

**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, |) | No. 06 C 5486 |
| |) | |
| v. |) | Judge Virginia M. Kendall |
| |) | |
| MAYER BROWN ROWE & MAW LLP, |) | |
| RONALD B. GIVEN and CHARLES W. |) | |
| TRAUTNER, |) | |
| |) | |
| Defendants. |) | |

LAWYER DEFENDANTS' MOTION TO DISMISS

Defendants Mayer Brown Rowe & Maw LLP (“Mayer Brown”) and Ronald B. Given (“Ronald”) (collectively, the “Lawyer Defendants”), by their attorneys, Novack and Macey LLP, hereby file their motion to dismiss Plaintiff’s Complaint. For the reasons set forth in the Lawyer Defendants’ Memorandum of Law in Support of Their Motion to Dismiss, the Complaint should be dismissed with prejudice.

Respectfully submitted,

MAYER BROWN ROWE & MAW LLP AND
RONALD GIVEN

/s/ Stephen Novack
One Of Their Attorneys

Stephen Novack
Mitchell L. Marinello
Steven J. Ciszewski
Novack and Macey LLP
100 N. Riverside Plaza
Chicago, IL 60606
(312) 419-6900
Doc. #166703

CERTIFICATE OF SERVICE

Stephen Novack, an attorney, hereby certifies that he caused a true and correct copy of the foregoing Motion to Dismiss 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 30th day of November, 2006.

/s/ Stephen Novack