

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

Following the most recent status hearing conducted jointly by Magistrate Judge Jeffrey Gilbert and this Court, counsel for plaintiffs has filed a motion for leave to file a corrected Third Amended Complaint ("TAC"). With defense counsel having confirmed to this Court's minute clerk that they had no opposition to the motion, this Court has granted it without requiring counsel for the parties to appear at the designated September 19 presentment date. But because this Court thus had no opportunity to address counsel orally, this memorandum order is issued sua sponte to require plaintiffs' counsel to clear up a possible ambiguity in the TAC as drafted.

As the case caption reflects, virtually all of the individual defendants are listed as "OFFICER --," with the only exceptions being three other members of the Chicago Police Department: District Commander Green and Lieutenants Stevens and Kilroy. That same usage appears throughout the body of the 20-count 38-page TAC wherever mention is made of the individual

defendants by name. Elsewhere, however, the generic terms "DEFENDANT OFFICERS" and "UNKNOWN OFFICERS" are used.

Although TAC ¶40 lists the higher-up personnel as part of the groups of "DEFENDANT OFFICERS" designated there, that usage does not appear to apply throughout other allegations in the TAC. Plaintiffs' counsel are ordered to review the TAC once again to clarify the matter.



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Milton I. Shadur  
Senior United States District Judge

Date: September 20, 2011