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208-0017

By 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*

FILED
 6-25-2010
 JUN 25 2010 JH

MICHAEL W. DOBBINS
 CLERK, U.S. DISTRICT COURT

Dear Judge Kendall:

My June 10, 2010 Reply ("Intervention Reply") in Support of my April 28, 2010 Motion to Intervene ("Intervention Motion") attached Defendants' May 13, 2010 Response in Opposition to Plaintiff-Appellants Motion to Stay Appeal ("Stay Response") as Exhibit 2 and stated: "The 7th Circuit rejected Defendants' lead argument against allowing me to intervene two weeks before Defendants submitted their [Intervention] Response to this Court."

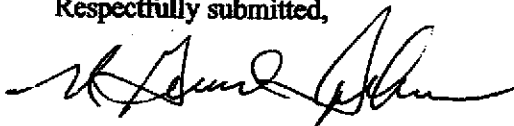
On June 14, 2010, Defendants' counsel Novack then filed a letter with this Court, stating that the Intervention Reply contained "an incorrect recitation of proceedings [because] the 7th Circuit had already granted the Stay Motion before Defendants filed their [Stay] Response...and therefore did not consider the Jurisdiction Defense when it granted the Stay Motion."

First, whether or not the 7th Circuit had considered the Jurisdiction Defense, Mr. Novack clearly reasserted it to this Court two weeks after he knew, or should have known, the 7th Circuit had expressly given this Court jurisdiction to decide the Intervention Motion. As a non-lawyer, I can only assume that reasserting as a lead defense a position that a superior court has already decided against – without ever alerting this Court to that fact – is not something a longstanding officer of the court should do.

Second, please note that on June 22, 2010 the 7th Circuit issued an order (attached) that *expressly* considers and denies Defendants' Stay Response and Jurisdiction Defense. This Court may take judicial notice of this fact pursuant to the attachment to this letter.

Lastly, I would like to apologize to the Court for my mistaken assumption that the 7th Circuit had already considered Defendants' Jurisdiction Defense in its May 13, 2010 order.

Respectfully submitted,



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ATTACHMENT

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen United States Courthouse
Room 2722 - 219 S. Dearborn Street
Chicago, Illinois 60604



Office of the Clerk
Phone: (312) 435-5850
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ORDER

June 22, 2010

BEFORE

DIANE S. SYKES, Circuit Judge

No.: 10-2057	DAVID E. GROCHOCINSKI, not individually, but solely in his capacity as the Chapter 7 Trustee for the bankruptcy estate of CMGT, INC., Plaintiff - Appellant v. MAYER BROWN ROWE & MAW, LLP and RONALD B. GIVEN, Defendants - Appellees
Originating Case Information:	
District Court No: 1:06-cv-05486 Northern District of Illinois, Eastern Division District Judge Virginia M. Kendall	

The following is before the court: **DEFENDANT-APPELLEES' RESPONSE IN OPPOSITION TO PLAINTIFF-APPELLANT'S MOTION TO STAY APPEAL**, which we construe as a motion to reconsider this court May 13, 2010 order staying proceedings in this appeal, filed on May 13, 2010, by counsel for the appellees,

IT IS ORDERED that the motion, as construed, is **DENIED**.

CERTIFICATE OF SERVICE

I, Gerry Spehar, certify that I caused a copy of the attached *Letter to Judge Kendall* to be served on the parties listed below, by Chicago Messenger Service, on this 25th day of June, 2010.

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