

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION

UNITED STATES OF AMERICA  
*ex rel.* NORMAN RILLE AND NEAL  
ROBERTS,

PLAINTIFF,

v.

ACCENTURE, LLP, an Illinois Limited  
Liability Partnership, *et al.*,

DEFENDANTS.

Civil Action 4:04-CV-00985 WRW

**ORDER APPOINTING SPECIAL MASTER**

After giving the Parties notice and an opportunity to be heard, I appoint Judge John W. Cole as a Special Master to proceed with all reasonable diligence in this case pursuant to Fed. R. Civ. P. 53.

The Special Master is appointed to conduct such proceedings he deems necessary to hear and make rulings and orders on any discovery disputes (other than deposition disputes, which must be submitted to the Court unless otherwise ordered) that the Parties have been unable to resolve after first conferring in good faith. The Special Master is also authorized to make those findings of fact, conclusions of law, and/or rulings and orders that are reasonably necessary to effectuate his or the Court's order(s) relating to the discovery disputes the Parties or the Court may bring to him.

The Parties are to have no *ex parte* communication with the Special Master, but no restrictions will apply to communications between the Special Master and the Court. All

proceedings before the Special Master will be on the record. The Special Master will submit his ruling(s), order(s), finding(s) or conclusion(s) in writing to the Parties and to the Court. They will become the final order of the Court unless a Party files a Request for Review pursuant to the procedures set forth below.

If a Party wants the Court to review the ruling (s), order(s), finding(s) or conclusion(s) of the Special Master, it may file a written Request for Review with the Court within 15 days of the filing of the Special Master's decision. The Court may adopt, affirm, modify, reject, or reverse, in whole or part, the ruling(s), order(s), conclusion(s) or finding(s) of the Special Master, or may resubmit the dispute to the Special Master with instructions.

The Court will decide *de novo* all objections to rulings, orders, findings of fact made or recommended by the Special Master. The Court will also decide *de novo* all objections to conclusions of law made or recommended by the Special Master. The Court may set aside the Special Master's ruling on a procedural matter only for an abuse of discretion.

Unless otherwise ordered by the Court, compensation and costs will be paid to the Special Master at the rate of \$150 per hour by the Parties. The Special Master will make a recommendation to the Court on what portion of the expenses and fees of the Master will be borne by each party.

The Court notes the previous filing by Judge Cole of the affidavit required by Fed. R. Civ. P. 53 (b)(3)(A) attesting that there are no grounds for his disqualification under 28 U.S.C. § 455.

IT IS SO ORDERED this 28<sup>th</sup> day of May, 2009.

  
HONORABLE WILLIAM R. WILSON, JR.  
UNITED STATES DISTRICT JUDGE