

**United States District Court
Northern District of Illinois - CM/ECF LIVE, Ver 6.3.3 (Chicago)
CIVIL DOCKET FOR CASE #: 1:00-cv-00861**

Romero, et al v. Mt Prospect, Vlg, et al
Assigned to: Honorable James B. Zagel
Demand: \$0
Cause: 42:1985 Civil Rights

Date Filed: 02/11/2000
Date Terminated: 02/11/2003
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights:
Other
Jurisdiction: Federal Question

Plaintiff

Hiram Romero
*individually and on behalf of all
persons similarly situated*

represented by **Peter J. Wilkes**
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Plaintiff

Silvia Meyers

represented by **Steven Craig Rueckert**
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(See above for address)

ATTORNEY TO BE NOTICED

Plaintiff

Jose Pineda

*individually and on behalf of all
persons similarly situated*

represented by **Peter J. Wilkes**

(See above for address)

V.

Defendant

Village of Mt. Prospect

represented by **James Gus Sotos**

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Defendant

**Mount Prospect Police
Department**

represented by **James Gus Sotos**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Charles E. Hervas
(See above for address)
ATTORNEY TO BE NOTICED

Kevin G. Kulling
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Kimberly D. Fahrbach
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Ronald Pavlock
*individually and in his official
capacity as Chief of the Mt.*

represented by **Terry A. Ekl**
Ekl, Williams & Provenzale LLC
901 Warrenville Road
#175

*Prospect Police Department
TERMINATED: 11/13/2002*

Lisle, IL 60532
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*TERMINATED: 11/13/2002
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Defendant

Timothy Janowick
*Officer
TERMINATED: 11/13/2002*

represented by **Frank Bennett Garrett , III**
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& Taylor, Ltd.
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TERMINATED: 11/13/2002

Defendant

Joseph Favia

Officer and other presently unknown officers of the Mt. Prospect Police Department in their individual capacities
TERMINATED: 11/13/2002

represented by **Manuel Sanchez**
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Date Filed	#	Docket Text
02/11/2000	1	COMPLAINT; jury demand - Civil cover sheet - Appearance(s) of Gustavo Munoz, Steven Craig Rueckert, Peter J. Wilkes as attorney(s) for plaintiff (six originals and six copies summons(es) issued.) (Documents: 1-1 through 1-3) (fce) (Entered: 02/14/2000)
02/11/2000		RECEIPT regarding payment of filing fee paid; on 2/11/00 in the amount of \$ 150.00, receipt # 7210. (fce) (Entered: 02/14/2000)
02/14/2000	2	AMENDED class action complaint [1-1] by plaintiff (fce) (Entered: 02/15/2000)

03/06/2000	3	ATTORNEY APPEARANCE for defendants Mt Prospect, Vlg, Mt Prospect PD by James Gus Sotos, Charles E. Hervas, Kimberly D. Fahrbach and Kevin G. Kulling; Notice (fce) Modified on 03/09/2000 (Entered: 03/07/2000)
03/06/2000	5	AGREED MOTION by parties to extend time for defendants to respond to plaintiff's pleadings ; Notice (fce) (Entered: 03/20/2000)
03/09/2000	6	MINUTE ORDER of 3/9/00 by Hon. James B. Zagel : Agreed motion to extend time is granted [5-1]. Amended complaint due by 3/20/00. Response to the amended complaint due 4/19/00. Telephoned notice (fce) (Entered: 03/20/2000)
03/13/2000	4	ADDITIONAL ATTORNEY APPEARANCE for defendant Mt Prospect, Vlg by William W. Kurnik, Michelle Jeanette Hirsch. (vmj) (Entered: 03/14/2000)
03/17/2000	7	SECOND AMENDED COMPLAINT [2-1] by plaintiffs; adding Silvia Meyers (fce) (Entered: 03/20/2000)
03/20/2000		MAILED Rule 3.14 letter to Steven Craig Rueckert and Gustavo Munoz (fce) (Entered: 03/20/2000)
03/27/2000	8	ATTORNEY APPEARANCE for defendant Ronald Pavlock by Terry A. Ekl ; Notice (fce) Modified on 03/28/2000 (Entered: 03/28/2000)
03/31/2000	9	ATTORNEY APPEARANCE for defendant Joseph Favia by Manuel Sanchez, Peter Frank Zullo and Mark Edward Winters (fce) (Entered: 04/03/2000)
03/31/2000	10	ATTORNEY APPEARANCE for plaintiffs by Steven C. Rueckert (fce) (Entered: 04/03/2000)
04/05/2000	11	THIRD AMENDED COMPLAINT [7-1] by plaintiff; adding Jose Pineda (fce) (Entered: 04/06/2000)
04/27/2000	12	NOTICE by defendant Mt Prospect, Vlg of change of address (fce) (Entered: 04/28/2000)
05/05/2000	13	ATTORNEY APPEARANCE for Frank Raus by Manuel Sanchez, Mark E. Winters and Peter F. Zullo (fce) (Entered: 05/09/2000)
06/05/2000	14	ATTORNEY APPEARANCE for defendant Officer Timothy Janowick by Frank B. Garrett, Laura Lee Scarry; Notice. (maf) Modified on 06/06/2000 (Entered: 06/06/2000)

06/05/2000	17	MOTION by defendant Timothy Janowick for leave to file memorandum in excess of fifteen pages, instanter (Attachment). (srb) (Entered: 06/23/2000)
06/05/2000	18	AMENDED NOTICE of motion by defendant Timothy Janowick regarding motion for leave to file memorandum in excess of fifteen pages, instanter. (srb) (Entered: 06/23/2000)
06/06/2000	19	MOTION by defendants Vlg of Mt Prospect and Mt Prospect PD to dismiss count II of the third amended complaint, The Title VI claim ; Memorandum in support; Notice. (srb) (Entered: 06/23/2000)
06/06/2000	23	MOTION by defendants Officers Joseph Favia, Frank Raus to dismiss plaintiff's third amended complaint pursuant to federal rule of civil procedure 12 (b)(6) ; Memorandum in support. (maf) (Entered: 06/28/2000)
06/08/2000	15	ANSWER by defendant Vlg of Mt Prospect to plaintiffs' third amended class action complaint [11-1]; Notice. (maf) Modified on 06/09/2000 (Entered: 06/09/2000)
06/13/2000	16	MEMORANDUM of law by defendant Timothy Janowick in support of his motion to dismiss; Notice (rmm) (Entered: 06/15/2000)
06/13/2000	20	MINUTE ORDER of 6/13/00 by Hon. James B. Zagel: Defendants' motion for leave to file memorandum in excess of fifteen pages, instanter is granted [17-1]. Telephoned notice (srb) (Entered: 06/23/2000)
06/13/2000	24	MOTION by defendant Timothy Janowick to dismiss each and every claim against him in plaintiffs' third amended class action complaint ; Notice (fce) (Entered: 06/29/2000)
06/15/2000	21	MINUTE ORDER of 6/15/00 by Hon. James B. Zagel: Answer brief to defendants' Village and Police Department's motion to dismiss count II [19-1] due 8/8/00. Reply to answer brief due 8/29/00. Mailed notice. (srb) (Entered: 06/23/2000)
06/22/2000	22	ANSWER by defendant Ronald Pavlock to plaintiffs' third amended class action complaint [11-1]; Notice of filing. (jmp) (Entered: 06/27/2000)
06/27/2000	25	MINUTE ORDER of 6/27/00 by Hon. James B. Zagel : Answer brief to defendant Janowick's motion to dismiss each and every claim against him in plaintiffs' third amended class action complaint [24-1] is due 8/8/00. Reply to answer brief due 8/29/00. Status hearing set to 10:00 a.m. on 9/19/00. Motion to dismiss count II of the third amended complaint, The Title VI claim [19-1] answer due 8/8/00. Reply due 8/29/00. Mailed notice (fce) (Entered: 06/29/2000)

07/26/2000	26	NOTICE by Mt Prospect, Vlg of change of firm name. (tln) (Entered: 08/01/2000)
08/08/2000	27	RESPONSE by plaintiffs in opposition to defendant Timothy Janowick's motion to dismiss [24-1]. (kef) Modified on 08/09/2000 (Entered: 08/09/2000)
08/08/2000	28	MOTION by plaintiffs for leave to memorandum of law in opposition to defendant Timothy Janowick's motion to dismiss in excess of fifteen pages . (kef) (Entered: 08/09/2000)
08/08/2000	29	MEMORANDUM of law by plaintiffs in opposition to defendant Timothy Janowick's motion to dismiss [24-1]. (kef) Modified on 08/09/2000 (Entered: 08/09/2000)
08/08/2000	30	RESPONSE by plaintiffs in opposition to defendants Joseph Favia and Frank Raus' motion to dismiss [23-1]. (kef) Modified on 08/09/2000 (Entered: 08/09/2000)
08/08/2000	31	MOTION by plaintiffs for leave to file memorandum of law in opposition to defendants Frank Raus' and Joseph Favia's motion to dismiss in excess of fifteen pages . (kef) (Entered: 08/09/2000)
08/08/2000	32	MEMORANDUM of law by plaintiffs in opposition to defendants Joseph Favia and Frank Raus' motion to dismiss [23-1]. (kef) Modified on 08/09/2000 (Entered: 08/09/2000)
08/08/2000	33	RESPONSE by plaintiffs in opposition to defendant Village of Mount Prospect's motion to dismiss count II [19-1]. (kef) (Entered: 08/09/2000)
08/08/2000	34	MEMORANDUM of law by plaintiffs in opposition to defendant Village of Mount Prospect's motion to dismiss count II [19-1]. (kef) (Entered: 08/09/2000)
08/29/2000	35	REPLY by defendant Timothy Janowick to plaintiffs' response to defendant's motion to dismiss [24-1]; Notice (yap) (Entered: 08/30/2000)
08/29/2000	36	REPLY by defendants Joseph Favia and Frank Raus in support of their motion to dismiss plaintiffs' third amended class action complaint pursuant to federal rule of civil procedure 12 (b)(6); Notice (yap) (Entered: 08/31/2000)
09/11/2000	37	REPLY memorandum by defendants Mt Prospect, Vlg, and Mt Prospect PD in support of their motion to dismiss count II [19-1] (yap) (Entered: 09/11/2000)

09/13/2000		SCHEDULE set on 9/13/00 by Hon. James B. Zagel : Status hearing stricken. Ruling on pending motion to be made by mail. Mailed notice (drw) (Entered: 09/13/2000)
10/23/2000	38	MINUTE ORDER of 10/23/00 by Hon. James B. Zagel : Motions to dismiss count II of the third amended complaint [19-1], to dismiss plaintiff's third amended complaint pursuant to federal of civil procedure 12 (b)(6) [23-1], and to dismiss each and every claim against him in plaintiffs' third amended class action complaint is granted/denied in part [24-1]. The conspiracy claims are dismissed without prejudice. Motion for leave to memorandum of law in opposition to defendant Timothy Janowick's motion to dismiss in excess of fifteen pages [28-1] and motion for leave to file memorandum of law in opposition to defendants Frank Raus' and Joseph Faviias' motion to dismiss in excess of fifteen pages are granted [31-1]. (Entered Memorandum Opinion and Order.) Mailed notice. (las) (Entered: 10/25/2000)
11/29/2000	39	MOTION by the Village of Mount Prospect to compel plaintiffs to respond to their discovery requests (Attachment); Notice (ar) (Entered: 12/13/2000)
12/05/2000	40	MINUTE ORDER of 12/5/00 by Hon. James B. Zagel : Defendant Village of Mount Prospect's motion to compel plaintiffs to respond to their discovery requests [39-1], granted with conditions as stated in open court. No notice (ar) (Entered: 12/13/2000)
12/06/2000	41	AGREED MOTION by defendant Mt Prospect, Vlg to vacate order granting defendant Village of Mount Prospect's motion to compel ; Notice (yap) (Entered: 12/26/2000)
12/12/2000	42	MINUTE ORDER of 12/12/00 by Hon. James B. Zagel: Defendant's agreed motion to vacate order granting defendant Village of Mount Prospect's motion to compel [41-1] is granted. The minute order or 12/5/00 granting motion to compel is vacated [40-1]. Reinstating motion to compel plaintiffs to respond to their discovery requests [39-1]. No notice (yap) (Entered: 12/26/2000)
01/19/2001		SCHEDULE set on 1/19/01 by Hon. James B. Zagel : Status hearing set to 10:00 2/15/01 . Mailed notice (drw) (Entered: 01/19/2001)
01/23/2001		SCHEDULE set on 1/23/01 by Hon. James B. Zagel : Status hearing 2/15/01 reset to 10:00 3/12/01 . Mailed notice (drw) (Entered: 01/23/2001)
02/06/2001		SCHEDULE set on 2/6/01 by Hon. James B. Zagel : Status hearing reset to 10:00 3/27/01 . Mailed notice (drw) (Entered: 02/06/2001)

03/27/2001		SCHEDULE set on 3/27/01 by Hon. James B. Zagel : Status hearing held and continued to 10:00 5/10/01 . No notice (drw) (Entered: 04/04/2001)
04/04/2001		SCHEDULE set on 4/4/01 by Hon. James B. Zagel : Status hearing reset to 12:30 5/10/01 . No notice (drw) (Entered: 04/04/2001)
05/08/2001	43	MINUTE ORDER of 5/8/01 by Hon. James B. Zagel: An insurance representative is directed to be present for the settlement conference now set before this court on 5/10/01 at 12:30 p.m. Telephoned notices (yap) (Entered: 05/09/2001)
05/10/2001		SCHEDULE set on 5/10/01 by Hon. James B. Zagel : Status hearing held. No notice (drw) (Entered: 05/10/2001)
06/12/2001	45	MOTION by defendant Timothy Janowick to substitute attorneys Steven R. Miller and Laura L. Scarry ; Notice (yap) (Entered: 06/20/2001)
06/12/2001	46	SUBSTITUTION of attorneys by defendant Timothy Janowick (yap) (Entered: 06/20/2001)
06/19/2001	44	ATTORNEY APPEARANCE for defendant Timothy Janowick by Stephen Richard Miller, Jason M. Sax and Laura L. Scarry; Notice (yap) (Entered: 06/19/2001)
06/19/2001	47	MINUTE ORDER of 6/19/01 by Hon. James B. Zagel: Defendant, Officer Timothy Janowick's motion to substitute attorneys Steven R. Miller and Laura L. Scarry [45-1] is granted. The appearance of Robbins, Schwartz, Nicholas, Lifton & Taylor, Ltd and its attorneys is withdrawn. Mailed notice (yap) (Entered: 06/20/2001)
08/13/2001	48	NOTICE by defendant Mt Prospect, Vlg's counsel of change of firm name (yap) (Entered: 08/13/2001)
08/27/2001	49	MINUTE ORDER of 8/27/01 by Hon. James B. Zagel: Motion to compel plaintiffs to respond to their discovery requests [39-1] is denied as moot, as per the parties' agreement [41-1]. Mailed notice (yap) (Entered: 08/28/2001)
09/24/2001	50	MOTION by defendant Timothy Janowick to compel written discovery responses (Attachments); Notice (yap) (Entered: 10/03/2001)
10/02/2001	51	MINUTE ORDER of 10/2/01 by Hon. James B. Zagel: Defendant Janowick's motion to compel written discovery responses [50-1] is granted. Discovery compliance deadline 10/23/01. Mailed notice (yap) (Entered: 10/03/2001)

01/11/2002		SCHEDULE set on 1/11/02 by Hon. James B. Zagel : Status hearing set to 10:00 3/14/02 . Mailed notice (drw) (Entered: 01/11/2002)
03/14/2002		SCHEDULE set on 3/14/02 by Hon. James B. Zagel : Status hearing held and continued to 10:00 5/16/02 . No notice (drw) (Entered: 03/14/2002)
05/16/2002		SCHEDULE set on 5/16/02 by Hon. James B. Zagel : Status hearing held and continued to 10:00 7/11/02 . No notice (drw) (Entered: 05/20/2002)
07/10/2002		SCHEDULE set on 7/10/02 by Hon. James B. Zagel : Status hearing 7/11/02 is reset to 10:00 8/6/02 . Mailed notice (drw) (Entered: 07/10/2002)
07/26/2002	52	NOTICE by plaintiffs Hiram Romero and Jose Pineda's counsel of change of address (yap) (Entered: 07/26/2002)
08/06/2002		SCHEDULE set on 8/6/02 by Hon. James B. Zagel : Status hearing held and continued to 10:00 10/9/02 . No notice (drw) (Entered: 08/14/2002)
10/08/2002		SCHEDULE set on 10/8/02 by Hon. James B. Zagel : Status hearing 10/9/02 is reset to 10:00 10/30/02 . Telephone notice (drw) (Entered: 10/08/2002)
10/30/2002		SCHEDULE set on 10/30/02 by Hon. James B. Zagel : Status hearing held and continued to 10:00 11/13/02 . No notice (drw) (Entered: 10/30/2002)
11/06/2002	53	STIPULATED MOTION by plaintiff for voluntary dismissal of plaintiffs' complaint against defendants' Ronald Pavlock, Timothy Janowick, Joseph Favia and Frank Raus ; Notice. (hmb) (Entered: 11/07/2002)
11/07/2002	54	JOINT MOTION by the parties for preliminary approval , and for certification of class for settlement purposes (Attachments); Notice (cdy) (Entered: 11/08/2002)
11/13/2002	55	MINUTE ORDER of 11/13/02 by Hon. James B. Zagel : Status hearing held. Motion for voluntary dismissal of plaintiffs' complaint against defendants' Ronald Pavlock, Timothy Janowick, Joseph Favia and Frank Raus [53-1] is granted. Said defendants are dismissed. Motion for class certification for purposes of settlement is granted. Motion for preliminary approval of class action settlement [54-1] is granted. Hearing on final approval of settlement is set for 2/11/03 at 12:00 p.m. noon [54-2]. terminating defendants Ronald Pavlock, Timothy Janowick, Joseph Favia and Frank Raus Mailed notice (yap) (Entered: 11/18/2002)

11/14/2002	56	MINUTE ORDER of 11/14/02 by Hon. James B. Zagel: Enter scheduling order for final approval of settlement. (Entered Order Regarding Notice Schedule). Mailed notice (yap) (Entered: 11/18/2002)
12/10/2002	57	AFFIDAVIT of compliance with settlement agreement of Kimberly D. Fahrbach; Notice (ar) (Entered: 12/23/2002)
02/11/2003	58	MINUTE ORDER of 2/11/03 by Hon. James B. Zagel: Motion (54-1) for approval of settlement hearing held. Motion is granted [54-1 terminating case . Enter final order and judgment approving class action settlement. (Entered Final Order and Judgment.) Mailed notice (air) (Entered: 02/20/2003)

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