

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TASH HEPTING, GREGORY HICKS,
CAROLYN JEWEL and ERIK KNUTZEN, on
Behalf of Themselves and All Others Similarly
Situated,

Plaintiffs,

vs.

AT&T CORP., et al.

Defendants.

No. C-06-00672-VRW
CLASS ACTION
[PROPOSED] ORDER DENYING MOTION
OF DEFENDANT AT&T CORP. TO
COMPEL RETURN OF CONFIDENTIAL
DOCUMENTS

1 Having considered the defendants' motion and all responses thereto, and good cause
2 appearing, it is HEREBY ORDERED as follows:

3 1. No compelling reasons have been provided to justify compelling the return to
4 defendants of the documents identified as Exhibits A, B, and C to the Declaration of Mark Klein in
5 Support of Plaintiffs' Motion for Preliminary Injunction, lodged with the Court; and

6 2. The Motion of Defendant AT&T Corp. to Compel Return of Confidential Documents
7 is therefore, DENIED.

8 IT IS SO ORDERED.

9

10 DATED: _____

THE HONORABLE VAUGHN R. WALKER
UNITED STATES DISTRICT JUDGE

11

12

Submitted by:

13

DATED: May 1, 2006

14

LERACH COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
REED R. KATHREIN
JEFF D. FRIEDMAN
SHANA E. SCARLETT
MARIA V. MORRIS

15

16

17

18

19

/s/ Maria V. Morris
MARIA V. MORRIS

20

21

100 Pine Street, Suite 2600
San Francisco, CA 94111
Telephone: 415/288-4545
415/288-4534 (fax)

22

23

24

LERACH COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
ERIC ALAN ISAACSON
655 West Broadway, Suite 1900
San Diego, CA 92101
Telephone: 619/231-1058
619/231-7423 (fax)

25

26

27

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ELECTRONIC FRONTIER FOUNDATION
CINDY COHN
LEE TIEN
KURT OPSAHL
KEVIN S. BANKSTON
CORYNNE MCSHERRY
JAMES S. TYRE
454 Shotwell Street
San Francisco, CA 94110
Telephone: 415/436-9333
415/436-9993 (fax)

TRABER & VOORHEES
BERT VOORHEES
THERESA M. TRABER
128 North Fair Oaks Avenue, Suite 204
Pasadena, CA 91103
Telephone: 626/585-9611
626/577-7079 (fax)

LAW OFFICE OF RICHARD R. WIEBE
RICHARD R. WIEBE
425 California Street, Suite 2025
San Francisco, CA 94104
Telephone: 415/433-3200
415/433-6382 (fax)

Attorneys for Plaintiffs

T:\CasesSF\AT&T Privacy\ORD00030531_CmplDocs.doc

1 CERTIFICATE OF SERVICE

2 I hereby certify that on May 1, 2006, I electronically filed the foregoing with the Clerk of the
3 Court using the CM/ECF system which will send notification of such filing to the e-mail addresses
4 denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the
5 foregoing document or paper via the United States Postal Service to the non-CM/ECF participants
6 indicated on the attached Manual Notice List.

7
8 /s/ Maria V. Morris
9 MARIA V. MORRIS

10 LERACH COUGHLIN STOIA GELLER
11 RUDMAN & ROBBINS LLP
12 100 Pine Street, 26th Floor
13 San Francisco, CA 94111
14 Telephone: 415/288-4545
15 415/288-4534 (fax)
16 E-mail: mariam@lerachlaw.com
17
18
19
20
21
22
23
24
25
26
27
28

Mailing Information for a Case 3:06-cv-00672-VRW

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Kevin Stuart Bankston**
bankston@eff.org
- **Bradford Allan Berenson**
bberenson@sidley.com vshort@sidley.com
- **Cindy Ann Cohn**
cindy@eff.org wendy@eff.org;barak@eff.org
- **Anthony Joseph Coppolino**
tony.coppolino@usdoj.gov
- **Bruce A. Ericson**
bruce.ericson@pillsburylaw.com
- **Jeff D Friedman**
JFriedman@lerachlaw.com RebeccaG@lerachlaw.com
- **Eric A. Isaacson**
erici@lerachlaw.com
- **Reed R. Kathrein**
reedk@lerachlaw.com e_file_sd@lerachlaw.com;e_file_sf@lerachlaw.com
- **Edward Robert McNicholas**
emcnicholas@sidley.com vshort@sidley.com
- **Corynne McSherry**
corynne@eff.org
- **Maria V. Morris**
mariam@mwbhl.com e_file_sd@lerachlaw.com;e_file_sf@lerachlaw.com
- **Kurt Opsahl**
kurt@eff.org
- **Shana Eve Scarlett**
shanas@lerachlaw.com e_file_sd@lerachlaw.com;e_file_sf@lerachlaw.com
- **Jacob R. Sorensen**
jake.sorensen@pillsburylaw.com
- **Andrew H Tannenbaum**

andrew.tannenbaum@usdoj.gov

- **Tze Lee Tien**
tien@eff.org
- **Theresa M. Traber, Esq**
tmt@tvlegal.com
- **James Samuel Tyre**
jstyre@jstyre.com jstyre@eff.org
- **Marc Van Der Hout**
ndca@vblaw.com
- **Bert Voorhees**
bv@tvlegal.com
- **Richard Roy Wiebe**
wiebe@pacbell.net

Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

David W. Carpenter

Sidley Austin Brown & Wood LLP
Bank One Plaza
10 South Dearborn Street
Chicago, IL 60600

David L. Lawson

Sidley Austin Brown & Wood
172 Eye Street, N.W.
Washington, DC 20006