

**United States District Court
Northern District of Illinois - CM/ECF NextGen 1.7.1.1 (Chicago)
CIVIL DOCKET FOR CASE #: 1:95-cv-01556**

Xia v. Trotter, et al	Date Filed: 03/10/1995
Assigned to: Honorable Elaine E. Bucklo	Date Terminated: 06/11/1996
Demand: \$0	Jury Demand: None
Case in other court: Cook Co Circuit Ct, 94L 0712	Nature of Suit: 440 Civil Rights: Other
Cause: 28:1442 Petition for Removal	Jurisdiction: Federal Question

Plaintiff

Renlin Xia
Dr.

represented by **Mark Anthony Irpino**
Law Offices of Mark A. Irpino
35 S Garfield St
Hinsdale, IL 60521-4212
(630) 323-0700
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ATTORNEY TO BE NOTICED

V.

Defendant

Donne E Trotter
individually

represented by **Maureen Elizabeth Mulvenna**
Attorney at Law
500 Daley Center
Chicago, IL 60602
(312) 443-3366
Fax: Not a member
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David S. Meyerson
Cook County State's Attorney
500 Richard J. Daley Center
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Terry L. McDonald

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Defendant

Cook Co Hosp
an IL Public Health Facility

Date Filed	#	Docket Text
03/10/1995	1	NOTICE OF REMOVAL by defendant Donne E Trotter from Cook County Circuit Court with copy of summons & complaint, case no. 94 L 712 - Civil cover sheet - Appearance(s) of Maureen Elizabeth Mulvenna as attorney(s) for defendant Donne E Trotter with Rule 39 Affidavit (Documents: 1-1 through 1-4) (fce) (Entered: 03/13/1995)
03/10/1995		RECEIPT regarding payment of filing fee paid; on 3/10/95 in the amount of \$ 120.00, receipt # 451375. (fce) (Entered: 03/13/1995)
03/10/1995		MAILED removal letter to Mark Anthony Irpino along with appearance form and r139 affidavit (fce) (Entered: 03/13/1995)
03/23/1995	2	MINUTE ORDER of 3/23/95 by Hon. Elaine E. Bucklo : This case is referred to Magistrate Judge Gottschal for all pretrial management, to be returned for trial if the parties fail to consent to trial and entry of judgment by a United States Magistrate Judge pursuant to 28 USC Section 636 c. No notice (ar) (Entered: 03/24/1995)
03/24/1995		MAILED Rule 3.15 letter Terry L. McDonald. Copy of Rule 3.15 letter together with appearance form to Judge Bucklo's chambers. (ar) (Entered: 03/24/1995)
03/28/1995	3	REFERRAL ORDER of 03/24/95: Case referred to Hon. Joan B. Gottschall for Hon Elaine E. Bucklo pursuant to local General Rule 2.1(b) to conduct hearings and enter appropriate orders on the following pretrial motion/matter: Pretrial conference under Rule 16. All discovery motions. Discovery supervision. Discovery conference under Rule 26(f). Settlement conference. Preparation of pretrial materials. Conduct necessary proceedings and enter order/Report and Recommendation on all dispositive motions and dispositive pretrial matters through filing of pretrial materials including final pretrial order. Perform such additional duties as are not inconsistent with the Constitution and laws of the United States, specifically: This case is referred to Magistrate Judge Gottschall for all pretrial management, to

		be returned for trial if the parties fail to consent to trial and entry of judgment by Magistrate Judge Gottschall pursuant to 28 USC Section 636(c). (For further detail see order). Mailed notice (ar) (Entered: 03/29/1995)
03/31/1995	4	MINUTE ORDER of 3/31/95 by Hon. Joan B. Gottschall : Initial status hearing is set for 04/28/95 at 10:00 am before Magistrate Judge Gottschall. Parties are directed to furnish courtesy copies of complaint, answer and any pending matter(s) to Chambers 2490 by 04/24/95. Mailed notice (ar) (Entered: 04/03/1995)
04/28/1995	5	MINUTE ORDER of 4/28/95 by Hon. Joan B. Gottschall : Status hearing held; continued to 05/19/95 at 10:00 a.m. Case was called for status, both parties failed to appear. Mailed notice (fce) (Entered: 05/01/1995)
05/19/1995	6	MOTION by defendant Donne E Trotter for leave of court to file additional appearance ; Notice of motion (ar) (Entered: 05/22/1995)
05/19/1995	7	MOTION by defendant Donne E Trotter to enlarge the time period in which to answer or otherwise plead ; Notice of motion (ar) (Entered: 05/22/1995)
05/19/1995	8	MINUTE ORDER of 5/19/95 by Hon. Joan B. Gottschall : Status hearing held and continued to 7/7/95 at 10:00 am . Defendant Donne E. Trotter's motion for leave of court to file additional appearance [6-1] is granted. Defendant Trotter's motion for enlargement of time in which to answer or otherwise plead [7-1] is granted. No (ar) (Entered: 05/22/1995)
05/19/1995	9	ATTORNEY APPEARANCE for defendant Donne E Trotter by David S. Meyerson, Terry L. McDonald (ar) (Entered: 05/22/1995)
06/05/1995	10	MOTION by Donne E Trotter to dismiss plaintiff's official capacity claims for lack of jurisdiction ; Notice of filing. (tlm) (Entered: 06/06/1995)
06/05/1995	11	MEMORANDUM of law by Donne E Trotter in support of defendant's motion to dismiss plaintiff's official capacity claims. [10-1] (tlm) (Entered: 06/06/1995)
07/07/1995	12	MINUTE ORDER of 7/7/95 by Hon. Joan B. Gottschall : Status hearing held. Settlement conference is set for 8/9/95 at 9:30 am. No notice (ar) (Entered: 07/11/1995)
08/09/1995	13	MINUTE ORDER of 8/9/95 by Hon. Joan B. Gottschall : Settlement conference held. Mediation conference set for set for 8/18/95 at 9:30 am. No notice (ar) (Entered: 08/11/1995)
08/16/1995	14	MINUTE ORDER of 8/16/95 by Hon. Joan B. Gottschall : Strike mediation conference set for 08/18/95 at 9:30 am. Status hearing is set

		for 9/1/95 at 10:00 am. Mailed notice (ar) (Entered: 08/17/1995)
09/01/1995	15	MINUTE ORDER of 9/1/95 by Hon. Joan B. Gottschall : Status hearing held and continued to 10/11/95 at 10:00 am. Defendant Donne E. Trotter's motion to dismiss plaintiff's official capacity claims for lack of jurisdiction [10-1] is withdrawn. No notice (ar) (Entered: 09/06/1995)
09/15/1995	16	MOTION by defendant Donne E Trotter for summary judgment ; Notice of motion (eav) (Entered: 09/18/1995)
09/15/1995	17	MEMORANDUM by defendant Donne E Trotter in support of defendant's motion for summary judgment [16-1] (Exhibits) (eav) (Entered: 09/18/1995)
09/15/1995	18	RULE 12(M) Statement of material facts by defendant Donne E Trotter (eav) (Entered: 09/18/1995)
09/15/1995	19	MINUTE ORDER of 9/15/95 by Hon. Joan B. Gottschall : Answer brief to defendant's motion for summary judgment is due by 09/29/95. [16-1] Reply to answer brief due 10/10/95. No notice (eav) (Entered: 09/18/1995)
09/29/1995	20	MOTION by plaintiff Renlin Xia for extension of time to reply to defendant's motion for summary judgment ; Notice of motion (eav) (Entered: 10/03/1995)
10/02/1995	21	MINUTE ORDER of 10/2/95 by Hon. Joan B. Gottschall : Plaintiff's motion for extension of time to reply to defendant's motion for summary judgment is granted. [20-1] Plaintiff to reply on or before 10/30/95. Mailed notice (eav) (Entered: 10/03/1995)
10/11/1995	22	MINUTE ORDER of 10/11/95 by Hon. Joan B. Gottschall : Status hearing set for 11/03/95 at 10:00 a.m. Strike status hearing set for 10/11/95. Telephoned notice (eav) (Entered: 10/12/1995)
10/27/1995	23	MOTION by plaintiff Renlin Xia for extension of time to reply to defendant's motion for summary judgment ; Notice of motion (eav) (Entered: 10/30/1995)
10/27/1995	24	MINUTE ORDER of 10/27/95 by Hon. Joan B. Gottschall : Plaintiff's motion for extension of time to reply to defendant's motion for summary judgment is granted. [23-1] Plaintiff to reply to motion by 11/15/95; defendant to respond by 11/29/95. Status set for 11/03/95 is stricken. Mailed notice (eav) (Entered: 10/30/1995)
11/15/1995	25	ANSWER by plaintiff Renlin Xia to motion for summary judgment [16-1]; Notice of filing (eav) (Entered: 11/16/1995)
11/15/1995	26	MEMORANDUM by plaintiff Renlin Xia in support of plaintiff's response to defendant's motion for summary judgment [25-1]

		(Attachments) (eav) (Entered: 11/16/1995)
11/15/1995	27	STATEMENT of material facts pursuant to Local Rule 12(N) by plaintiff Renlin Xia (eav) (Entered: 11/16/1995)
11/15/1995	28	MOTION by plaintiff Renlin Xia to strike defendant, Donne E. Trotter's affirmative defense (eav) (Entered: 11/17/1995)
12/06/1995	29	AGREED MOTION by defendant Donne E Trotter to enlarge the time period in which defendant is to file his summary judgment reply ; Notice of motion (eav) (Entered: 12/08/1995)
12/06/1995	30	MINUTE ORDER of 12/6/95 by Hon. Joan B. Gottschall : Defendant's agreed motion to enlarge the time period in which to file summary judgment reply is granted. [29-1] Telephoned notice (eav) (Entered: 12/08/1995)
01/11/1996	31	RESPONSE by defendant Donne E Trotter to plaintiff's motion to strike his qualified immunity defense [28-1]; Notice of filing (eav) (Entered: 01/12/1996)
01/11/1996	32	REPLY by defendant Donne E Trotter to plaintiff's response to defendant's summary judgment motion [25-1]; Notice of filing (eav) (Entered: 01/12/1996)
01/11/1996	33	MEMORANDUM by defendant Donne E Trotter in support of his reply to plaintiff's response to summary judgment motion [32-1] (eav) (Entered: 01/12/1996)
01/11/1996	34	AFFIDAVIT of Shirley Crossley (Attachment) (eav) (Entered: 01/12/1996)
01/11/1996	35	LOCAL 12(M) REPLY by defendant Donne E Trotter to plaintiff's 12(N) statement of additional material facts [27-1]; Notice of filing (eav) (Entered: 01/12/1996)
01/24/1996	36	MOTION by defendant Donne E Trotter to strike certain responses of plaintiff to defendant's Rule 12(M) statement, or in the alternative, defendant's objections to such responses ; Notice of motion (eav) (Entered: 01/25/1996)
01/24/1996	37	MINUTE ORDER of 1/24/96 by Hon. Joan B. Gottschall : Defendant's motion to strike certain of plaintiff's responses to defendant's Rule 12(M) statement, or in the alternative, defendant's objections to such responses [36-1] is taken under advisement, until further order of the court. No notice (eav) (Entered: 01/25/1996)
04/26/1996	38	MINUTE ORDER of 4/26/96 by Hon. Joan B. Gottschall: Plaintiff's statement of material facts pursuant to Local Rule 12(n) fails to make specific reference to the record as required under that rule. Plaintiff is given 7 days to amend his statement of facts so as to comply with the

		rule. If plaintiff fails to do so, defendant's motion to strike plaintiff's responses will be granted, with fact in defendant's Rule 12(m) statement deemed admitted. Mailed notice (maf) (Entered: 04/29/1996)
05/07/1996	39	AMENDED STATEMENT of material facts by plaintiff pursuant to Local Rule 12(n) (Exhibits); Notice of filing. (maf) (Entered: 05/07/1996)
05/09/1996	40	LOCAL GENERAL RULE 12(M) RESPONSES by defendant Donne E Trotter to plaintiff's 12(N) statement of additional material facts; Notice of filing. (fce) (Entered: 05/10/1996)
05/10/1996	41	REPORT AND RECOMMENDATION concerning motion to strike certain responses of plaintiff to defendant's Rule 12(M) statement, or in the alternative, defendant's objections to such responses [36-1], motion to strike defendant, Donne E. Trotter's affirmative defense [28-1], motion for summary judgment [16-1] (fce) (Entered: 05/13/1996)
05/10/1996	42	MINUTE ORDER of 5/10/96 by Hon. Joan B. Gottschall : Enter Report and Recommendation. This court recommends that defendant's motion for summary judgment be granted. That determination having been made, the court would further deny as moot defendant's motion to strike certain responses to his Rule 12(m) statement and plaintiff's motion to strike defendant's qualified immunity defense. Mailed notice (fce) (Entered: 05/13/1996)
06/11/1996	43	MINUTE ORDER of 6/11/96 by Hon. Elaine E. Bucklo: On 05/10/96, Magistrate Judge Gottschall recommended that defendant Donne E. Trotter's motion for summary judgment be granted. No objection has been filed. I have reviewed the recommendation and report and find that it is well supported by the undisputed facts and applicable law. Accordingly, defendant's motion for summary judgment [16-1] is granted and judgment is entered in favor of the defendant and against the plaintiff. Defendant's motion to strike certain responses of plaintiff [36-1] and plaintiff's motion to strike defendant's qualified immunity defense [28-1] are denied as moot. Any pending motion in this case is terminated as moot. Terminating case . Mailed notice (maf) (Entered: 06/12/1996)
06/11/1996	44	ENTERED JUDGMENT (maf) (Entered: 06/12/1996)
06/13/1996	45	MINUTE ORDER of 6/13/96 by Hon. Joan B. Gottschall: All matters relating to the referral of this action having been resolved, the case is returned to the assigned judge. Terminating case referral to Hon. Joan B. Gottschall . No notice (maf) (Entered: 06/13/1996)