

BEFORE THE
WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION

SANDY JUDD and TARA HERIVEL,

Complainants,

v.

AT&T COMMUNICATIONS OF THE
PACIFIC NORTHWEST, INC., and T-NETIX,
INC.,

Respondents.

Docket No. UT-042022

**DECLARATION OF ARTHUR A.
BUTLER IN SUPPORT OF
T-NETIX, INC.'S MOTION TO
STRIKE**

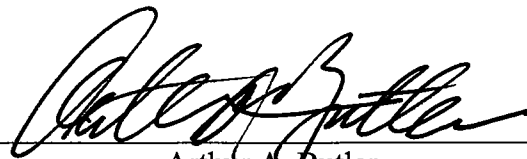
I, ARTHUR A. BUTLER, under penalty of perjury under the laws of the State of Washington, hereby declare and state as follows:

1. I am one of the attorneys of record for Respondent T-NETIX, Inc. ("T-NETIX") in the above-captioned action. I make this declaration on the basis of my personal knowledge, and if called upon to testify in this matter I could and would competently do so as set forth herein.

2. Attached hereto as Attachment A is a true and correct copy of the WUTC Notice dated April 25, 2005.

3. Attached hereto as Attachment B are true and correct copies of emails received from Complainants' counsel transmitting their response materials.

DATED this 10th day of May, 2005.



Arthur A. Butler

CERTIFICATE OF SERVICE

I hereby certify that I have this 10th day of May, 2005, served the true and correct original, along with the correct number of copies, of the foregoing document upon the WUTC, via the method(s) noted below, properly addressed as follows:

Carole Washburn	<input type="checkbox"/>	Hand Delivered
Executive Secretary	<input type="checkbox"/>	U.S. Mail (first-class, postage prepaid)
Washington Utilities and Transportation Commission	<input checked="" type="checkbox"/>	Overnight Mail (UPS)
1300 S Evergreen Park Drive SW	<input type="checkbox"/>	Facsimile (360) 586-1150
Olympia, WA 98504-7250	<input checked="" type="checkbox"/>	Email (records@wutc.wa.gov)

I hereby certify that I have this 10th day of May, 2005, served a true and correct copy of the foregoing document upon parties of record, via the method(s) noted below, properly addressed as follows:

On Behalf Of AT&T:

Ms. Letty S. Friesen	<input type="checkbox"/>	Hand Delivered
AT&T Communications of the Pacific Northwest	<input checked="" type="checkbox"/>	U.S. Mail (first-class, postage prepaid)
Law Department	<input type="checkbox"/>	Overnight Mail (UPS)
919 Congress Avenue, Suite 900	<input type="checkbox"/>	Facsimile (303) 298-6301
Austin TX 78701-2444	<input checked="" type="checkbox"/>	Email (lsfriesen@att.com)

Confidentiality Status: Highly Confidential

On Behalf Of T-Netix:

Stephanie A. Joyce	<input type="checkbox"/>	Hand Delivered
Kelley Drye & Warren LLP	<input checked="" type="checkbox"/>	U.S. Mail (first-class, postage prepaid)
1200 19th Street NW, Suite 500	<input type="checkbox"/>	Overnight Mail (UPS)
Washington DC 20036-2423	<input type="checkbox"/>	Facsimile (202) 955-9792
	<input checked="" type="checkbox"/>	Email (sjoyce@kelleydrye.com)

Confidentiality Status: Highly Confidential

On Behalf Of T-Netix:

Glenn B. Manishin	<input type="checkbox"/>	Hand Delivered
Kelley Drye & Warren LLP	<input checked="" type="checkbox"/>	U.S. Mail (first-class, postage prepaid)
1200 19th Street NW, Suite 500	<input type="checkbox"/>	Overnight Mail (UPS)
Washington DC 20036-2423	<input type="checkbox"/>	Facsimile (202) 955-9792
	<input checked="" type="checkbox"/>	Email (gmanishin@kelleydrye.com)

Confidentiality Status: Public

On Behalf Of Judd & Herivel:

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

Confidentiality Status: Highly Confidential

Hand Delivered
 U.S. Mail (first-class, postage prepaid)
 Overnight Mail (UPS)
 Facsimile (206) 223-0246
 Email (jon@sylaw.com)

On Behalf Of AT&T:

Charles H. Peters
Schiff Hardin LLP
233 South Wacker Drive
6600 Sears Tower
Chicago IL 60606

Confidentiality Status: Highly Confidential

Hand Delivered
 U.S. Mail (first-class, postage prepaid)
 Overnight Mail (UPS)
 Facsimile (312) 258-5600
 Email (cpeters@schiffhardin.com)

On Behalf Of Commission:

Ann E. Rendahl ALJ
Washington Utilities and Transportation
Commission
1300 S Evergreen Park Drive SW
PO Box 47250
Olympia WA 98504-7250

Hand Delivered
 U.S. Mail (first-class, postage prepaid)
 Overnight Mail (UPS)
 Facsimile (360) 586-8203
 Email (arendahl@wutc.wa.gov)

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED this 10th day of May, 2005, at Seattle, Washington.



ATTACHMENT 1



SERVICE DATE

APR 25 2005

STATE OF WASHINGTON

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 664-1160 • TTY (360) 586-8203

April 25, 2005

**NOTICE OF OPPORTUNITY TO RESPOND TO
T-NETIX'S MOTION FOR SUMMARY DETERMINATION
AND MOTION TO STAY DISCOVERY
(Due on Friday, May 6, 2005)**

RE: *Sandra Judd et al. v. AT&T Communications of the Pacific Northwest, Inc., and
T-Netix, Inc.*; Docket No. UT-042022.

TO PARTIES OF RECORD:

On April 22, 2005, T-Netix, Inc. filed with the Commission two motions, a Motion for Summary Determination and a Motion to Stay Discovery. Given the procedural schedule in this matter, it is appropriate to resolve T-Netix's motions quickly, in particular the Motion to Stay Discovery.

Any party that seeks to file a written response to T-Netix's motions with the Commission should do so by 5:00 p.m. on Friday, May 6, 2005. Parties should identify whether they seek the opportunity for oral argument on the motions. Given the shortened time for responses, parties may submit responses to the Commission electronically or via facsimile pursuant to WAC 480-07-145(6), and ensure that a paper copy is filed with the Commission by Monday, May 9, 2005.

Sincerely,

ANN E. RENDAHL

Administrative Law Judge



ATTACHMENT 2

Joyce, Stephanie

From: Theresa Lesch [Theresa@sylaw.com]
Sent: Friday, May 06, 2005 10:51 PM
To: records@wutc.wa.gov
Cc: cpeters@schiffhardin.com; Isfriesen@att.com; lkaster@att.com; aab@aterwynne.com; Manishin, Glenn; Joyce, Stephanie; Jon Meier
Subject: UT-042022 Responses to Motions (with Redacted Documents)

Dear Ms. Washburn,

Attached please find a copy of my letter to you of today's date, along with the referenced documents. The original letter and original and two copies of each document will follow by Federal Express.

Jonathan P. Meier

jmeier@sylaw.com

<<Washburn (WUTC)-JPM-050605.pdf>> <<C-Confidential-Response to T-Netix Summary Det. Mot.-REDACTED-PUBLIC.pdf>> <<Response to T-Netix Stay Mot..pdf>> <<C-Confidential-JPM Decl. re various Mots.-REDACTED-PUBLIC.pdf>> <<Wilson Decl.-Opp to T-Netix SD-050605.pdf>> <<Elliott Decl.-Opp. to T-Netix-050605.pdf>> <<Janega Decl. Opp to T-Netix SJ-050605.pdf>> <<Wright Decl.-App. to T-Netix-050505.pdf>> <<Decl. of Service-050606.pdf>>

Theresa Lesch
Legal Secretary
Sirianni Youtz Meier & Spoonemore
719 Second Avenue, Suite 1100
Seattle, WA 98104
Tel. 206.223.0303
Fax 206.223.0246
Email: theresa@sylaw.com

5/10/2005

Joyce, Stephanie

From: Theresa Lesch [Theresa@sylaw.com]
Sent: Friday, May 06, 2005 10:51 PM
To: records@wutc.wa.gov
Cc: cpeters@schiffhardin.com; lsfriesen@att.com; lkaster@att.com; aab@aterwynne.com; Manishin, Glenn; Joyce, Stephanie; Jon Meier
Subject: C - UT-042022 Responses to Motions (with Confidential Information)

Dear Ms. Washburn,

Attached please find a copy of the two **Confidential Information** (un-redacted/sealed) documents submitted this day in the above-referenced matter. The original and two copies of each document will follow by Federal Express with the other materials forwarded by the previous email sent today.

Jonathan P. Meier

jmeier@sylaw.com

<<C-Confidential-Response to T-Netix Summary Det. Mot.-SEALED-Highlighted.pdf>> <<C-Confidential-JPM Decl. re various Mots.-SEALED.pdf>>

Theresa Lesch
Legal Secretary
Sirianni Youtz Meier & Spoonemore
719 Second Avenue, Suite 1100
Seattle, WA 98104
Tel. 206.223.0303
Fax 206.223.0246
Email: theresa@sylaw.com

5/10/2005

From: "Theresa Lesch" <Theresa@sylaw.com>
To: <records@wutc.wa.gov>
Date: Fri, May 6, 2005 7:51 PM
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CC: <cpeters@schiffhardin.com>, <lsfriesen@att.com>, <lkaster@att.com>, <aab@aterwynne.com>, <gmanishin@kelleydrye.com>, <sjoyce@kelleydrye.com>, "Jon Meier" <Jon@sylaw.com>

From: "Theresa Lesch" <Theresa@sylaw.com>
To: <records@wutc.wa.gov>
Date: Fri, May 6, 2005 7:54 PM
Subject: C - UT-042022 Responses to Motions (with Confidential Information)

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jmeier@sylaw.com

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Mots.-SEALED.pdf>>

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