

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

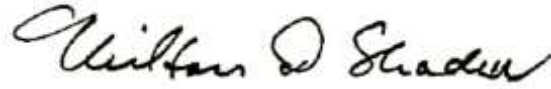
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|---|---|--------------------|
| <b>NICHOLAS POLLETTA,</b>                   | ) |                    |
|   | ) |                    |
| Plaintiff,                                  | ) |                    |
|   | ) |                    |
| v.  | ) | Case No. 16 C 9492 |
|   | ) |                    |
| <b>THOMAS DART, Sheriff of Cook County,</b> | ) |                    |
| et al.,                                     | ) |                    |
|   | ) |                    |
| Defendants.                                 | ) |                    |

**MEMORANDUM ORDER**

Plaintiff Nicholas Polletta ("Polletta") has filed "Plaintiff's Motion To Compel Identifying Information of Putative Class Members" (Dkt. No. 41). That motion seeks to implement Polletta's Supplement to Complaint ¶¶ 13-15 (Dkt. No. 20), which identifies the projected putative class as persons "who use a crutch, walker or cane to navigate the ramps in the basement of the Leighton courthouse" -- a proposal that would appear to be a logical counterpart to the order entered by this Court's colleague Honorable Robert Gettleman that calls for "a written policy to provide assistance to wheelchair users when traveling up and down the same ramps at issue in the supplement" (*id.*).

As defense counsel has put the matter during a conference with Polletta's counsel on May 24, 2017, Sheriff Thomas Dart "will not agree to voluntarily produce this material until after the case is certified by the Court under Rule 23" (Dkt. No. 41 ¶ 10). That position is untenable, for it creates a Catch 22 situation: What Polletta is requesting, after all, is an important component of the judicial determination as to whether a class should or should not be

certified. Accordingly Polletta's Dkt. No. 41 motion is granted, with Sheriff Dart being ordered to comply with that motion at the earliest feasible date.

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

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Milton I. Shadur  
Senior United States District Judge

Date: July 25, 2017