

From: Russell, Marguerite (UTC)
Sent: Thursday, December 18, 2008 8:56 AM
To: UTC DL XUT-042022 External Mail Group
Subject: Witness Lists due yesterday

Good morning,

I received a telephone message from Mr. Butler, counsel for T-Netix, Inc., stating that he had a question regarding the witness list that was due yesterday in Docket UT-042022, in Judd, et. al., v. AT&T, et. al. I have not had a chance to reach Mr. Butler to determine his question, however, I assume it relates to the impact of the discovery dispute on the witness list due date.

My intention was to have the witness lists, due yesterday, act as a spring board of sorts for the depositions which the parties may conduct up to January 28, 2009. It is a living document, subject to change through the course of litigation. There is certainly the possibility that the discovery motions may cause the witness list to be modified. However, the Parties' witness lists are still due to the Commission per the procedural schedule set in Order 09. Based on the inclement weather western Washington received yesterday, I will accept the witness lists today ONLY. If you did not file the witness lists yesterday, you may do so today ONLY.

If you have any further questions, please feel free to contact me.

Marguerite E. Friedlander
Administrative Law Judge