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United States District Court
Northern District of Illinois - CM/ECF LIVE, Ver 3.0 (Chicago)
CIVIL DOCKET FOR CASE #: 1:05-cv-01904

Vieyra v. City of Joliet et al
Assigned to: Honorable David H. Coar
Cause: 28:1331 Federal Question: Other Civil Rights

Date Filed: 04/01/2005
Date Terminated: 07/17/2006
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Antonio Vieyra

represented by **Cosmo J Tedone**
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V.

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a not-for-profit Illinois Corporation

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Defendant

**Office of the States's Attorney of Will
County Illinois**
TERMINATED: 05/18/2005

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Patrick R Moran
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Defendant

Will County Adult Detention Facility
TERMINATED: 07/20/2005

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Defendant

Paul J Kaupas
individually, and as Sheriff of Will County

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Defendant

Steven Brooks

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Date Filed	#	Docket Text
04/01/2005	<u>1</u>	COMPLAINT filed by Antonio Vieyra; Jury Demand.(cdy,) (Entered: 04/04/2005)
04/01/2005	<u>2</u>	CIVIL Cover Sheet. (cdy,) (Entered: 04/04/2005)
04/01/2005	<u>3</u>	ATTORNEY appearance for plaintiff Antonio Vieyra by Cosmo J Tedone. (cdy,) (Entered: 04/04/2005)

04/04/2005	5	SUMMONS issued as to defendants City of Joliet, Jeffrey German. (cdy,) (Entered: 04/04/2005)
04/22/2005	6	MOTION by Defendants for an enlargement of time to file a responsive pleading or motion 1 (gma,) (Entered: 04/26/2005)
04/22/2005	7	NOTICE of Motion by Martin W. McManaman for presentment of MOTION by Defendants for an enlargement of time to file a responsive pleading or motion 6 before Honorable David H. Coar on 4/28/2005 at 09:00 AM. (gma,) (Entered: 04/26/2005)
04/22/2005	8	ATTORNEY Appearance for Defendants County of Will, Office of the States's Attorney of Will County Illinois, Will County Adult Detention Facility, Paul J Kaupas, Steven Brooks by Michelle Katherine Ross, Martin W. McManaman, Robert Hill Smeltzer, Gerald Haberkorn (lxs,) (Entered: 04/26/2005)
04/28/2005	11	MINUTE entry before Judge David H. Coar :The defedants' motion for an enlargement of time to file a responsive pleading or motion came before the Court on 4/28/2005, the movant failed to appear, the Motion for enlargement 6 is stricken. Mailed notice (pm,) (Entered: 05/06/2005)
05/05/2005	9	AMENDED MOTION by Defendants County of Will, Will County Sheriff's Office, Will County State's Attorney, Will County Adult Detention Facility, Paul J Kaupas and Steven Brooks for an enlargement of time to file a responsive pleading or motion. (cem,) (Entered: 05/06/2005)
05/05/2005	10	NOTICE of Motion by all defendants for presentment of amended motion for an enlargement of time to file a responsive pleading or motion 9 before Honorable David H. Coar on 5/12/2005 at 09:00 AM. (cem,) (Entered: 05/06/2005)
05/12/2005	12	SUMMONS Returned Executed by Antonio Vieyra as to County of Will on 4/6/2005, answer due 4/26/2005; Notice. (lcw,) (Entered: 05/16/2005)
05/12/2005	13	SUMMONS Returned Executed by Antonio Vieyra as to Office of the States's Attorney of Will County Illinois on 4/6/2005, answer due 4/26/2005. (lcw,) (Entered: 05/16/2005)
05/12/2005	14	SUMMONS Returned Executed by Antonio Vieyra as to Paul J Kaupas on 4/5/2005, answer due 4/25/2005. (lcw,) (Entered: 05/16/2005)
05/12/2005	15	SUMMONS Returned Executed by Antonio Vieyra as to Steven Brooks on 4/6/2005, answer due 4/26/2005. (lcw,) (Entered: 05/16/2005)
05/12/2005	16	ATTORNEY Appearance for plaintiff Antonio Vieyra by Erin Webster O'Sullivan, Charles L. Bretz. (lcw,) (Entered: 05/16/2005)
05/12/2005	17	MINUTE entry before Judge David H. Coar : Motion hearing held on 5/12/2005 regarding motion for extension of time to file answer, 9 . Defendants' Amended Motion for an enlargement of time to file a responsive pleading or motion 9 is granted, defendant to answer or plead on or before May 20, 2005. Motion for extension of time to file answer, motion for relief 6 is moot and terminated. Mailed notice (pm,) (Entered: 05/17/2005)
05/18/2005	18	AMENDED complaint by Antonio Vieyra against County of Will, Will County Adult Detention Facility, Paul J Kaupas, Steven Brooks and terminating Office of

		the States's Attorney of Will County Illinois; Notice.(air,) Modified on 5/23/2005 (air,). (Entered: 05/23/2005)
06/07/2005	19	MOTION by Defendants to dismiss plaintiff's complaint pursuant to Fed.R.Civ.P. 12(b)(6) and 12(b)(1) (gma,) (Entered: 06/07/2005)
06/07/2005	20	NOTICE of Motion by defendants for presentment of MOTION by Defendants to dismiss plaintiff's complaint pursuant to Fed.R.Civ.P. 12(b)(6) and 12(b)(1) 19 before Honorable David H. Coar on 6/14/2005 at 09:00 AM. (gma,) (Entered: 06/07/2005)
06/07/2005	21	MEMORANDUM OF LAW by defendants in support of MOTION by Defendants to dismiss plaintiff's complaint pursuant to Fed.R.Civ.P. 12(b)(6) and 12(b)(1) 19 (gma,) (Entered: 06/07/2005)
06/07/2005	23	ATTORNEY Appearance for defendants by Patrick R Moran ; Notice. (lcw,) (Entered: 06/13/2005)
06/08/2005	22	MINUTE entry before Judge David H. Coar : Rule 16(b) Scheduling Conference set for July 28, 2005 at 9:00 a.m. Report of Planning Conference pursuant to Rule 26(f) and Proposed scheduling order pursuant to Rule 16(b) to be filed in chambers. (Forms of report of planning conference and proposed scheduling order are available on the Court's web page or in chambers) Judicial staff mailed notice (dl,) (Entered: 06/08/2005)
06/14/2005	24	MINUTE entry before Judge David H. Coar : Motion hearing held on 6/14/2005 regarding motion to dismiss 19 . Briefing schedule as to motion to dismiss is set as follows: Response due by 7/6/2005; Reply due by 7/21/2005; motion taken under advisement. No notice, advised in open court. (tlp,) (Entered: 06/14/2005)
06/14/2005		Motions Taken Under Advisement: MOTION by Defendants County of Will, Will County Adult Detention Facility, Paul J Kaupas, Steven Brooks to dismiss 19 (tlp,) (Entered: 06/14/2005)
06/29/2005	25	MOTION by Plaintiff for leave to file second amended complaint at law (Attachments: # 1 Second Amended Complaint)(gma,) (Entered: 06/29/2005)
06/29/2005	26	NOTICE of Motion by Cosmo J Tedone for presentment of MOTION by Plaintiff for leave to file second amended complaint at law 25 before Honorable David H. Coar on 7/20/2005 at 09:00 AM. (gma,) (Entered: 06/29/2005)
07/20/2005	27	MINUTE entry before Judge David H. Coar : Motion hearing held on 7/20/2005 regarding motion for leave to file 25 . Plaintiff's Motion for leave to file 25 2nd amended complaint is granted. Defendants are given to August 18, 2005 to answer or plead to the 2nd amended complaint. No notice (pm,) (Entered: 07/21/2005)
07/20/2005	28	SECOND AMENDED Complaint by plaintiff Antonio Vieyra against defendants County of Will, Paul J Kaupas, Steven Brooks and terminating Will County Adult Detention Facility.(lcw,) (Entered: 07/22/2005)
07/28/2005	29	MINUTE entry before Judge David H. Coar : This matter came before the Court on 7/28/2005 for the Rule 16(b) Scheduling Conference and no one appeared Rule 16(b) Scheduling Conference re-set for 8/30/2005 at 09:00 AM. Mailed notice (pm,) (Entered: 08/11/2005)

08/18/2005	30	MOTION by defendants to dismiss plaintiff's second amended complaint. (lcw,) (Entered: 08/19/2005)
08/18/2005	31	NOTICE of Motion by defendants for presentment of motion to dismiss 30 before Honorable David H. Coar on 8/24/2005 at 09:00 AM. (lcw,) (Entered: 08/19/2005)
08/24/2005	32	MINUTE entry before Judge David H. Coar: Motion hearing held. Oral motion of plaintiff for leave to file additional appearance and to file third amended complaint is granted. Leave granted Kenneth N. Flaxman to file additional appearance on behalf of plaintiff. Leave granted to file a third amended complaint instanter. 30 Defendant's motion to dismiss is moot and terminated. Mailed notice (lcw,) (Entered: 08/25/2005)
08/24/2005	33	ATTORNEY Appearance for Plaintiff Antonio Vieyra by Kenneth N Flaxman. (lcw,) (Entered: 08/25/2005)
08/24/2005	34	THIRD AMENDED Complaint by Antonio Vieyra against all defendant.s (lcw,) (Entered: 08/25/2005)
08/30/2005	35	MINUTE entry before Judge David H. Coar :Rule 16(b) Scheduling Conference held on 8/30/2005. All disclosures required by Rule 26(a)(1) Shall be made on or before 9/14/2005. Any amendments to pleadings or actions to join other parties shall be filed on or before 9/30/2005. Discovery is ordered closed on 3/1/2006. The parties shall disclose expert testimony pursuant to Rule 26(a)(2) on or before 12/21/2005 as to plaintiff and 1/18/2006 as to defendant. The parties do not contemplate rebuttal expert testimony. Dispositive motions with supporting memoranda due by 4/3/2006 (all motions are to be in accordance to and noticed for a date certain pursuant to Local Rule 5.3(b)). Final Pretrial Order due by 7/18/2006. Final Pretrial Conference set for 7/28/2006 at 11:00 AM. Jury Trial will commence on Monday 8/21/2006 and not Tuesday 8/22/2006 as stated in open Court - Trial set for 8/21/2006 at 10:00 AM. The parties are directed to review this Court's standing orders. Copies are available in chambers or through the Court's web page. Mailed notice (pm,) (Entered: 08/30/2005)
09/14/2005	36	MOTION by Defendants County of Will, Steven Brooks to dismiss plaintiff's third amended complaint. (vcf,) (Entered: 09/15/2005)
09/14/2005	37	NOTICE of Motion by County of Will, Steven Brooks for presentment of motion to dismiss plaintiff's third amended complaint 36 before Honorable David H. Coar on 9/21/2005 at 09:00 AM. (vcf,) (Entered: 09/15/2005)
09/21/2005	38	MINUTE entry before Judge David H. Coar :Motion hearing held on 9/21/2005 regarding motion to dismiss 36 . For the reasons stated on the record, The Defendants' Motion to dismiss 36 Plaintiff's THird Amended Complaint is denied. Defendants to answer the third amended complaint within 20 days of 9/21/05. no notice - advised in open court (pm,) (Entered: 09/27/2005)
10/12/2005	39	ANSWER to amended complaint by County of Will, Will County Adult Detention Facility, Steven Brooks(McManaman, Martin) (Entered: 10/12/2005)
10/12/2005	40	NOTICE by County of Will, Steven Brooks re answer to amended complaint 39 (McManaman, Martin) (Entered: 10/12/2005)

01/18/2006	41	MOTION by Defendants County of Will, Steven Brooks for protective order (<i>Qualified</i>) (Attachments: # 1)(Moran, Patrick) (Entered: 01/18/2006)
01/18/2006	42	MOTION by Defendants County of Will, Steven Brooks Leave to Take Plaintiff's Deposition (Moran, Patrick) (Entered: 01/18/2006)
01/18/2006	43	NOTICE of Motion by Patrick R Moran for presentment of motion for miscellaneous relief 42 , motion for protective order 41 before Honorable David H. Coar on 1/26/2006 at 09:00 AM. (Moran, Patrick) (Entered: 01/18/2006)
01/25/2006	44	MINUTE entry before Judge David H. Coar : Motion hearing held on 1/26/06 regarding 42 and 42 . Defendants' motion 41 for qualified protective order and defendant's motion for leave to take plaintiff's deposition is granted as agreed by the parties. Enter qualified protective order. The parties are advised to adhere and follow Local Rule 5.8 when filing documents under seal pursuant to this protective order. Further, Local Rule 26.2 (and in particular 26.2(e)) shall apply unless otherwise ordered by this court. Absent a motion from a party, sealed documents will be placed in the public record after closing of the case as stated in L.R. 26.2(e). Mailed notice (lcw,) (Entered: 01/31/2006)
01/27/2006	45	QUALIFIED PROTECTIVE Order Signed by Judge David H. Coar on 1/27/2006.(lcw,) (Entered: 01/31/2006)
06/08/2006	46	MOTION by Defendants County of Will, Paul J Kaupas, Steven Brooks to amend/correct <i>Answer and Affirmative Defense</i> (Attachments: # 1)(Moran, Patrick) (Entered: 06/08/2006)
06/08/2006	47	NOTICE of Motion by Patrick R Moran for presentment of motion to amend/correct 46 before Honorable David H. Coar on 6/14/2006 at 09:00 AM. (Moran, Patrick) (Entered: 06/08/2006)
06/12/2006	48	AMENDED Answer by Defendants County of Will, Paul J Kaupas, Steven Brooks to <i>Third</i> amended complaint 34 (Moran, Patrick) (Entered: 06/12/2006)
06/12/2006	49	NOTICE by all defendants re amended answer to complaint 48 (Moran, Patrick) (Entered: 06/12/2006)
06/13/2006	50	MINUTE entry before Judge David H. Coar :Pursuant to telephonic notice on 6/12/2006 from the attorney for the Movant, Pat Moran, the Motion to amend/correct 46 is withdrawn. No one should appear on 6/14/2006 on the noticed motion date. Telephone notice (pm,) (Entered: 06/13/2006)
07/17/2006	51	ORDER Dismissing Case, Motions terminated: Pursuant to e-mail notification from Kenneth Flaxman, attorney for the plaintiff, this case is settled. This action is dismissed with leave to reinstate on or before August 30, 2006. The final pretrial conference and the Trail are stricken. Any pending motions are moot and terminated. Civil case terminated. by Judge David H. Coar on 7/17/2006:(pm,) (Entered: 08/02/2006)

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