

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 1:20-CV-21808-RNS

TODD BENJAMIN INTERNATIONAL, LTD. *et al.*,

Plaintiffs,

v.

GRANT THORNTON CAYMAN ISLANDS *et al.*,

Defendants.

\_\_\_\_\_ /

**MOTION FOR ENTRY**

Plaintiffs Todd Benjamin International, Ltd., and Todd Benjamin, pursuant to the Court's Order Setting Discovery Procedures [ECF 81], respectfully seek entry of the attached proposed order following the Parties' discovery hearing on October 19, 2023, at 11:30 a.m., before Chief Magistrate Judge Edwin G. Torres.

**Local Rule 7.1(a)(3) Certification:** Undersigned counsel for Plaintiffs certify that they conferred with counsel for Defendants via email and telephone regarding the content of the proposed order, and Defendants agree to the content of the order.

Date: October 20, 2023

Respectfully submitted,

/s/ Marcelo Diaz-Cortes

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the forgoing document was served on October 20, 2023 via the Court's CM/ECF filing system to all recipients registered to receive notices of electronic filings generated by CM/ECF for this case.

By: /s/ Marcelo Diaz-Cortes  
Marcelo Diaz-Cortes

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION**

**Case No.: 1:20-CV-21808-RNS**

TODD BENJAMIN INTERNATIONAL, LTD.  
*et al.*,

Plaintiffs,

v.

GRANT THORNTON CAYMAN ISLANDS,  
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Defendants.

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**[PROPOSED] ORDER FOLLOWING DISCOVERY HEARING**

THIS MATTER came before the Court on October 19, 2023, at 11:30 a.m., at the Court's discovery calendar, during which the Court considered Defendants Grant Thornton Ireland's ("GT Ireland") and Grant Thornton Cayman's ("GT Cayman") Responses and Objections to Plaintiffs' First Set of Requests for Production and Defendants' Answers and Objections to Plaintiffs' First Set of Interrogatories. For the reasons set forth on the record, the Court ORDERS and ADJUDGES as follows:

1. GT Ireland's Privilege Objections. As required by the Parties' Stipulation Regarding Production of Electronically Stored Information and Paper Documents [ECF 111-1], GT Ireland shall timely serve a privilege log within 30 days of a production. Additionally, in response to Request Nos. 10, 16-17, 19(h)-(i), 20-23, and 27-29, GT Ireland shall amend its written responses and objections within 30 days of a production of responsive documents to disclose whether any responsive documents have been withheld pursuant to a claim of privilege. Such amended

responses and objections shall comply with Local Rule 26.1(e)(2) and the Court's Order Setting Discovery Procedures [ECF 81].

2. Defendants' Objections to Request No. 17. The Court overrules Defendants' objections in part and sustains them in part. On or before November 18, 2023, Defendants shall produce policies, procedures, and manuals responsive to Request No. 17 but only to the extent they are relevant to or used for audits of hedge funds, like the funds at issue in this action. Defendants may designate documents produced hereunder as "CONFIDENTIAL – ATTORNEYS' EYES ONLY" pursuant to the Parties' Agreed Protective Order to Govern the Disclosure of Confidential Material [ECF 97].

3. Defendants' Objections to Request No. 31. The Court overrules Defendants' objections to Request No. 31 but, at this juncture, does not compel production of responsive documents. On or before November 18, 2023, Defendants shall amend their responses and objections to Request No. 31 to indicate whether they have in their possession, custody, or control any particular auditing standards relevant to or used for audits of hedge funds applicable to them as Grant Thornton member firms. If GT Ireland or GT Cayman have responsive documents, their amended responses shall state whether such documents will be produced or identify all objections to producing such documents.

4. GT Cayman's Answers to Interrogatory Nos. 8-11. On or before November 18, 2023, GT Cayman shall provide narrative answers to Interrogatory Nos. 8-11. If GT Cayman wishes to reference documents pursuant to Rule 33(d) in its answers, following a production, GT Cayman shall supplement its interrogatory answers with the applicable bates-stamp numbers of the specific records it is referring to in compliance with Rule 33(d).

5. GT Ireland's Answers to Interrogatory Nos. 8-11. The Court disregards GT Ireland's reference to documents under Rule 33(d) in its answers to Interrogatory Nos. 8-11. If, in addition to its narrative answers, GT Ireland intends to continue to cite Rule 33(d) in its answers to these interrogatories, following a production, GT Ireland shall supplement its interrogatory answers with the applicable bates-stamp numbers of the specific records it is referring to in compliance with Rule 33(d).

DONE AND ORDERED in Chambers, in Miami, Florida, this \_\_ day of October, 2023.

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EDWIN G. TORRES  
CHIEF MAGISTRATE JUDGE  
UNITED STATES DISTRICT COURT