

January 27, 2005

**NOTICE OF CANCELLATION OF DEADLINE TO FILE RESPONSES
TO MOTION FOR SUMMARY DETERMINATION
(Scheduled to be filed on Tuesday, February 1, 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 January 25, 2005, complainants Sandy Judd and Tara Herivel filed with the Commission a Second Motion for Continuance of Response Deadline to AT&T's Motion for Summary Determination. The complainants request that a response deadline be set at the prehearing conference scheduled for February 16, 2005, or alternatively, request an extension of time to file responses until May 6, 2005. The complainants also request that the Commission authorize discovery from T-Netix, and note that AT&T requests a protective order before disclosing certain information. Counsel for the complainants has conferred with counsel for AT&T and T-Netix, who do not oppose a continuance. T-Netix would prefer to discuss discovery issues at the prehearing conference.

The timing of responses to AT&T's motion depends on AT&T's and T-Netix's responses to discovery requests. In addition, the issues of discovery, protective orders, and scheduling are appropriate subjects for the February 16, 2005, prehearing conference. The complainants demonstrate good cause under WAC 480-07-385(2) and (3)(a) for an extension of time to file a response to AT&T's motion. **The complainant's request to schedule the deadline for responses to AT&T's motion at the February 16, 2005, prehearing conference, is granted, and the February 1, 2005, deadline for responses is cancelled.**

Sincerely,

ANN E. RENDAHL
Administrative Law Judge