

**ND & KZ INVESTMENT INC.**

**EXHIBIT 1**

**(ATTACHMENT TO RULE 56.1 STATEMENT)**

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

AKEISHA NICKSON, )

Plaintiff, )

vs. )

CHICAGO POLICE OFFICER )

SYLVIA SANCHEZ, STAR )

#18847; CHICAGO POLICE )

OFFICER CHRISTIAN M. )

GAAL, STAR #10228; )

CHICAGO POLICE SERGEANT )

JAMES R. TAYLOR, STAR )

#1951; OTHER UNKNOWN )

CHICAGO POLICE OFFICERS; )

ND & KZ INVESTMENTS, )

INC.; and KEZYSZTOF )

ZIOMEK, )

Defendants. )

**ORIGINAL**

No. 09 C 6075

The discovery deposition of  
AKEISHA NICKSON, taken in the above-entitled  
cause, before JENNIFER M. DALY, a Certified  
Shorthand Reporter of Cook County, Illinois, at  
11:35 a.m. on December 14, 2010 at  
10 South Wacker Drive, Suite 2300, Chicago,  
Illinois, pursuant to notice.

(Proceedings concluded at 6:18 p.m.)

REPORTED BY: JENNIFER M. DALY, RPR, CSR, CCR  
LICENSE NO.: 084-004688

1 Q. So would you have to go through a  
2 hallway to get to the other rooms?

3 A. Just by the dining room, just a little  
4 small hallway from the bedroom to the bathroom.

5 Q. On January 9th of 2009, that's the day  
6 the police came; is that correct?

7 A. Yes.

8 Q. What were you doing that day before the  
9 police came?

10 A. The day before they came?

11 Q. I'm sorry, let me rephrase that.

12 What were you doing on January 9, 2009,  
13 before the police got there?

14 A. I was sleeping.

15 Q. What time was it when the police got  
16 there?

17 A. Around 1:00 or 1:30.

18 Q. In the afternoon?

19 A. Yes.

20 Q. Was anyone else in your apartment when  
21 the police came?

22 A. No, but my two cats.

23 Q. Had you seen either Chris or Bridgett  
24 that day before the police came?

1 A. The day before?

2 Q. I'm sorry, let me -- had you seen them  
3 on January 9, 2009 before the police got there?

4 A. No.

5 Q. What was your first indication that  
6 somebody was at your apartment?

7 A. Well, someone was beating on the door  
8 when I was asleep.

9 Q. Had anyone else been in your apartment  
10 on January 9, 2009 before the police got there?

11 A. No.

12 Q. When you heard the beating on the door,  
13 did you hear anyone saying anything?

14 A. No.

15 Q. Was this the front door to your  
16 apartment that was --

17 A. Kicked in by the police.

18 Q. -- being beat on?

19 A. Yes.

20 MR. MIKUS: What was the question, what was  
21 the answer?

22 (Whereupon, the requested  
23 record was read.)

24 MR. ROBBINS: Wait for him to finish the

1 question.

2 BY MR. PAYETTE:

3 Q. When you heard people beating on the  
4 door, it was the front door that you heard them  
5 beating on?

6 A. Yes.

7 Q. What did you do at that point?

8 A. I woke up and I went to the door, and I  
9 looked out, and it was people that was dressed  
10 in civilian clothes.

11 Q. When you went to the door, was the door  
12 open or was it closed?

13 A. Closed and locked.

14 Q. So did you go into your living room to  
15 go to the door?

16 A. Yes.

17 Q. When you first got in your living room,  
18 the door was still closed?

19 A. Yes.

20 Q. Was anyone saying anything on the other  
21 side of the door?

22 A. No, they were just beating the door  
23 down.

24 Q. Did you say anything?

1       A.    Did I say anything, no, I was in shock  
2       because I couldn't believe someone was breaking  
3       that door down.

4       Q.    And what happened at that point?

5       A.    They broke the door down, and they had  
6       they guns out and I didn't know who they were.  
7       I thought I was going to die that day.

8       Q.    You say the door was broken down. Did  
9       the door -- was it opened or was it -- did it  
10      come off the hinges, what do you mean by the  
11      door was broken down?

12      A.    They beat down the middle of the door.

13      Q.    Did the door break in half, then?

14      A.    It didn't break in half. They beat out  
15      the frame and the middle of the door.

16      Q.    So the --

17      A.    It was a wooden frame.

18      Q.    So did the outside of the door then  
19      stay closed and locked?

20      A.    The outside of the door?

21      Q.    The frame of the door.

22      A.    Well, the frame of the door, after they  
23      broke in the middle, someone -- one of the  
24      civilian dressed people stuck they arm in there

1 and opened the door.

2 Q. So they broke a hole in the door and  
3 then reached through the hole?

4 A. And opened it.

5 Q. Okay. While this was happening, did  
6 anyone say anything on the other side of the  
7 door?

8 A. No.

9 Q. Then what happened when the door was  
10 opened?

11 A. Once they broke in the door, they had  
12 their guns on me and asked me where are the  
13 drugs.

14 Q. How many people had their guns on you?

15 A. Wow, I couldn't even tell. I was just  
16 in shock. I don't know.

17 Q. Were any of those people in police  
18 uniforms?

19 A. Well, they had on overcoats with no  
20 badges or anything on that I could see because  
21 it was cold and I did not know it was the  
22 police.

23 MS. REPORTER: Did you say closed or cold?

24 (Whereupon, the requested

1 record was read.)

2 THE WITNESS: They had overcoats on. I  
3 couldn't tell who they were.

4 MS. CURRY: In that sentence she just read  
5 back to you, was it closed or cold?

6 THE WITNESS: Their coats were closed.

7 MS. CURRY: Okay. Read it back one more  
8 time.

9 (Whereupon, the requested  
10 record was read.)

11 THE WITNESS: Cold.

12 MR. ROBBINS: Let's take a break.

13 (Whereupon, a recess was taken.)

14 BY MR. PAYETTE:

15 Q. Now, I know you said you don't know  
16 exactly how many people came in with guns drawn.

17 Would you estimate that it was more  
18 than five people, less than five people, about  
19 five?

20 A. About four, four or five. I don't  
21 know.

22 MR. MIKUS: Read back the question and  
23 answer.

24 MR. ROBBINS: Could you keep your voice up,

40

1 if you could.

2 (Whereupon, the requested  
3 record was read.)

4 BY MR. PAYETTE:

5 Q. Had you ever seen any of these people  
6 that had guns drawn before?

7 A. No.

8 Q. Did anyone else come into the apartment  
9 other than the people who had their guns drawn?

10 A. Well, when they were breaking the door  
11 down, they were yelling that they were the  
12 police because I did say who is this.

13 And then I picked up the phone because  
14 I didn't believe it because I seen that they  
15 were civilian dressed.

16 And once they came into the apartment,  
17 and broke the door down, they were asking me  
18 where the drugs were at.

19 I never seen those cops before, or  
20 anything.

21 Q. Other than them -- strike that.

22 The people who came in with their guns  
23 drawn, were they all male, all female, a mix of  
24 male and female?

1       them what was in the envelope?

2           A.    They called Chris in.

3           Q.    They didn't say anything directly to  
4    you, they just called Chris?

5           A.    Yes.

6           Q.    Had Chris been inside the apartment at  
7    any point before that?

8           A.    Inside the apartment before that, no  
9    more than the hallway to pick up the rent.

10          MS. CURRY:  For clarification, are you  
11    talking about that day, the day of this  
12    incident, January 9th?

13          MR. PAYETTE:  Right.

14          THE WITNESS:  No.

15    BY MR. PAYETTE:

16          Q.    Since the police had gotten there, had  
17    Chris been inside the apartment before they  
18    called him in?

19          A.    No.

20          Q.    You said the police were ransacking the  
21    apartment, what do you mean by that?

22          A.    They were tearing my furniture up,  
23    tearing shades down, they broke a table of mine,  
24    cut my mattress open and furniture.