



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

FREDERICK J. GREDE, as Liquidation )  
Trustee of Sentinel Liquidation Trust, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
FORTIS CLEARING AMERICAS, LLC, )  
 )  
Defendant. )

Case No. 09 C 128

**MEMORANDUM REGARDING FINDING OF RELATEDNESS**

\_\_\_\_\_The undersigned judge issues this Memorandum to explain why it has made, in Case No. 09 C 138, a finding of relatedness regarding several cases that have lower docket numbers in this Court (Case Nos. 09 C 101, 09 C 115, 09 C 120, 09 C 126, 09 C 127, 09 C 128, 09 C 130, 09 C 134, 09 C 135, 09 C 136, 09 C 137).

Each of these cases consists of a motion to withdraw from the bankruptcy court the reference of a particular adversary proceeding in the bankruptcy of Sentinel Management Group, Inc. Counsel for plaintiff, the liquidation trustee appointed by the bankruptcy court, moved this Court for a ruling that all of the cases are related within the meaning of Local Rule 40.4. Counsel for the defendants in all of the cases appeared before the undersigned judge when that motion was presented for hearing. All counsel agreed, and the undersigned judge found, that the cases were related and met the criteria for reassignment under Local Rule 40.4.

A motion for relatedness under Local Rule 40.4 must be filed before the judge with the lowest-numbered case. Under Internal Operating Procedure 15(f), however,

when a motion for relatedness concerns adversary proceedings arising from a single bankruptcy case, "the term 'lowest-numbered pending case' as used in LR40.4 shall refer to . . . the adversary proceeding . . . with the earliest date and time of the filing with the bankruptcy clerk." It is undisputed that the adversary proceeding in this case was filed first in the bankruptcy court. For that reason, even though the docket number in this Court is higher than the docket number of most of the other related cases, the motion was properly filed before and determined by the undersigned judge.

  
MATTHEW F. KENNELLY  
United States District Judge

Date: January 21, 2009