

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED

FEB 16 2011

MT

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

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

Plaintiff,)

v.)

MAYER BROWN ROWE & MAW LLP,)
RONALD B. GIVEN, and CHARLES W.)
TRAUTNER,)

Defendants,)

R. GERARD SPEHAR,)

Movant.)

No. 06 C 5486

Judge Virginia M. Kendall

NOTICE OF APPEAL

Notice is hereby given that Movant R. Gerard Spehar hereby appeals to the United States Court of Appeals for the Seventh Circuit ("Seventh Circuit") from the District Court's February 3, 2011 (a) Order entered denying Movant's Motion to Intervene and dismissing as moot Movant's Motion to Alter or Amend the District Court's March 31, 2010 Judgment and Memorandum Opinion and Order ("2010 Judgment"), and (b) Memorandum Opinion and Order denying Movant's Motion to Intervene and dismissing Movant's Motion to Alter or Amend as moot.

Plaintiff's related appeal from the 2010 Judgment is already before the Seventh Circuit: No. 10-2057. On May 13, 2010, the Seventh Circuit granted Plaintiff's motion to stay his appeal pending the District Court's ruling on Movant's Motion to Intervene.

On February 11, 2011, Plaintiff duly noticed the Seventh Circuit that the District Court had denied Movant's Motion to Intervene and dismissed his Motion to Alter or Amend as moot.

Without objection, Movant understands these related appeals should be consolidated.

Respectfully submitted

R. Gerard Spehar

By: 

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CERTIFICATE OF SERVICE

The undersigned certifies that on February 16, 2011, he caused the foregoing **NOTICE OF APPEAL** to be served upon the parties listed below, by fax or by depositing with the United States Post Office in Glendale, California, postage prepaid, prior to 6:00 p.m. this 16th day of February, 2011.

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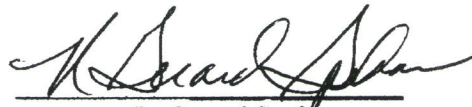
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R. Gerard Speltar