

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

DAVID GROCHOCINSKI, not individually)
but solely in his capacity as the Chapter 7)
Trustee for the bankruptcy estate of)
CMGT, INC.,)

Plaintiff,)

v.)

MAYER BROWN ROWE & MAW LLP,)
RONALD B. GIVEN and CHARLES W.)
TRAUTNER,)

Defendants.)

No. 06 C 5486

Judge Virginia M. Kendall

UNOPPOSED MOTION FOR LEAVE TO FILE TWENTY-PAGE BRIEF

Defendants Mayer Brown Rowe & Maw, LLP (“Mayer Brown”) and Ronald B. Given (“Given”) (collectively, the “Defendants”), by their attorneys, hereby request leave to file a brief in excess of the 15-page limit contained in Local Rule 7.1 and no longer than 20 pages. In support of their motion, Defendants state as follows:

1. The complaint in this case purports to assert numerous claims of legal malpractice against Defendants. Altogether, nine separate acts of legal malpractice are alleged, and seventeen exhibits are attached to the 25-page Complaint in an effort to support those claims. The Complaint also refers to legal proceedings in California and the United States Bankruptcy Court.

2. Defendants’ response to the Complaint is due November 30, 2006.

3. Defendants believe that the allegations of malpractice are all defective and that these defects cannot be cured. Accordingly, Defendants will file a motion to dismiss the Complaint with prejudice pursuant to Rule 12(b)(6).

4. The motion to dismiss must address each of the nine claims of legal malpractice. In doing so, Defendants will present three separate legal arguments for nearly every claim. Because there are so many different acts of malpractice alleged, and so many different exhibits to refer to, Defendants require more than fifteen pages to properly address each of Plaintiff's nine claims.

5. In addition, Defendants will respond to Plaintiff's allegations about the legal proceedings in California and the bankruptcy court and present two separate bases for dismissal, which requires that those prior proceedings be more fully examined.

6. Defendants' brief will be filed on time, and will not exceed 20 pages.

7. Plaintiff's counsel has advised that plaintiff has no objection to this motion provided that they are also granted leave to file a response that is the same length as our opening brief.

WHEREFORE, Defendants respectfully request leave to file a memorandum in support of their motion to dismiss that does not exceed twenty pages and that plaintiff is granted leave to file a response brief of the same length.

Respectfully submitted,

MAYER BROWN ROWE & MAW LLP AND
RONALD GIVEN

/s/ Mitchell L. Marinello

One Of Their Attorneys

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CERTIFICATE OF SERVICE

Mitchell L. Marinello, an attorney, hereby certifies that he caused a true and correct copy of the foregoing **Unopposed Motion for Leave to File Twenty-Page Brief** by electronically filing the document with the Clerk of Court using the ECF system to:

Edward T. Joyce
Arthur W. Aufmann
Robert D. Carroll
EDWARD T. JOYCE & ASSOC., P.C.
11 S. LaSalle St.
Chicago, IL 60603

on this 21st day of November, 2006.

/s/ Mitchell L. Marinello
Mitchell L. Marinello