

EXHIBIT A

Plaintiff's Motion for Protective Order

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

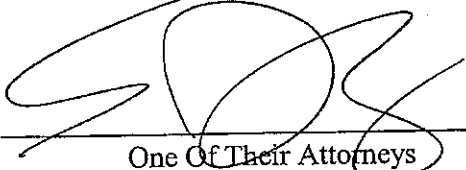
DAVID GROCHOCINSKI, not individually)	
but solely in his capacity as the Chapter 7)	
Trustee for the bankruptcy estate of)	
CMGT, INC.,)	
)	
Plaintiff,)	No. 06 C 5486
)	
v.)	Judge Virginia M. Kendall
)	
MAYER BROWN ROWE & MAW LLP and)	
RONALD B. GIVEN,)	
)	
Defendants.)	

NOTICE OF DEPOSITION

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

Please take notice that Defendants Mayer Brown Rowe & Maw LLP and Ronald B. Given, by and through their attorneys, will take the deposition of Spehar Capital, LLC and R. Gerard Spehar, which shall be recorded by stenographic means, at the time and place set forth in the Subpoena previously served upon them, which is attached hereto as Exhibit 1.

MAYER BROWN ROWE & MAW LLP AND
RONALD GIVEN



One Of Their Attorneys

Tab 1

**Issued by the
UNITED STATES DISTRICT COURT**

CENTRAL DISTRICT OF CALIFORNIA

DAVID GROCHOCINSKI

SUBPOENA IN A CIVIL CASE

V.

MAYER BROWN ROWE & MAW, LLP, et al.

Case Number:¹ 06 C 5486 (N.D. III.)

TO: Spehar Capital, LLC c/o R. Gerard Spehar, its Registered Agent, 1625 Grandview Avenue, Glendale, CA 91201

YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION Liner Yankelevitz Sunshine & Regenstreif LLP, 1100 Glendon Avenue, 14th Floor, Los Angeles, CA 90024	DATE AND TIME 12/19/2007 9:30 am
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YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):
See "Documents Rider" attached hereto.

PLACE Liner Yankelevitz Sunshine & Regenstreif LLP, 1100 Glendon Avenue, 14th Floor, Los Angeles, CA 90024	DATE AND TIME 12/5/2007 9:30 am
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YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME
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Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT) 	DATE 11/20/2007
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ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER
Randall J. Sunshine, Esq., Liner Yankelevitz Sunshine & Regenstreif LLP, 1100 Glendon Avenue, 14th Floor, Los Angeles, CA 90024, (310) 500-3500, Attorneys for Defendant

(See Rule 45, Federal Rules of Civil Procedure, Subdivisions (c), (d), and (e), on next page)

¹ If action is pending in district other than district of issuance, state district under case number

PROOF OF SERVICE

DATE	PLACE
SERVED	
SERVED ON (PRINT NAME)	MANNER OF SERVICE
SERVED BY (PRINT NAME)	TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on	DATE	SIGNATURE OF SERVER
		ADDRESS OF SERVER

Rule 45, Federal Rules of Civil Procedure, Subdivisions (c), (d), and (e), as amended on December 1, 2006:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection, copying, testing, or sampling of designated electronically stored information, books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection, copying, testing, or sampling may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to producing any or all of the designated materials or inspection of the premises — or to producing electronically stored information in the form or forms requested. If objection is made, the party serving the subpoena shall not be entitled to inspect, copy, test, or sample the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production, inspection, copying, testing, or sampling. Such an order to compel shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection, copying, testing, or sampling commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

- (i) fails to allow reasonable time for compliance;
 - (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held;
 - (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies; or
 - (iv) subjects a person to undue burden.
- (B) If a subpoena
- (i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
 - (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or
 - (iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject

to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA

(1) (A) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(B) If a subpoena does not specify the form or forms for producing electronically stored information, a person responding to a subpoena must produce the information in a form or forms in which the person ordinarily maintains it or in a form or forms that are reasonably usable.

(C) A person responding to a subpoena need not produce the same electronically stored information in more than one form.

(D) A person responding to a subpoena need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or to quash, the person from whom discovery is sought must show that the information sought is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) (A) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial-preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

(B) If information is produced in response to a subpoena that is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has and may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court under seal for a determination of the claim. If the receiving party disclosed the information before being notified, it must take reasonable steps to retrieve it. The person who produced the information must preserve the information until the claim is resolved.

(e) **CONTEMPT.** Failure of any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. An adequate cause for failure to obey exists when a subpoena purports to require a nonparty to attend or produce at a place not within the limits provided by clause (ii) of subparagraph (c)(3)(A).

DOCUMENTS RIDER

DEFINITIONS AND INSTRUCTIONS

1. "Complaint" means the Complaint filed in the above-captioned matter in the Circuit Court of Cook County, Illinois on August 23, 2006.
 2. "Trustee" means David Grochocinski, and his affiliates or agents, including, without limitation, the law firms Grochocinski, Grochocinski & Lloyd, Ltd. and Edward T. Joyce & Associates, P.C. and any of their respective partners, attorneys, employees or agents.
 3. "CMGT" means CMGT, Inc. including, without limitation, all of its officers, directors, shareholders, investors, management, employees, attorneys or agents.
 4. "Spehar" or "you" means Gerry Spehar and/or Spehar Capital LLC including, without limitation, all of his or its officers, directors, shareholders, investors, management, employees, attorneys or agents.
 5. "Defendants" means Ronald Given and the law firm Mayer, Brown, Rowe & Maw LLP and all of its partners, attorneys, employees or agents.
 6. "Spehar Lawsuit" means the case captioned Spehar Capital, LLC v. CMGT, Inc., No. EC 037602, that Spehar filed against CMGT in the Los Angeles County Superior Court.
 7. "\$17 Million Default Judgment" means that Judgment and Permanent Injunction Against CMGT, Inc. that was entered by the Clerk of the Los Angeles Superior Court on March 18, 2004 and that is alleged in Paragraph 63 of the Complaint and attached thereto as Exhibit 17.
 8. "And" and "or" as used herein are both conjunctive and disjunctive, and the singular as used herein shall include the plural and the plural shall include the singular, except as the context may otherwise unambiguously require.
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9. "Refer to" or "relate to" means, without limitation, describe, evidence, constitute, concern, regard, consist of, reflect, or be in any way logically or factually connected with the matter discussed.

10. The term "document" is used herein in the broadest sense and includes all written or graphic matter of every kind and description however produced or reproduced, whether draft or final, original or reproduction and all tangible things within the scope of the Fed. R. Civ. P., including, without limitation, all information in computer storage and all electronically stored data on magnetic or optical storage media as an "active" file or files (readily readable by one or more computer application or forensics software); any "deleted" but recoverable electronic files on said media; any electronic file fragments (files that have been deleted and partially overwritten with new data); and slack (data fragments stored randomly from Random Access Memory on a hard drive during the normal operation of a computer, sometimes called "RAM slack," or residual data left on the hard drive after new data has overwritten some but not all of previously stored data), whether such files have been reduced to paper printouts or not. Such storage media includes, without limitation, hard drives or floppy disks and backup media (e.g., other hard drives, backup tapes, floppies, JAZ cartridges, CD-ROM's). Such files include, without limitation, e-mails, both sent and received, whether internally or externally; all word-processed files, including drafts and revisions; all spreadsheets, including drafts and revisions; all databases; all CAD (computer aided design) files, including drafts and revisions; all presentation data or slide shows produced by presentation software (such as Microsoft PowerPoint); all graphs, charts and other data produced by project management software (such as Microsoft Project); all data generated by calendaring, task management and Personal Information Management (PIM) software (such as Microsoft Outlook or Lotus Notes); all

data created with the use of Personal Data Assistants (PDA's), such as Palm Pilot, BlackBerry, HP Jornada, Cassiopeia or other Windows CE-based or Pocket PC devices; all data created with the use of document management software; all data created with the use of paper and electronic mail logging and routing software; all Internet and Web-browser-generated history files, caches and "cookies" files generated at the work station of each employee and/or agent and on any and all backup storage media; and any and all other files generated by users through the use of computers and/or telecommunications, including but not limited to, voice mail. Any draft of a document or non-identical copy of a document is a separate "document."

11. In answering these requests, please furnish such documents as are available to you, not merely documents that you now have in your own possession. This means that you are to furnish any and all documents that are in the possession of any of your agents and attorneys or otherwise subject to your care, custody, or control.

12. In the event that a document is not provided because of a claim of privilege or work-product protection, identify such document by providing the following information:

- a. its approximate date;
- b. a general description of its subject matter;
- c. the form in which the information is contained and/or was communicated (e.g., telephone conversation, memorandum, or letter);
- d. as applicable, the author, addressee, recipient, participant, or other person with knowledge of the information; and
- e. as applicable, the basis for the claim of privilege or work-product protection.

DOCUMENT REQUESTS

1. All documents that you gave to the Trustee prior to the filing of the Complaint.
2. All documents relating to any investigation or analysis done by, or on behalf of, the Trustee before the Complaint was filed regarding the facts, circumstances, claims or damages alleged in the Complaint.
3. Any statement given by you regarding CMGT, Spehar, Defendants or any of the facts, circumstances, claims or damages alleged in the Complaint, and all documents relating thereto.
4. All documents relating to any interview or communications with anyone regarding CMGT, Spehar, Defendants or any of the facts, circumstances, claims or damages alleged in the Complaint.
5. All documents relating to any person who at any time was a shareholder, officer, director, employee, lender or investor of, to, or in CMGT.
6. All documents relating to Defendants' representation of CMGT.
7. Any communications with, to or from -- or involving -- the Trustee, and all documents relating thereto.
8. Any communications with, to or from -- or involving -- CMGT, and all documents relating thereto.
9. Any communications with, to or from -- or involving -- Defendants, and all documents relating thereto.
10. Any agreement with the Trustee or CMGT and all documents relating to any such agreement or any negotiations relating thereto.

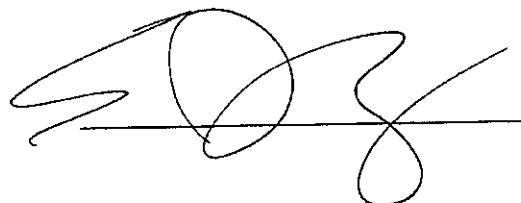
11. All documents relating to the Spehar Lawsuit or the temporary restraining order or \$17 Million Default Judgment entered therein.

CERTIFICATE OF SERVICE

Steven J. Ciszewski, an attorney, hereby certifies that he caused a true and correct copy of the foregoing Notice of Deposition to be served by messenger delivery 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 30th day of November, 2007.

A handwritten signature in black ink, appearing to be "E. T. Joyce", written over a horizontal line. The signature is stylized with loops and a long tail.