

**U.S. District Court
Southern District of Illinois (East St. Louis)
CIVIL DOCKET FOR CASE #: 3:21-cv-00080-RJD**

West v. Village of Washington Park et al
Assigned to: Magistrate Judge Reona J. Daly
Cause: 42:1983 Civil Rights Act

Date Filed: 01/19/2021
Date Terminated: 06/23/2021
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: Federal Question

Plaintiff

Timothy West

represented by **Lloyd M. Cueto**
Law Office of Lloyd M. Cueto, P.C.
7110 West Main Street
Belleville, IL 62223
618-277-1554
Fax: 618-277-0962
Email: cuetolm@cuetolaw.com
ATTORNEY TO BE NOTICED

V.

Defendant

Village of Washington Park
an Illinois home rule municipality

represented by **Blake G. Meinders**
Sprague & Urban
26 East Washington Street
Belleville, IL 62220-2101
618-233-8383
Fax: 618-233-5374
Email: bmeinders@spragueurban.com
ATTORNEY TO BE NOTICED

Defendant

Rickie Thomas

represented by **Blake G. Meinders**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Mary McKinney

represented by **Blake G. Meinders**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Juliette Gosa

represented by **Blake G. Meinders**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

James Madkins

represented by **Blake G. Meinders**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Ferris E. Williams

represented by **Blake G. Meinders**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant**Debbie Ann Moore**represented by **Blake G. Meinders**
(See above for address)
*ATTORNEY TO BE NOTICED***Defendant****Clyde Jackson**represented by **Blake G. Meinders**
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/19/2021	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$ 402 receipt number 0754-4381308.), filed by Timothy West. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons Gosa, # <u>3</u> Summons Jackson, # <u>4</u> Summons Madkins, # <u>5</u> Summons McKinney, # <u>6</u> Summons Moore, # <u>7</u> Summons Thomas, # <u>8</u> Summons Washington Park, # <u>9</u> Summons Williams)(Cueto, Lloyd) (Entered: 01/19/2021)
01/20/2021	<u>2</u>	NOTICE OF INITIAL ASSIGNMENT TO A U.S. MAGISTRATE JUDGE: This case has been randomly assigned to United States Magistrate Judge Reona J. Daly pursuant to Administrative Order No. 257. The parties are advised that their consent is required if the assigned Magistrate Judge is to conduct all further proceedings in the case, including trial and final entry of judgment pursuant to 28 U.S.C. 636(c) and Federal Rule of Civil Procedure 73. As set forth in Administrative Order No. 257, each party will be required to file a Notice and Consent to Proceed Before a Magistrate Judge Jurisdiction form indicating consent or nonconsent to the jurisdiction of the assigned Magistrate Judge. If all parties do not consent to the Magistrate Judge's jurisdiction, the case will be randomly assigned to a district judge for all further proceedings and the parties cannot later consent to reassignment of the case to a magistrate judge. The parties are further advised that they are free to withhold consent without adverse substantive consequences. Within 21 days of this Notice, the following party or parties must file the attached form indicating consent to proceed before the assigned Magistrate Judge or an affirmative declination to consent: Timothy West. A link regarding the magistrate judges in this district is attached for your convenience: http://www.ilsd.uscourts.gov/documents/BenefitsofConsent.pdf . All future documents must bear case number 21-cv-80-RJD. Consent due by 2/10/2021 (kek) (Entered: 01/20/2021)
01/20/2021	<u>3</u>	NOTICE OF ACTION – See Local Rule 83.1(f). In all cases filed in, removed to, or transferred to this court, all attorneys, including government attorneys, shall file a written entry of appearance before addressing the court. Attorney Lloyd Cueto does not have a Notice of Appearance on file in this case. (kek)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 01/20/2021)
01/20/2021	<u>4</u>	NOTICE of Appearance by Lloyd M. Cueto on behalf of Timothy West (Cueto, Lloyd) (Entered: 01/20/2021)
01/21/2021	<u>5</u>	Summons Issued as to Village of Washington Park, Rickie Thomas, Mary McKinney, Juliette Gosa, James Madkins, Ferris E. Williams, Debbie Ann Moore, and Clyde Jackson and originals mailed to Attorney Cueto. (kek) (Entered: 01/21/2021)
02/11/2021	<u>6</u>	NOTICE: Timothy West was directed to file the attached form regarding consenting or declining to consent to magistrate judge jurisdiction. The time for doing so has now passed, and the Court has not received the form. As required by Administrative Order No. 257, Timothy West shall return the form within 7 days or face possible sanctions. The Clerk notes that due to the COVID-19 public health crisis, deadlines that were pending on or before April 1, 2020 were extended in accord with Administrative Order No. 261 and/or Amended Administrative Order No. 261. This automated notice does not take into account any such extensions. If, after the expiration of the 7-day deadline set forth herein, the Court chooses to take further action, all applicable deadline extensions will be considered at that time. Consent due by 2/18/2021 (kek) (Entered: 02/11/2021)

02/17/2021	<u>7</u>	CONSENT/NON-CONSENT TO U.S. MAGISTRATE JUDGE – sealed pending receipt from all parties. (Cueto, Lloyd) Unsealed on 3/18/2021 (kek). (Entered: 02/17/2021)
02/22/2021	<u>8</u>	ANSWER to Complaint by All Defendants.(Meinders, Blake) (Entered: 02/22/2021)
02/23/2021	9	NOTICE OF ACTION – See Local Rule 83.1(f). In all cases filed in, removed to, or transferred to this court, all attorneys, including government attorneys, shall file a written entry of appearance before addressing the court. Attorney Blake Meinders does not have a Notice of Appearance on file in this case. (kek)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 02/23/2021)
02/23/2021	<u>10</u>	NOTICE FROM CLERK Instructing All Defendants to file Notice and Consent to Proceed Before A Magistrate Judge Jurisdiction Form: Pursuant to Administrative Order No. 257, within 21 days of this Notice, you must file the attached form indicating your consent to proceed before a Magistrate Judge or an affirmative declination to consent. A link regarding the magistrate judges in this district is attached for your convenience: http://www.ilsd.uscourts.gov/documents/BenefitsofConsent.pdf . Consent/Non-Consent to U.S. Magistrate Judge Jurisdiction form sent to All Defendants on 2/23/2021. Consent due by 3/16/2021 (kek) (Entered: 02/23/2021)
03/01/2021	<u>11</u>	NOTICE of Appearance by Blake G. Meinders on behalf of All Defendants (Meinders, Blake) (Entered: 03/01/2021)
03/17/2021	<u>12</u>	NOTICE: All Defendants were directed to file the attached form regarding consenting or declining to consent to magistrate judge jurisdiction. The time for doing so has now passed, and the Court has not received the form. As required by Administrative Order No. 257, All Defendants shall return the form within 7 days or face possible sanctions. The Clerk notes that due to the COVID-19 public health crisis, deadlines that were pending on or before April 1, 2020 were extended in accord with Administrative Order No. 261 and/or Amended Administrative Order No. 261. This automated notice does not take into account any such extensions. If, after the expiration of the 7-day deadline set forth herein, the Court chooses to take further action, all applicable deadline extensions will be considered at that time. Consent due by 3/24/2021 (kek) (Entered: 03/17/2021)
03/17/2021	<u>13</u>	FINAL CONSENT TO U.S. MAGISTRATE JUDGE – sealed pending receipt from all parties. (Meinders, Blake) Unsealed on 3/18/2021 (kek). (Entered: 03/17/2021)
03/18/2021	14	NOTICE: All parties have consented to have a United States Magistrate Judge conduct all proceedings in this case. Accordingly, Magistrate Judge Reona J. Daly is ASSIGNED to conduct all proceedings in this case, including trial and final entry of judgment pursuant to 28 U.S.C. Sec. 636(c) and Federal Rule of Civil Procedure 73. All future documents must bear case number 21-cv-80-RJD. Any District Judge previously assigned will no longer be assigned to this case. (kek)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 03/18/2021)
03/23/2021	<u>15</u>	CJRA TRACK B assigned. Scheduling and Discovery Conference set for 4/12/2021 at 10:00 AM via telephone before Magistrate Judge Reona J. Daly. To join the conference call, the parties should call Judge Daly's conference line at 618-439-7731. The parties are to submit a Joint Report of Parties and Proposed Scheduling and Discovery Order using the form provided in the Local Rules, seven (7) days before the conference. Final Pretrial Conference set for 3/28/2022 at 1:30 PM in Benton Courthouse before Magistrate Judge Reona J. Daly. Bench Trial set for 4/12/2022 at 9:00 AM in Benton Courthouse before Magistrate Judge Reona J. Daly. (jlm) (Entered: 03/23/2021)
03/23/2021	16	ORDER REGARDING DISCOVERY: Disputes which require a ruling on a motion made under Rule 37 of the Federal Rules of Civil Procedure will be handled in the following manner. The party seeking a discovery order shall request a prompt telephone conference with Judge Daly and opposing counsel by alerting the law clerk assigned to the case and providing the law clerk with appropriate material, such as: (1) a list or summary of the items in dispute, (2) copies of written requests/objections/privilege logs in dispute, and (3) an estimate of the amount of time needed to present argument to the Court. Law clerks prefer to receive these materials

		through Judge Daly's email depository for proposed documents. Prior to seeking a telephone conference with Judge Daly, the parties must meet and confer in an attempt to resolve the dispute informally. Argument on motions to compel discovery or for discovery sanctions shall be presented orally at the telephone conference. Written motions or legal memoranda will not be accepted unless specifically requested. Signed by Magistrate Judge Reona J. Daly on 3/23/2021. (jlm)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 03/23/2021)
04/05/2021	<u>17</u>	Joint MOTION for Extension of Time <i>to Submit Joint Report</i> by Timothy West. (Cueto, Lloyd) (Entered: 04/05/2021)
04/06/2021	18	ORDER GRANTING <u>17</u> Joint MOTION for Extension of Time <i>to Submit Joint Report</i> filed by Timothy West. The parties shall submit a Joint Report of Parties and Proposed Scheduling and Discovery Order using the form provided in the Local Rules by 4/8/2021 . Signed by Magistrate Judge Reona J. Daly on 4/6/2021. (nmf)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 04/06/2021)
04/12/2021	19	Minute Entry for proceedings held before Magistrate Judge Reona J. Daly: Scheduling and Discovery Conference held on 4/12/2021. Attorney Lloyd Cueto for Plaintiff and Attorney Blake Meinders for Defendants. The Joint Report of Parties is approved as revised during the call and will be entered. Status Conference set for 6/14/2021 at 10:30 AM via telephone before Magistrate Judge Reona J. Daly. The parties should call Judge Daly's conference line at 618-439-7731 to join the call. (jlm)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 04/12/2021)
04/12/2021	<u>20</u>	SCHEDULING AND DISCOVERY ORDER: The Joint Report of Parties is approved and entered. Discovery to be completed by 12/7/2021. Dispositive Motions to be filed 12/22/2021. Signed by Magistrate Judge Reona J. Daly on 4/12/2021. (Attachments: # <u>1</u> Joint Report of Parties)(jlm) (Entered: 04/12/2021)
04/27/2021	<u>21</u>	MOTION to Withdraw as Attorney by All Defendants. (Meinders, Blake) (Entered: 04/27/2021)
05/05/2021	22	ORDER DENYING WITHOUT PREJUDICE <u>21</u> MOTION to Withdraw as Attorney filed by James Madkins, Village of Washington Park, Rickie Thomas, Clyde Jackson, Juliette Gosa, Ferris E. Williams, Mary McKinney, Debbie Ann Moore. Attorney Blake Meinders and the law firm Sprague and Urban seek leave to withdraw as counsel for Defendants. Counsel asserts that a new administration has been elected to the Village of Washington Park, Illinois. However, new counsel has not entered a notice of appearance. Counsel's request is denied. It is not clear how The Village of Washington Park, a municipality, could effectively represent itself in this matter. Counsel may refile their motion after new counsel has entered their appearance. Signed by Magistrate Judge Reona J. Daly on 5/5/2021. (nmf)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 05/05/2021)
06/14/2021	23	Minute Entry for proceedings held before Magistrate Judge Reona J. Daly: Status Conference held on 6/14/2021. Attorney Lloyd Cueto for Plaintiff and Attorney Robert Sprague for Defendnat. Status Conference set for 7/15/2021 at 10:30 AM via telephone before Magistrate Judge Reona J. Daly. The parties should call Judge Daly's conference line at 618-439-7731 to join the call. (nmf)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 06/14/2021)
06/21/2021	<u>24</u>	MOTION to Dismiss <i>with Prejudice</i> by Timothy West. Responses due by 7/26/2021 (Cueto, Lloyd) (Entered: 06/21/2021)
06/21/2021	25	ORDER DENYING WITHOUT PREJUDICE <u>24</u> MOTION to Dismiss <i>with Prejudice</i> filed by Timothy West. After Defendant has answered, a party seeking to dismiss an action pursuant to Federal Rule of Civil Procedure 41(a)(1) must file a stipulation of dismissal signed by all parties who have appeared. Because Plaintiff's filing did not meet the requirements set forth in Rule 41(a)(1), it must be DENIED. Plaintiff may dismiss his action provided he complies with the stipulation requirements of Rule 41(a)(1). Signed by Magistrate Judge Reona J. Daly on 6/21/2021. (nmf)THIS TEXT

		ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 06/21/2021)
06/22/2021	<u>26</u>	STIPULATION of Dismissal <i>with Prejudice</i> by Timothy West. (Cueto, Lloyd) (Entered: 06/22/2021)
06/23/2021	27	ORDER DISMISSING CASE: The parties jointly filed <u>26</u> Stipulation of Dismissal, indicating this case should be dismissed with prejudice, each party to bear their own costs. Under Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the Stipulation for Voluntary Dismissal is effective immediately upon filing and does not require judicial approval. <i>See e.g., Jenkins v. Village of Maywood</i> , 506 F.3d 622, 624 (7th Cir. 2007). Consequently, this case is DISMISSED with prejudice in accordance with the parties' stipulation (Doc. 26), each party to bear their own costs. Signed by Magistrate Judge Reona J. Daly on 6/23/2021. (nmf)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 06/23/2021)
06/23/2021	<u>28</u>	JUDGMENT IN A CIVIL CASE. Approved by Magistrate Judge Reona J. Daly on 6/23/2021. (jlm) (Entered: 06/23/2021)