>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</P> Redaction Request due 5/4/2020. Redacted Transcript Deadline set for 5/12/2020. Release of Transcript Restriction set for 7/10/2020. (Fennell, Kathleen) (Entered: 04/11/2020)
04/13/2020	<u>50</u>	MINUTE entry before the Honorable Matthew F. Kennelly: The time for the telephone status hearing before Judge Kennelly on 4/14/2020 is advanced to 8:30 AM. The Clerk will advise counsel for the parties of a call-in number that counsel should use for the hearing. For members of the media or public who wish to listen to the hearing, it will be simultaneously played via loudspeaker in Courtroom 2541 at the Dirksen Courthouse, where Judge Kennelly will be sitting. Mailed notice. (mma,) (Entered: 04/13/2020)
04/13/2020	<u>51</u>	STATUS Report by Dart J Thomas (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit, # <u>16</u> Exhibit)(Sperry, Gretchen) (Entered: 04/13/2020)
04/13/2020	<u>52</u>	STATUS Report <i>Exhibit A and F</i> by Dart J Thomas (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit F)(Sperry, Gretchen) (Entered: 04/13/2020)
04/14/2020	<u>53</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Telephonic status hearing held on 4/14/2020. Plaintiffs are to file their motion for expedited discovery and preliminary injunction by 8:00 p.m. on 4/14/2020. Telephonic status hearing and hearing on motion for expedited discovery before Judge Kennelly set for 4/15/2020 at 3:15 p.m. Defendant has leave to file a written response to plaintiffs' motion for expedited prior to the hearing on 4/15/2020 but none is required. The parties are to use the same call in information that was used on 4/14/2020. For members of the media or public who wish to listen to the hearing, it will be simultaneously played via loudspeaker in Courtroom 2541 at the Dirksen Courthouse, where Judge Kennelly will be sitting. Mailed notice (cn). (Entered: 04/14/2020)

04/14/2020	<u>54</u>	<p>TRANSCRIPT OF PROCEEDINGS held on 4/14/2020 before the Honorable Matthew F. Kennelly. Order Number: 38404. Court Reporter Contact Information: Kathleen_Fennell@ilnd.uscourts.gov.</p> <p>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</p> <p>Redaction Request due 5/5/2020. Redacted Transcript Deadline set for 5/15/2020. Release of Transcript Restriction set for 7/13/2020. (Fennell, Kathleen) (Entered: 04/14/2020)</p>
04/14/2020	<u>55</u>	<p>MOTION by Plaintiffs Jackson Judia, Anthony Mays for preliminary injunction (<i>renewed</i>) and for limited, expedited discovery (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J)(Van Brunt, Alexa) (Entered: 04/14/2020)</p>
04/14/2020	<u>56</u>	<p>Exhibit K to Plaintiffs' renewed motion for a preliminary injunction by Jackson Judia, Anthony Mays (Van Brunt, Alexa) (Entered: 04/14/2020)</p>
04/15/2020	<u>57</u>	<p>MINUTE entry before the Honorable Matthew F. Kennelly: The Court advises that in addition to discussing plaintiffs' motion for expedited discovery at this afternoon's hearing, it likely will also have some questions regarding the PLRA-related issues raised in plaintiffs' preliminary injunction motion. (mk) (Entered: 04/15/2020)</p>
04/15/2020	<u>58</u>	<p>MINUTE entry before the Honorable Matthew F. Kennelly: Telephonic hearing held on 4/15/2020. Defendant's response to plaintiffs' renewed motion for a preliminary injunction and for limited, expedited discovery <u>55</u> due by 4/17/20 at 8 p.m. Plaintiffs' reply due by 4/19/20 at 12:00 p.m. Judge Kennelly will determine after reviewing the briefs whether another telephone hearing is needed. Mailed notice (cn). (Entered: 04/15/2020)</p>
04/15/2020	<u>59</u>	<p>TRANSCRIPT OF PROCEEDINGS held on 4/15/2020 before the Honorable Matthew F. Kennelly. Order Number: 38409,38410. Court Reporter Contact Information: Kathleen_Fennell@ilnd.uscourts.gov. <P>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</P> Redaction Request due 5/6/2020. Redacted Transcript Deadline set for 5/18/2020. Release of Transcript Restriction set for 7/14/2020. (Fennell, Kathleen) (Entered: 04/15/2020)</p>
04/17/2020	<u>60</u>	<p>ATTORNEY Appearance for Plaintiffs Jackson Judia, Anthony Mays by Steven Grimes (Grimes, Steven) (Entered: 04/17/2020)</p>
04/17/2020	<u>61</u>	<p>ATTORNEY Appearance for Plaintiffs Jackson Judia, Anthony Mays by Thomas Francis Mcandrew (Mcandrew, Thomas) (Entered: 04/17/2020)</p>
04/17/2020	<u>62</u>	<p>RESPONSE by Dart J Thomasin Opposition to MOTION by Plaintiffs Jackson Judia, Anthony Mays for preliminary injunction (<i>renewed</i>) and for limited, expedited discovery <u>55</u> PARTIAL (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit Transcript)(Sperry, Gretchen) (Entered: 04/17/2020)</p>
04/18/2020	<u>63</u>	<p>MINUTE entry before the Honorable Matthew F. Kennelly: This order is entered by Judge Kennelly as emergency judge. The Court advises that it is contemplating hearing argument on either 4/20/2020 or 4/21/2020 at 8:30 AM (to avoid interfering with the court call of the designated emergency judge for the particular date) on, among other matters, the motion for expedited discovery, the impending expiration of the temporary restraining order, issues addressed in the response defendant filed yesterday to the preliminary injunction motion, and whether there should be a hearing on the motion for preliminary injunction. The Court will, if it determines to hear such argument, set</p>

		the date and time for it tomorrow (4/19/2020) and will do its best to provide a list of the topics the parties should be prepare to discuss. (mk) (Entered: 04/18/2020)
04/19/2020	<u>64</u>	REPLY by Plaintiffs Jackson Judia, Anthony Mays to motion for preliminary injunction, <u>55</u> (Attachments: # <u>1</u> Exhibit List, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F)(Grady, Sarah) (Entered: 04/19/2020)
04/19/2020	<u>65</u>	MINUTE entry before the Honorable Matthew F. Kennelly: This order is entered by Judge Kennelly as emergency judge. In view of the impending expiration of the temporary restraining order entered on 4/9/2020, the request to extend it and to issue a preliminary injunction on an emergency basis (among other forms of immediate relief), and the request for expedited discovery, the matter is set for further argument on 4/20/2020 at 8:30 AM. Counsel should use the same call-in number that they used on 4/15/2020, and as before, the hearing will be simultaneously played via loudspeaker in Courtroom 2541 at the Dirksen Courthouse for members of the media or public who wish to listen to the hearing. The hearing will be strictly limited to 60 minutes in view of the need for the judge designated as emergency judge on 4/20/2020 to have access to the recorded conference line being used for emergency hearings. The parties should be prepared to address <u>at least</u> the following issues: (1) what should happen upon, and pending, expiration of the temporary restraining order (e.g., allow it to lapse; convert it to a preliminary injunction; order additional relief via a preliminary injunction; etc.); (2) issues regarding the application of the PLRA, 18 USC 3626, to the request(s) for relief currently before the Court, including whether the trigger for convening a 3-judge court have been met; the effect of 18 USC 3626(a)(1)(A) & (2) on the request(s) for relief that are before the Court; and whether the relief currently sought amounts to a "prisoner release order" under the PLRA; (3) what the due process "objective reasonableness" standard means as applied to the issues in this case; (4) whether an evidentiary hearing is needed on the request for a preliminary injunction that is before the Court, and if so, what it should include, what, if any, witnesses should testify, and when and how it should be held; and (5) what, if any, of the expedited discovery currently sought by plaintiffs (via their reply brief) should be allowed, and whether, if an evidentiary hearing will be held, defendants want expedited discovery. The Court will also do its best, within the available time limits, to give each party a brief opportunity to address significant points not on this list that the party believes it has not addressed sufficiently in the written materials it has filed. (mk) (Entered: 04/19/2020)
04/19/2020	<u>66</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Telephonic hearing before Judge Kennelly, as emergency judge, set for 4/20/2020 at 8:30 AM. (mk) (Entered: 04/19/2020)
04/20/2020	<u>67</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Telephonic hearing held on 4/20/2020. The Court will hold a one-hour hearing on Thursday, 4/23/2020. At the hearing, each party will have a single witness that will testify and will have fifteen minutes for closing arguments. The parties are to identify their one testifying witness and provide opposing counsel and the Court with notice of that person by today, 4/20/2020 at 8:00 p.m. Defendant has leave to file an affidavit addressing the walkthrough of the jail by the CDC and CDPH on 4/17/2020 by tomorrow, 4/21/2020. Other than this single filing, neither party has leave to file anything further. The court will contact the parties at a later date with the time of Thursday's hearing. Mailed notice (cn). (Entered: 04/20/2020)
04/20/2020	<u>68</u>	MINUTE entry before the Honorable Matthew F. Kennelly: This order is entered by Judge Kennelly as emergency judge. The order entered previously contained an error on the part of Judge Kennelly and is corrected to read as follows. Telephonic hearing held on 4/20/2020. The court will hold a hearing on Thursday, 4/23/2020, with the starting time to be determined after getting input from counsel regarding witness availability. The hearing will also be limited in time, with the total length to be determined. At the hearing, each party will have a single witness that will testify and will have fifteen minutes for closing arguments. The parties are to identify their one testifying witness and provide opposing counsel and the court with notice of that person by today, 4/20/2020 at 8:00 p.m. Defendant has leave to file an affidavit addressing the walkthrough of the jail by the CDC and CDHD on 4/17/2020 by tomorrow, 4/21/2020. Other than this single filing, neither party has leave to file anything further. Mailed notice (cn). (Entered: 04/20/2020)

04/21/2020	<u>69</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Evidentiary hearing on motion for preliminary injunction, as discussed at the 4/20/2020 hearing, is set for 4/23/2020 at 12:30 PM. The hearing will be conducted by video conference. No more than 3 attorneys per side may participate in the video conference. Counsel are to promptly contact the Clerk, if they have not already done so, to make arrangements to participate for themselves and their witnesses. Judge Kennelly will preside in courtroom 1003, which will be open to the press and public for viewing. The two witnesses to be called are Dr. Venters (plaintiffs) and Mr. Miller (defendant). Following consultation by the Court with counsel, the following procedures will apply, subject to adjustment if technical difficulties intervene. (1) Mr. Miller will testify first, starting as soon as possible after the hearing begins at 12:30 PM, but starting no later than 12:45 PM. His direct examination will be his previously filed affidavits, supplemented by 10 minutes of questioning by defendant's counsel, followed by 45 minutes of questioning by plaintiffs' counsel, 10 minutes for redirect by defendant's counsel, and 5–10 minutes for questioning by the Court. (2) Dr. Venters will testify next. His direct examination will be his previously filed affidavit, supplemented by 10 minutes of questioning by plaintiffs' counsel, followed by 45 minutes of questioning by defendant's counsel, 10 minutes for redirect by plaintiff's counsel, and 5–10 minutes for questioning by the Court. (The Court is willing to consider extending Dr. Venters's time by a bit to roughly equalize the time for each side's witness.) (3) Then defendant will be permitted to recall Mr. Miller for no more than 10 minutes of further testimony, followed by questioning by plaintiffs' counsel in an amount equal to that used by defendant's counsel. (4) After the testimony is complete, each side will be given 15 minutes for argument, assuming there is sufficient time remaining before the hearing concludes at or about 4:30 PM. (mk) (Entered: 04/21/2020)
04/21/2020	<u>70</u>	EXHIBIT by Defendant Dart J Thomas <i>Affidavit regarding Walkthrough of Jail by CDC/CDPH PER COURT ORDER</i> regarding text entry,,, <u>68</u> (Sperry, Gretchen) (Entered: 04/21/2020)
04/23/2020	<u>71</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Evidentiary hearing on motion for preliminary injunction held on 4/23/2020 before Judge Kennelly as emergency judge. The motion for preliminary injunction <u>55</u> is taken under advisement. For the reasons stated on the record, Plaintiffs' oral motion to extend the Temporary Restraining Order ("TRO") entered on 4/9/2020 <u>48</u> is granted and the TRO is extended as stated in open court pending the Court's ruling on the motion for preliminary injunction. Mailed notice (cn). (Entered: 04/23/2020)
04/24/2020	<u>75</u>	ORDER Third Amended General Order 20–0012 IN RE: CORONAVIRUS COVID–19 PUBLIC EMERGENCY Signed by the Chief Judge Rebecca R. Pallmeyer on April 24, 2020. All open cases are impacted by this Third Amended General Order. Parties are must carefully review all obligations under this Order, including the requirement listed in paragraph number 5 to file a joint written status report in most civil cases. See attached Order. Signed by the Honorable Rebecca R. Pallmeyer on 4/24/2020: Mailed notice. (docket9,) (Entered: 04/27/2020)
04/27/2020	<u>72</u>	SUPPLEMENT to <i>Prior Plaintiff Submissions (To Advise the Court of Kenneth Foster's Release from Custody)</i> (Bowman, Locke) (Entered: 04/27/2020)
04/27/2020	<u>73</u>	MEMORANDUM OPINION AND ORDER signed by the Honorable Matthew F. Kennelly on 4/27/2020: The Court grants the plaintiffs' motion for preliminary injunction in part and denies it in part as set out in the accompanying Memorandum Opinion and Order [dkt. no. 55]. (mk) (Entered: 04/27/2020)
04/27/2020	<u>74</u>	PRELIMINARY INJUNCTION signed by the Honorable Matthew F. Kennelly on 4/27/2020. (mk) (Entered: 04/27/2020)
04/30/2020	<u>76</u>	MOTION by Intervenor Defendant International Brotherhood of Teamsters Local 700 to intervene (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 1–A)(Voyles, Sherrie) (Entered: 04/30/2020)
04/30/2020	<u>77</u>	ATTORNEY Appearance for Intervenor Defendant International Brotherhood of Teamsters Local 700 by Sherrie E. Voyles (Voyles, Sherrie) (Entered: 04/30/2020)
04/30/2020	<u>78</u>	ATTORNEY Appearance for Intervenor Defendant International Brotherhood of Teamsters Local 700 by David George Huffman–Gottschling (Huffman–Gottschling, David) (Entered: 04/30/2020)

04/30/2020	<u>79</u>	ATTORNEY Appearance for Intervenor Defendant International Brotherhood of Teamsters Local 700 by Brandon Michael Anderson (Anderson, Brandon) (Entered: 04/30/2020)
04/30/2020	<u>80</u>	MINUTE entry before the Honorable Matthew F. Kennelly: This order is entered by Judge Kennelly, as emergency judge, on the emergency docket (20 C 1792) and on the docket of Mays v. Dart (20 C 2134). International Brotherhood of Teamsters Local 700 has filed a motion to intervene in the Mays case and has filed it not only on the docket in that case but also on the emergency docket. The motion, however, does not describe any emergency. Indeed, it says (in paragraph 6) that the movant "does not seek reconsideration of any preliminary rulings entered thus far" and instead seeks to protect the interest of the plaintiff's members "as complications arise with the implementation of those rulings" or "as the Court considers permanent relief," neither of which appear to describe emergencies. The Court therefore terminates the motion on the emergency docket. If movant considers the motion to present an emergency, then it should file an amended motion on the emergency docket. Otherwise, the motion can appropriately be dealt with by the assigned judge in the Mays case. (mk) (Entered: 04/30/2020)
05/01/2020	<u>81</u>	MINUTE entry before the Honorable Robert W. Gettleman: Motion to intervene of International Brotherhood of Teamsters Local 700 <u>76</u> is denied for failure to comply with Federal Rule of Civil Procedure 24(c). Mailed notice (cn). (Entered: 05/01/2020)
05/01/2020	<u>82</u>	MOTION by Intervenor Defendant International Brotherhood of Teamsters Local 700 for Leave to Renew Motion to Intervene and File Answer Instanter or, in the alternative, for Reconsideration (Attachments: # <u>1</u> Exhibit A – Proposed Answer)(Voyles, Sherrie) (Entered: 05/01/2020)
05/01/2020	<u>83</u>	MINUTE entry before the Honorable Robert W. Gettleman: All parties are directed to respond to International Brotherhood of Teamsters Local 700's motion for leave to renew motion to intervene or, in the alternative, for reconsideration <u>82</u> by 5/15/2020, proposed intervenor's reply due 5/22/2020. The court will issue its ruling via CM/ECF. Mailed notice (cn). (Entered: 05/01/2020)
05/01/2020	<u>84</u>	STATUS Report by Dart J Thomas (Attachments: # <u>1</u> Exhibit List, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit L)(Sperry, Gretchen) (Entered: 05/01/2020)
05/06/2020	<u>85</u>	RESPONSE by Plaintiffs Jackson Judia, Anthony Mays to status report, <u>84</u> and request for emergency expedited discovery (Attachments: # <u>1</u> Exhibit A: Plaintiffs' Proposed Expedited Discovery, # <u>2</u> Exhibit B: Excerpts of PI Hearing Transcript, # <u>3</u> Exhibit C: Moore Grievance, # <u>4</u> Exhibit D: Detainee Declarations)(Van Brunt, Alexa) (Entered: 05/06/2020)
05/06/2020	<u>86</u>	MINUTE entry before the Honorable Robert W. Gettleman: Defendant's response to Plaintiffs' response to the Sheriff's May 1 status report and request for targeted expedited discovery <u>85</u> due by 5/11/2020. Mailed notice (cn). (Entered: 05/06/2020)
05/11/2020	<u>87</u>	RESPONSE by Defendant Dart J Thomas to Response, <u>85</u> to <i>Plfs May 6, 2020 Filing</i> (Attachments: # <u>1</u> Exhibit)(Sperry, Gretchen) (Entered: 05/11/2020)
05/11/2020	<u>88</u>	NOTICE of appeal by Dart J Thomas regarding orders <u>73</u> , <u>74</u> Filing fee \$ 505, receipt number 0752-17003994. Receipt number: n (Sperry, Gretchen) (Entered: 05/11/2020)
05/11/2020	<u>89</u>	DOCKETING Statement by Dart J Thomas regarding notice of appeal <u>88</u> (Sperry, Gretchen) (Entered: 05/11/2020)
05/12/2020	<u>90</u>	NOTICE of Appeal Due letter sent to counsel of record regarding notice of appeal <u>88</u> (sxb,) (Entered: 05/12/2020)
05/12/2020	<u>91</u>	TRANSMITTED to the 7th Circuit the short record on notice of appeal <u>88</u> . Notified counsel. (sxb,) (Entered: 05/12/2020)
05/12/2020	<u>92</u>	ACKNOWLEDGMENT of receipt of short record on appeal regarding notice of appeal <u>88</u> ; USCA Case No. 20-1792. (sxb,) (Entered: 05/12/2020)

05/12/2020	<u>93</u>	MOTION by Plaintiffs Jackson Judia, Anthony Mays for leave to file <i>reply to Sheriff's response</i> (Attachments: # <u>1</u> Exhibit Proposed Reply to Sheriff's Response, # <u>2</u> Exhibit A to Proposed Reply (Detainee Declarations))(Van Brunt, Alexa) (Entered: 05/12/2020)
05/14/2020	<u>94</u>	MINUTE entry before the Honorable Robert W. Gettleman: Plaintiffs' motion for leave to file reply to Sheriff's response <u>93</u> is granted. Mailed notice (cn). (Entered: 05/14/2020)
05/15/2020	<u>95</u>	RESPONSE by Jackson Judia, Anthony Mays to MOTION by Intervenor Defendant International Brotherhood of Teamsters Local 700 for Leave to Renew Motion to Intervene and File Answer Instanter or, in the alternative, for Reconsideration <u>82</u> (Mcandrew, Thomas) (Entered: 05/15/2020)
05/15/2020	<u>96</u>	RESPONSE by Dart J Thomas to MOTION by Intervenor Defendant International Brotherhood of Teamsters Local 700 for Leave to Renew Motion to Intervene and File Answer Instanter or, in the alternative, for Reconsideration <u>82</u> (Sperry, Gretchen) (Entered: 05/15/2020)
05/18/2020	<u>97</u>	MINUTE entry before the Honorable Matthew F. Kennelly: This minute entry is made by Judge Kennelly, as emergency judge. Plaintiffs, in their May 6 response to defendant's May 1 status/compliance report, have made what they describe as a request for immediate and targeted discovery regarding the question of compliance with the preliminary injunction. See dkt. no. 85 at 12-15. The assigned judge, Judge Gettleman, has determined that a hearing on the request is required. Following consultation, and given the immediate nature of the relief sought, the hearing will be conducted by Judge Kennelly as emergency judge, who will then rule on the request for discovery. The hearing is set for 5/21/2020 at 1:15 PM. The Court is in the process of determining whether the hearing will be conducted by telephone conference or by video conference. That determination will be made by no later than the afternoon of 5/20/2020, and the parties will be advised at that time regarding call-in information. (mk) (Entered: 05/18/2020)
05/19/2020	<u>98</u>	MOTION by Defendant Dart J Thomas to stay <i>and Renewed Motion to Strike Plaintiffs' Discovery Requests for Lack of Jurisdiction</i> (Attachments: # <u>1</u> Proposed Motion, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C)(Sperry, Gretchen) (Entered: 05/19/2020)
05/20/2020	<u>99</u>	MINUTE entry before the Honorable Rebecca R. Pallmeyer: Defendants Thomas J.Dart and Sheriff of Cook County's motion for leave to file oversized brief <u>98</u> is granted to 19 pages. Notice mailed by judge's staff (ntf,) (Entered: 05/20/2020)
05/20/2020	<u>100</u>	MINUTE entry before the Honorable Matthew F. Kennelly: This order is entered by Judge Kennelly as emergency judge. Following consultation with Judge Gettleman, the assigned judge, Judge Kennelly will address both the plaintiffs' request for discovery (as previously stated) and the defendant's motion for a stay pending appeal. The defendant's request to vacate the 5/21/2020 hearing on the plaintiffs' request for discovery is overruled. The motion for stay is set for hearing at the same time as the plaintiffs' request for discovery, specifically, 5/21/2020 at 1:15 PM. The Court intends to attempt to conduct the hearing by video conference and will send out the necessary information to counsel later today and will also make a docket entry providing information for telephone access to the hearing for the public. (mk) (Entered: 05/20/2020)
05/20/2020	<u>101</u>	MINUTE entry before the Honorable Matthew F. Kennelly: This order is entered by Judge Kennelly as emergency judge. Plaintiffs are directed to file a written response to defendant's motion to stay pending appeal by 8:00 PM this evening, though the Court encourages them to file their response earlier than that if they are able to do so. (mk) (Entered: 05/20/2020)
05/20/2020	<u>102</u>	MOTION by Plaintiffs Jackson Judia, Anthony Mays for leave to file <i>an oversized brief in response to Sheriff's motion to stay pending appeal and to strike discovery requests</i> (Attachments: # <u>1</u> Proposed Response in Opposition to Sheriff's Motion to Stay and to Strike, # <u>2</u> Exhibit A to Proposed Response: Detainee declarations, # <u>3</u> Exhibit B to Proposed Response: Staudt Declaration, # <u>4</u> Exhibit C to Proposed Response: Westlaw cases)(Van Brunt, Alexa) (Entered: 05/20/2020)

05/20/2020	<u>103</u>	MINUTE entry before the Honorable Matthew F. Kennelly, as emergency judge: Plaintiffs' motion for leave to file excess pages <u>102</u> is granted. (mk) (Entered: 05/20/2020)
05/21/2020	<u>104</u>	MINUTE entry before the Honorable Matthew F. Kennelly: This order is entered by Judge Kennelly as emergency judge. Today's 1:15 PM hearing will be held by video conference, with telephone conference as a fallback if there are technical problems with the video conference. The Court will send an invitation for the video conference to counsel of record for plaintiffs, defendant, and the proposed intervenor. The invitation will include instructions for participating by video and also participating by telephone only and will include a password for video access. Participation in the video aspect of the hearing will be limited to three lawyers for plaintiffs, three lawyers for defendants, and one lawyer for the proposed intervenor, though the Court does not anticipate that the proposed intervenor will be presenting arguments on the request for expedited discovery or the motion to stay the preliminary injunction pending appeal. Others may participate by telephone. <u>Counsel should sign in at least 10 minutes early to make sure they have the correct video and audio settings.</u> For purposes of public and press access, audio-only access to the hearing will be available via the following call-in number: 571-353-2300, access code 314-468-475. If there are technical problems with the video conference, the Court will recess the video hearing and will resume the hearing by telephone conference. The call-in number for the fallback telephone conference is 888-684-8852, and the access code is 746-1053. All persons granted remote video or audio access to proceedings are reminded of the prohibitions against photographing, recording, and rebroadcasting of court proceedings. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed appropriate by the Court. (mk) (Entered: 05/21/2020)
05/21/2020	<u>105</u>	MINUTE entry before the Honorable Matthew F. Kennelly: MINUTE entry before the Honorable Matthew F. Kennelly: This order is entered by Judge Kennelly as emergency judge. Today's 1:15 PM hearing will be held by video conference, with telephone conference as a fallback if there are technical problems with the video conference. The Court will send an invitation for the video conference to counsel of record for plaintiffs, defendant, and the proposed intervenor. The invitation will include instructions for participating by video and also participating by telephone only and will include a password for video access. Participation in the video aspect of the hearing will be limited to three lawyers for plaintiffs, three lawyers for defendants, and one lawyer for the proposed intervenor, though the Court does not anticipate that the proposed intervenor will be presenting arguments on the request for expedited discovery or the motion to stay the preliminary injunction pending appeal. Others may participate by telephone. Counsel should sign in at least 10 minutes early to make sure they have the correct video and audio settings. For purposes of public and press access, audio-only access to the hearing will be available via the following call-in number: 571-353-2300, access code 314-468-475. If there are technical problems with the video conference, the Court will recess the video hearing and will resume the hearing by telephone conference. The call-in number for the fallback telephone conference is 888-684-8852, and the access code is 746-1053. All persons granted remote video or audio access to proceedings are reminded of the prohibitions against photographing, recording, and rebroadcasting of court proceedings. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed appropriate by the Court. (mk) (Entered: 05/21/2020)
05/21/2020	<u>106</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Video conference hearing held on 5/21/2020. The Court takes under advisement Plaintiffs' request for expedited discovery <u>55</u> and Defendant's motion to stay pending appeal and renewed motion to strike plaintiffs' "discovery requests" for lack of jurisdiction <u>98</u> . No further briefs will be accepted on these issues. The parties are directed to confer as required by Rule 26(f) and submit to Judge Gettleman's courtroom deputy, Claire_Newman@ilnd.uscourts.gov, a proposed Scheduling Order under Rule 16(b) by 6/2/2020. Mailed notice (cn). (Entered: 05/21/2020)
05/22/2020	<u>107</u>	REPLY by International Brotherhood of Teamsters Local 700 to response to motion, <u>95</u> , response to motion, <u>96</u> (Voyles, Sherrie) (Entered: 05/22/2020)

05/26/2020	<u>108</u>	ORDER ORDER Fourth Amended General Order 20-0012 IN RE: CORONAVIRUS COVID-19 PUBLIC EMERGENCY Signed by the Chief Judge Rebecca R. Pallmeyer on May 26, 2020. This Order does not extend or modify any deadlines set in civil cases. For non-emergency motions, no motion may be noticed for presentment on a date earlier than July 15, 2020. See attached Order. Signed by the Honorable Rebecca R. Pallmeyer on 5/26/2020: Mailed notice. (docket10,) (Entered: 05/26/2020)
05/29/2020	<u>109</u>	MEMORANDUM OPINION AND ORDER signed by the Honorable Matthew F. Kennelly on 5/29/2020: For the reasons stated in the accompanying Memorandum Opinion and Order, the Court denies defendant's motion to stay the preliminary injunction pending appeal [dkt. no. 98] and denies plaintiffs' motion for expedited discovery [dkt. no. 85]. (mk) (Entered: 05/29/2020)
05/29/2020	<u>110</u>	WAIVER OF SERVICE returned executed by Anthony Mays, Jackson Judia. Dart J Thomas waiver sent on 4/4/2020, answer due 6/3/2020. (Grady, Sarah) (Entered: 05/29/2020)
06/02/2020	<u>111</u>	ORDER signed by the Honorable Robert W. Gettleman on 6/2/2020: For the reasons set forth in the attached Order, the Union's motion to intervene (Doc. <u>82</u>) is granted. Mailed notice (cn). (Entered: 06/02/2020)
06/03/2020	<u>112</u>	MINUTE entry before the Honorable Robert W. Gettleman: Plaintiffs and defendant Thomas Dart have submitted competing discovery plans in the form of a proposed order, which the court will not enter but should be filed on the docket as a status report on the current positions of the parties concerning discovery. The court notes that, (a) the preliminary injunction entered by the emergency judge has been appealed, and (b) the court has recently granted the union representing the Cook County Jail staff the right to intervene as a party defendant. Having considered the positions of the parties, and the dynamics of this case, the court sets a tentative fact and expert discovery cutoff for 9/30/2020. The court refers discovery supervision and settlement matters to Magistrate Judge David Weisman. Finally, the court notes that this schedule is subject to change depending on the ruling of the Court of Appeals on the appeal of the preliminary injunction entered by the emergency judge. Due to the current COVID-19 Emergency schedule, the court will set an in-court status hearing prior to the close of discovery. Mailed notice (cn). (Entered: 06/03/2020)
06/03/2020	<u>113</u>	Pursuant to Local Rule 72.1, this case is hereby referred to the calendar of Honorable M. David Weisman for the purpose of holding proceedings related to: discovery supervision and settlement. (cn) Mailed notice. (Entered: 06/03/2020)
06/03/2020	<u>114</u>	MINUTE entry before the Honorable M. David Weisman: This case has been referred to Magistrate Judge Weisman for the purposes of discovery supervision and to conduct a settlement conference. Status hearing set for 6/9/2020 will at 9:15 a.m. be conducted by telephone. Parties shall dial in using the Court's conference call-in number. The conference call-in number is 1-877-411-9748 and the passcode is 1814539. Please note that the Court's conference call-in will be used by all cases that are on the Court's calendar for the said date, therefore counsel must be in a quiet area while on the line and must have the telephone muted until your case is called by the Court. Once the Court has heard your case you shall disconnect from the conference line. BECAUSE ALL CASES SET FOR STATUS HEARINGS WILL BE USING THIS CONFERENCE CALL-IN NUMBER, PARTICIPANTS MUST REMAIN ON THE LINE WITH THE MUTE FUNCTION ACTIVATED UNTIL THEIR RESPECTIVE IS CASE IS CALLED. PARTICIPANTS SHALL NOT PLACE THE COURT CONFERENCE CALL ON HOLD OR ATTEMPT OTHER TELEPHONIC FUNCTIONS (E.G. ACCEPTING AN INTRAOFFICE INTERCOM COMMUNICATION, ETC.) DURING THE CONFERENCE CALL AS THIS PRACTICE OFTEN RESULTS IN UNINTENDED CONSEQUENCES SUCH AS MUSIC OR OTHER SOUNDS PROJECTING INTO THE ENTIRE CONFERENCE CALL WHILE THE ALTERNATIVE PHONE USE IS OCCURRING. Mailed notice (ao,) (Entered: 06/03/2020)
06/03/2020	<u>115</u>	MOTION by Plaintiff Anthony Mays for discovery , <i>renewed</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Bowman, Locke) (Entered: 06/03/2020)
06/03/2020	<u>116</u>	MINUTE entry before the Honorable M. David Weisman: This Court has set a telephonic status hearing [# <u>114</u>]. In order to conduct this hearing and address the

		motion [# <u>115</u>] as efficiently as possible, each party must designate one lead counsel to speak for each respective party. Co-counsel will be given the opportunity to communicate with designated lead counsel through email, text, or other electronic means. But, the Court will only hear from a lead counsel for each party. The Court provides this notice to allow counsel to properly prepare for the hearing. The Court looks forward to working with all counsel in this matter. Mailed notice (ao,) (Entered: 06/03/2020)
06/08/2020	<u>117</u>	RESPONSE by Dart J Thomasin Opposition to MOTION by Plaintiff Anthony Mays for discovery , <i>renewed</i> <u>115</u> (Attachments: # <u>1</u> Exhibit A, May 21, 2020 Transcript)(Dierks, Lari) (Entered: 06/08/2020)
06/09/2020	<u>118</u>	MINUTE entry before the Honorable M. David Weisman: Motion/Magistrate status hearing held. Parties appeared telephonically. Court reporter Nancy LaBella attended telephonically. The Court informed Plaintiff's counsel about his professional relationship with Mr. Shannon, counsel for Defendant. Plaintiff's counsel advised the Court that he has no concerns as it relates to this disclosure. Plaintiffs' motion for limited, expedited discovery <u>115</u> is entered and continued. The Court will issue a written ruling. Status hearing set for 6/15/2020 at 9:15 a.m. be conducted by telephone. Parties shall dial in using the Court's conference call-in number. The conference call-in number is 1-877-411-9748 and the passcode is 1814539. Please note that the Court's conference call-in will be used by all cases that are on the Court's calendar for the said date, therefore counsel must be in a quiet area while on the line and must have the telephone muted until your case is called by the Court. Once the Court has heard your case you shall disconnect from the conference line. BECAUSE ALL CASES SET FOR STATUS HEARINGS WILL BE USING THIS CONFERENCE CALL-IN NUMBER, PARTICIPANTS MUST REMAIN ON THE LINE WITH THE MUTE FUNCTION ACTIVATED UNTIL THEIR RESPECTIVE IS CASE IS CALLED. PARTICIPANTS SHALL NOT PLACE THE COURT CONFERENCE CALL ON HOLD OR ATTEMPT OTHER TELEPHONIC FUNCTIONS (E.G. ACCEPTING AN INTRAOFFICE INTERCOM COMMUNICATION, ETC.) DURING THE CONFERENCE CALL AS THIS PRACTICE OFTEN RESULTS IN UNINTENDED CONSEQUENCES SUCH AS MUSIC OR OTHER SOUNDS PROJECTING INTO THE ENTIRE CONFERENCE CALL WHILE THE ALTERNATIVE PHONE USE IS OCCURRING. Mailed notice (ao,) (Entered: 06/09/2020)
06/11/2020	<u>119</u>	MINUTE entry before the Honorable M. David Weisman: The Court grants in part plaintiffs' motion for expedited discovery <u>115</u> and orders defendant to permit plaintiffs to inspect the areas of the Jail identified in their request for inspection within fourteen days of the date of this order. Enter Order. Mailed notice (ao,) (Entered: 06/11/2020)
06/11/2020	<u>120</u>	ORDER: Signed by the Honorable M. David Weisman on 6/11/2020. Mailed notice (ao,) (Entered: 06/11/2020)
06/12/2020	<u>121</u>	ATTORNEY Appearance for Defendant Dart J Thomas by Vincent Michael Rizzo (Rizzo, Vincent) (Entered: 06/12/2020)
06/15/2020	<u>122</u>	MINUTE entry before the Honorable M. David Weisman: Magistrate status hearing held. Parties appeared telephonically. By 6/19/2020, parties shall exchange Rule 26(a)(1) disclosures. By 8/14/2020, Plaintiffs shall serve their Rule 26(a)(2) disclosures. Plaintiffs' expert shall be deposed by 9/11/2020. Defendant shall serve its Rule 26(a)(2) disclosures by 9/18/2020. Defendant's expert shall be deposed by 9/30/2020. By 6/19/2020, parties shall file any motions for a proposed protective order and a proposed HIPAA order. Parties shall file a joint status report by 7/7/2020. Status hearing set for 7/10/2020 at 9:30 a.m. Parties shall dial in using the Court's conference call-in number. The conference call-in number is 1-877-411-9748 and the passcode is 1814539. Please note that the Court's conference call-in will be used by all cases that are on the Court's calendar for the said date, therefore counsel must be in a quiet area while on the line and must have the telephone muted until your case is called by the Court. Once the Court has heard your case you shall disconnect from the conference line. BECAUSE ALL CASES SET FOR STATUS HEARINGS WILL BE USING THIS CONFERENCE CALL-IN NUMBER, PARTICIPANTS MUST REMAIN ON THE LINE WITH THE MUTE FUNCTION ACTIVATED UNTIL THEIR RESPECTIVE IS CASE IS CALLED. PARTICIPANTS SHALL NOT PLACE THE COURT CONFERENCE CALL ON HOLD OR ATTEMPT OTHER TELEPHONIC FUNCTIONS (E.G. ACCEPTING AN INTRAOFFICE INTERCOM

		COMMUNICATION, ETC.) DURING THE CONFERENCE CALL AS THIS PRACTICE OFTEN RESULTS IN UNINTENDED CONSEQUENCES SUCH AS MUSIC OR OTHER SOUNDS PROJECTING INTO THE ENTIRE CONFERENCE CALL WHILE THE ALTERNATIVE PHONE USE IS OCCURRING. Mailed notice (ao,) (Entered: 06/15/2020)
06/18/2020	<u>123</u>	MOTION by Defendant Dart J Thomas for protective order <i>and HIPAA order AGREED</i> (Dierks, Lari) (Entered: 06/18/2020)
06/18/2020	<u>124</u>	MINUTE entry before the Honorable M. David Weisman: Defendant's agreed motion for entry of HIPAA and Confidentiality orders <u>123</u> is granted. Enter orders. Mailed notice (ao,) (Entered: 06/18/2020)
06/18/2020	<u>125</u>	CONFIDENTIALITY Order: Signed by the Honorable M. David Weisman on 6/18/2020. (ao,) (Entered: 06/18/2020)
06/18/2020	<u>126</u>	QUALIFIED PROTECTIVE ORDER: Signed by the Honorable M. David Weisman on 6/18/2020. Mailed notice (ao,) (Entered: 06/18/2020)
06/19/2020	<u>127</u>	ORDER dated 6/19/2020 from the 7th Circuit regarding notice of appeal <u>88</u> ; Appellate case no. : 20-1792 : IT IS ORDERED that the motion to stay the preliminary injunction pending appeal is GRANTED in part. The injunction is STAYED to the extent that it requires the appellants to establish and put into effect a policy "precluding group housing or double celling of detained persons." In all other respects, the motion is DENIED. (sxb,) (Entered: 06/19/2020)
06/19/2020	<u>128</u>	TRANSCRIPT OF PROCEEDINGS held on 6/15/2020 before the Honorable M. David Weisman. Order Number: 38652. Court Reporter Contact Information: Kathleen_Fennell@ilnd.uscourts.gov. <P>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</P> Redaction Request due 7/10/2020. Redacted Transcript Deadline set for 7/20/2020. Release of Transcript Restriction set for 9/17/2020. (Fennell, Kathleen) (Entered: 06/19/2020)
06/23/2020	<u>129</u>	MOTION by Defendant Dart J Thomas to stay <i>discovery pending appeal in light of appellate court stay order</i> (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(Sperry, Gretchen) (Entered: 06/23/2020)
06/23/2020	<u>130</u>	NOTICE of Motion by Gretchen Harris Sperry for presentment of motion to stay <u>129</u> before Honorable M. David Weisman on 6/29/2020 at 09:15 AM. (Sperry, Gretchen) (Entered: 06/23/2020)
06/24/2020	<u>131</u>	MINUTE entry before the Honorable M. David Weisman:Defendant's renewed motion to stay discovery pending appeal in light of seventh circuit's order staying enforcement in light of the injunction <u>129</u> is entered and briefed as follows: Response due 7/1/2020; No reply. Motion hearing set for 6/29/2020 is stricken and reset to 7/10/2020 at 9:30 a.m. Parties shall dial in using the Court's conference call-in number. The conference call-in number is 1-877-411-9748 and the passcode is 1814539. Please note that the Court's conference call-in will be used by all cases that are on the Court's calendar for the said date, therefore counsel must be in a quiet area while on the line and must have the telephone muted until your case is called by the Court. Once the Court has heard your case you shall disconnect from the conference line. BECAUSE ALL CASES SET FOR STATUS HEARINGS WILL BE USING THIS CONFERENCE CALL-IN NUMBER, PARTICIPANTS MUST REMAIN ON THE LINE WITH THE MUTE FUNCTION ACTIVATED UNTIL THEIR RESPECTIVE IS CASE IS CALLED. PARTICIPANTS SHALL NOT PLACE THE COURT CONFERENCE CALL ON HOLD OR ATTEMPT OTHER TELEPHONIC FUNCTIONS (E.G. ACCEPTING AN INTRAOFFICE INTERCOM COMMUNICATION, ETC.) DURING THE CONFERENCE CALL AS THIS PRACTICE OFTEN RESULTS IN UNINTENDED CONSEQUENCES SUCH AS MUSIC OR OTHER SOUNDS PROJECTING INTO THE ENTIRE CONFERENCE CALL WHILE THE ALTERNATIVE PHONE USE IS OCCURRING. Mailed notice (ao,) (Entered: 06/24/2020)

07/01/2020	<u>132</u>	MOTION by Plaintiffs Jackson Judia, Anthony Mays for extension of time to file response/reply as to motion to stay <u>129</u> (Bowman, Locke) (Entered: 07/01/2020)
07/01/2020	<u>133</u>	NOTICE of Motion by Locke E. Bowman, III for presentment of motion for extension of time to file response/reply <u>132</u> before Honorable M. David Weisman on 7/7/2020 at 09:15 AM. (Bowman, Locke) (Entered: 07/01/2020)
07/02/2020	<u>134</u>	MINUTE entry before the Honorable M. David Weisman: Plaintiffs' unopposed motion to extend the time for filing their response to the Sheriff's motion for stay <u>132</u> is granted up to and including 7/7/2020. Motion hearings set for 7/7/2020 and 7/10/2020 are stricken and reset to 7/15/2020 at 9:45 a.m. Parties shall dial in using the Court's conference call-in number. The conference call-in number is 1-877-411-9748 and the passcode is 1814539. Please note that the Court's conference call-in will be used by all cases that are on the Court's calendar for the said date, therefore counsel must be in a quiet area while on the line and must have the telephone muted until your case is called by the Court. Mailed notice (ao,) (Entered: 07/02/2020)
07/07/2020	<u>135</u>	MOTION by Plaintiffs Jackson Judia, Anthony Mays to stay regarding MOTION by Defendant Dart J Thomas to stay <i>discovery pending appeal in light of appellate court stay order</i> <u>129</u> (Bowman, Locke) (Entered: 07/07/2020)
07/07/2020	<u>136</u>	NOTICE of Motion by Locke E. Bowman, III for presentment of motion to stay <u>135</u> before Honorable M. David Weisman on 7/10/2020 at 09:15 AM. (Bowman, Locke) (Entered: 07/07/2020)
07/07/2020	<u>137</u>	MOTION by Plaintiffs Jackson Judia, Anthony Mays to Extend the Preliminary Injunction and to Stay Discovery Pending Appeal (<i>Joint Motion</i>) (Grady, Sarah) (Entered: 07/07/2020)
07/07/2020	<u>138</u>	NOTICE of Motion by Sarah Copeland Grady for presentment of motion for miscellaneous relief <u>137</u> before Honorable Robert W. Gettleman on 7/15/2020 at 09:15 AM. (Grady, Sarah) (Entered: 07/07/2020)
07/08/2020	<u>139</u>	MINUTE entry before the Honorable M. David Weisman: Plaintiff's unopposed motion to stay briefing and on Sheriff's motion to stay discovery <u>35</u> hearing will held on 7/15/2020 at 9:45 a.m. Motion hearing set for 7/10/2020 is stricken. Parties shall dial in using the Court's conference call-in number. The conference call-in number is 1-877-411-9748 and the passcode is 1814539. Please note that the Court's conference call-in will be used by all cases that are on the Court's calendar for the said date, therefore counsel must be in a quiet area while on the line and must have the telephone muted until your case is called by the Court. Mailed notice (ao,) (Entered: 07/08/2020)
07/08/2020	<u>140</u>	MOTION by Defendant Dart J Thomas to supplement <i>the Record on Appeal (AGREED)</i> (Attachments: # <u>1</u> Exhibit A)(Dierks, Lari) (Entered: 07/08/2020)
07/09/2020	<u>141</u>	ORDER signed by the Honorable Robert W. Gettleman on 7/9/2020: For the reasons set forth in the attached ORDER, the parties' joint motion to extend the preliminary injunction and to stay discovery pending appeal <u>137</u> is granted. The court orders all discovery in this case stayed until such time as the Court can take proper action following the return of the mandate to this Court from the Seventh Circuit Court of Appeal. The Court further orders that Plaintiffs' motion for discovery <u>135</u> and the Sheriff's motion to stay discovery pending appeal <u>129</u> are withdrawn. Motion presentment hearing set before this court for 7/15/20 is stricken. Mailed notice (cn). (Entered: 07/09/2020)
07/09/2020	<u>142</u>	MINUTE entry before the Honorable Robert W. Gettleman: Agreed motion to supplement the record <u>140</u> is granted. Mailed notice (cn). (Entered: 07/09/2020)
07/09/2020	<u>143</u>	MINUTE entry before the Honorable M. David Weisman: Given the stay of discovery, the status hearing set for 7/15/2020 is stricken and reset to 8/26/2020 at 9:15 a.m. Parties shall dial in using the Court's conference call-in number. The conference call-in number is 1-877-411-9748 and the passcode is 1814539. Please note that the Court's conference call-in will be used by all cases that are on the Court's calendar for the said date, therefore counsel must be in a quiet area while on the line and must have the telephone muted until your case is called by the Court. Mailed notice (ao,) (Entered: 07/09/2020)

07/10/2020	<u>144</u>	ORDER Fifth Amended General Order 20-0012 IN RE: CORONAVIRUS COVID-19 PUBLIC EMERGENCY Signed by the Chief Judge Rebecca R. Pallmeyer on July 10, 2020. This Order does not extend or modify any deadlines set in civil cases. No motions may be noticed for in-person presentment; the presiding judge will notify parties of the need, if any, for a hearing by electronic means or in-court proceeding. See attached Order. Signed by the Honorable Rebecca R. Pallmeyer on 7/10/2020: Mailed notice. (Clerk9, Docket) (Entered: 07/10/2020)
07/10/2020		FORWARDED copy of Order dated 7/9/2020 <u>142</u> to the USCA (pj,) (Entered: 07/10/2020)