

**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)	Magistrate Judge Morton Denlow
and RONALD B. GIVEN,)	
)	
Defendants.)	

**DEFENDANTS’ UNOPPOSED MOTION FOR EXTENSION
OF TIME AND LEAVE TO FILE OVERSIZED REPLY**

Defendants Mayer Brown LLP and Ronald B. Given (together, the “Defendants”), by their attorneys, Novack and Macey LLP, hereby move for an extension of time to file their reply in support of their motion for summary judgment and for leave to file a reply memorandum of up to twenty-five pages. In support of their motion, Defendants state as follows:

1. By order dated March 31, 2009, this Court ordered that Defendants file their dispositive motion on their “unclean hands” defenses by June 1, 2009, that Plaintiff file his response thereto by June 29, 2009, and that Defendants file their reply by July 20, 2009. Defendants timely filed their motion on May 29, 2009.

2. On June 19, 2009, Plaintiff David Grochocinski (“Plaintiff”) sought an additional 14 days, to and including July 13, 2009, to file his response. By separate motion on that same day, Plaintiff sought leave to file an oversize response memorandum. Defendants did not object to these motions, and both motions were granted by this Court’s order dated June 23, 2009.

3. Accordingly, Plaintiff had 43 days to file his response. Plaintiff's responsive memorandum is over 30 pages long, and his Local Rule 56.1(b)(3)(c) Statement contains over 70 paragraphs. As part of his response, Plaintiff also submitted over 100 new exhibits.

4. Defendants respectfully request until August 19, 2009 to file their reply and leave to file a reply up to twenty-five pages.

5. Defendants need this additional time and space to address the matters set forth in Plaintiff's oversize brief and the new facts and exhibits that Plaintiff has cited and also because of the vacation schedules of Defendants' counsel.

6. In particular, lead defense counsel herein, Stephen Novack, will be on vacation from July 23 through August 9. As a result, Defendants seek until 10 days after Mr. Novack's return to file their Reply.

7. We are authorized to tell the Court that Plaintiff has no objection to this motion.

WHEREFORE, Defendants respectfully request that the Court grant Defendants until August 19, 2009 to file their Reply in support of their summary judgment motion, leave to file a reply memorandum up to twenty-five pages, and such other and further relief as is appropriate.

Respectfully submitted by,

MAYER BROWN LLP and RONALD B. GIVEN

By: /s/ Stephen Novack
One Of Their Attorneys

Stephen Novack
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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' Unopposed Motion for Extension of Time and Leave to File Oversized Reply 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 South LaSalle Street
Chicago, IL 60603

on this 17th day of July, 2009.

/s/ Stephen Novack