

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

LELIA JENKINS,)	
)	
Plaintiff,)	
)	
v.)	No. 10 C 4897
)	
CAPITAL MANAGEMENT SERVICES,)	
INC.,)	
)	
Defendant.)	

MEMORANDUM ORDER

At this Court's directive, defense counsel has filed a statement as to why he believes this Court should not consider imposing a moderate fine for his having violated both LR 5.2(f) and the corresponding provision on this Court's website. In that respect counsel is truly apologetic, and this Court of course credits his sincerity--but as Hamlet responded to Polonius' inquiry as to what he was reading:

Words, words, words.

And because any author is entitled to plagiarize from himself, Troilus and Cressida includes a variant on that:

Words, words, mere words, no matter from the heart.

More seriously, and this is not to denigrate counsel's response, it really advances no reason why this Court's website caveat should not be followed with the imposition of a fine. But the real difficulty is that such one-at-a-time sanctions can't accomplish the desired goal of assuring adherence to important

rules unless the word gets around among members of the bar that sanctions are really being imposed--and occasional imposition won't do that job.

That said, however, some value must be attributed (1) to counsel's having responded as he did and (2) to counsel's delivery of a copy of the earlier order to his client, as this Court had directed. Accordingly no fine will be assessed this time.



Milton I. Shadur
Senior United States District Judge

Date: September 7, 2010