

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,	)	No. 06 C 5486
	)	
v.	)	Judge Virginia M. Kendall
	)	
MAYER BROWN ROWE & MAW LLP,	)	
RONALD B. GIVEN and CHARLES W.	)	
TRAUTNER,	)	
	)	
Defendants.	)	

**DEFENDANT RONALD B. GIVEN'S  
RESPONSE TO PLAINTIFF'S REQUEST TO ADMIT**

Defendant Ronald B. Given, by his attorneys Novack and Macey LLP, in response to Plaintiff's First Request to Admit Facts, states as follows:

**Request No. 1:** The default judgment that Spehar Capital LLC obtained against CMGT, Inc. on March 18, 2004 was obtained as a result of Mayer Brown LLP's negligence.

**Response:** Defendant Ronald B. Given objects to this request on the grounds that it is beyond the scope of the limited discovery permitted by Judge Kendall's order of October 30, 2007. Subject to and without waiving this objection, Defendant Ronald B. Given denies this request.

RONALD B. GIVEN

By: /s/ Mitchell L. Marinello  
One Of His Attorneys

Stephen Novack  
Mitchell L. Marinello  
Steven J. Ciszewski  
Novack and Macey LLP  
100 N. Riverside Plaza  
Chicago, IL 60606  
(312) 419-6900

**CERTIFICATE OF SERVICE**

Mitchell L. Marinello, an attorney, hereby certifies that he caused a true and correct copy of the foregoing **Defendant Ronald B. Given's Response to Plaintiff's Request to Admit** to be served electronically through the court ECF electronic filing process to:

Edward T. Joyce  
Arthur W. Aufmann  
Robert D. Carroll  
Edward T. Joyce & Assoc., P.C.  
11 S. LaSalle St.  
Chicago, IL 60603

on this 3rd day of December, 2007.

/s/ Mitchell L. Marinello