UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

BETTY B. MURCHISON,

Plaintiff,

v.

Case No. 1:98CV00436

(RWR/DAR)

INTER-CITY MTG. CORP, et al.,

Defendants.

PLAINTIFF'S MOTION FOR AN ORDER SETTING A DEADLINE FOR FILING AN ACCOUNTING FOR THE MURCHISON BROTHERS PARTNERSHIP

Plaintiff Betty B. Murchison hereby moves that the Court establish a deadline or other procedural requirements directing compliance by defendant George Murchison: (1) with the Court's August 10, 2001 Order (#132), that "George Murchison shall provide for an accounting of the Murchison Brothers Partnership's assets to plaintiff and distribute to plaintiff any interest in the Partnership that remains due her;" and (2) with the Court's June 12, 2007 Final Order (#232), that George Murchison "provide the plaintiff with a final statement of receipts and disbursement of the Murchison Brothers Partnership prepared in a customary format using generally accepted accounting practices."

POINTS AND AUTHORITIES IN SUPPORT OF MOTION

- 1. The Murchison Brothers Partnership was dissolved by the death of John Murchison, Jr., a partner, on October 29, 1994, more than 12 years ago. Plaintiff has been entitled to a final accounting of the Partnership from defendant George Murchison at all times since dissolution, but has not received the accounting.
- 2. This action was filed on February 19, 1998, more than 9 years ago. Count IV of the complaint sought an accounting for the Partnership. By Order filed August 10, 2001 (#132), more than 6 years ago, the Court granted plaintiff judgment requiring that "George Murchison shall provide for an accounting of the Murchison Brothers Partnership's assets to plaintiff and distribute to plaintiff any interest in the Partnership that remains due her."
- 3. George Murchison has never provided an accounting of the Murchison Brothers Partnership's assets to plaintiff, and has never distributed to plaintiff the interest in the Partnership which remains due to her.
- 4. By Final Order filed June 12, 2007 (#232) the Court required George Murchison to "provide the plaintiff with a final statement of receipts and disbursement of the Murchison Brothers Partnership prepared in a customary format using generally accepted accounting practices...."

- 5. George Murchison has not provided plaintiff with a final statement of receipts and disbursement of the Murchison Brothers Partnership prepared in a customary format using generally accepted accounting practices.
- 6. The Court has not stayed its August 10, 2001 Order (#132) or its June 12, 2007 Final Order (#232). George Murchison has not complied with either of these orders, both of which are final.

WHEREFORE, plaintiff prays that the Court set a 30-day deadline, and such other requirements as the Court deems appropriate, for George Murchison to comply with the provisions of the August 10, 2001 Order (#132) and the June 12, 2007 Final Order (#232) applicable to the Murchison Brothers Partnership.

/s/ BARDYL R. TIRANA, 046631

3 Washington Avenue South Nyack, NY 10960-4713 (845) 358-0007

Attorney for Betty B. Murchison

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of September, 2007, copies of the foregoing Plaintiff's Motion for an Order Setting a Deadline for Filing an Accounting for the Murchison Brothers Partnership, and the annexed proposed order, were served electronically on all counsel of record.

/s/
Bardyl R. Tirana

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

)	
BETTY B. MURCHISON,	
Plaintiff,)	
v.)	Case No. 1:98CV00436 (RWR/DAR)
INTER-CITY MTG. CORP., et al.,	• •
Defendants.))	

ORDER SETTING A DEADLINE FOR FILING AN ACCOUNTING FOR THE MURCHISON BROTHERS PARTNERSHIP

Upon consideration of Plaintiff's Motion for an Order Setting a Deadline for Filing an Accounting for the Murchison Brothers Partnership, and of the record in this case, it is by the Court this _____ day of _____, 2007,

ORDERED, that within 30 days of the filing of this Order, defendant George Murchison shall fully comply with that part of the Court's Order filed August 10, 2001 (#132) requiring that "George Murchison shall provide for an accounting of the Murchison Brothers Partnership's assets to plaintiff and distribute to plaintiff any interest in the Partnership that remains due her;" and it is

FURTHER ORDERED, that within 30 days of the filing of this Order, defendant George Murchison shall fully comply with that part of the Court's Final Order filed June 12, 2007 (#232) requiring

George Murchison to "provide the plaintiff with a final statement of receipts and disbursement of the Murchison Brothers Partnership prepared in a customary format using generally accepted accounting practices."

/s/

RICHARD W. ROBERTS
United States District Judge

Serve:

Bardyl R. Tirana, Esq. 3 Washington Avenue South Nyack, NY 10960-4713

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