



**Issue Date: 05 December 2005**

**Case No.: 2005 SOX 110**

**In the Matter of**

**Karen Bishop,  
Complainant**

**v.**

**Potash Corporation of Saskatchewan, Inc.,  
Respondent**

**ORDER OF DISMISSAL**

On October 27, 2005, I issued an Order cancelling the scheduled hearing, and staying the proceedings pending notification that the District Court had accepted jurisdiction of the Complainant's complaint under the Sarbanes-Oxley Act. On November 15, 2005, counsel for the Respondent submitted a letter advising that it had recently learned that the Complainant had submitted a letter to this Court on October 18, 2005, with a copy of the Amended Complaint that she filed in the United States District Court for the Northern District of Illinois. The Respondent requested that this Court restrict public access to this document, which contains the Respondent's privileged information, and advised the Court that an Order had been issued prohibiting the Complainant from disseminating any information of the Respondent that is protected by the attorney-client privilege. On November 16, 2005, counsel for the Complainant advised that the failure to provide a copy of its October 18, 2005 letter to the Respondent was an inadvertent administrative error, and that the Complainant believed that it had not violated the Order prohibiting dissemination of privileged information.

I originally stayed these proceedings pending notification that the District Court had accepted jurisdiction of the Complainant's complaint. However, I note that the Amended Complaint submitted by the Complainant with her October 18, 2005 letter was file stamped by the U.S. District Court Clerk on October 17, 2005, indicating that the complaint has in fact been filed with the U.S. District Court. Accordingly, I am dismissing the Complainant's claim under the Sarbanes Oxley Act in this forum. Additionally, I am returning to the Complainant all but the first page of her Amended Complaint, which I will retain in the file of this matter. The Respondent's request for a protective order is thus moot.

Accordingly, IT IS HEREBY ORDERED that the Complainant's complaint is

dismissed, on the grounds that she has filed her Sarbanes-Oxley Act claim in the United States District Court for the Northern District of Illinois.

SO ORDERED.

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LINDA S. CHAPMAN  
Administrative Law Judge