

(FILED TO NOTICE)

FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
(Alexandria Division)

2011 SEP -7 P 3:28

CLERK US DISTRICT COURT  
ALEXANDRIA, VIRGINIA

JOHN DeGROOTE SERVICES, LLC, et al., )  
)  
Plaintiffs, )  
)  
v. )  
)  
F. EDWIN HARBACH, ALBERT L. LORD, )  
RODERICK C. McGEARY, J. TERRY )  
STRANGE, DOUGLAS C. ALLRED, )  
BETSY J. BERNARD, SPENCER C. )  
FLEISCHER, JILL KANIN-LOVERS, and )  
EDWARD MUNSON, )  
)  
Defendants. )

Case No.: 1:11CV 959  
(JCC / TRJ)

**MOTION TO DISMISS ON THE GROUND OF FORUM NON CONVENIENS  
OR, IN THE ALTERNATIVE, FOR TRANSFER UNDER 28 U.S.C. § 1412**

For the reasons set forth in the accompanying Memorandum, and for good cause shown, Defendants F. Edwin Harbach, Albert L. Lord, Roderick C. McGeary, J. Terry Strange, Douglas C. Allred, Betsy J. Bernard, Jill Kanin-Lovers, Spencer Fleischer, and Edward Munson, by and through their undersigned counsel, respectfully move this Court to dismiss all Counts of the Complaint filed by Plaintiffs John DeGroote Services, LLC and John DeGroote on the basis of *forum non conveniens*, or, in the alternative, to transfer the above-captioned case to the United States District Court for the District of Delaware pursuant to 28 U.S.C. § 1412.

Respectfully submitted,

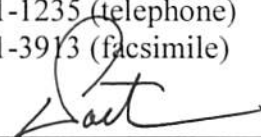
F. EDWIN HARBACH  
ALBERT L. LORD  
RODERICK C. MCGEARY  
J. TERRY STRANGE  
DOUGLAS C. ALLRED  
BETSY J. BERNARD  
JILL KANIN-LOVERS

SPENCER FLEISCHER  
EDWARD MUNSON  
By Counsel

Date: September 7, 2011

BLANKINGSHIP & KEITH, P. C.  
4020 University Drive, Suite 300  
Fairfax, Virginia 22030  
(703) 691-1235 (telephone)  
(703) 691-3913 (facsimile)

By:

  
\_\_\_\_\_  
William B. Porter, VSB No. 41798  
Laurie L. Proctor, VSB No. 75320

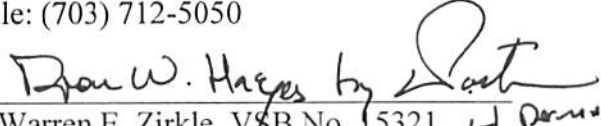
-and-

Robert A. Van Kirk  
George A. Borden  
Lauren K. Collogan  
WILLIAMS & CONNOLLY LLP  
725 Twelfth Street, N.W.  
Washington, DC 20005  
(202) 434-5163 (telephone)  
*Pro hac vice admission to be requested*

*Counsel for Defendant F. Edwin Harbach*

MCGUIREWOODS LLP  
1750 Tysons Boulevard, Suite 1800  
Tysons Corner, Virginia 22102-4215  
Telephone: (703) 712-5000  
Facsimile: (703) 712-5050

By:

  
\_\_\_\_\_  
Warren E. Zirkle, VSB No. 15321  
Dion W. Hayes, VSB No. 34304

-and-

Paul C. Curnin  
William T. Russell, Jr.  
Paul C. Gluckow  
Craig S. Waldman  
SIMPSON THACHER & BARTLETT LLP  
425 Lexington Avenue

New York, New York 10017-3954

Telephone: (212) 455-2000

Facsimile: (212) 455-2502

*Pro hac vice admission to be requested*

*Counsel for Defendants Albert L. Lord, Roderick C. McGeary,*

*J. Terry Strange, Douglas C. Allred, Betsy J.*

*Bernard, Spencer C. Fleischer, Jill Kanin-Lovers*

*and, Edward Munson*

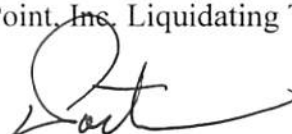
CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of September 2011, a true copy of the foregoing was sent via facsimile and mailed, first class, postage prepaid to:

Andrew J. Terrell, Esq.  
WHITEFORD, TAYLOR & PRESTON, L.L.P.  
3190 Fairview Park Drive, Ste. 300  
Falls Church, Virginia 22042  
Fax: (703) 280-9139

Lewis T. LeClair, Esq.  
Robert M. Manley, Esq.  
McKool Smith, P.C.  
300 Crescent Court, Ste. 1500  
Dallas, Texas 75201  
Fax: (214) 978-4044

Kevin G. Hroblak, Esq.  
William F. Ryan, Jr.  
WHITEFORD, TAYLOR & PRESTON, L.L.P.  
Seven Saint Paul Street, Ste. 1800  
Baltimore, Maryland 21202  
Fax: (410) 223-4305  
Counsel for the Bearing Point, Inc. Liquidating Trust  
and its Trustee

  
\_\_\_\_\_  
William B. Porter