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BEFORE THE WASHINGTON

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UTILITIES AND TRANSPORTATION COMMISSION

3

WHATCOM COMMUNITY COLLEGE,)
Complainant,)Docket UT-050770
)Volume I
)Pages 1-23

5

v.)

6

QWEST CORPORATION,)
Respondent.)

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9 A pre-hearing conference in the
10 above-entitled matter was held at 1:33 p.m. on
11 Wednesday, August 3, 2005, at 1300 South Evergreen
12 Park Drive, S.W., Olympia, Washington, before
13 Administrative Law Judge C. ROBERT WALLIS.

14

15 The parties present were as follows:

16 WHATCOM COMMUNITY COLLEGE, by Wendy
17 Bohlke, Assistant Attorney General, Senior Counsel,
18 103 East Holly Street, Suite 310, Bellingham,
Washington 98225 (Appearing via teleconference
bridge.)

19 QWEST CORPORATION, by Douglas N. Owens,
20 Attorney at Law, P.O. Box 25416, Seattle, Washington
21 98165-2316, and Lisa A. Anderl, Attorney at Law, 1600
Seventh Avenue, Room 3206, Seattle, Washington
98191.

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24 Barbara L. Nelson, CCR

25 Court Reporter

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1 JUDGE WALLIS: Let's be on the record,
2 please. This conference will please come to order.
3 This is a pre-hearing conference in the matter of
4 Whatcom Community College, Complainant, against Qwest
5 Corporation, Respondent. This is Docket Number
6 UT-050770, and this conference is being held at
7 Olympia, Washington, on August 3 of the year 2005,
8 before Administrative Law Judge C. Robert Wallis.

9 We will begin by asking for appearances of
10 parties who are represented and begin with the
11 Complainant.

12 MS. BOHLKE: Thank you very much, Your
13 Honor. My name is Wendy Bohlke. I'm an Assistant
14 Attorney General, Senior Counsel, with the Office of
15 Attorney General, appearing on behalf of Whatcom
16 Community College. My address at the Attorney
17 General's Office is 103 East Holly.

18 JUDGE WALLIS: Ms. Bohlke, again, I'm having
19 quite a bit of trouble hearing you. If you could
20 speak up a bit and pull that microphone closer, I
21 think that might help.

22 MS. BOHLKE: Okay. My address is as set
23 forth in my correspondence and my pleadings to the
24 Utilities and Transportation Commission.

25 JUDGE WALLIS: Would you mind repeating that

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1 so we have it in the record, also?

2 MS. BOHLKE: Certainly. It is Attorney
3 General of Washington, 103 East Holly Street, Suite
4 310, Bellingham, 98225. Our office telephone number
5 is 360-676-2037, and our fax number is 360-676-2049.
6 My direct line number is 676-2044.

7 I have with me -- I am here today to
8 participate in this pre-hearing conference, and I've
9 asked several people to be on the line in order to
10 accommodate the Commission in ensuring we get dates
11 set that we're all available to, and I do not like to
12 seek continuances, so I've asked these other people
13 to be on the line to be available for scheduling.

14 JUDGE WALLIS: Thank you.

15 MS. BOHLKE: And those people are Ray White,
16 who is employed by Whatcom Community College, and Ray
17 is -- gosh, Ray, Vice President for Business --
18 Administrative Services. I also have on the line
19 Colleen. And pardon me, what is your last name?

20 MS. HANSEN: Hansen.

21 MS. BOHLKE: Hansen. Colleen is his
22 assistant and has his calendar with her. I also have
23 with me Rick Doughty, who is a contractor with the
24 college and assisting the college in this matter.
25 Thank you.

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1 JUDGE WALLIS: For the Respondent?

2 MR. OWENS: Thank you, Your Honor. Douglas
3 N. Owens, Attorney at Law. Business address is Post
4 Office Box 25416.

5 JUDGE WALLIS: Excuse me. Is that
6 microphone on?

7 MR. OWENS: Yes, Your Honor, I believe it
8 is.

9 JUDGE WALLIS: Thank you.

10 MR. OWENS: I'll speak up. Post Office Box
11 25416, Seattle, 98165-2316. My telephone is
12 206-748-0367; fax 206-748-0369; e-mail
13 dnowens@qwest.net.

14 Also appearing is Lisa A. Anderl, Associate
15 General Counsel, 1601 Seventh Avenue, Room 3206,
16 Seattle, Washington, 98191. Telephone, 206-345-1574;
17 and fax, 206-343-4040.

18 JUDGE WALLIS: Thank you. For the record,
19 let me ask if there is any party present in the
20 hearing room or present by the bridge line that
21 wishes to intervene in this docket? Let the record
22 show that there is no response and there are no
23 petitions for intervention to participate.

24 Let me ask if the parties believe that a
25 protective order may be necessary in the docket?

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1 MR. OWENS: Your Honor, it's Qwest's
2 position that it might, and therefore, in an exercise
3 of caution, Qwest would request the issuance of a
4 standard protective order.

5 JUDGE WALLIS: Would it be sufficient for
6 your purposes if we waited until circumstances arose
7 that might require it?

8 MR. OWENS: From the standpoint of Qwest
9 responding to discovery, we're happy to do that, Your
10 Honor.

11 JUDGE WALLIS: Very well. Well, that brings
12 us to discovery. Is there a desire that the
13 Commission's discovery rules be invoked in this
14 docket?

15 MR. OWENS: Qwest requests that the
16 Commission invoke its discovery rules in this docket,
17 Your Honor.

18 JUDGE WALLIS: Is there any objection to
19 that?

20 MS. BOHLKE: No objection, Your Honor.

21 JUDGE WALLIS: Very well. In light of the
22 apparent necessity for discovery, I believe that it
23 is appropriate to ask that a protective order be
24 entered, and I will see that that is done on behalf
25 of the parties in the docket. Has there been any

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1 discussion, apart from the exchange of paper,
2 relating to the motions to strike and to amend?

3 MS. BOHLKE: No, Your Honor. This is Wendy
4 speaking, and I apologize for that. I had a knee
5 surgery and was out and then had some vacation, so I
6 haven't been able to take time to do that, but I
7 certainly would be pleased to do that.

8 JUDGE WALLIS: Mr. Owens, would it suffice
9 for your purposes, in light of the motion to strike,
10 if the motion to amend were granted?

11 MR. OWENS: Yes, Your Honor. In fact, I was
12 going to remark that you styled the case as Qwest
13 Corporation, Respondent, and I more or less assumed
14 that the motion to amend had been granted implicitly,
15 so we have no problem with that, Your Honor.

16 JUDGE WALLIS: Very well. So those motions
17 are at this point moot; is that correct?

18 MR. OWENS: The motion to amend, yes, is
19 moot.

20 JUDGE WALLIS: Are there any elements of the
21 motion to strike that are not satisfied by that
22 amendment?

23 MR. OWENS: Yes, Your Honor. The only thing
24 that, as Qwest understood, was the subject of the
25 motion to amend was the substitution of Qwest

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1 Corporation as the Respondent instead of Qwest
2 Communications. All the other aspects of the motions
3 to strike, which really did not involve the identity
4 of the party Respondent, are still at issue.

5 JUDGE WALLIS: Ms. Bohlke.

6 MS. BOHLKE: That is my understanding.

7 JUDGE WALLIS: Very well. Do you wish to
8 argue it at this time?

9 MR. OWENS: We'd be happy to argue it at
10 this time. If you feel that argument in addition to
11 the paper is necessary, Your Honor, we'd be happy to
12 do that.

13 JUDGE WALLIS: Ms. Bohlke.

14 MS. BOHLKE: Yes, I'd be pleased to. I will
15 say preliminarily that I don't see that I have much
16 to add beyond which has already been filed.

17 JUDGE WALLIS: Very well. Under those
18 circumstances, we will rely on the written motion and
19 the response, and we'll move on. Has there been
20 discussion about scheduling?

21 MS. BOHLKE: No, Your Honor.

22 MR. OWENS: No, Your Honor. One issue, it
23 seems to Qwest, at any rate, that does need to be
24 decided is the scope of the case in terms of the
25 various motions to strike that obviously, or at least

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1 it's obvious to Qwest, will have an impact on
2 discovery, number one, and also the amount of time
3 necessary to prepare and present the hearing. That
4 is, if one or more of the motions are granted, the
5 case will potentially be smaller; if not, the case
6 potentially would be larger.

7 JUDGE WALLIS: I would suggest, for purposes
8 of discussion and establishing a schedule, that it be
9 based upon the denial of all of the elements of the
10 motion to strike, and this is not intended to
11 pre-judge that in any way, but merely to establish
12 the -- either the worst possible or the best possible
13 schedule, depending on how one looks at it. And if
14 it turns out that the motion to strike is granted, in
15 full or in part, then we will review the scheduling
16 decisions. Would that satisfy the interests of the
17 parties?

18 MS. BOHLKE: Fine with me, Your Honor.

19 MR. OWENS: Yes, Your Honor.

20 JUDGE WALLIS: Very well. What kind of time
21 frame are we looking at?

22 MR. OWENS: Well, as --

23 MS. BOHLKE: Go ahead, Mr. Owens.

24 MR. OWENS: Thank you. I didn't mean to
25 interrupt you. Qwest would like the opportunity to

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1 depose Mr. White and Mr. Doughty, in addition to the
2 more normal discovery requests, and so, to a certain
3 extent, the time required will depend on their
4 availability. I would assume that we could do normal
5 discovery, paper data requests and so forth, in a
6 period of six weeks or thereabouts, six weeks to two
7 months.

8 MS. BOHLKE: I would concur. I would go for
9 the two months, because I'm aware of some other
10 preexisting obligations that I have, and also the
11 beginning of the class year, I'm aware, is very busy
12 for Mr. White, so if we could put it on the two-month
13 side rather than the six weeks, I think we'd be
14 better able to effectively participate in that.

15 JUDGE WALLIS: Very well.

16 MR. OWENS: That's for the discovery. And
17 then, again, assuming that all of the issues that are
18 presented by the complaint and the answer are going
19 to be heard, Qwest would appreciate the opportunity
20 after discovery to submit a motion for summary
21 judgment to determine whether, in fact, a hearing is
22 necessary. And so if we could leave time in the
23 schedule for that, Qwest would like to submit such a
24 motion. Then, depending on the outcome of such a
25 motion, assuming that the motion is not granted,

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1 Qwest would anticipate a hearing probably taking two
2 days, something of that nature.

3 JUDGE WALLIS: Is there a preference on
4 location for the hearing?

5 MR. OWENS: Qwest is happy to have the
6 hearing in Olympia, Your Honor.

7 MS. BOHLKE: And so is the college.

8 JUDGE WALLIS: Very well. Is there any need
9 to assign particular dates right now or may that be
10 done in the order?

11 MS. BOHLKE: I would appreciate it if the
12 Judge would go ahead and assign dates for the hearing
13 in the order with our input today, since I do know
14 that we all do get very busy and wonder if we
15 couldn't go ahead and do that. I assume we're
16 talking about January, now, January, February. Mr.
17 Owens, does that meet your expectation?

18 MR. OWENS: Well, if we had two months for
19 discovery from the beginning of August, that puts it
20 to the beginning of October to then file a motion and
21 a response for summary judgment, which I would assume
22 there'd probably be a 30-day or so turnaround on
23 that, which is toward the middle of -- or beginning
24 or middle of November, and then I would assume that
25 if a hearing goes forward and there's

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1 pre-distribution of testimony, depending on the
2 timing of that and getting into the holidays, I would
3 see that potentially the hearing could well be after
4 the first of the year.

5 JUDGE WALLIS: Do you believe
6 pre-distribution of testimony is necessary?

7 MR. OWENS: Again, under the assumptions
8 that you asked, that is, that all of the motions to
9 strike are not granted and under the assumption that
10 the motion for summary judgment is not granted, I
11 would think there'd be a value in pre-distributing
12 testimony, Your Honor.

13 JUDGE WALLIS: Ms. Bohlke.

14 MS. BOHLKE: I agree. I'm also the kind of
15 lawyer that likes to try to work with opposing
16 counsel to come up with some stipulations in order to
17 more efficiently address the issues. So given my own
18 approach to litigation, I would be confident that we
19 could do that and make better use of the Commission's
20 time.

21 JUDGE WALLIS: Very well. If we say that
22 the discovery period ends on October 3rd and counsel
23 would like, what, two weeks to file a motion, would
24 be the 17th?

25 MR. OWENS: Again, assuming that we can get

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1 the depositions done within that two months, yes,
2 Your Honor, that will be fine.

3 MS. BOHLKE: I have a hearing for a couple
4 of weeks in the middle of October, and I wonder if we
5 might kick that over a couple more weeks to the end
6 of October.

7 JUDGE WALLIS: I'm sorry, how would that
8 affect the filing date of the motion or the -- what
9 weeks are you scheduled for hearing?

10 MS. BOHLKE: The second -- well, the week of
11 October 3rd and 10th, I've got hearings, and they're
12 strange hearings. They could occur every evening for
13 some time. And so was the date that you were
14 suggesting a date for the filing of motions?

15 JUDGE WALLIS: Yes.

16 MS. BOHLKE: Yeah, I wonder if we might make
17 that the 21st or the 28th of October.

18 JUDGE WALLIS: Would the 24th work?

19 MS. BOHLKE: Yes, that would be fine.

20 JUDGE WALLIS: Okay. Mr. Owens.

21 MR. OWENS: That's fine, Your Honor.

22 JUDGE WALLIS: Okay. And the response?

23 MS. BOHLKE: Two weeks?

24 JUDGE WALLIS: Which would take us to
25 November 7th. And filing of direct testimony would

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1 be when, Ms. Bohlke?

2 MS. BOHLKE: Perhaps December 12th. Or no,
3 I'm looking -- how about December 5th?

4 MR. OWENS: Well, may I ask, Your Honor, a
5 point of order? Would we expect to have a decision
6 on the motion for summary judgment before we're
7 filing direct testimony? I guess I'm concerned about
8 getting those dates spaced properly to take into
9 account the possibility that, you know, all or some
10 of the issues may be disposed of by summary judgment.
11 I mean, I'm just asking you --

12 JUDGE WALLIS: I'm anticipating, with the
13 response time of November 7, that it would be likely
14 that an order would be entered within seven to 14
15 days.

16 MS. BOHLKE: Oh, okay.

17 MR. OWENS: Okay.

18 JUDGE WALLIS: Would that affect your
19 schedule if we said the 12th for filing of direct?

20 MR. OWENS: December 12th? That would be
21 fine, Your Honor.

22 MS. BOHLKE: That would be fine.

23 JUDGE WALLIS: And are you contemplating
24 simultaneous direct or seriatim?

25 MS. BOHLKE: I would think, Your Honor, that

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1 Mr. Owens and I would be able to collaborate and put
2 together a stipulation and coordinated packet, don't
3 you think, Mr. Owens?

4 MR. OWENS: Well, I'm certainly happy to
5 work with counsel on stipulations, but I think the
6 question is on issues of fact that are not
7 stipulated, how is the evidence going to be
8 presented? That is, are we talking simultaneous
9 rounds or the normal process where the party with the
10 burden files first and the opponent files second, and
11 then there's a rebuttal round for the party with the
12 burden. I think it's Qwest's preference that we do
13 it in the normal way for a complaint case, where
14 there's a party with the burden.

15 MS. BOHLKE: Okay. Well, why don't we have
16 the college's due on the 12th, then, and yours into
17 the first week of January?

18 JUDGE WALLIS: In order to afford a little
19 bit of extra bit of time, why don't we say the 19th.

20 MS. BOHLKE: Okay.

21 JUDGE WALLIS: And for the responding
22 testimony, Mr. Owens?

23 MR. OWENS: Okay. You're saying that the
24 direct is due December 19th?

25 JUDGE WALLIS: Yes.

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1 MR. OWENS: Oh, okay. I'm sorry, Your
2 Honor. I misunderstood. Well, given that that is
3 right before the Christmas holiday, Qwest would
4 appreciate a couple of weeks into January to file its
5 responsive testimony.

6 JUDGE WALLIS: Friday, the 13th?

7 MS. BOHLKE: That's fine with the college,
8 Your Honor.

9 MR. OWENS: I think it's wise to reserve the
10 possibility that we may want to do a little discovery
11 on the testimony that's filed, so if we could go out
12 sort of the week of the 23rd or even the week of the
13 30th of January for reply.

14 JUDGE WALLIS: Very well. The 23rd.

15 MR. OWENS: That's fine, Your Honor. Thank
16 you.

17 JUDGE WALLIS: And Ms. Bohlke, would you
18 contemplate any discovery on the responding
19 testimony?

20 MS. BOHLKE: Yes, I would appreciate a week
21 to review it and perhaps we could have -- do a date
22 of the 13th or not. (Inaudible.)

23 JUDGE WALLIS: I'm sorry, I'm losing you
24 again. Could you --

25 MS. BOHLKE: Yeah, I think February 13th or

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1 February 6th.

2 JUDGE WALLIS: Let's call that the 13th.

3 MS. BOHLKE: Okay.

4 JUDGE WALLIS: And for the hearing?

5 MR. OWENS: We could have the hearing
6 beginning the week of the 27th of February, Your
7 Honor.

8 JUDGE WALLIS: Very well. Are there
9 preferred -- Ms. Bohlke, is that all right with you?

10 MS. BOHLKE: Yes. Colleen, might I ask you
11 if that conflicts with any meetings or issues that
12 Mr. White might have?

13 MS. HANSEN: It's fine by Mr. White's
14 calendar.

15 MS. BOHLKE: Very well. That's fine. Mr.
16 Doughty?

17 MR. DOUGHTY: That's fine with me, also.

18 JUDGE WALLIS: Very well. So should we say
19 February 28th?

20 MS. BOHLKE: Fine with me.

21 JUDGE WALLIS: Continuing into the 29th, if
22 necessary. And the venue of Olympia is acceptable to
23 both parties?

24 MS. BOHLKE: Yes, Your Honor.

25 MR. OWENS: Yes, Your Honor.

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1 JUDGE WALLIS: Very well. Do the parties
2 believe that settlement discussions with the
3 assistance of an Administrative Law Judge might be
4 helpful in resolving the issues in the docket?

5 MS. BOHLKE: I have to tell you that I
6 always believe that it's useful to attempt to settle
7 litigation, and unless Mr. Owens senses, as a more
8 expert in this field, that there are elements in this
9 case that make it unlikely to do so, I would think
10 that it would -- it might be very useful.

11 MR. OWENS: Qwest is always happy to try to
12 settle litigation, Your Honor, and certainly using
13 the good offices of the Administrative Law Judge as a
14 mediator would be potentially very helpful.

15 JUDGE WALLIS: I would not propose to
16 involve myself in it, but to appoint one of the staff
17 of the Administrative Law Judges.

18 MR. OWENS: I assumed that was your intent,
19 Your Honor.

20 JUDGE WALLIS: Yes. At what point do you
21 think it would be fruitful to pencil in that kind of
22 a discussion?

23 MR. OWENS: Just speaking for Qwest, Your
24 Honor, it seems to us that after we've had the
25 initial round of discovery, that might be a good time

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1 for the parties to use the offices of the
2 Administrative Law Judges for mediation.

3 MS. BOHLKE: I agree.

4 JUDGE WALLIS: Very well. So that would put
5 it sometime during October.

6 MS. BOHLKE: Yes.

7 JUDGE WALLIS: Are there dates that are
8 particularly suitable, in your view, or unsuitable
9 because of current commitments?

10 MS. BOHLKE: For me, I'd prefer later in
11 October rather than earlier in October, because of
12 those hearings I've got.

13 MR. OWENS: I have a hearing on the 19th in
14 Seattle, Your Honor, of October. Other than that, I
15 can accommodate.

16 MS. BOHLKE: Perhaps after the 19th.

17 JUDGE WALLIS: The initial round of
18 testimony will be due on the 24th. How about if we
19 schedule -- I turned my calendar off.

20 MR. OWENS: That was -- the motion for
21 summary judgment, Your Honor, is due on the 24th,
22 according to my notes, anyway.

23 MS. BOHLKE: Yes.

24 MR. OWENS: I thought the initial testimony
25 was due December 19th.

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1 JUDGE WALLIS: Yes. But I suspect that
2 there may be some effort required to accommodate that
3 and, consequently, would suggest we look at sometime
4 during the week of the 24th of October.

5 MR. OWENS: That would be fine with Qwest,
6 Your Honor.

7 MS. BOHLKE: And with me. Thank you.

8 JUDGE WALLIS: Very well. I will consult
9 with the administrative law judge and will identify a
10 date for that. Is there a preference for location?

11 MR. OWENS: It's whatever is convenient to
12 the judge involved, Your Honor. Qwest is happy to
13 come to Olympia.

14 MS. BOHLKE: I guess I would prefer Seattle,
15 but Olympia would be fine.

16 JUDGE WALLIS: Very well. I will seek to
17 arrange it for Seattle, which would be most
18 convenient for the participants.

19 MR. OWENS: Your Honor, if it would be of
20 any assistance to the Commission, Qwest would be glad
21 to offer a space in Qwest's headquarters building in
22 Seattle for that purpose.

23 MS. BOHLKE: And similarly, the Attorney
24 General's Office has conference space in the Bank of
25 California building.

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1 JUDGE WALLIS: Does either of you have any
2 qualms or reservations about using facilities of the
3 other?

4 MS. BOHLKE: No, I don't.

5 MR. OWENS: No, Your Honor.

6 JUDGE WALLIS: Very well. Is there anything
7 further the parties would like to address?

8 MR. OWENS: Qwest would like to try to get
9 some dates for the depositions of Mr. White and Mr.
10 Doughty.

11 MS. BOHLKE: I think that would be very
12 useful today, since we all have our schedules here.

13 JUDGE WALLIS: Very well.

14 MR. OWENS: Qwest is available to do this at
15 any time starting the middle part of next week, any
16 time the following week, or the week after that.

17 MS. BOHLKE: I have a brief due on the 26th.
18 How about if we look at the week of the 29th. Might
19 we?

20 MR. OWENS: The week of the 29th is fine
21 with Qwest.

22 MS. BOHLKE: Okay.

23 MS. BOHLKE: Want to do Mr. Doughty first?

24 MR. DOUGHTY: The 29th looks fine for me.

25 MS. BOHLKE: Okay.

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1 MR. OWENS: That's Mr. Doughty speaking?

2 MR. DOUGHTY: Yes, I'm sorry.

3 MS. BOHLKE: I have a commitment on August
4 30th and September 2nd, but other than that, I'm
5 free.

6 MR. OWENS: And what about Mr. White?

7 MS. BOHLKE: He's available any day that
8 week of August 29th.

9 JUDGE WALLIS: I'm sorry, I did not hear
10 that response.

11 MS. BOHLKE: Mr. White is available the week
12 of August 29th.

13 JUDGE WALLIS: Very well. Would the parties
14 like to arrange that offline or are you prepared to
15 make those arrangements now?

16 MS. BOHLKE: I would suggest we go ahead and
17 make them now.

18 JUDGE WALLIS: Very well.

19 MR. OWENS: I could try to do them both the
20 same day.

21 MS. BOHLKE: Okay. How about if we do them
22 up here in Bellingham on the 31st?

23 MR. OWENS: I thought we were doing them on
24 the 29th?

25 MS. BOHLKE: Oh, the 29th, 29th.

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1 MR. OWENS: Seattle is more convenient to
2 Qwest.

3 JUDGE WALLIS: Because the college will be
4 coming down to Seattle for the hearing, perhaps it
5 would be acceptable to schedule this for Bellingham.

6 MR. OWENS: Very well, Your Honor. Is it
7 the 29th or are we now talking the 31st?

8 MS. BOHLKE: The 29th.

9 MR. OWENS: Okay.

10 JUDGE WALLIS: Very well. Now, is there
11 anything further?

12 MS. BOHLKE: I don't have anything, Your
13 Honor. Thank you.

14 MR. OWENS: Nothing for Qwest, Your Honor.
15 Thank you.

16 JUDGE WALLIS: Very well. Ms. Bohlke, an
17 administrative detail. I don't believe we got your
18 electronic mail address on the record.

19 MS. BOHLKE: Oh, okay. My electronic mail
20 address is wendyb@atg.wa.gov.

21 JUDGE WALLIS: All right. Very well. Thank
22 you all very much. This conference is adjourned.

23 MS. BOHLKE: Thank you very much.

24 MR. OWENS: Thank you, Your Honor.

25 JUDGE WALLIS: We will attempt to get a

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1 pre-hearing conference order out that will also
2 resolve issues in the motion to strike within seven
3 days from today, and if the result of that is to
4 change the level of effort and the parties are
5 comfortable that a reduced time for discovery and for
6 preparation of evidence would be satisfactory, I will
7 ask that you please get in touch with me and we will
8 adjust the schedule accordingly.

9 MS. BOHLKE: Thank you very much, Your
10 Honor.

11 JUDGE WALLIS: Thank you.

12 MR. OWENS: Thank you, Your Honor.

13 (Proceedings adjourned at 2:03 p.m.)

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