

**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS
ROCK ISLAND DIVISION**

SUSAN BENNETT,

Plaintiff,

v.

AMERICAN FEDERATION OF STATE,
COUNTY, AND MUNICIPAL
EMPLOYEES, COUNCIL 31, AFL-CIO;
AFSCME LOCAL 672; MOLINE-COLE
VALLEY SCHOOL DISTRICT NO. 40;
ATTORNEY GENERAL KWAME
RAOUL, in his official capacity; and
ANDREA R. WAINTROOB, chair, JUDY
BIGGERT, GILBERT O’BRIEN JR.,
LYNNE SERED, and LARA SHAYNE,
members, of the Illinois Educational Labor
Relations Board, in their official capacities,

Defendants.

Case No. 4:19-cv-04087-SLD-JEH

JOINT STATUS REPORT

Pursuant to this Court’s order dated July 24, 2019, ECF No. 23, which adopted the joint discovery plan proposed by the parties, ECF No. 22, the parties hereby submit the following joint status report:

1. A stipulated record for purposes of cross-motions for summary judgment has been agreed upon and entered into by Plaintiff, Defendants AFSCME Council 31 and AFSCME Local 672 (collectively, the “Union Defendants”), and Defendant Board of Education of Moline-Coal Valley School District No. 40 (the “School District”). A copy of the stipulated record, inclusive of exhibits, has been filed on the docket contemporaneously herewith.

2. Defendants Attorney General Kwame Raoul, Andrea R. Waintroob, Judy Biggert, Gilbert O'Brien Jr., Lynne Sered, and Lara Shayne (collectively, the "State Defendants") did not participate in the negotiation of a stipulated record in light of this Court's order dated August 2, 2019, which granted Plaintiff's and the State Defendants' joint request to "defer consideration of the [State Defendants'] motion [to dismiss] until the anticipated cross motions for summary judgment are filed" and "[f]urther, that the State Defendants will not be required to file a motion for summary judgment."
3. The parties have agreed to propose the following deadlines for briefing on dispositive motions:
 - Friday, October 18: Plaintiff's motion for summary judgment
 - Friday, November 15: Union Defendants' and the School District's briefs in support of their motions for summary judgment and in opposition to Plaintiff's motion for summary judgment
 - Friday, December 6: Plaintiff's brief in reply in support of her motion for summary judgment and in opposition to the summary judgment motions by the Union Defendants and the School District, as well as in opposition to the motion to dismiss filed by the State Defendants (ECF No. 14)
 - Friday, December 20: Union Defendants' and School District's reply briefs in support of their cross-motions for summary judgment, and the State Defendants' reply in support of their motion to dismiss
4. The Union Defendants and the School District intend to cite several declarations in their briefs on the forthcoming cross-motions for summary judgment, copies of which have been provided to Plaintiff's counsel. Plaintiff does not object to the Union Defendants

and the School District citing these declarations in their briefs but Plaintiff does not necessarily concede that the content of those declarations is factual.

5. The School District and the Union Defendants have agreed not to brief the School District's cross-claim for indemnification against the Union Defendants until after the resolution of the above-mentioned cross-motions for summary judgment on the merits of Plaintiff's claims. In the meantime, the School District and the Union Defendants inform the Court that they intend to engage in good faith settlement negotiations in an attempt to resolve the cross-claim.
6. As set forth in the Rule 26(f) report, ECF No. 22, and in the stipulated record, the parties would like to reserve the right to request a brief period of discovery prior to trial in the event that the cross-motions for summary judgment do not dispose of the entire case on the merits.

Dated: September 19, 2019

Respectfully submitted,

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