

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
NEW ALBANY DIVISION

SUSAN HINDS, individually, and as CEO of )  
Strategic Management Harmony, LLC, and )  
BFC SOLUTIONS, INC., )

Plaintiffs, )

v. )

4:05-cv-180-DFH-WGH

ENHANCED BUSINESS REPORTING )  
CONSORTIUM, INC., )  
GRANT THORNTON, LLP, )  
PRICEWATERHOUSE COOPERS, LLP, )  
AMERICAN INSTITUTE OF CERTIFIED )  
PUBLIC ACCOUNTANTS, )  
MICROSOFT, INC., )

MIKE STARR, as managing partner of Grant )  
Thornton, LLP, and as a founding partner of )  
Enhanced Business Reporting Consortium, Inc., )  
JOHN O'CONNOR, as Chairman of Services of )  
Pricewaterhouse Coopers, LLP, and as a )  
founding partner of Enhanced Business Reporting )  
Consortium, Inc., )

ALAN ANDERSON, as Senior Vice President of )  
Member Services of American Institute of )  
Certified Public Accountants and as a founding )  
partner of Enhanced Business Reporting )  
Consortium, Inc., and )

BOB LAUX, as Director of Financial Reporting for )  
Microsoft, Inc., and as a founding partner of )  
Enhanced Business Reporting Consortium, Inc., )

Defendants. )

**ORDER ON PLAINTIFF'S  
MOTION TO QUASH SUBPOENA**

This matter is before the Honorable William G. Hussmann, Jr., United States  
Magistrate Judge, on the Plaintiff's Motion to Quash Subpoena filed February 3,

2009. (Docket No. 229). The motion to quash the subpoena does not include a copy of the subject subpoena. The intended recipient of the subpoena, Toyota Motor Engineering & Manufacturing North America, Inc. (“Toyota”), has not itself filed any motion to quash to subpoena.

The Magistrate Judge, being duly advised, now **DENIES** the Plaintiff’s Motion to Quash Subpoena.

This case involves the plaintiff’s claims that she was improperly terminated from a particular position in an enterprise in which defendant Grant Thornton may have had significant responsibility. It is possible that defendant Grant Thornton is the plaintiff’s employer for purposes of a Title VII claim.

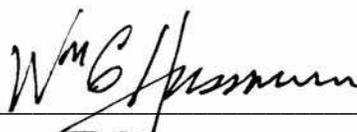
The plaintiff’s motion is a 16-page document that is quite rambling and conclusory. Apparently, the plaintiff voluntarily resigned her employment with Toyota through an EEOC-mediated agreement in November 2003. The plaintiff apparently objects to the production of any of her employment records with Toyota. Without the subpoena itself being attached to the motion to quash, the Magistrate Judge is unable to determine what specific information has been sought from Toyota. If the plaintiff’s resignation with Toyota was through an EEOC mediated agreement which contained a confidentiality clause, the plaintiff has not so advised the court. The production of these materials in discovery will not, of course, mandate their introduction into evidence in this case. However, in light of the unique nature of the plaintiff’s employment relationship as alleged in her Complaint, information concerning how her prior employment was structured while plaintiff was

employed by Toyota may be relevant to her current employment relationship with Grant Thornton.

Because the recipient of the subpoena has not itself moved to quash the subpoena as being unduly burdensome, the court will not grant the motion to quash the subpoena at this time.

**SO ORDERED.**

**Dated:** March 19, 2009



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WILLIAM G. HUSSMANN, JR.  
Magistrate Judge

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