

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

JEROME TATE,)	
)	
Plaintiff,)	
)	
vs.)	08 C 218
)	
CITY OF CHICAGO,)	Hon. Judge Coar
a municipal corporation,)	
JOHN DOE POLICE OFFICERS,)	Hon. Mag. Judge Cox
)	
Defendants.)	

MOTION TO COMPEL

The Plaintiff, Jerome Tate, by and through one of his attorneys, Richard Dvorak, of DVORAK, TOPPEL & BARRIDO, hereby moves this Honorable Court to compel Defendant City of Chicago to produce certain information, pursuant to F.R.C.P. 26(a)(1), and the inherent equitable powers of this Court. In support, the Plaintiff states as follows:

1. This incident occurred on January 29, 2006, wherein the Plaintiff alleges an on-duty Chicago police officer used excessive force on him in the lock up area at Area 2 Police Headquarters, causing him bodily injury (specifically, severe injuries to left testicle, which required surgery to repair the testicle). The statute of limitations on the Plaintiff's federal claims are set to expire on January 29, 2008.
2. The Plaintiff only recently retained the legal services of Dvorak, Toppel & Barrido to represent him in this matter.
3. The Plaintiff's Complaint was filed on January 9, 2008, within days of the firm being retained. The Plaintiff's Complaint was served on the City on January 11,

2008.

4. The Plaintiff has been in contact with Deputy Corp. Counsel Matthew Hurd, the Deputy Corporation Counsel in charge of the Special Litigation Unit, to obtain information relating to the identity of the John Doe Officers named in the Complaint.
5. Mr. Hurd is attempting to get Mr. Dvorak information regarding the identity of these accused individuals.
6. Mr. Hurd indicated he should be able to comply with a Court Order requiring him to tender information relating to the identity of the alleged John Doe Officers, if any, on or before January 22, 2008.
7. Mr. Hurd is in agreement with entering a Court Order requiring the City to tender information regarding the identity of the alleged John Doe Officers, if any, named in the Complaint to the Plaintiff on or before January 22, 2008.
8. The Plaintiff has tendered to the Court a proposed Order.

WHEREFORE, the Plaintiff, Jerome Tate, by and through one of his attorneys, Richard Dvorak, of DVORAK, TOPPEL & BARRIDO, hereby respectfully requests this Honorable Court grant the Plaintiff's Motion to Compel.

Respectfully Submitted,

s/ Richard Dvorak

Richard Dvorak, One of the
Attorneys for the Plaintiff.

Richard Dvorak
Dvorak, Toppel & Barrido
3859 W. 26th Street
Chicago, IL 60623

(773) 521-1300 (phone)

(773) 521-4400 (fax)