

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

NOEL PADILLA, et al.,)	
)	
Plaintiffs,)	
)	
v.)	No. 06 C 5462
)	
CITY OF CHICAGO, et al.,)	
)	
Defendants.)	

MEMORANDUM

This Court seeks to keep current in dealing with pending matters in cases on its calendar¹ by obtaining regular (every week to ten days) computer-generated printouts of pending motions. For some time the only motions listed for this case have been those pending before Magistrate Judge Arlander Keys in connection with his monitoring of discovery (currently Dkt. Nos. 366 and 368). But at the last status hearing counsel for the parties advised that an unlisted motion, described as comprising Dkt. Nos. 298 and 310, calls for resolution by this Court.

It is difficult to understand such an omission. In the past this Court has occasionally found motions still listed on the printouts even though it had already ruled on them -- perhaps the understandable product of the Clerk's Office not recognizing the thrust of a memorandum order or memorandum opinion and order

¹ Since its first year on the bench, this Court has maintained an unbroken three-decade record of never having any reportable pending motions, either in the pre-Biden-Bill era or since the Biden Bill made such reports public, rather than their being purely internal within the judicial administrative system.

issued by this Court. But this instance, which involves an assertedly still extant motion on which this Court has not ruled, is unique in this Court's experience.

Further inquiry may, however, have cleared up the mystery. It appears that defendants and some intervenors took a premature appeal on the subject to our Court of Appeals last year -- an appeal that remained pending until the Court of Appeals dismissed it for lack of jurisdiction this past August. In the meantime, this Court does not have copies (1) of the very lengthy Dkt. No. 298 (which had been filed by the appellants in this District Court) or (2) of Dkt. No. 299 (the under-seal documents that had been tendered for in camera review in conjunction with Dkt. No. 298) or (3) of the extremely lengthy Dkt. No. 310 (the response to Dkt. No. 298). Accordingly this Court's docket clerk has called counsel for the parties to provide those documents to this Court so that it may address the matter.



Milton I. Shadur
Senior United States District Judge

Date: December 20, 2010