

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
OWENSBORO DIVISION

FORBA HOLDINGS, LLC,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 4:08-cv-00137-JHM-ERG
)	
DEBBIE HAGAN,)	
)	
Defendant.)	

**REPLY TO DEFENDANT’S OBJECTION TO PLAINTIFF’S MOTION TO REOPEN
CASE AND DISCOVERY TO ENFORCE CONSENT INJUNCTION**

Plaintiff, now known as Church Street Health Management, LLC (FORBA Holdings, LLC changed its name to Church Street Health Management, LLC effective December 31, 2010; hereinafter “Plaintiff”), respectfully submits this Reply to Defendant’s Objection to Plaintiff’s Motion to Reopen Case and Discovery to Enforce Consent Judgment (“Motion”) [DN 55].

In her Response, Defendant does not dispute that the internal information of Plaintiff that she has published on her blog emanates from Plaintiff. Accordingly, there is no longer a need for Plaintiff to engage in discovery of Hagan in this regard, and Plaintiff withdraws its request to reopen discovery at this time.

As to the other relief sought by Plaintiff, although Plaintiff has sought additional relief from Defendant in its Motion for Sanctions [DN 40], including the imposition of fines for past (and for any future) violations of the Consent Injunction and an award of Plaintiff’s legal fees, the principal relief sought by Plaintiff has been the removal of its proprietary business information improperly included in certain of Defendant’s blog entries. Since the filing of Plaintiff’s Motion for Sanctions, Defendant has removed the blog entries containing Plaintiff’s proprietary business information. Accordingly, Defendant having removed the blog entries

containing Plaintiff's proprietary business information, Plaintiff will forego seeking further relief against Defendant.

Plaintiff reserves all rights in this matter, including the right to seek relief from this Court for any future violations of the Consent Injunction.

Respectfully submitted,

/s/ Thor Y. Urness

Thor Y. Urness (admitted *pro hac vice*)
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing "Reply to Defendant's Objection to Plaintiff's Motion To Reopen Case and Discovery To Enforce Consent Injunction" is being served, via U.S. Mail, first class postage prepaid, on this the 7th day of December, 2011, on:

Debbie Hagan
4453 Strickland Drive
Owensboro, KY 42301-6519

/s/ Thor Y. Urness

Thor Y. Urness