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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

12 JOHN M. HIGDON, individually and on  
13 Behalf of All Others Similarly Situated,

14 Plaintiff,

15 v.

16 AT&T CORP., a New York corporation;  
17 BELLSOUTH CORPORATION dba AT&T  
18 SOUTH, a Georgia corporation;  
19 BELLSOUTH TELECOMMUNICATIONS,  
20 INC. dba AT&T ALABAMA, AT&T  
21 FLORIDA, AT&T GEORGIA, AT&T  
22 KENTUCKY, AT&T LOUISIANA, AT&T  
23 MISSISSIPPI, AT&T NORTH CAROLINA,  
24 AT&T SOUTH CAROLINA, and AT&T  
25 TENNESSEE, a Georgia corporation;  
26 ILLINOIS BELL TELEPHONE COMPANY  
27 dba AT&T ILLINOIS, an Illinois  
28 corporation; INDIANA BELL TELEPHONE  
COMPANY, INC. dba AT&T INDIANA, an  
Indiana corporation; MICHIGAN BELL  
TELEPHONE COMPANY dba AT&T  
MICHIGAN, a Michigan corporation;  
NEVADA BELL TELEPHONE COMPANY  
dba AT&T NEVADA, a Nevada corporation;  
THE OHIO BELL TELEPHONE  
*(continued on next page)*

Case No. 5:08-cv-03526-RS

**~~PROPOSED~~ ORDER ALLOWING  
PLAINTIFF TO FILE SECOND  
AMENDED COMPLAINT**

Complaint Filed: July 23, 2008

Trial Date: None Set

Judge: Hon. Richard Seeborg

1 COMPANY dba AT&T OHIO, an Ohio  
2 corporation; PACIFIC BELL TELEPHONE  
3 COMPANY dba AT&T CALIFORNIA, a  
4 California corporation; SOUTHERN NEW  
5 ENGLAND TELECOMMUNICATIONS  
6 COMPANY dba AT&T CONNECTICUT, a  
7 Connecticut corporation; SOUTHWESTERN  
8 BELL TELEPHONE COMPANY dba  
9 AT&T SOUTHWEST, AT&T ARKANSAS,  
10 AT&T KANSAS, AT&T MISSOURI,  
11 AT&T OKLAHOMA, and AT&T TEXAS, a  
12 Missouri corporation; WISCONSIN BELL,  
13 INC. dba AT&T WISCONSIN, a Wisconsin  
14 corporation; and DOES 1 through 250,  
15 inclusive;

16 Defendants.

17 Pursuant to the stipulation of the parties, and good cause appearing, IT IS  
18 HEREBY ORDERED as follows:

19 1. Plaintiff shall file and serve his Second Amended Complaint naming only  
20 Pacific Bell Telephone Company dba AT&T California, a California corporation, as a  
21 Defendant.

22 2. Plaintiff shall dismiss without prejudice all remaining Defendants named in  
23 the action.

24 **IT IS SO ORDERED.**

25 DATED: 12/22/08

26 By:   
United States District Court Judge