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

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

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

21 Plaintiffs,

22 vs.

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

25 Defendants.  
 26  
 27  
 28

No. C-06-0672-VRW

**DECLARATION OF BRUCE A.  
 ERICSON IN SUPPORT OF  
 DEFENDANT AT&T CORP.'S  
 ADMINISTRATIVE MOTION TO  
 REMOVE INCORRECTLY FILED  
 DOCUMENT**

Courtroom: 6, 17th Floor  
 Judge: Hon. Vaughn R. Walker

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.** Except for those matters stated on information  
6 and belief, which I believe to be true, I have personal knowledge of the facts stated herein  
7 and, if called as a witness, I could and would competently testify thereto.

8 2. On May 24, 2006, counsel for AT&T e-filed a version of the Reply  
9 Memorandum of Defendant AT&T Corp. in Response to Court’s May 17, 2006 Minute  
10 Order (Dkt. 141; “Redacted Reply”). At the time, counsel for AT&T did not know that the  
11 e-filed version could be manipulated by someone with the requisite computer skills to  
12 reveal the redacted text.

13 3. On the morning on May 26, 2006, I was contacted via e-mail by Candace  
14 Lombardi of CNET News.com and told that “CNET News.com has learned that portions of  
15 the redacted material filed with the court are readable using certain computer programs.”

16 4. Later, CNET News.com published an article claiming that the Redacted  
17 Reply was the pleading in which CNET News was able view redacted material. This was  
18 the first time that AT&T learned that redacted text in the Redacted Reply could be viewed  
19 if manipulated.

20 5. Upon learning this fact, counsel for AT&T immediately contacted the Court  
21 and had the Redacted Reply locked to prevent public access. Shortly thereafter, AT&T e-  
22 filed a replacement version of the Redacted Reply with the Court; it is Dkt. 150.

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

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

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/s/ Bruce A. Ericson  
Bruce A. Ericson