

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

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

PLAINTIFFS

v. 4:04CV00985-BRW

ACCENTURE, LLP, et al.

DEFENDANTS

ORDER

Pending is Defendants' Motion for Partial Summary Judgment with Respect to Organizational Conflict of Interest (Doc. No. 466). The Government has responded.¹

Defendants seek partial summary judgment on the issue of whether Plaintiffs can predicate their claims under the False Claims Act on the alleged "organizational conflicts of interest that should have been fully disclosed to the Government pursuant to 48 C.F.R. 9.500, *et seq.*, as well as the terms and conditions of Accenture's contracts."²

The Government states that it "does not intend to predicate Accenture's FCA liability on the contracts identified in the Accenture Motion on organizational conflicts of interest that should have been fully disclosed."³ Therefore, it does not oppose the relief requested in the Motion for Partial Summary Judgment.⁴

Accordingly, Defendant's unopposed Motion for Partial Summary Judgment with Respect to Organizational Conflict of Interest (Doc. No. 466) is GRANTED. Plaintiff cannot

¹Doc. No. 500.

²United States' First Amended Complaint in Intervention, Doc. No. 227, ¶ 67.

³Doc. No. 500.

⁴The Government does oppose certain "assertions" made by Accenture in its Motion, but I see no reason to address those here.

use an alleged violation of organizational conflict of interest statutes, regulations or contract provisions as a basis for any claim under the False Claims Act. It is unnecessary to reach the issue of whether any such violations occurred.

IT IS SO ORDERED this 5th day of May, 2011.

/s/Billy Roy Wilson
UNITED STATES DISTRICT JUDGE