

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CRIMINAL DIVISION

IN RE APPOINTMENT OF SPECIAL PROSECUTOR

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) No. 19 MR 00014
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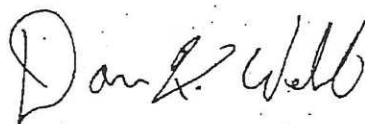
The Honorable
Michael P. Toomin

MOTION FOR A STATUS HEARING

Dan K. Webb, as Special Prosecutor in the above-captioned matter, respectfully requests that this Court hold a status hearing on Friday October 4, 2019 at 1:30 p.m. in Room 400 at the Leighton Criminal Court Building, 2600 South California Avenue, Chicago, Illinois 60608 to discuss the declaration attached hereto as Exhibit A which outlines certain facts that were called to my attention last week.

Dated: September 30, 2019

Respectfully submitted,



Dan K. Webb
Office of the Special Prosecutor
35 W. Wacker Drive
Chicago, IL 60601
Tel: (312) 558-5600
Fax: (312) 558-5700
dwebb@winston.com

DOROTHY BROWN
CLERK

CLERK OF THE
CIRCUIT COURT
CRIMINAL DIVISION

2019 SEP 30 PM 2:23

FILED

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COUNTY DEPARTMENT, CRIMINAL DIVISION

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CRIMINAL DIVISION

DOROTHY BROWN
CLERK

IN RE APPOINTMENT OF SPECIAL PROSECUTOR

No. 19 MR 00014

The Honorable
Michael P. Toomin

NOTICE OF STATUS HEARING

To: Cathy McNeil Stein
Assistant State's Attorney
Chief, Civil Division
Amy Crawford, ASA
500 Richard J. Daley Center
Chicago, IL 60602
Cathymcneil.stein@cookcountyil.gov
Amy.crawford@cookcountyil.gov

Sheila O'Brien, *Pro Se*
360 E. Randolph #1801
Chicago, IL 60601
sobrien368@aol.com

Patricia Holmes, Attorney for Jussie Smollett
Brian Watson, Attorney for Jussie Smollett
70 W. Madison St., Suite 2900
Chicago, IL 60602
pholmes@rshc-law.com
Bwatson@rshc-law.com

Risa Lanier
Assistant State's Attorney
2650 S. California Ave.
#11 D 40
Chicago, IL 60602
risa.lanier@cookcountyil.gov

Tina Glandian, Attorney for Jussie Smollett
Mark J. Geragos, Attorney for Jussie Smollett
Geragos & Geragos, APC
256 5th Avenue
New York, NY 10010
&
Geragos & Geragos, APC
644 South Figueroa Street
tina@geragos.com
mark.geragos.com

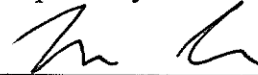
Valerie L. Hletko
Scott Sakiyama
Attorneys for Tina Tchen
Buckley LLP
353 N. Clark St., Suite 3600
Chicago, IL 50554
vhletko@buckleyfirm.com
ssakiyama@buckleyfirm.com

PLEASE TAKE NOTICE that, on Friday October 4, 2019, at 1:30 p.m. a Status Hearing in the above-captioned matter will be heard before the Honorable Michael P. Toomin, in Courtroom 400 at the Leighton Criminal Court Building, 2600 South California Avenue, Chicago, Illinois 60608.

CERTIFICATE OF SERVICE

I, Michael D. Claus, the undersigned attorney, certify that I sent an exact copy of the above Notice of Status Hearing by electronic mail to the counsel listed above by electronic mail before the hour of 5:00 p.m. on Monday, September 30, 2019.

Respectfully submitted,



Michael D. Claus

EXHIBIT A

DECLARATION OF DAN K. WEBB

I, Dan K. Webb, declare and state as follows:

1. I am the Co-Executive Chairman of Winston & Strawn LLP and, on August 23, 2019, Judge Michael Toomin appointed me as Special Prosecutor in the *Matter of the People of the State of Illinois v. Jussie Smollett*. As Special Prosecutor, I am charged with investigating: (1) whether reasonable grounds exist to further prosecute Jussie Smollett, and (2) whether any person or office involved in the Smollett Case, including Kim Foxx and members of the Cook County State's Attorney's Office, engaged in improper conduct or committed any criminal offenses.

2. Before my appointment as Special Prosecutor, Judge Toomin interviewed me in his chambers. During that interview, I informed Judge Toomin that I did not know Kim Foxx, and to the best of my recollection, I had never met Kim Foxx and never had any communications with her. I did not disclose to Judge Toomin that I had ever made a political contribution to Ms. Foxx because, at the time I was talking to Judge Toomin, I had no recollection of ever making a political contribution to Kim Foxx.

3. During the early evening of September 24, 2019, I received a phone call from Michael Bromwich, Kim Foxx's attorney. Mr. Bromwich informed me that Kim Foxx's staff had recently discovered that in October, 2016 I made a political contribution of \$1000.00 to Kim Foxx. I informed Mr. Bromwich that I did not recall making a political contribution to Kim Foxx, and I asked Mr. Bromwich about any details he could provide on how this contribution came about to see if these details would refresh my recollection. Mr. Bromwich advised me that he did not know the details, and that he would contact Kim Foxx and then get back to me with any details that she could provide about this political contribution.

4. Mr. Bromwich later called me back that evening to explain that, based on Kim Foxx's recollection, the \$1000.00 contribution related to a fundraiser for Ms. Foxx hosted at Winston & Strawn, and sponsored by Kimball Anderson of Winston & Strawn. Mr. Bromwich also emailed me a campaign record reflecting my \$1000.00 political contribution, and emailed me a flyer for this fundraiser. (See Attached Exhibit 1 and Exhibit 2).

5. After receiving these details, I told Mr. Bromwich that I have no recollection of ever attending a Winston fundraiser for Kim Foxx. Mr. Bromwich made it clear that he and Kim Foxx do not consider this political contribution an issue, and stated that Kim Foxx will not claim any conflict of interest, or have any other objection related to this contribution.

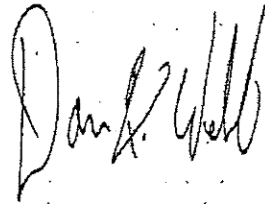
6. After speaking with Mr. Bromwich, I called Kimball Anderson. Mr. Anderson stated that in the Fall of 2016, Ms. Foxx asked to have a meeting with him at Winston. At that meeting, Ms. Foxx asked Mr. Anderson if he would host a fundraiser at Winston & Strawn for her. Mr. Anderson advised that, at the time, he was a political supporter of Kim Foxx, and he agreed to host the requested fundraiser. Mr. Anderson stated that the Winston fundraiser occurred on October 13, 2016. Mr. Anderson advised that the fundraiser was sparsely attended, and that Ms. Foxx and her staff showed up very late to the fundraiser. Ms. Foxx then made a few comments to the remaining attendees, and apologized for her lateness and left.

7. Mr. Anderson further advised that he undoubtedly requested that I contribute to the Foxx fundraiser—hence my \$1000.00 check payable to Friends for Foxx dated October 12, 2016, (Exhibit 3). Mr. Anderson advised that he does not recall me attending the fundraiser. I also have no recollection of attending that fundraiser.

8. I should point out that it is common for Winston partners to host fundraisers for political candidates at our Firm. It is also common that my Winston partners often request that I contribute to these fundraisers. To show support for my partners, I almost always contribute to the political fundraisers they are sponsoring at the Firm, unless I have some specific reason why I do not want to support the candidate.

I declare under penalty of perjury under the laws of the State of Illinois that the above is true and correct.

Dated: September 27, 2019

A handwritten signature in black ink, appearing to read "Dan K. Webb". The signature is stylized with a large initial "D" and a prominent "W".

Dan K. Webb

Exhibit 1

Walker, Valerie J.

From: Michael Bromwich <mrbbromwich@bromwichlaw.com>
Sent: Tuesday, September 24, 2019 5:55 PM
To: Webb, Dan K.
Subject: Contribution

Verizon LTE 10:25 AM 65%
elections.il.gov

Webb, Dan 35 W Wacker Dr Fl 46 Chicago, IL 60601-1723 Occupation: Attorney Employer: Winston & Strawn	\$1,000.00 10/21/2016	1/17/2017	Individual Contribution Friends for Foxx
Wayne, Candace 134 N La Salle St Chicago, IL 60602-1086	\$500.00 8/26/2016	10/15/2016	Individual Contribution Friends for Foxx
Watson Moss, Kate 35 W Wacker Dr Chicago, IL 60601-1723	\$250.00 10/6/2016	1/17/2017	Individual Contribution Friends for Foxx
Watkins, Lynn 9142 S Winchester Ave	\$250.00 3/4/2016	10/15/2016	Individual Contribution Friends for Foxx

Please send me your cell number.

MRB

Exhibit 2

Please join hosts

Kimball Anderson,
Oscar David and Dan Webb

in support of

KIM FOXX

Democratic Nominee for Cook County State's Attorney

Thursday, October 13th

5:30 p.m. - 6:30 p.m.

Winston & Strawn LLP

35 W. Wacker Drive, Floor 47

Chair • \$2,500

Host • \$1,000

Sponsor • \$500

Friend • \$250

Please make checks payable and send to

Friends for Foxx

P.O. Box 3496 | Chicago, IL 60654

To RSVP or for more information, please contact
Liz or Lauren at rsvp@kimfoxx.com or (312) 806-2743

Paid for by Friends for Foxx

A copy of our report filed with the State Board of Elections is (or will be) available on the Board's official website (www.elections.il.gov) or for purchase from the State Board of Elections, Springfield, Illinois.


Exhibit 3

DAN K. WEBB
35-W. WACKER DR. FL. 48
CHICAGO, IL 60601

2-330710 6021

DATE October 12, 2016


PAY TO THE ORDER OF Friends for Foxo \$ 1,000.00
One Thousand and 00/100 DOLLARS


 **AMALGAMATED**
Bank of Chicago

MEMO Kim Foxo State's Atty. Campaign Dan K. Webb

[REDACTED]

BasDI=10/24/16-BranchnName=South Loop Branch





FRIENDS FOR FOXO

[REDACTED]

- 10/25/2016