

EXHIBIT 5

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SUPERIOR COURT OF WASHINGTON IN AND FOR KING COUNTY

SANDY JUDD, TARA HERIVEL and
ZURAYA WRIGHT, for themselves, and on
behalf of all similarly situated persons,¹

Plaintiffs,

v.

AMERICAN TELEPHONE AND TELEGRAPH
COMPANY; GTE NORTHWEST INC.;
CENTURYTEL TELEPHONE UTILITIES,
INC.; NORTHWEST
TELECOMMUNICATIONS, INC., d/b/a/ PTI
COMMUNICATIONS, INC.; U.S. WEST
COMMUNICATIONS, INC.; T-NETIX, INC.,

Defendants.

No. 00-2-17565-5 SEA

**DECLARATION OF NANCY LEE
IN SUPPORT OF DEFENDANT
T-NETIX, INC.'S REPLY IN
SUPPORT OF SUMMARY
JUDGMENT**

I, Nancy Lee, hereby affirm that the following is true and correct:

1. I am Director of Billing Services for Securus Technologies, Inc., a
corporation owning 100% of the stock and assets of T-NETIX, Inc. My business address is
14651 Dallas Parkway, Suite 600, Dallas, TX 75240.

2. I am over 18 years of age and could testify competently to the facts
provided herein.

DECLARATION OF NANCY LEE - 1

BADGLEY ~ MULLINS
LAW GROUP
Bank of America Tower
701 Fifth Avenue, Suite 4750
Seattle, Washington 98104
Telephone: (206) 621-6566
Fax: (206) 621-9686

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3. On June 27, 2005, I requested that research be conducted into whether the following numbers received calls from the Airway Heights Correctional Center during the period October 1, 1998 to December 31, 1998: (206) 652-9415; (360) 714-8119; and (360) 738-8903. Today I requested that these same phone numbers be researched for the period June 1, 1998 through September 30, 1998. It is my understanding that Ms. Tara Herivel was the billed-to party for these phone numbers at various times.

4. Our research indicates no calls from Airway Heights to any of these numbers during the two time periods specified.

I affirm, in accordance with the laws of perjury in the State of Texas, that the foregoing is true and correct.

Nancy K. Lee
Nancy Lee
Director of Billing Services

CERTIFICATE OF SERVICE

1
2 I hereby certify that I have this 22nd day of August, 2005, served a true and correct
3 copy of the foregoing document upon parties of record, via the method(s) noted below,
4 properly addressed as follows:

5 ***On Behalf Of AT&T:***

6 Letty S. Friesen
7 AT&T Communications of the Pacific
8 Northwest
9 Law Department
10 919 Congress Avenue, Suite 900
11 Austin TX 78701-2444

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X U.S. Mail (first-class, postage
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Email (lfriesen@att.com)

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Facsimile (202) 955-9792
Email (sjoyce@kelleydrye.com)

12 ***On Behalf Of Judd & Herivel:***

13 Jonathan P. Meier
14 Sirianni Youtz Meier & Spoonemore
15 719 Second Avenue, Suite 1100
16 Seattle WA 98104

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Email (jon@sylaw.com)

17 ***On Behalf Of AT&T:***

18 Charles H. Peters
19 Schiff Hardin LLP
20 233 South Wacker Drive
21 6600 Sears Tower
22 Chicago IL 60606

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(cpeters@schiffhardin.com)

23 ***On Behalf Of The Washington Utilities and
24 Transportation Commission:***

25 Judge Ann E. Rendahl
26 Washington Utilities and Transportation
Commission
1300 S. Evergreen Park Drive, S.W.
P.O. Box 47250
Olympia, WA 98504-7250

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DECLARATION OF NANCY LEE - 3

BADGLEY ~ MULLINS

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On Behalf Of AT&T:

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Michael McGinn
Stokes Lawrence, PS
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Christina Limon