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June 28, 2010

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:

This letter responds to Mr. Spehar's letter dated June 24, 2010, and explains that the Seventh Circuit's Order dated June 22, 2010 (the "June 22 Order") did not address -- let alone reject -- any of Defendants' arguments regarding the intervention motion presently pending before this Court.

The first Seventh Circuit Order, dated May 13, 2010 (the "May 13 Order"), stayed proceedings on appeal "pending resolution by the district court of the pending motion to intervene." The May 13 Order makes clear that the Seventh Circuit wanted this Court to decide the intervention issue before the appeal proceeded.

The June 22 Order states that the Seventh Circuit construed Defendants' opposition to Grochocinski's motion to stay his appeal -- which was received by the Seventh Circuit after the May 13 Order was entered -- as a motion to reconsider the May 13 Order. In the June 22 Order, the Seventh Circuit declined to reconsider the process put in place by the May 13 Order. Thus, the June 22 Order confirms that the Seventh Circuit wants this Court to decide all issues relating to the merits of the intervention motion in the first instance.

Accordingly, contrary to Mr. Spehar's assertion, the Seventh Circuit still has not considered, or rejected, the substance of any of Defendants' arguments relating to the intervention motion -- including Defendants' jurisdictional arguments. Rather, all such issues have been left for this Court to decide in the first instance.

Respectfully,

Stephen Novack
One of the Attorneys for Defendants

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