

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
PEORIA DIVISION**

CATHERINE A. SHORT,)
)
Plaintiffs,)
)
v.)
)
MICHAEL NOLAN, SAMUEL)
FITZPATRICK, GLENN PETERS, THE)
VILLAGE OF DWIGHT, and CITY OF)
FAIRBURY,)
)
Defendants.)

Case No. 09 cv 1087

O P I N I O N and O R D E R

Pursuant to the hearing held on March 22, 2011, the following is hereby ORDERED:

1. The Motion for Summary Judgment filed by Defendants Michael Nolan, Glenn Peters, and the Village of Dwight (Doc. 69) is DENIED AS MOOT.
2. The Motion for Summary Judgment filed by Defendant Samuel Fitzpatrick (Doc. 76) is DENIED AS MOOT.
3. The Motion for Reconsideration filed by Plaintiff, Catherine Short (Doc. 89) is GRANTED IN PART. Plaintiff is granted leave to file a response to the corrected Motion for Summary Judgment (Doc. 88) by April 5, 2011. Defendant may file a reply within 8 days thereafter.

4. The Motion for Leave to File Additional Affirmative Defenses filed by Defendant Samuel Fitzpatrick (Doc. 98) is GRANTED. Defendant to file additional affirmative defenses within 7 days of the date of this Order.
5. The Motion for Settlement filed by Defendants Michael Nolan, Glenn Peters, and the Village of Dwight (Doc. 99) is GRANTED. This Court specifically finds that the settlement is made in good faith. See 740 ILCS 100/2(c) and (d); *Wreglesworth v. Artco, Inc.*, 740 N.E.2d 444, 449 (Ill. App. Ct. 2000).
6. Defendants Michael Nolan, Glenn Peters, and the Village of Dwight are DISMISSED WITH PREJUDICE.

Entered this 22nd day of March, 2011

s/ Joe B. McDade

JOE BILLY MCDADE
United States Senior District Judge