

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**KAWASAKI HEAVY INDUSTRIES,
LTD.
(a/k/a KAWASAKI JUKOGYO KABUSHIKI
KAISHA) and KAWASAKI MOTORS
MANUFACTURING CORP., U.S.A.,**

Case No. 3:10-cv-00641-DRH-DGW

Plaintiffs,

vs.

**BOMBARDIER RECREATIONAL
PRODUCTS, INC., BRP U.S., INC.,
BANK OF MONTREAL (in its capacity
as administrative agent), HARRY
MARCUS, and ROBERT GOETHALS,**

Defendants.

ORDER

HERNDON, Chief Judge:

Plaintiff Kawasaki Heavy Industries, Ltd. and Kawasaki Motors Manufacturing Corp. USA's motion for leave to conduct jurisdictional discovery (Doc. 42) is **GRANTED.**

Plaintiffs are hereby granted leave to conduct the discovery sought in their motion. Specifically, Plaintiffs are permitted to seek:

1. One Federal Rule of Civil Procedure ("FRCP") 30(b)(1) deposition of Harry Marcus and Robert Goethals (each) concerning the content of their declarations for the purposes of establishing their contacts with the state of Illinois;
2. Documents sufficient to determine what legal services that Harry Marcus or Robert Goethals have performed in the State of Illinois;
3. Documents sufficient to evidence any cases in which Harry Marcus or

Robert Goethals have entered their appearance in the State of Illinois;

4. Written correspondence between the following:
 - a. Defendants Harry Marcus/Robert Goethals and Defendant Bank of Montreal;
 - b. Defendants Harry Marcus/Robert Goethals and Thompson Coburn LLP;
 - c. Defendants Harry Marcus/Robert Goethals and Defendants Bombardier Recreational Products, Inc. and BRP-US, Inc. between January 1, 2008 and May 1, 2008 concerning the subordination of the Bank of Montreal's security interest to the settlement agreement between Kawasaki and Bombardier Recreational Products; and
5. Copies of the tax returns referenced in the Declarations of Harry Marcus and Robert Goethals.

Plaintiffs are hereby granted an extension of time to file their response to Defendant Harry Marcus and Robert Goethals' motion to dismiss until after this discovery is completed.

IT IS SO ORDERED.

DATED: November 24, 2010

 David R. Herndon
2010.11.24
15:21:04 -06'00'

**Chief Judge
United States District Court**