

Firm No. 37409

12629

DEM/so

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

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 and)
RONALD B. GIVEN,)
)
Defendants.)

No. 06 C 5486
Judge Virginia M. Kendall

**DESIGNATION OF RECORD ON APPEAL BY DAVID GROCHOCINSKI,
INDIVIDUALLY**

David Grochocinski, individually, by his attorney, David E. Morgans, hereby submits his designation of record on appeal pursuant to Federal Rule of Appellate Procedure 10, Circuit Rule 10 of the United States Court of Appeals for the Seventh Circuit, and the November 17, 2011, letter of the clerk of this court (Document # 257), in connection with the appeal taken by defendants in this matter on November 15, 2011, designated 7th Circuit No. 11-3597. ("Defendants' Appeal"). Defendants' Appeal was consolidated with the previous appeals by plaintiff David Grochocinski, as trustee, designated 7th Circuit No. 10-2057 ("Plaintiff's Appeal"), and non-party R.Gerard Spehar, designated 7th Circuit No. 11-1393 ("Spehar's Appeal").

The record on appeal for Defendants' Appeal should include all items previously designated by the parties to be included in the record on appeal for Plaintiff's Appeal and Spehar's Appeal, which designations are set forth in the previously filed designations of record on appeal and plaintiff's motion to supplement record on appeal and minute order

related thereto, all of which are attached as Group Exhibit 1 to defendants' designation of record on appeal filed on November 28, 2011 (Document # 260), as well as the items listed on that designation.

In addition to those previously designated items, Mr. Grochocinski respectfully requests that the Clerk of the United States District Court for the Northern District of Illinois include Document # 126 (defendants' supplemental objection to the "alternative ruling" in Magistrate Judge Denlow's June 9, 2008 memorandum opinion and order, including all exhibits thereto (Documents 126-2-126-6), filed on February 13, 2009) in the record on appeal for Defendants' Appeal.

Respectfully submitted,

DAVID GROCHOCINSKI, INDIVIDUALLY

By: /s/ David E. Morgans
His attorney

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CERTIFICATE OF SERVICE

I, David E. Morgans, hereby certify that I electronically filed the foregoing ***DESIGNATION OF RECORD ON APPEAL*** with the Clerk of the Court using the CM/ECF system on this 30th day of November, 2011, to be served through the ECF system upon the following:

Stephen Novack
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and by U.S. Mail, proper postage prepaid, upon the following:

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MYERS CARDEN & SAX LLC

By: /s/ David E. Morgans
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