

HDBS eNews Flash: Court Ruling

July 23rd, 2012

COURT RULING - JULY 23rd, 2012

Dear HDBS Member,

Following the General Body Meeting on July 15, 2012, the Interim Executive Board retained Ashish Mahendru as an attorney to represent the interests of HDBS. On Thursday, July 19, 2012, Mr. Mahendru filed an emergency motion with the court to ask that the attorneys of Santosh Mukerji establish their authority to represent HDBS in the lawsuit. The court granted the emergency hearing, and a court hearing was held on Monday afternoon.

In response to the motion to show authority filed by Mr. Mahendru, Santosh Mukerji's lawyers filed papers with the court that seek to have Santosh Mukerji and Champak Sadhu intervene into the lawsuit. Now these two individuals are seeking to challenge Mr. Mahendru's authority to represent HDBS. Santosh Mukerji's lawyers now are attempting to represent not only HDBS but also Santosh Mukerji and Champak Sadhu. They have stated in their papers additional individuals will be added to their lawsuit.

At today's hearing, Judge Gomez hoped Santosh Mukerji's lawyers found a way to voluntarily withdraw from representing HDBS in this lawsuit without forcing the court to hold another hearing. A follow-up hearing is scheduled on August 2, 2012 at 12:00 p.m.

Here is what the Judge ruled today:

- 1.) All activities in the current lawsuit are suspended. There will be no further subpoenas, depositions, legal filings until the Court makes further rulings on Mr. Mukerji's lawyers' authority to represent HDBS.
- 2.) The court ordered mediation scheduled for July 31st has been canceled.
- 3.) Previously, the accounts were frozen as a result of letters sent to the bank by Santosh Mukerji's attorneys. HDBS's attorney asked the Judge to unfreeze the accounts today. The official bank accounts of HDBS at IBC Bank have been unfrozen by Order of the Judge, and the Judge has authorized the expenditure of customary expenses from these accounts.

Any regular collections (temple donations, membership fees, rental checks) need to be deposited into this account. As such, please ensure that any such collections are handed to the Interim EB

officers.

Thank you.

Regards,

Dr Alak Ray
President

Asoke Dey Sarkar
Secretary
