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

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) No. 06 C 5486
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) Judge Virginia M. Kendall
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NOTICE OF MOTION

To: See attached service list.

PLEASE TAKE NOTICE that on <u>Tuesday, October 11, 2011 at 9:00 a.m.</u>, or as soon thereafter as counsel may be heard, I shall appear before Honorable Virginia M. Kendall, or any judge sitting in her stead, in the courtroom usually occupied by her at the United States District Court, 219 South Dearborn Street, Room 2319, Chicago Illinois, and then and there present the attached **Plaintiff's Motion for Leave to Supplement Record on Appeal Pursuant to F.R.A.P. 10(e) and Circuit Court Rule 10(b)**, a copy of which is hereby served upon you.

Dated: October 3, 2011

Respectfully submitted,

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

BY: <u>//s// Edward T. Joyce</u> Plaintiff's attorneys

Edward T. Joyce Arthur W. Aufmann Robert D. Carroll The Law Offices of Edward T. Joyce & Associates, P.C. 135 South LaSalle Street, Ste., 2200 Chicago, Illinois 60603

CERTIFICATE OF SERVICE

The undersigned attorney certifies that on October 3, 2011, he caused this document to be served upon by electronically delivering a copy through the Court's CM/ECF filing system.

Stephen Novack Mitchell L. Marinello Steven J. Ciszewski **NOVACK AND MACEY LLP** 100 N. Riverside Plaza Chicago, IL 60606

and

by U.S. mail, proper postage prepaid, upon:

R. Gerard Spehar 1625 Grandview Ave. Glendale CA, 91201

/s/ Edward T. Joyce