

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 DEFENDANT'S MOTION TO DISMISS,
OR ALTERNATIVELY, MOTION TO COMPEL DISCOVERY**

This matter is before the Honorable William G. Hussmann, Jr., United States
Magistrate Judge, on Defendant's Motion to Dismiss, with Prejudice, for Want of

Prosecution, Discovery Violations, and for Sanctions, or Alternatively, Motion to Compel Discovery, for an Extension of Time, and for Sanctions, as well as a supporting Memorandum of Law and a Request for Oral Argument, filed by defendant Grant Thornton LLP on April 23, 2009. (Docket Nos. 256-58).

The Magistrate Judge, being duly advised, hereby **GRANTS** the Motion to Compel Discovery and issues the following orders:

1. Susan Hinds shall respond to outstanding interrogatories or requests for production by not later than July 6, 2009.

2. Ms. Hinds and defendant's counsel shall appear, by telephone, before the Magistrate Judge, with their calendars, at the telephonic status conference set for July 8, 2009. Ms. Hinds will be ordered to provide a date to appear for the taking of her deposition, which will occur not later than July 17, 2009.

3. Ms. Hinds is advised that she must respond to discovery and present herself for a deposition. Her failure to comply with these orders may result in this matter being dismissed.


Defendant's Motion to Dismiss is not addressed in this order because, without consent of all parties, the Magistrate Judge may not enter an order disposing of a case. The Motion to Dismiss remains pending before Judge Hamilton. Defendant's Request for Oral Argument is **DENIED**.

You are hereby notified that the District Judge may reconsider any pretrial matter assigned to a United States Magistrate Judge pursuant to 28 U.S.C.

§ 636(b)(1)(A) where it is shown that the order is clearly erroneous or contrary to law.

SO ORDERED.

Dated: June 22, 2009


WILLIAM G. HUSSMANN, JR.
Magistrate Judge

Copies to:

SUSAN HINDS
1313 Gleneagles Place
Greendale, IN 47025

Joseph W. Muccia
THOMPSON HINE LLP
joseph.muccia@thompsonhine.com

Michael J. Buddendeck
AMERICAN INSTITUTE OF CERTIFIED
PUBLIC ACCOUNTANTS
mbuddendeck@aicpa.org

Sandra H. Perry
BOSE MCKINNEY & EVANS, LLP
sperry@boselaw.com

M. Faiyaz Hussain
GRANT THORNTON LLP
175 W. Jackson Blvd.
Chicago, IL 60604

David Brian Ritter
NEAL GERBER & EISENBERG LLP
dritter@ngelaw.com

Steven P. Langdon
FROST BROWN & TODD, LLC
slangdon@fbtlaw.com

William Michael Sunkel
WINSTON & STRAWN LLP
wsunkel@winston.com

Gray A. Mateo
NEAL, GERBER & EISENBERG, LLP
gmateo@ngelaw.com

David L. Swider
BOSE MCKINNEY & EVANS, LLP
dswider@boselaw.com