

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

JOHN DREXLER, individually, etc.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 07 C 6485
	)	
CLARKE'S RESTAURANT, INC.,	)	
	)	
Defendant.	)	

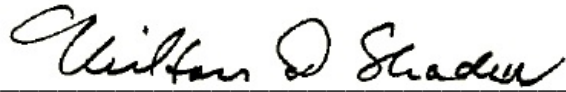
MEMORANDUM

This morning's motion call included a previously-set continuation of a motion for sanctions that had been brought some time ago by putative class representative John Drexler ("Drexler"). Then earlier this week Drexler's counsel noticed up another motion for presentment at the same time--in this instance a motion to enforce a purported settlement agreement.

This Court denied both motions in an oral ruling. As to the previously-set motion, this Court found the explanation provided by defendant's earlier-filed response to the sanctions motion both informative and totally persuasive as to the reasons for denying sanctions, while as to the newly-filed motion this Court explained that Drexler's counsel had failed to identify an enforceable settlement agreement.

As this Court stated during the course of its oral ruling on both motions, the failure to reach a prompt and reasonable settlement appears to serve neither client's interests. During the course of the lawyers' colloquy, defense counsel suggested

that the interest of plaintiff's counsel rather than plaintiff himself may be dominating the handling of the lawsuit at this point. Although this Court certainly makes no finding in that respect, it would be remiss in light of that possibility if it failed to apprise plaintiff's counsel of the fact that any such approach is not risk-free--see 28 U.S.C. §1927.



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Milton I. Shadur  
Senior United States District Judge

Date: September 19, 2008