

**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF NextGen 1.8 (rev. 1.8.3)
Eastern Division**

Raymond E. Butler II

Plaintiff,

v.

Case No.: 1:25-cv-04443

Honorable Georgia N. Alexakis

Eli Jackfinn Eddi, et al.

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Thursday, September 11, 2025:

MINUTE entry before the Honorable Georgia N. Alexakis: The Court is in receipt of certain defendants' proposed plan for dispositive motion briefing [225] and defendant Ginsparg's brief in support of continuing the stay in this matter on all issues [224]. The Court had earlier stated its intention to permit this matter to proceed to briefing on Rule 12(b)(6) motions to dismiss [208]. Since that time, however, plaintiff has filed notices of appeal [209], [214]. When a party files a notice of appeal, it divests a district court "of its control over those aspects of the case involved in the appeal." See *Griggs v. Provident Consumer Disc. Co.*, 459 U.S. 56, 58 (1982). Plaintiff has appealed the Court's 8/27/25 denial of his emergency motion to vacate the stay, vacate the protective order, freeze trust assets, and appoint a neutral fiduciary to preserve trust res [209], [214]. The Court's denial of plaintiff's emergency motion involved an assessment of the likelihood that plaintiff ultimately would succeed on the merits of his claims, so an appeal of that denial divests this Court of control over the merits of those claims. Put another way: No briefing on Rule 12(b)(6) motions can proceed at this time. Plaintiff's motion for the Court to disqualify itself [223] similarly is out of bounds. Plaintiff's motion to disqualify is premised, in part, on the Court's denial of his emergency motion, which is the subject of plaintiff's appeal. That leaves two pending motions: (1) Attorney Miller's opposed motion to withdraw as counsel for plaintiff [216], and (2) plaintiff's motion to disqualify counsel Robin Maher [226]. The Court may continue to address "ancillary issues even after an appeal has been lodged." See *United States v. Brown*, 732 F.3d 781, 787 (7th Cir. 2013); see also *United States v. Centracchio*, 236 F.3d 812, 813 (7th Cir. 2001). The Court understands Attorney Miller's opposed motion to withdraw and plaintiff's motion to disqualify counsel Robin Maher to be ancillary to the issues on appeal. Yet the Court, in its discretion to manage its docket, will not act on either of those motions while appellate proceedings are ongoing. Those motions therefore are entered and continued until a later date. The Court vacates the 9/18/25 hearing on Attorney Miller's motion to withdraw [220]. The Court sets a status hearing for 10/27/25 at 9:30 a.m., although this status hearing is for tracking purposes only. The case will not be called, and no appearances are required. The previously entered stay and protective order remain in effect until further order of the Court. Mailed notice. (kp,)

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