## 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 RESPONSE TO DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION OF TIME AND LEAVE TO FILE OVERSIZED REPLY

Plaintiff David Grochocinski, not individually but solely in his capacity as the Chapter 7 Trustee for the bankruptcy estate of CMGT, Inc. ("Plaintiff") responds to Defendants' unopposed motion for extension of time and leave to file oversized reply as follows:

1. Plaintiff does not object to the relief requested in Defendants' Motion. However,

Plaintiff does object to a misleading statement contained in that motion.

2. Defendants state that Plaintiff's response to Defendants' motion for summary

judgment is "over 30 pages long." (Def. Mot. at p. 2,  $\P$  3.) That statement infers that Plaintiff violated this Court's Order that limited Plaintiff's response to 30 pages.

3. Although Plaintiff's response is technically 31 pages long, the 31st page contains <u>only</u> Plaintiff's signature. Thus, it was misleading for Defendants to broadly state that Plaintiff filed a response that is "over 30 pages long."

4. Plaintiff is filing this response simply to make the record clear about the length of his response. He is not objecting to Defendants' unopposed motion.

Dated: July 17, 2009

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

BY: <u>/s/ Edward T. Joyce</u>

Plaintiff's attorneys

Edward T. Joyce Arthur W. Aufmann Robert D. Carroll EDWARD T. JOYCE & ASSOC., P.C. - Atty No. 32513 11 South LaSalle Street, Ste., 1600 Chicago, Illinois 60603

## **CERTIFICATE OF SERVICE**

The undersigned attorney, certifies that on July 17, 2009, he caused the attached **Plaintiff's Response to Defendants' Amended Unopposed Motion for Extension of Time and Leave to File Oversized Reply** to be served upon

Stephen Novack Mitchell L. Marinello Steven J. Ciszewski Novack and Macey LLP 100 N. Riverside Plaza Chicago, IL 60606

by electronically delivering a copy through the Court's CM/ECF filing system.

/s/ Edward T. Joyce