

THE HONORABLE WILLIAM DWYER

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

U S WEST COMMUNICATIONS, INC.,

Plaintiff,

v.

MFS INTELENET, INC.;

SHARON L. NELSON, Chairman,
RICHARD HEMSTAD, Commissioner, and
WILLIAM P. GILLIS, Commissioner,
in their official capacities as Commissioners of
the Washington Utilities and Transportation
Commission; and

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Defendants.

NO. C97-0222WD

NOTICE OF LAWSUIT AND REQUEST
FOR WAIVER OF SERVICE OF
SUMMONS

RECEIVED
RECORDS MANAGEMENT
97 AUG 18 AM 10:02
STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

TO: Washington Utilities and Transportation Commission
1400 S Evergreen Park Drive SW
Olympia, WA 98504-0128

A lawsuit has been commenced against the Washington Utilities and Transportation
Commission. A copy of the amended complaint is attached to this notice. It has been filed in

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[00000-0000/BA972170.055]

the United States District Court for the Western District of Washington at Seattle and has been assigned docket number C97-0222WD.

This is not a formal summons or notification from the court, but rather my request that you sign and return the enclosed waiver of service in order to save the cost of serving you with a judicial summons and an additional copy of the amended complaint. The cost of service will be avoided if I receive a signed copy of the waiver within 60 days after the date designated below as the date on which this Notice and Request is sent. I enclose a stamped and addressed envelope (or other means of cost-free return) for your use. An extra copy of the waiver is also attached for your records.

If you comply with this request and return the signed waiver, it will be filed with the court and no summons will be served on you. The action will then proceed as if you had been served on the date the waiver is filed, except that you will not be obligated to answer the amended complaint before 90 days from the date designated below as the date on which this notice is sent.

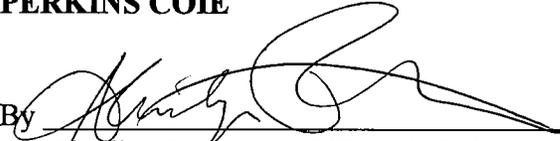
If you do not return the signed waiver within the time indicated, I will take appropriate steps to effect formal service in a manner authorized by the Federal Rules of Civil Procedure and will then, to the extent authorized by those Rules, ask the court to require MFS Intelenet, Inc. to pay the full costs of such service. In that connection, please read the statement concerning the duty of parties to waive the service of the summons, which is set forth at the foot of the waiver form.

**NOTICE OF LAWSUIT AND REQUEST FOR
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[00000-0000/BA972170.055]

I affirm that this request is being sent to you on behalf of the plaintiff, this 15th day of August, 1997.

PERKINS COIE

By 

Sherilyn Peterson, WSBA #11713

Kirstin S. Dodge, WSBA #22039

Attorneys for Plaintiff

U S WEST Communications, Inc.