

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

LATANYA ALEXANDER, et al.,)	
)	
Plaintiffs,)	
)	
v.)	No. 08 C 6688
)	
OFFICER ZINCHUCK, et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

At the periodic status hearings in this case (which is now approaching its third anniversary), this Court has frequently voiced to counsel for the parties its concern as to the potential unmanageability of an ultimate trial--a function of the amorphous situation that was created by some of the large scale celebrations on the night of the presidential election in November 2008, with the consequent difficulty of linking specific Chicago police officers to individual plaintiffs whose constitutional rights were assertedly violated. Counsel for plaintiffs has just as regularly responded with confident assertions that the multiplaintiff and multidefendant case can be handled effectively, but this Court's doubts remain.

Last week our Court of Appeals issued its opinion in Vodak v. City of Chicago, Nos. 09-2768, 09-2843 and 09-2901, 2011 WL 905727 (7th Cir. Mar. 17), which also dealt with a large-scale public demonstration (that case involved protests by opponents of the then-just-launched United States invasion of Iraq in March

2003), and which was also brought under the auspices of 42 U.S.C. §1983. This Court commends a study of the Vodak opinion to counsel for both sides in this action, to see whether its teachings may be useful in this litigation. Both sides' counsel should be prepared to discuss the matter at the next status hearing, which is scheduled for April 21 (though either side is free to bring the subject on earlier by an appropriately noticed-up motion).



Milton I. Shadur
Senior United States District Judge

Date: March 25, 2011