

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

**FILED**  
JAN 18 2005  
MICHAEL W DOBBINS  
CLERK U.S. DISTRICT COURT

MICHAEL L. KATHREIN, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 BRIGID M. McGRATH, MICHAEL P. MONAR, )  
 DANIEL V. KINSELLA, JEFFREY R. )  
 ROSENBERG, SCHUYLER, ROCHE & )  
 ZWIRNER, P.C., and PADDY H. MCNAMARA, )  
 )  
 Defendants. )

No. 04 C 7324  
Judge David H. Coar  
Magistrate Judge Keys

**NOTICE OF FILING**

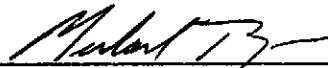
TO: Michael L. Kathrein, 7601 North Eastlake Terrace, Chicago, IL 60626-1421

Alison I. Abel, Lee Ann Richey, Assistant Attorneys General, General Law  
Bureau, 100 West Randolph Street, 13<sup>th</sup> Floor, Chicago, IL 60601

Camille Conway, Schuyler Roche & Zwirner, P.C., 130 E. Randolph, Suite 3800,  
Chicago, Illinois 60601

**PLEASE TAKE NOTICE** that on January 18, 2005, we will file with the United States District Court for the Northern District of Illinois, Eastern Division, **Defendants Schuyler Roche & Zwirner, P.C.'s, Daniel V. Kinsella's, and Jeffrey R. Rosenberg's Motion to Dismiss First Amended Complaint**, a copy of which is attached hereto and hereby served upon you.

**Respectfully submitted,**

By:   
Attorneys for DANIEL V. KINSELLA,  
JEFFREY R. ROSENBERG and  
SCHUYLER, ROCHE & ZWIRNER, P.C.

Michael F. Braun  
SCHUYLER, ROCHE & ZWIRNER  
130 East Randolph Street  
Suite 3800  
Chicago, IL 60601  
(312) 565-2400

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No. 04 C 7324  
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**DEFENDANTS SCHUYLER ROCHE & ZWIRNER, P.C.'S,  
DANIEL V. KINSELLA'S, AND JEFFREY R. ROSENBERG'S  
MOTION TO DISMISS FIRST AMENDED COMPLAINT**

Defendants Schuyler Roche & Zwirner, P.C. ("SRZ"), Daniel V. Kinsella ("Kinsella"), and Jeffrey R. Rosenberg ("Rosenberg"), by their attorney, Michael F. Braun of Schuyler, Roche & Zwirner, P.C., pursuant to Federal Rule of Civil Procedure 12(b)(1) and 12(b)(6), move to dismiss the First Amended Complaint of Plaintiff Michael L. Kathrein. In support of their Motion, SRZ, Kinsella, and Rosenberg adopt Defendant Michael Monar's Motion to Dismiss Plaintiff's First Amended Complaint.

WHEREFORE, Defendants Schuyler Roche & Zwirner, P.C., Daniel V. Kinsella and Jeffrey R. Rosenberg respectfully pray that this Court dismiss the claims made in Michael L. Kathrein's First Amended Complaint.

Respectfully submitted,

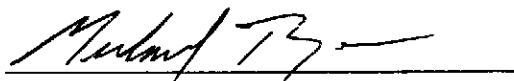
**Schuyler Roche & Zwirner, P.C., Daniel  
V. Kinsella and Jeffrey R. Rosenberg**

By:   
One of Their Attorneys

Michael F. Braun (Attorney No. 6180471)  
SCHUYLER, ROCHE & ZWIRNER, P.C.  
130 East Randolph Street, Suite 3800  
Chicago, IL 60601  
(312) 565-2400

**PROOF OF SERVICE**

Michael F. Braun, an attorney, certifies that he caused a complete copy of the above Notice and attached **Defendants Schuyler Roche & Zwirner, P.C.'s, Daniel V. Kinsella's, and Jeffrey R. Rosenberg's Motion to Dismiss First Amended Complaint** to be served on the above addresses by depositing a copy of same in the United States Mail at 130 East Randolph Street, Chicago, Illinois, before 5:00 p.m. on November 17, 2005, with proper postage prepaid and by sending a copy to Michael L. Kathrein by facsimile transmission to fax number 773-465-7755.

  
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