

O'Connell, Timothy J.

From: O'Connell, Timothy J.
Sent: Tuesday, April 02, 2013 9:51 AM
To: 'Art Butler'
Cc: marktrinchero@dwt.com; Alan J. Galloway (alangalloway@dwt.com); K.C. Halm (kchalm@dwt.com); Shortley III, Michael (Michael.ShortleyIII@Level3.com) (Michael.ShortleyIII@Level3.com); Charles E. Watkins (gene.watkins@cbeyond.net); Greg Darnell (greg.darnell@cbeyond.net); Doug Denney (dkdenney@integratelecom.com); Michael R. Moore (michael.moore@chartercom.com); Pamela.Hollick@twtelecom.com; 'Saville, Kevin'
Subject: RE: UT-121994 Protective Order - Frontier's signature pages

Art –

I heard about your bicycling accident – I hope you are feeling better.

We reserve the right to seek an exception or other relief as to Mr. Saville. Your proposal is otherwise acceptable.

Best regards,

Tim

Timothy J. O'Connell
Stoel Rives
600 University St., Ste. 3600
Seattle, WA 98101
Tel: (206) 386-7562
Fax: (206) 386-7500

From: Art Butler [mailto:aab@aterwynne.com]
Sent: Thursday, March 28, 2013 1:32 PM
To: O'Connell, Timothy J.
Cc: marktrinchero@dwt.com; Alan J. Galloway (alangalloway@dwt.com); K.C. Halm (kchalm@dwt.com); Shortley III, Michael (Michael.ShortleyIII@Level3.com) (Michael.ShortleyIII@Level3.com); Charles E. Watkins (gene.watkins@cbeyond.net); Greg Darnell (greg.darnell@cbeyond.net); Doug Denney (dkdenney@integratelecom.com); Michael R. Moore (michael.moore@chartercom.com); Pamela.Hollick@twtelecom.com
Subject: RE: UT-121994 Protective Order - Frontier's signature pages

Thank you. By my count we would need to file any objections by April 4, so we would appreciate knowing as long before that as possible.

Arthur A. Butler | Partner
ATER WYNNE LLP | 601 Union Street, Suite 1501 | Seattle, WA 98101
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From: O'Connell, Timothy J. [mailto:TJOCONNELL@stoel.com]

Sent: Thursday, March 28, 2013 1:21 PM

To: Art Butler

Cc: marktrincher@dw.com; Alan J. Galloway (alangalloway@dw.com); K.C. Halm (kchalm@dw.com); Shortley III, Michael (Michael.ShortleyIII@Level3.com) (Michael.ShortleyIII@Level3.com); Charles E. Watkins (gene.watkins@cbeyond.net); Greg Darnell (greg.darnell@cbeyond.net); Doug Denney (dkdenney@integratelecom.com); Michael R. Moore (michael.moore@chartercom.com); Pamela.Hollick@twtelecom.com

Subject: RE: UT-121994 Protective Order - Frontier's signature pages

Art –

I have forwarded your communication on to my client and will get back with you as soon as I can. I do note that tomorrow is a holiday for some personnel, so we may not be able to get back with you until early next week.

Best regards,

Tim

Timothy J. O'Connell
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From: Art Butler [mailto:aab@aterwynne.com]

Sent: Thursday, March 28, 2013 12:56 PM

To: O'Connell, Timothy J.

Cc: marktrincher@dw.com; Alan J. Galloway (alangalloway@dw.com); K.C. Halm (kchalm@dw.com); Shortley III, Michael (Michael.ShortleyIII@Level3.com) (Michael.ShortleyIII@Level3.com); Charles E. Watkins (gene.watkins@cbeyond.net); Greg Darnell (greg.darnell@cbeyond.net); Doug Denney (dkdenney@integratelecom.com); Michael R. Moore (michael.moore@chartercom.com); Pamela.Hollick@twtelecom.com

Subject: UT-121994 Protective Order - Frontier's signature pages

As we discussed on the telephone, Frontier has sent signature pages for purposes of gaining access to Confidential and, in some cases, Highly Confidential information. Under the terms of paragraphs 14 and 16 of the protective order entered in the case only outside counsel and outside experts are eligible to have access to Highly Confidential information. That would cover Billy Jack Gregg but not Kevin Saville. Accordingly, we will have to object to the Exhibit C filed on behalf of Kevin Saville.

Under the terms of paragraph 7 of the protective order in-house counsel may have access to Confidential information, but designated experts may not without a waiver from the party claiming confidentiality. Thus, the Exhibit Bs for Carl Gipson, R. Kirk Lee, and Jack Phillips would require a waiver for those individuals to have access to Confidential information. The same would hold true for any CLEC direct employees seeking to file an Exhibit B and gain access to Confidential information. We propose that the CLECs would not object to (i.e., waive) Messrs. Gipson, Lee, and Phillips having access to Confidential information in exchange for Frontier's agreement to not object to the following CLEC personnel also having access to Confidential information:

Cbeyond – Greg Darnell, Director LEC Relations

Integra – Doug Denney, VP Costs & Policy
Kim Isaacs, Director Carrier Relations
Laurie Roberson – Carrier Relations and Process Specialist
twtelecom – Pamela Hollick, VP Regulatory
Level 3 – Diane Peters, Senior Regulatory Affairs Manager
Charter – Julie Lorenz, Director Telephone Finance
Betty Sanders, Director Regulatory Affairs

Please let me know as soon as possible if this is acceptable.

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