

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

MICHAEL L. SHAKMAN, et al.,)	
)	
)	
Plaintiffs,)	
)	Case Number: 69 C 2145
v.)	
)	Magistrate Judge Schenkier
COOK COUNTY ASSESSOR’S OFFICE, et al.,)	
)	
)	
Defendants.)	

**PRELIMINARY ORDER APPROVING
AGREED ORDER FOR THE
COOK COUNTY ASSESSOR’S OFFICE**

This case comes to be heard on the Agreed Motion of Plaintiffs and the Cook County Assessor’s Office (“Assessor”) for approval of a proposed AGREED ORDER FOR THE COOK COUNTY ASSESSOR’S OFFICE (“Agreed Order”). The Court orders as follows:

1. The proposed Agreed Order is preliminarily approved, subject to the holding of a hearing on the settlement as provided by this Order. The terms of the Agreed Order are fully incorporated by reference into the 1972 and the 1995 Consent Decrees (“Consent Decrees”).
2. A hearing shall be held at 8:30 a.m. on September 19, 2012 before this Court, for the purpose of determining whether the Court should approve the proposed Agreed Order, all as set forth in the attached form of Notice of Hearing. The Notice is approved.
3. Prior to August 31, 2012, notice in the form attached hereto as Exhibit A shall be published as a display ad on one day in the Chicago Tribune and on a different date in the Chicago Sun-Times, which newspapers have circulations through the Northern District of Illinois. For the purpose of this Publication, the Notice shall not include as an exhibit the texts of the proposed Agreed Order, but the text shall be available on the Assessor’s website at www.cookcountyassessor.com. Notice of the Agreed Order shall also be delivered to each employee of the Assessor and any former employee terminated on or after December 6, 2010 in the form attached hereto as Exhibit A by enclosing such Notice with each employee’s paycheck or, if the person does not receive a paycheck, by interoffice or US mail to the person’s last known address no later than August 31, 2012. Appropriate affidavits showing that the Notice has been given as provided shall be filed with the Court no later than the final approval hearing.

4. The Court finds that the Hearing Notice as prescribed by paragraph 3 constitutes the best notice practicable under the circumstances and constitutes due and sufficient notice of the Settlement Hearing and proposed Agreed Order to all persons affected by and/or entitled to participate in the Settlement.

5. Any Class Member who wants to be excluded from the class must give written notice of her or his intent to opt-out by mail to the Assessor's Compliance Administrator, Cliff Meacham, 69 W. Washington Street, Suite 1416, Chicago, IL 60602. A form Opt-Out Notice can be obtained from the Assessor's website at www.cookcountyassessor.com, the Assessor Compliance Administrator, or from Brian Hays, Locke Lord LLP, 111 S. Wacker Drive, Chicago, Illinois 60606. The Opt-Out Request shall state: (a) the name and docket number of this case; (b) the Class Member's legal name, address, and telephone number; and (c) that the Class Member wishes to be excluded from membership in the Classes. An Opt-Out Notice must be received by October 31, 2012.

6. Class Members who elect to opt-out of the Agreed Order must file an enforcement action or bring a separate lawsuit to assert any claims they may have against the District. Claims based on alleged political discrimination in employment in violation of the 1995 Consent Decree may be subject to a limitations period. *See Smith v. County of Chicago*, 769 F.2d 408 (7th Cir. 1985). Furthermore, a two year statute of limitations applies to claims brought under 42 U.S.C. § 1983, and related provisions of civil rights legislation. Additional time may be afforded to bring claims where the basis therefore has been concealed. A Class Member who elects to pursue a remedy outside of the Agreed Order should act quickly to protect whatever rights she or he may have. To facilitate negotiations, the parties agreed that the running of any statutory time limitations periods and all other legal or equitable time-based defenses and doctrines for violations of federal and state law and court orders entered in this case based on claims of political discrimination in connection with any term or aspect of governmental employment with the Assessor or defenses thereto were stayed and tolled as of December 16, 2010. The tolling will be lifted at Final Approval, but will not affect any claims which may have expired between the date of Final Approval and the date of Opt Out.

7. Any Class Member may file a written objection to the Agreed Order with the Court. The objection must state its substance, the nature of the objector's interest in the case and the name and address of the objector. Written objections must be filed with the Court prior to 4:00 p.m. on September 11, 2012 showing receipt of copies of the objection by Brian Hays at Locke Lord LLP, 111 S. Wacker Drive, Chicago, Illinois 60606 and Daniel Brennan, Cook County State's Attorney's Office, 500 Richard J. Daley Center, Chicago, IL 60602.

8. If a Class Member wishes to speak at the hearing, she or he must ask the Court for permission by filing a request with the Court, showing copies to Brian Hays at Locke Lord LLP, 111 S. Wacker Drive, Chicago, Illinois 60606 and Daniel Brennan, Cook County State's Attorney's Office, 500 Richard J. Daley Center, Chicago, IL 60602, requesting permission to speak at the settlement approval hearing in the case of **Shakman v. Assessor of Cook County, 69 C 2145**. The Class Member should state her or his position and the basis for that position. The request for permission to speak must be filed with the Court prior to 4:00 p.m. on September 11, 2012. The Court may, or may not, grant the request.

9. Any Class Member who believes that she or he was a victim of unlawful political discrimination in connection with his or her termination from the Assessor's Office which occurred between December 6, 2010 and the date of final approval of this Agreed Order who wishes to make a claim for relief as described in the Agreed Order must mail a completed Claim Form to the Assessor Compliance Administrator, Honorable Clifford Meacham, 69 W. Washington Street, Suite 1416, Chicago, IL 60602. Claim Forms will be made available from the Assessor's website www.cookcountyassessor.com, the Assessor Compliance Administrator at 69 W. Washington Street, Suite 1416, Chicago, IL 60602, and Plaintiffs' Counsel Brian Hays, Locke Lord LLP, 111 S. Wacker Drive, Chicago, Illinois 60606. Claim Forms are due by October 1, 2012.

ENTER:

United States Magistrate Judge Schenkier