

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

SHANNON ZOLLER and ALEXANDER BEIGELMAN, on behalf of themselves and all others similarly situated,)
Plaintiffs,)
v.) Case No. 16 C 11277
UBS SECURITIES LLC, UBS FINANCIAL SERVICES INC., and UBS AMERICAS INC.,)
Defendants.)

MEMORANDUM

On May 31, 2017 plaintiff Shannon Zoller ("Zoller") and Alexander Beigelman ("Beigelman") filed a 16 page Response (Dkt. No. 31), accompanied by extensive Exs. A through G (Dkt. Nos. 31-1 through 31-7, aggregating well over 100 pages) in response to the Motion To Compel Arbitration or Dismiss filed by defendants UBS Securities LLC, UBS Financial Services Inc. and UBS Americas Inc. (collectively "UBS"). This Court had accompanied its May 10 order calling for such a response with the setting of a June 9 status hearing, at which it anticipated announcing whether it viewed a reply as needed and, if so, setting a due date for filing such a reply.

On June 9 UBS' counsel filed a notice of intent to file a reply. Unfortunately intervening events then sidetracked the matter: This Court was felled by a previously unknown ailment, a severe spinal stenosis, that required surgery on June 8 followed by an extended period of physical therapy to rehabilitate the damaged nerves -- and that has in turn compelled this Court

to bring to an end its 37 years as a District Judge, in light of its obligation to its two constituencies: the lawyers in cases on its full calendar and the clients in those cases.

On August 18 UBS filed the promised Reply in support of the Motion (Dkt. No. 36). As high-handed as UBS' course of conduct described in the briefing on the Motion appears to be, this Court's colleague to whom the case is ultimately assigned may find it legally supportable -- and that of course is for the assignee judge to determine.



Milton I. Shadur
Senior United States District Judge

Date: August 24, 2017