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**BY ELECTRONIC FILING AND MESSENGER**

The Honorable Virginia Kendall  
United States District Court  
Northern District of Illinois  
Eastern Division  
219 South Dearborn Street  
Room 2319  
Chicago, IL 60604

Re: ***David Grochocinski v. Mayer Brown  
Rowe & Maw LLP, et al. – Case No. 06 C 5486***

Dear Judge Kendall:

On June 10, 2010, Mr. Spehar filed his Reply (the “Reply”) in Support of His Motion to Intervene (the “Intervention Motion”). Unfortunately, the Reply contains an incorrect recitation of proceedings in Mr. Grochocinski’s appeal from this Court’s judgment (the “Appeal”). Referring to Defendants’ argument that this Court lacks jurisdiction to consider the Intervention Motion (the “Jurisdiction Defense”), the Reply asserts that “the 7th Circuit rejected Defendants’ lead argument.” The Seventh Circuit did not do so.

It is true that Defendants raised its Jurisdiction Defense in its response (the “Response”) to Grochocinski’s motion to stay the appeal (the “Stay Motion”). However, unbeknownst to Defendants, the Seventh Circuit had already granted the Stay Motion before Defendants filed their Response. Accordingly, the Seventh Circuit did not have Defendants’ Response -- and therefore did not consider the Jurisdiction Defense -- when it granted the Stay Motion.

This Court may take judicial notice of this fact pursuant to the attachments to this letter. Those attachments are: (1) the Seventh Circuit’s docket in the Appeal -- which shows that the order granting the Stay Motion (Docket Entry 5) was entered before Defendants’ Response (Docket Entry 7) was filed; and (2) the order granting the Stay Motion -- which recites that the only paper considered by the Seventh Circuit in granting the Stay Motion was the Stay Motion itself.

Respectfully submitted,



Stephen Novack  
*One of the Attorneys for Defendants*

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Enclosures

cc: Counsel of Record (*w/encl. via electronic filing*)  
R. Gerard Spehar (*via First Class Mail*)