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 REQUEST TO CLERK OF THE DISTRICT COURT FOR INCLUSION OF CERTAIN BRIEFS AND MEMORANDA IN RECORD ON APPEAL PURSUANT TO CIRCUIT RULE 10(a)

Plaintiff David Grochocinski, not individually but solely in his capacity as the Chapter 7 Trustee for the bankruptcy estate of CMGT, Inc. hereby requests pursuant to Circuit Court Rule 10(a) that the Clerk of the District Court include the following documents in the record on appeal:

Date Filed	<u>Description</u>	Docket <u>Number</u>
November 30, 2006	Motion by Mayer Brown Rowe & Maw LLP and Ronald B Given to dismiss	15
November 30, 2006	Memorandum by Mayer Brown Rowe & Maw LLP and Ronald B. Given in support of motion to dismiss	16
January 5, 2007	Response by David Grochocinski to Mayer Brown Rowe & Maw LLP's and Ronald B. Given's motion to dismiss	22
February 7, 2007	Reply by Mayer Brown Rowe & Maw LLP and Ronald B. Given in support of motion to dismiss	32
April 18, 2007	Plaintiff's Position Paper Regarding Referral to the Bankruptcy Court	41
April 18, 2007	Lawyer Defendants' Position Statement Regarding Possible Referral to Bankruptcy Judge	42
June 28, 2007	Memorandum Opinion and Order	49
July 13,	Motion by Mayer Brown Rowe & Maw LLP and Ronald B Give for	50

Date Filed	<u>Description</u>	Docket <u>Number</u>
2007	reconsideration regarding order on motion to dismiss	
August 9, 2007	Response by David Grochocinski in opposition to Mayer Brown Rowe & Maw LLP's and Ronald B. Given's motion for reconsideration regarding order on motion to dismiss	53
August 23, 2007	Reply by Mayer Brown Rowe & Maw LLP and Ronald B. Given in support of motion for reconsideration	54
October 30, 2007	Minute Entry	67
December 7, 2007	Motion by David Grochocinski for protective order	72
December 11, 2007	Response by Mayer Brown Rowe & Maw LLP and Ronald B. Given to David Grochocinski's motion for protective order	74
December 12, 2007	Reply by David Grochocinski in support of motion for protective order	75
December 13, 2007	Minute entry	76
December 17, 2007	Minute entry	78
February 20, 2008	Plaintiff's Memorandum in Support of His Privilege Log Assertions	90
March 26, 2008	Response by Mayer Brown Rowe & Maw LLP and Ronald B. Given to Plaintiff's memorandum in support of his privilege log assertions	94
April 9, 2008	Reply by David Grochocinski in support of his memorandum in support of his privilege log assertions	95
June 9, 2008	Minute entry	100
June 9, 2008	Memorandum Opinion and Order	101
June 23, 2008	Plaintiff's Objection to Magistrate Denlow's Memorandum Opinion and Order dated June 9, 2008	104
July 18, 2008	Response by Mayer Brown Rowe & Maw LLP and Ronald B. Given to Plaintiff's objection to Magistrate Denlow's Memorandum Opinion and Order dated June 9, 2008	112
October 28, 2008	Minute entry	119
November 12, 2008	Motion by Mayer Brown Rowe & Maw LLP and Ronald B Given, Objection to Alternative Ruling in Magistrate Denlow's June 9, 2008 Memorandum Opinion and Order	120
February 20, 2009	Minute entry	129
May 29, 2009	Motion by Mayer Brown Rowe & Maw LLP and Ronald B Given for summary judgment on their unclean hands defense	135
May 29, 2009	Memorandum by Mayer Brown Rowe & Maw LLP and Ronald B. Given in support of motion for summary judgment on their unclean hands defenses	136
May 29,	Mayer Brown Rowe & Maw LLP's and Ronald B Given's Rule	137

Date Fi	<u>led</u>	<u>Description</u>	Docket Number
2009		56.1(a) Statement of Facts	
May 2009	29,	Mayer Brown Rowe & Maw LLP's and Ronald B Given's Appendix to their Rule 56.1 Statement	138
July 2009	13,	Response by David Grochocinski in opposition to Mayer Brown Rowe & Maw LLP's and Ronald B. Given's motion for summary judgment on their unclean hands defenses	150
July 2009	13,	David Grochocinski's Rule 56.1(b)(3)(A)-(B) Statement	151
July . 2009	13,	David Grochocinski's Rule 56(b)(3)(C) Statement	152
July 2009	13,	David Grochocinski's Appendix, volume 1 of 3, to his Rule 56(b)(3)(C) Statement	153
July 2009	13,	David Grochocinski's Appendix, volume 2 of 3, to his Rule 56(b)(3)(C) Statement	154
July 2009	13,	David Grochocinski's Appendix, volume 3 of 3, to his Rule 56(b)(3)(C) Statement	155
August 2009	19,	Reply by Mayer Brown Rowe & Maw LLP and Ronald B. Given in support of motion for summary judgment on unclean hands defense	164
August 2009	19,	Mayer Brown Rowe & Maw LLP's and Ronald B Given's Rule 56.1 Statement	165
August 2009	25,	David Grochocinski's motion for leave to file sur-reply to Defendants' three new arguments or, alternatively, to open merits discovery for a limited purpose	167
August 2009	27,	Response by Mayer Brown Rowe & Maw LLP and Ronald B. Given in opposition to David Grochocinski's motion for leave to file surreply to Defendants' three new arguments or, alternatively, to open merits discovery for a limited purpose	168
August 2009	31,	Minute entry	169
March 2010	31,	Minute entry	170
March 2010	31,	Memorandum Opinion and Order	171
March 2010	31,	Judgment	172

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

BY: /s/ Edward T. Joyce
Plaintiff's attorney

Edward T. Joyce EDWARD T. JOYCE & ASSOC., P.C. 135 South LaSalle Street, Ste., 2200 Chicago, Illinois 60603

CERTIFICATE OF SERVICE

The undersigned attorney, certifies that on May 12, 2010, he caused the attached Plaintiff's Request to Clerk of the District Court for Inclusion of Certain Briefs and Memoranda in Record on Appeal Pursuant To Circuit Rule 10(a) 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
