

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

EMPEROR ELDER,)	
)	
Plaintiff,)	
)	
v.)	Case No. 13 C 8103
)	
CHICAGO TRANSIT AUTHORITY, et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

This Court has been apprised of the settlement between plaintiff Emperor Elder ("Elder") and two of the defendants in this action, the City Transit Authority and one of its bus operators. That leaves for trial the claims by pro se plaintiff Elder against the City of Chicago ("City") and its Officer Samuel Smith. In the interest of scheduling that trial at the earliest possible date, this Court needs to pose a few questions to the parties.

First, last month City's Department of Law delivered two inconsistent statements as to the defendants' availability for trial: City's April 8 letter identified only limited dates in June as available, while less than a week later -- in an April 14 letter -- the week of June 27 was identified as available. That latter date, as to which Elder had also confirmed his availability, would fit this Court's calendar best and would also allow time (1) for the parties' submission of voir dire questions and proposed jury instructions as well as (2) for the brief planning conference that always precedes one of this Court's trials.

On a related matter, this Court would anticipate that the short trial predicted in the Final Pretrial Order would certainly continue to be a reasonable estimate, given the fact that fewer than

all the original parties remain in the case. If that assumption is wrong for some reason, that too should be the subject of a response to this Court.

Both sides are ordered to respond swiftly to the matters identified in this memorandum order. That will enable this Court to set a June 27 date for the commencement of trial, with other related dates being identified as well.



Milton I. Shadur
Senior United States District Judge

Date: May 11, 2016