

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL DISTRICT
WILL COUNTY, ILLINOIS

Michael E. Hastings,

Petitioner,

v.

No. 2022MR000232

Village of Frankfort, Illinois, a municipal
Corporation, the County of Will, a body politic
and corporate, John Does and Jane Does.

Respondents.

VERIFIED PETITION FOR DISCOVERY

Petitioner Michael E. Hastings ("Petitioner"), by his attorneys, PAUL A. CASTIGLIONE, the KHOWAJA LAW FIRM, LLC, BERNADETTE GARRISON BARRETT and the BARRETT LAW GROUP, pursuant to Illinois Supreme Court Rule 224, requests this Honorable Court to enter an order authorizing Petitioner to obtain discovery from respondents the Village of Frankfort ("Frankfort"), the County of Will (the "County"), John Does and Jane Does (collectively "Respondents"), for the purpose of identifying responsible parties, and in support, states as follows:

1. Petitioner is the potential plaintiff in an action for defamation, false light invasion of privacy and related torts arising from the publication and dissemination of false statements of fact in a police report that the Frankfort Police Department prepared on or about June 20, 2021.

2. On June 20, 2021, Officer Kametas Dimitrios of the Frankfort Police Department responded to a call from Petitioner's wife, Kathleen Hastings, in which Ms. Hastings claimed to have had a verbal altercation with her husband, Petitioner. Ms. Hastings also falsely claimed that Petitioner previously battered her nearly eight months earlier and requested that a police report of her battery claim be prepared, but that she did not want police officers to speak with Petitioner about her battery claim or otherwise investigate her claim.

Initial case management set for
11/03/2022 at: 9:00 a.m.

RM: A236

3. Officer Dimitrios prepared a police report with Incident # F1-21-0000939-001 (“Frankfort Police Department Report # F1-21-0000939-001”).

4. Ms. Hastings’ statements documented in Frankfort Police Department Report # F1-21-0000939-001 that Petitioner was emotionally and verbally abusive to her and that Petitioner battered her are false statements of fact.

5. In 2021 and/or 2022, Frankfort Police Department Report # F1-21-0000939-001 and the false statements of fact contained therein were published and disseminated to third-parties.

6. Frankfort Police Department had access to Frankfort Police Department Report # F1-21-0000939-001. In addition, the Laraway Communication Center -- a County department -- had access to Frankfort Police Department Report # F1-21-0000939-001.

7. On information and belief, Frankfort’s employees, John Does and/or Jane Does, and/or the County’s employees, John Does and/or Jane Does, are responsible for publishing and disseminating this information.

8. The Frankfort Police Department and/or the County keeps records regarding: (a) the police reports that the Frankfort Police Department creates, namely who electronically accesses them, prints copies, releases them to third-parties and (b) the identity of third-parties who receive them.

9. In order to pursue possible tort claims against those who deliberately disseminated and published false statements of fact to third-parties, Petitioner requires the discovery sought herein from Respondents Frankfort, the County, John Does and Jane Does.

10. Specifically, Petitioner seeks the entry of an order of authorization from this Honorable Court to issue interrogatories and document requests to discover from Respondents Frankfort, the County, John Does and Jane Does: (a) all information relating to employees of

Frankfort and/or the County providing third-parties with Frankfort Police Report F1-21-0000939-001 at any time in 2021 and/or 2022 and (b) all documents, including but not limited to audit logs, to show who accessed this police report and when they did so.

11. A copy of this Verified Petition and a summons in the form set forth in Supreme Court Rule 224 will be served upon Respondents.

WHEREFORE, petitioner Michael E. Hastings respectfully requests that this Honorable Court enter an order permitting the discovery requested herein for the purpose of ascertaining the identity of responsible person(s).

Respectfully submitted,

Michael E. Hastings

By: s/Paul A. Castiglione
One of his attorneys

VERIFICATION

Under the penalties of perjury as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, 735 ILCS 5/1-109, the undersigned certifies that the statements set forth in this instrument are true and correct to the best of my knowledge, except as to matters therein stated to be on information and belief and as to such matters, the undersigned certifies as aforesaid that he verily believes the same to be true.


Michael E. Hastings

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