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

DAVID GROCHOCINSKI, not individually,	)
but solely in his capacity as the Chapter 7	)
Trustee for the bankruptcy estate of	)
CMGT, INC.	)
Plaintiff,	) No. 06 C 5486
	)
v.	) Judge Virginia M. Kendall
	)
MAYER BROWN ROWE & MAW LLP,	)
RONALD B. GIVEN, and CHARLES W.	)
TRAUTNER,	)
	)
Defendants.	)

## PLAINTIFF'S UNOPPOSED MOTION FOR LEAVE TO FILE OVERSIZE RESPONSE TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND LOCAL RULE 56.1(b)(3)(C) STATEMENT

Plaintiff, David Grochocinski, in his capacity as the Chapter 7 trustee for the bankruptcy estate of CMGT, Inc. ("Plaintiff"), moves for leave to file an oversize Response to defendants Mayer Brown Rowe & Maw LLP's and Ronald B. Given's ("Defendants") motion for summary judgment and Local Rule 56.1(b)(3)(C) Statement. In support of this motion, Plaintiff states as follows:

- 1. On May 8, 2009, Defendants filed their Unopposed Motion for Leave to File Oversize Summary Judgment Brief and Local Rule 56.1 Statement. Defendants requested leave to file a brief not in excess of 30 pages and a Local Rule 56.1 Statement not in excess of 150 paragraphs. This Court granted Defendants' motion.
- 2. Defendants filed a 27 page summary judgment brief and a Local Rule 56.1 Statement containing 147 paragraphs. In addition to their oversized brief and Local Rule 56.1 Statement, Defendants have the opportunity to file a reply in support of their motion for summary judgment.

- 3. Plaintiff's Response is his only opportunity to respond to Defendants' summary judgment motion. In order to fully address all of Defendants' arguments and assertions of purportedly undisputed facts, Plaintiff requires an oversize brief and Local Rule 56.1 statement.
  - 4. Defendants do not object to the relief sought herein.

**Wherefore**, Plaintiff respectfully requests that this Court: (a) grant this Unopposed Motion; (b) grant Plaintiff leave to file a Response to Defendants' motion for summary judgment that is no longer than 30 pages in length; and, (c) grant Plaintiff leave to file a Local Rule 56.1(b)(3)(C) Statement containing no more than 75 numbered paragraphs.

Dated: June 19, 2009 Respectfully submitted,

DAVID GROCHOCINSKI, not individually, but solely as the trustee in bankruptcy, for THE ESTATE OF CMGT, INC.,

By:_	/s/ Edward T. Joyce
-	Plaintiff's attorneys

Edward T. Joyce Arthur W. Aufmann Robert D. Carroll **EDWARD T. JOYCE & ASSOC., P.C.** 11 South LaSalle Street, Ste., 1600 Chicago, Illinois 60603 Telephone – (312) 641-2600 Atty No. 32513