

[Service date: *January 16, 2009*]

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

**T-NETIX, INC.'S JOINDER IN  
COMPLAINANTS' MOTION TO  
AMEND SCHEDULING ORDER**

1. Respondent T-Netix, Inc. ("T-Netix"), by its attorneys, hereby joins in Complainants' Motion to Amend Scheduling Order and responds to Complainants' extraneous allegations.

2. Complainants filed their motion on Tuesday, January 13, 2009, seeking a deadline for T-Netix to comply with Order No. 14 and seeking to a new deadline for the completion of depositions. T-Netix consents to the relief sought in the motion and proposes the following schedule:

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EVENT	CURRENT DATE	MODIFIED DATE
T-Netix Document Production and Supplemental Responses to Written Discovery Due	None	February 13, 2009
Depositions Completed (all parties)	January 28, 2009	March 13, 2009
Responses to both motions	February 11, 2009	March 27, 2009

3. This proposed schedule allows T-Netix four weeks to search its records for information that it had previously objected to providing but which the commission recently compelled in Order No. 14.

4. Complainants' extraneous accusations against T-Netix are unnecessary to their motion and are factually unfounded. Prior to the filing of Complainants' motion, all parties had agreed to filing a joint motion for a new deadline for the completion of depositions. Without notifying T-Netix, Complainants opted instead to file their own motion, which sought to excoriate T-Netix because T-Netix allegedly "did not indicate that it was significantly limiting its search for documents when responding to [Complainants'] first and second data requests."

5. Complainants misstate the facts and have no factual basis to suggest either foul play or sanctions. T-Netix objected to all of the Second Data Requests, and contemporaneously moved for a protective order, on the ground that the substantive scope of the discovery sought (class-wide and extending beyond 2000) exceeded that relevant to this proceeding. This Commission sustained T-Netix's objection and accordingly denied Complainants' motion to compel in pertinent part. Obviously, T-Netix did not undertake to search for documents as to the production of which it had expressly objected, and was not obligated to do so. The ALJ has now

ruled that five document requests to which T-Netix also objected (Nos. 2, 3, 16, 21, and 22) on additional specific grounds must be answered. T-Netix understands its obligation to make a reasonably comprehensive, good faith search in response to this order and intends to do so. But the fact that T-Netix objected to discovery and availed itself of the Commission's procedures for resolution of attendant discovery disputes provides no legitimate inference either of inadequate document searches or other imagined misconduct of any sort by Respondent.

RESPECTFULLY SUBMITTED this 16th day of January, 2009.

T-NETIX, INC.

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**CERTIFICATE OF SERVICE**

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I hereby certify that I have this 16th day of January, 2009, served a true and correct copy of the foregoing document upon parties of record, via the method(s) noted below, properly addressed as follows:

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