

**Jeffrey Cole**  
**United States Magistrate Judge**  
**Northern District of Illinois**

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**Chambers: (312) 435 - 5601**

**PROFESSIONAL BACKGROUND**

**United States Magistrate Judge**

May 6, 2005

1975 - 2005: Private Practice

1969 - 1975: Assistant United States Attorney, Northern District of Illinois: Chief, Appellate Division; Assistant Chief, Criminal Division

1969: United States Department of Justice (Attorney General's Program for Honor's Law Graduates)

**EDITORSHIPS:**

2005 - Present	Editor-in-Chief, The Circuit Rider (The Journal of the Seventh Circuit Bar Association)
2002 - 2004:	Editor-in-Chief, LITIGATION (American Bar Association, Section of Litigation)
2000 - 2002:	Executive Editor, LITIGATION
1987 - 2000:	Associate Editor, LITIGATION
2004 - 2014:	Senior Editor, LITIGATION

**PUBLICATIONS**

"Practicing Before United States Magistrate Judges," Federal Civil Practice, Chapter 10, Illinois Institute for Continuing Education (2020);

Foreword: "Where's Mine" by Charles P. Kocoras, (2019)

"In Memoriam Randall Crocker," The Circuit Rider 2 (December 2019)

"An Interview with Judge Charles P. Kocoras, *Editor's Note*, The Circuit Rider 16 (December 2019)

“Reversing the Magistrate Judge,” *The Circuit Rider* 52 (December 2019)

“The 200<sup>th</sup> Anniversary of the United States District Court in Illinois: A Celebration of the Federal Judiciary’s Contribution to Illinois and the Nation,” (March 2009)(Northern District of Illinois Court Historical Association), *The Circuit Rider* 4 (May 2019)

In Memoriam: Stephen Shapiro, *The Circuit Rider* 8 (November 2018)

Book Review of William Domnarski’s biography of Richard Posner, *The Circuit Rider* 59 (April 2017)

Editorial Note on Originalism, *The Circuit Rider* 2 (April 2017)

“The Brave New World of Internet Evidence, It’s Not as Brave or New as It Seems,” 43 *LITIGATION* 37 (Summer 2016);

“Recent and Proposed Amendments to the Federal Rules of Evidence,” *The Circuit Rider* 13 (October 2015);

“Practicing Before United States Magistrate Judges,” *Federal Civil Practice*, Chapter 10, Illinois Institute for Continuing Education (2015);

“Admissibility of Internet Evidence Under the Federal Rules of Evidence,” *The Circuit Rider* 22 (April 2015);

“John Grady Interview: Reflections on 39 Years as a United States District Judge,” *The Circuit Rider* 2 (April 2015);

Book review of “May it Please The Court: A Story About One of America’s Greatest Trial Lawyers” by Charles P. Kocoras, *The Circuit Rider* 69 (April 2015)

“Amendments to Federal Rules of Practice and Procedure,” *The Circuit Rider*, 36 (December 2014);

“The Seventh Circuit Inters ‘Self-Serving as an Objection to the Admissibility of Evidence,’” *The Circuit Rider*, 14 (November 2013);

“Significant Amendments to Rule 45, Federal Rules of Civil Procedure, to Take Effect on December 1, 2013,” *The Circuit Rider*, 39 (November 2013);

“The Changing of the Guard in the Northern District of Illinois,” *The Circuit Rider*, 5 (November 2013);

“The Friendly-Posner Letters 1982-1986,” *The Circuit Rider*, 15 (April 2013);

“The Seventh Circuit’s Prohibition Against Magistrate Judges Issuing Sanctions Under Rule 37,” *The Circuit Rider*, 31 (April 2013);

Book Review: *The Lawyer Bubble – A Profession in Crisis*, by Steven Harper (Basic Books 2013), *The Circuit Rider*, 59 (April 2013);

Judge Jack Weinstein: on Life and Law (an interview by Jeffrey Cole & Robert Gettleman),” 39 *LITIGATION*, \_ (Spring 2013);

“Practicing Before United States Magistrate Judges,” in *Federal Civil Practice* (Illinois Institute for Continuing Legal Education, 2012);

“Judge Posner Revisited,” *The Circuit Rider*, 4 (May 2012);

Book Review: *Lawtalk: The Unknown Stories Behind Familiar Legal Expressions*, by James E. Clapp, Elizabeth G. Thornburg, Marc Galanter, and Fred R. Shapiro. (Yale University Press, 2011), *The Circuit Rider*, 45 (May 2012);

“A Judge’s Answers on Evidence,” 38 *LITIGATION* 7 (Winter 2012);

“A Judge Comments: Better Litigating Through Pretrial Agreements,” 38 *LITIGATION*, 23 (Fall 2011);

“Ventriloquism in Depositions: The Continuing Problem of Lawyers Conferring With Witnesses During Questioning,” *The Circuit Rider* (December 2011);

“Bad Acts Evidence in Civil Cases Under Rule 404(b): It’s Not Just for Prosecutors Anymore,” 37 *LITIGATION* 47 (Spring 2011);

“Object Now or Forever Hold Your Peace Or The Unhappy Consequences On Appeal of Not Objecting In The District Court To A Magistrate Judge’s Decision,” *The Circuit Rider* (April 2011)

“The 2010 Amendments To Rule 26 And Their Far-Reaching Limitations On Discovery Of Communications Between Lawyers and Experts,” *The Circuit Rider* (April 2011);

“Reversing the Magistrate Judge,” 36 *LITIGATION* 8 (Winter 2010);

“Practicing Before United States Magistrate Judges,” in *Federal Civil Practice* (Illinois Institute for Continuing Legal Education, 2010);

“James Byron Moran: A Tribute,” *The Circuit Rider* 2 (November 2009);

“The Extraordinary Life of Judge George Leighton: Collins Fitzpatrick’s 2001 Interview,” *The Circuit Rider* 24 (May 2009);

"The 190<sup>th</sup> Anniversary of the United States District Court in Illinois: A Celebration of the Federal Judiciary's Contribution to Illinois and the Nation," (March 2009)(Northern District of Illinois Court Historical Association) ([www.ilndhistory.uscourts.gov/ch.html](http://www.ilndhistory.uscourts.gov/ch.html)); republished in The Circuit Rider 4 (May 2009);

"The Federal Hearsay Rule: You Can't Believe Everything You Hear," 34 LITIGATION 51 (Spring 2008);

"Jilting the Judge: How to Make and Survive a Motion to Disqualify," 34 LITIGATION 48 (Winter 2008);

"An Interview With Judge Bauer", The Circuit Rider 4 (June 2008)

Book Review, "Your Witness: Lessons on Cross-Examination and Life From Great Chicago Trial Lawyers", The Circuit Rider 11 (June 2008)

"Across The Hall From Learned Hand And Other Reflections On 50 Years As Lawyer And Judge: An Interview With Judge Moran", The Circuit Rider 15 (June 2008).

"Henry Friendly and the Unpublished Opinion That Could Have Changed History," The Circuit Rider, 13 (May 2007)

"An Afternoon with Judge Kanne," The Circuit Rider, 6 (May 2007);

"A Portrait of Chief Judge Flaum," The Circuit Rider, 13 (November 2006);

"Practicing Before United States Magistrate Judges," in Federal Civil Practice (Illinois Institute for Continuing Legal Education, 2006);

"Hearsay, Juries, White Elephants and Hippopotamuses," 30 LITIGATION 49 (Winter 2004)(This article was selected for inclusion in the LITIGATION MANUAL (ABA 3d edition 2006);

"From The Bench: Lessons Discovered Along The Way Or Almost Everything We Ever Needed to Know We Did Learn In Kindergarten," 32 LITIGATION, 3 (Spring 2006);

"A Life Well Lived: An Interview With Justice Stevens," 32 LITIGATION (Spring 2006);

"Judge Joan Lefkow And The 2006 Thomas E. Fairchild Lecture: A Judge's Legacy," The Circuit Rider, 10 (May 2006);

"Hail to the Chiefs," The Circuit Rider, 6 (May 2006);

"The Demise of the No-Citation Rules: The Supreme Court Approves Federal Rule of Appellate Procedure 32.1," The Circuit Rider, 17 (May 2006);

"The United States District Court For The Northern District Of Illinois Makes Significant Modifications To Its Local Rules," *The Circuit Rider*, 23 (May 2006);

"Magistrate Judge Practice," (Illinois Institute for Continuing Legal Education, 2006);

"My Afternoon with Alex: An Interview With Judge Kozinski," 30 *LITIGATION*, 6 (Summer 2004);

"Hearsay, Juries, White Elephants and Hippopotamuses," 30 *LITIGATION*, 49 (Winter 2004);

"Judge Constance Baker Motley and the Struggle for Equal Justice," 29 *LITIGATION*, 6 (Summer 2003);

"An Interview with Scott Turow: Reflections on Law and Life and Other Things That Matter," 29 *LITIGATION* 8 (Winter 2003);

"The Continuing Riddle Of The Federal Hearsay Rule," 25 *LITIGATION*, 15 (1999);

"The Federal Hearsay Rule And Its Exceptions," *The Litigation Manual: Trial*, 614 (ABA 1999);

"Bad Acts Evidence Under Rule 404(b)," *The Litigation Manual: Trial*, 718 (ABA 1999);

"An Interview With Judge Randolph (Part I), " 25 *LITIGATION*, 16 (Winter 1999);

"An Interview With Judge Randolph (Part II)," 25 *LITIGATION*, 50 (Spring 1999);

"An Interview With Daniel Petrocelli: Reflections On The O.J. Simpson Case," 24 *LITIGATION*, 1 (Summer 1997);

"An Interview With Steve Shapiro," 23 *LITIGATION*, 19 (Winter 1997);

"Searching for Collegiality: An Interview With Judge Aspen," 22 *LITIGATION*, 34 (Winter 1996);

"Economics of Law: An Interview With Judge Posner," 22 *LITIGATION*, 23 (Fall 1995);

"An Interview With Dan Webb," 20 *LITIGATION*, 13 (Winter 1994);

"An Interview With Judge Hubert L. Will," 20 *LITIGATION*, 26 (Fall 1993);

"Federal Hearsay and its Exceptions," 19 *LITIGATION*, 17 (Summer 1993);

"Rule 11 Now," 17 LITIGATION, 10 (Spring 1991);

"Pleading Under The Federal Rules of Civil Procedure," Federal Civil Practice, Illinois Institute for Continuing Legal Education (1989);

"The Residual Exceptions To The Hearsay Rule, 16 LITIGATION, 26 (Fall 1989);

"Bad Acts Evidence Under Rule 404(b)," 14 LITIGATION, 8 (Spring 1988);

"Pleading Under The Federal Rules of Civil Procedure," Federal Civil Practice, Illinois Institute for Continuing Legal Education (1987);

"Civil Rico After Sedima v. Imrex," 12 LITIGATION, 24 (Spring 1986);

"Evidence: A Review of the 1982-1983 Term of the United States Court of Appeals for the Seventh Circuit: "Toward A More Progressive and Flexible Approach to the Federal Rules of Evidence," 60 Chicago-Kent Law Review, 587 (1984);

"Evidence: A Review of the 1979-1980 Term of the United States Court of Appeals for the Seventh Circuit; Developments in Character Evidence, Cross-Examination Rules and Prior Consistent Statements," 56 Chicago-Kent Law Review, 279 (1984);

"Making the Decision to Sue," Chamber of Commerce of the United States (1979);

"The Exclusionary Rule in Probation and Parole Revocation: Some Observations on Deterrence and the `Imperative of Judicial Integrity'," 52 Chicago-Kent Law Review, 21 (1975);

"Defense Counsel and First Amendment: `A Time to Keep Silence and a Time to Speak'," 6 St. Mary's L. J., 347 (1974);

"Impeachment With Unconstitutionally Obtained Evidence: Coming to Grips with the Perjurious Defendant," 62 Northwestern Journal of Criminal Law and Criminology, 1 (1971);

"Impeaching with Unconstitutionally Obtained Evidence: Some Reflections on the Palatable Fruit of the Poisonous Tree," 18 DePaul Law Review, 25 (1968);

Comment, "Additur-Procedural Boon or Constitutional Calamity," 17 DePaul Law Review, 175 (1967);

Note, "Vicarious Liability-Abrogation of The Both Ways Rule," 16 DePaul Law Review, 478 (1967)

## TEACHING

Adjunct Professor, Trial Advocacy, Northwestern University School of Law (1998 - 2016)

Adjunct Professor, Trial Advocacy, IIT Chicago-Kent College of Law (1975 - 1987)

Adjunct Professor, Constitutional Law, IIT Chicago-Kent College of Law (1974)(Summer program)

Faculty Member, NITA/ABA Advocacy Program for Public Service Lawyers, Northwestern Univ. School of Law (2001)

Faculty Member, Summer Undergraduate Mock Trial Institute, Northwestern University School of Law (2001)

Faculty Member, Summer Undergraduate Mock Trial Institute, Northwestern University School of Law (2000)

Faculty Member, Appellate Seminar, Northwestern University School of Law (2000)

## LECTURES

Federal Bar Association, Ethics Program (2018)(Panelist)

American Bar Association, Section of Litigation, Effective Motion Practice (2017)(Panelist)

Annual James B. Moran Appreciation Event, Federal Bar Association (2017)(Guest Speaker)

Trial Attorneys of America, Admissibility of Electronic Evidence (2017)(Guest Speaker)

Federal Bar Association, How to Admit and Exclude Evidence in Federal Court (2015)(Panelist)

Annual James B. Moran Appreciation Event, Federal Bar Association (2015)(Guest Speaker)

Federal Bar Association, How to Admit and Exclude Evidence in Federal Court (2014)(Panelist)

Annual James B. Moran Appreciation Event, Federal Bar Association (2014)(Guest Speaker)

Federal Bar Association: Admissibility of Electronic Evidence (2013)(Guest Speaker)

American Bar Association: Suggestions for Improving Relations Between Bench and Bar (2013)(Panelist)

ABA Judicial Division: Bench and Bar Relations (2013)(Panelist)

Federal Bar Association: Internet Evidence (2013)(Guest Speaker)

Federal Bar Association: Discovery Practice in Federal Court: "The Art of Deposing and Raising Proper Objections" (2013)(Moderator)

Robes in the Schools: Whitney Young High School (2012) (Guest Speaker)

American Bar Association: Tort Trial and Insurance Practice Section Conference 2012: "Through the Looking Glass: What Lawyers Can learn From Judges And What Judges Can Learn From Lawyers" (Panelist)

Illinois Society of Certified Public Accountants: 2012 Fraud Conference (Panelist)

Federal Judicial Center, Historic Implications of the Chicago Seven Trial (June 2012)(Guest Speaker)

CBA Federal Civil Practice Committee: Brief Writing and Revisions to Rule 26 (April 2012)(Guest Speaker)

Forensic Expert Witness Association (2012)(Guest Speaker)

CBA Lecture to the Antitrust Committee, The Application of the Federal Rules and Daubert and its Progeny to Antitrust Litigation: Perspectives From the Bench, Experts, and the Trial Bar (2011)(Guest speaker)

Federal Civil Practice: New Developments in Expert Discovery and Disclosure, Chicago Bar Association (2011) (Guest Speaker)

First Annual James B. Moran Appreciation Event, Federal Bar Association (2010)(Guest Speaker)

The Impact, Significance and Legacy of the Chicago Seven Conspiracy Trial on the Occasion of its 40th Anniversary, American Bar Association Public Program Series (October 2009)(Panel Member)

Top 20 Ways to Protect Attorney-Client Privilege and Work Product While Working With Expert Witnesses, American Bar Association Annual Conference, (2009) (Panel Member)

Daubert's Application to "Non-Scientific" Experts, 2009 Seventh Circuit Judicial Conference (Panel Member)

"Some Thoughts On Civility in Current Civil Practice," Seminar on Tips of the Trade: Federal Civil Practice, Illinois State Bar Association (2008);

Illinois Institute for Continuing Legal Education seminar on Federal Practice, "Practicing Before Magistrate Judges" (2008)

Historical Implications of the Chicago 7 Conspiracy Trial (ABA Annual Meeting, August, 2001)

Moderator, Lecturer, and Faculty Member, Illinois Institute for Continuing Legal Education seminar on Civil Practice In The Federal Courts (1990)



Moderator, Lecturer, and Faculty Member, Illinois Institute for Continuing Legal Education seminar on RICO, Its Uses And Abuses (1988)

Moderator, Lecturer, and Faculty Member, Illinois Institute for Continuing Legal Education seminar on Effective Illinois Motion Practice (1988)

Moderator, Lecturer, and Faculty Member, Illinois Institute for Continuing Legal Education seminar on Federal Civil Practice (1987)

Moderator, Lecturer, and Faculty Member, Illinois Institute for Continuing Legal Education seminar on Trial Court Motion Practice (1987)

Moderator, Lecturer, and Faculty Member, Illinois Institute for Continuing Legal Education seminar on Trial Court Motion Practice (1986)

Moderator, Lecturer, and Faculty Member, Illinois Institute for Continuing Legal Education seminar on Effective and Innovative Criminal Defense Practice (1986)

Moderator, Lecturer, and Faculty Member, Illinois Institute for Continuing Legal Education seminar on Federal Rules of Evidence (1987)

Moderator, Lecturer, and Faculty Member, Illinois Institute for Continuing Legal Education seminar on Prescription for Persuasion in the Civil Jury Trial (1986)

Moderator, Lecturer, and Faculty Member, Illinois Institute for Continuing Legal Education seminar on Midwest Civil RICO Program (1985)

Moderator, Lecturer, and Faculty Member, Illinois Institute for Continuing Legal Education seminar on Civil RICO after Sedima v. Imrex (1985)

Lecturer, ABA, Complex Crimes Committee, Attorney Fee Forfeiture (1990)

Lecturer, Federal Trial Skills Seminar for Practicing Attorneys, Illinois Institute for Continuing Legal Education (1986)

Lecturer, Federal Trial Skills Seminar for Practicing Attorneys, Illinois Institute for Continuing Legal Education (1985)

Lecturer, Federal Trial Skills Seminar for Practicing Attorneys, Illinois Institute for Continuing Legal Education (1983)

Guest Speaker, American Medical Association Political Action Committee Convention (1981)

Lecturer, IIT Chicago-Kent College of Law, Criminal Procedure (Summer session, 1975)

Lecturer, IIT Chicago-Kent College of Law, Constitutional Law (Summer session, 1974)

Lecturer, IIT Chicago-Kent College of Law: Appellate Practice Seminar, IICLE (1976)

**AFFILIATIONS:**

ABA Section of Litigation, Council Member	2005-2007
Federal Bar Association, Board of Directors	2010-Present
Seventh Circuit Bar Association	2005-Present
Northern District of Illinois Court Historical Association, Board of Directors	2005-Present