

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

## **MEMORANDUM ORDER**

On July 10, 2017 Cook County Sheriff Thomas Dart filed "Defendant Cook County Sheriff's Motion To Quash the Notice of Deposition To Daniel Korso and for a Protective Order Limiting [sic] Scope of Said Deposition" (the "Motion," Dkt. No. 60) that sought alternative relief: either an order quashing the notices of depositions of three top officials in Sheriff Dart's office or a protective order limiting the scope of such depositions. This Court has had occasion in the immediate past to address a number of matters initiated by plaintiff and putative class representative Nicholas Polletta ("Polletta") that provide some added perspective on the issues posed by the Motion.

As Sheriff Dart's Motion states at page 2, a plaintiff such as Polletta must "show a 'real need' for a high-ranking government official's testimony before he or she is taken away from work to spend time answering a lawyer's questions." On that score Sheriff Dart has cited Olivieri v. Rodriguez, 122 F.3d 406, 409 (7th Cir. 1997), and that principle remains true today. As the Motions goes on to demonstrate persuasively, Polletta has not surmounted that threshold requirement. Accordingly the motion to quash the notice of deposition is granted, without

prejudice to Polletta's possible future reassertion of a "real need" for any of those depositions in more convincing terms.



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Milton I. Shadur  
Senior United States District Judge

Date: July 26, 2017