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2021CH01987
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**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT – CHANCERY DIVISION**

CITY OF CHICAGO, an Illinois)
Municipal corporation,)
)
)
Plaintiff,)
)
v.)
)
WESTFORTH SPORTS, INC.,)
)
)
Defendant.)

Case No. 21 CH 01987

Judge: Clare J. Quish

EXHIBIT B

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**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT – CHANCERY DIVISION**

CITY OF CHICAGO, an Illinois
Municipal corporation,

Plaintiff,

-vs-

WESTFORTH SPORTS, INC.,

Defendant.

Case No.: 21 CH 01987

Judge: Sophia H. Hall

**AFFIDAVIT OF SERGEANT RANDOLPH NICHOLS
IN SUPPORT OF PLAINTIFF CITY OF CHICAGO'S OPPOSITION TO
DEFENDANT'S SECTION 2-619 MOTION TO DISMISS
FOR LACK OF PERSONAL JURISDICTION**

I, Randolph Nichols, declare under penalty of perjury as prescribed in 720 ILCS 5/32-2 as follows:

1. The facts contained in this declaration are known personally to me and, if called as a witness, I could and would testify competently thereto under oath.
2. I submit this sworn declaration in support of Plaintiff's Opposition to Defendant's Section 2-619 Motion to Dismiss for Lack of Personal Jurisdiction.
3. I graduated from the University of Illinois Chicago in 1993 with a bachelor's degree in psychology. I graduated from the Adler School of Professional Psychology in 2006 with a master's degree in police psychology. I graduated from Walden University in 2010 with a master's degree in project management.

4. I have been employed by the Chicago Police Department (CPD) for over 27 years. I began as a Patrol Officer in 1995. In 2001, I began working on the development of an automated case reporting application. In 2016, I was promoted to Sergeant, and after a year and a half working in the field, I returned to the CPD unit that manages the development and deployment of computer systems used to support law enforcement activities. In 2019, due to my knowledge of CPD's data systems, I was asked to manage the Data Fulfillment and Analysis unit ("DFA") that is responsible for responding to data requests including state reporting requirements, Freedom of Information Act requests, and litigation support.
5. As head of DFA, I supervise seven police officers and two civilians with varying backgrounds and expertise. When the unit receives a request, one individual is assigned to identify the responsive information, and another individual is assigned to peer review. I review all outgoing responses for accuracy.
6. One of my job duties is to know where to find data to provide responses to data requests. A frequent request is evidence data, primarily firearms, which comes from the eTrack application which houses information regarding all property recovered by CPD including firearms. DFA retrieves information regarding firearms from eTrack to respond to FOIA at least three times a month.
7. When a CPD officer recovers property, including firearms, the officer must enter the property's identifying information into eTrack on the same day per CPD directives. If the property recovered is a firearm, the officer must input the make, model, color, barrel length, caliber and serial number of the firearm into eTrack. Each firearm recovered is given an inventory number.

8. Firearms recovered by CPD are sent to a forensics lab that runs tests on the firearm and enters additional information into eTrack including the type, subtype, country of origin, capacity, and operating condition. eTrack tracks the movement of the firearm between departments to maintain the chain of custody.
9. The day after information has been entered into eTrack, DFA can extract data and create a custom report based on each request. DFA has created numerous reports including lists of all firearms recovered over a period of years and lists of firearms associated with arrests.
10. DFA has responded to multiple litigation support requests in connection to this case. My unit was asked about the following list of firearms, and we have identified that they were recovered in Chicago by CPD:

Date Recovered	Serial No.	Incident Report No.	Associated Crime
5/9/2019	66A313713	JC256445	Unlawful possession
5/25/2019	EMJ3970843	JC277975	Unlawful possession
6/9/2019	FZY5316	JC299379	Aggravated Assault
6/28/2019	386339745	JC337866	none
7/18/2019	386351865	JC354399	Unlawful possession
8/15/2019	TMB28504	JC393262	Cannabis possession
12/2/2019	TDC914	JC532408	Unlawful possession
12/24/2019	SLT02891	JC558439	Unlawful possession
3/16/2020	TKY09777	JD187083	
6/22/2020	TMW66311	JD272991	
8/8/2020	TLW06883	JD325443	Unlawful possession
10/2/2020	HPF9916	JD386253	Unlawful possession
11/10/2020	BMTM836	JD426747	Unlawful possession
12/4/2020	AAM132321	JD449003	Unlawful possession
12/14/2020	FKU365	JD459145	Unlawful possession
2/8/2021	BRGW476	JE135905	Unlawful possession
4/12/2021	J35727	JE197277	FOID revocation
6/16/2021	BKHW772	JE268771	Aggravated assault
12/1/2021	641-59336	JE462586	Unlawful possession
2/11/2022	G30519	JF140969	Armed Robbery

Date Recovered	Serial No.	Incident Report No.	Associated Crime
3/29/2022	BSHR297	JF190845	Unlawful possession
4/13/2022	BY119932	JF206268	First Degree Murder
5/2/2022	BFGC066	JF227756	Unlawful possession

11. My unit was asked also about the following list of firearms, and we have identified that they were recovered in Chicago by CPD:

Date Recovered	Serial No.	Incident Report No.	Potential Gang Affiliation
4/23/2016	672666	HZ236978	
12/10/2016	CNA907US	HZ547497	
3/21/2017	EME3752149	JA195596	
10/16/2017	BCSS068	JA473868	Black P Stones
2/22/2018	FX03044	JB161836	
5/18/2018	BGHC759	JB268578	
5/18/2018	BGHC760	JB268578	
6/9/2018	SJY11640	JB300133	
7/7/2018	YDH376	JB339513	Yes (Unspecified)
7/26/2018	TKZ26739	JB365536	Gangster Disciples
9/12/2018	MUX700	JB432351	Black Disciple
9/18/2018	BFLF159	JB440651	Gangster Disciples
10/19/2018	TLS18600	JB481763	Gangster Disciple
10/29/2018	BCXV993	JB494309	Latin Brothers Organization
3/6/2019	440579	JC176092	
3/15/2019	GKS0067088	JC187118	Gangster Disciples
4/9/2019	NWK883	JC217219	
6/23/2019	TJT26683	JC317868	
7/10/2019	P10044514	JC342169	
7/12/2019	V7687	JC345498	
11/4/2019	TMD49000	JC497672	Maniac Campbell Boys
12/20/2019	TLU65748	JC554612	
1/15/2020	FBB2345	JD116717	Black Bag Murder Gang
2/1/2020	TMT36457	JD135886	Maniac Latin Disciples
2/3/2020	TMC11968	JD138546	
3/13/2020	CP124579	JD184862	
3/30/2020	FBL7406	JD198450	
4/4/2020	DDU662US	JD202280	
4/23/2020	FBX8343	JD215057	

Date Recovered	Serial No.	Incident Report No.	Potential Gang Affiliation
5/24/2020	846992	JD241029	
5/30/2020	MG533437	JD247054	Young Money
6/6/2020	VCN851	JD255353	
7/1/2020	FCH4843	JD282112	
7/25/2020	AAL063181	JD309925	Gangster Disciple Faction: No Love City
7/28/2020	VVT934	JD313261	
7/31/2020	HAM9379	JD315782	
8/14/2020	FFTC709	JD332844	
9/16/2020	909646	JD368625	
10/21/2020	VFZ892	JD406299	
2/11/2021	PAC1142933	JE138670	
3/8/2021	BMXX866	JE163245	
3/25/2021	BELM740	JE178971	
3/30/2021	323704	JE184678	
4/11/2021	BEVD065	JE196574	
5/8/2021	P10058519	JE223957	Gangster Disciple
6/18/2021	FBE4508	JE271187	
10/13/2021	RUG972	JE408870	
11/21/2021	BCKW709	JE442806	

12. Based on my review of the incident reports, the recovered handguns identified in this declaration have been associated with a wide range of criminal activity, including multiple homicides, multiple assaults and batteries, and multiple incidents of domestic violence. At least one firearm was recovered with a defaced serial number. Some have been converted to fully-automatic firing. Many of the possessors of these illegal guns had gang affiliations, others had felony convictions, and others were minors.
13. Two of the above-listed firearms (serial numbers: BGHC759 & BGHC760) were recovered on May 18, 2018, from a Chicago resident who did not have a valid FOID card and had been indicted on multiple felonies. The firearms were recovered with drugs and other handguns.

14. One of the above-listed firearms (serial number: TMD49000) was recovered in November 2019 after CPD officers responded to a ShotSpotter alert and found the firearm in the possession of an 18 year old with suspected gang affiliation. Another firearm (serial number: TMT36457) was recovered in February 2020 in the possession of another suspected gang member.
15. Two of the above listed-firearms (serial numbers: VFZ892 & BMXX866) were recovered from a juvenile and a parolee, respectively, and both firearms had been modified with auto-sears to turn them into illegal fully-automatic machine guns.
16. Two of the above-listed firearms (serial numbers: FBL7406 & DDU662US) were recovered on March 30, 2020, and April 4, 2020, respectively. One was in the possession of a juvenile; the other was recovered in connection with an aggravated assault.
17. One of the above-listed firearms (serial number: AAL063181) was recovered on July 25, 2020 during a gang suppression operation. It was recovered in the possession of a felon and suspected gang member.
18. One of the above-listed firearms (serial number: MUX700) was recovered on September 12, 2018, in the possession of a felon known to be associated with the Black Disciples gang.

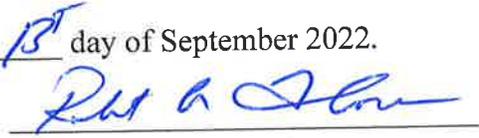
* * *

Executed in Chicago, IL on this 13 day of September 2022.



Sergeant Randolph Nichols

Sworn to before me and subscribed in my presence on this 13th day of September 2022.



Notary Public



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