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 Attorneys for Defendants
 13 AT&T CORP. and AT&T INC.

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 SAN FRANCISCO DIVISION

17
 18 TASH HEPTING, GREGORY HICKS,
 CAROLYN JEWEL and ERIK KNUTZEN
 19 on Behalf of Themselves and All Others
 Similarly Situated,

20 Plaintiffs,

21 vs.

22 AT&T CORP., AT&T INC. and DOES 1-20,
 23 inclusive,

24 Defendants.
 25

No. C-06-0672-VRW

**DECLARATION OF BRUCE A.
 ERICSON IN SUPPORT OF AT&T'S
 OPPOSITION TO MOTION FOR
 ORDER SHORTENING TIME FOR
 HEARING ON MOTION OF
 LYCOS, INC. AND WIRED NEWS
 FOR ORDERS PERMITTING
 INTERVENTION AND UNSEALING
 DOCUMENTS**

[CIVIL L.R. 6-3(c), DKT. 140]

1 I, **BRUCE A. ERICSON**, declare as follows:

2 1. I am an attorney licensed to practice law in the State of California and
3 admitted to practice before this Court, and am a partner of the law firm of Pillsbury
4 Winthrop Shaw Pittman LLP, counsel for defendant **AT&T CORP.** (“AT&T”) and also for
5 specially appearing defendant **AT&T INC.** (AT&T and AT&T Inc. are collectively
6 referred to as the “Defendants”). Except for those matters stated on information and belief,
7 which I believe to be true, I have personal knowledge of the facts stated herein and, if
8 called as a witness, I could and would competently testify thereto.

9 2. On May 23, 2006, I was served via electronic filing with a copy of the
10 Motion of Lycos, Inc. and Wired News (collectively, “Wired”) For An Order Shortening
11 Time For Hearing (“OST Motion,” Dkt. 140) their Motion For Orders (1) Permitting
12 Intervention, and (2) Unsealing Documents (“Motion to Unseal,” Dkt. 139). The
13 Declaration of Timothy L. Alger (“Alger Declaration”) follows the Memorandum of Points
14 and Authorities in support of the OST Motion (also Dkt. 140).

15 3. In the OST Motion, Wired seeks to have the Motion to Unseal heard on
16 June 23, 2006. That is six days earlier than the date on which the Motion to Unseal should
17 be heard under Civil Local Rule 7-2(a)—June 29.

18 4. The Alger Declaration does not articulate why Wired’s Motion to Unseal
19 should be heard on shortened time, or the harm or prejudice that will befall Wired if the
20 Motion is not heard with 35 days’ notice, the normal motions schedule provided in Civil
21 Local Rule 7-2(a).

22 5. If Wired’s motion is granted, AT&T’s opposition will be due on June 2.
23 Four days will be chopped off the time to oppose a motion provided by Civil Local Rule 7-
24 3(a). Wired, on contrast, will have the normal seven days provided by Civil Local Rule 7-
25 3(c) to draft its reply. The burden of Wired’s dilatory conduct will thus fall entirely on
26 AT&T and not on Wired at all.

27 6. AT&T submits that Wired’s OST Motion should summarily be denied. But
28 if the Court is inclined to hear the Motion to Unseal on June 23 along with the other matters

1 set for hearing that day, then AT&T submits that the Court should schedule the opposition
2 and reply so that AT&T gets the full time provided by the Local Rules, and Wired pays the
3 penalty for filing late. One way to do this would be to have AT&T file its opposition on
4 June 6 and Wired its reply on June 9.

5 I declare under penalty of perjury that the foregoing is true and correct.

6 Executed on May 26, 2006, at San Francisco, California.

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/s/ Bruce A. Ericson
Bruce A. Ericson