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

No. 06 C 5486
Judge Virginia M. Kendall
Magistrate Judge Morton Denlow

## DEFENDANTS' MOTION FOR SUMMARY JUDGMENT BASED ON THEIR UNCLEAN HANDS DEFENSES

Defendants "Mayer Brown" and Ronald B. Given, by their attorneys, Novack and Macey LLP, submit this Motion for Summary Judgment based on their defenses that have at various times been referred to as the "unclean hands," "absurd result" or "fraud on the court" defenses (collectively, the "Unclean Hands Defenses"). For the reasons set forth in their Memorandum Of Law and their Local Rule 56.1(a) Statement Of Material Facts and the Appendix Of Exhibits thereto, Defendants request that their Motion be granted and that they be awarded such other and further relief as is appropriate.

Respectfully submitted,

MAYER BROWN LLP AND RONALD GIVEN

/s/ Stephen Novack
One Of Their Attorneys

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## **CERTIFICATE OF SERVICE**

Stephen Novack, an attorney, hereby certifies that he caused a true and correct copy of the foregoing Defendants' Motion For Summary Judgment Based On Their Unclean Hands Defenses to be served through the ECF system upon the following:

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

on this 29th day of May, 2009.

/s/ Stephen Novack