

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

JEROME TATE,	)	
	)	
Plaintiff,	)	
	)	No. 08 C 218
vs.	)	
	)	Hon. Judge Coar
CITY OF CHICAGO, ET. AL.,	)	
	)	Hon. Mag. Judge Cox
Defendants.	)	

**PLAINTIFF'S AGREED MOTION FOR ENLARGEMENT OF TIME FOR FILING  
REPORT OF PARTIES PLANNING CONFERENCE & PROPOSED SCHEDULING  
ORDER**

NOW COMES the Plaintiff, by one of his attorneys, Neil Toppel, and hereby moves this Honorable Court for an enlarge of time for the filing of the *Report of Parties Planning Conference* and *Proposed Scheduling Order* for the reasons set forth herein. In support of this Motion, Plaintiff states the following:

1. This Section 1983 Excessive Force, Monell, & Indemnification lawsuit was originally filed by the Plaintiff on January 9, 2008, just shortly after Plaintiff's counsel was retained and with less than a month before the expiration of the applicable statute of limitations.
3. Plaintiff's counsel has yet to receive all of the Plaintiff's relevant medical records, medical bills, and possible medical liens applicable to this incident.
4. Without receipt of the above mentioned records, Plaintiff's counsel cannot make a meaningful settlement demand or otherwise engage in a meaningful conversation with the Defendants' Counsel with respect to the information called for in the *Report of Parties Planning Conference* and *Proposed Scheduling Order*.
5. Plaintiff's counsel has ordered all of the relevant medical records and medical bills known to him at this time and expects to receive same within the next 30 days.
6. Plaintiff prays this Honorable Court grant him 45 days to file with the Court the *Report of Parties Planning Conference* and *Proposed Scheduling Order*.

7. Plaintiff's counsel has spoken with Counsel for the Defendants who have no objection to this Motion.

WHEREFORE, Plaintiff prays this Honorable Court grant him 45 days from the filing of this Motion to file with the Court the *Report of Parties Planning Conference* and *Proposed Scheduling Order*.

Respectfully submitted,

By: s/ Neil Toppel  
One of the Plaintiff's Attorneys

Neil Toppel  
Dvorak, Toppel & Barrido, LLC  
3859 W. 26<sup>th</sup> St.  
Chicago, IL 60623  
(773) 521-1300