

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


RICHARD PETERSON #20090007816,)	
)	
Plaintiff,)	
)	
v.)	No. 10 C 5681
)	
THOMAS DART, et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

This Court's April 25, 2011 memorandum order ("Order") addressed several issues posed by the responsive pleading that had been filed by Cook County Sheriff Thomas Dart and Cook County Department of Corrections Executive Director Salvador Godinez, importantly including a potentially dispositive failure on the part of plaintiff Richard Peterson ("Peterson") to have exhausted all available administrative remedies as required by 42 U.S.C. §1997e(a). Now those defendants have filed an Amended Answer to Peterson's First Amended Complaint, and revised Answer ¶48 has now admitted that Peterson has satisfied that precondition to his bringing this lawsuit.

Under the circumstances, then, no Pavey hearing will be required, and this action can go forward in the regular course. At the previously scheduled May 19 status hearing, counsel for the parties will be expected to discuss both the current posture

of the case and anticipated further proceedings.

A handwritten signature in cursive script, reading "Milton I. Shadur".

Milton I. Shadur
Senior United States District Judge

Date: May 11, 2011