

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

AMERICAN SOCIETY FOR TESTING AND
MATERIALS d/b/a ASTM INTERNATIONAL;

NATIONAL FIRE PROTECTION
ASSOCIATION, INC.; and

AMERICAN SOCIETY OF HEATING,
REFRIGERATING, AND AIR-CONDITIONING
ENGINEERS, INC.

Plaintiffs,

v.

PUBLIC.RESOURCE.ORG, INC.,

Defendant.

PUBLIC.RESOURCE.ORG, INC.,

Counterclaimant,

v.

AMERICAN SOCIETY FOR TESTING AND
MATERIALS d/b/a ASTM INTERNATIONAL;

NATIONAL FIRE PROTECTION
ASSOCIATION, INC.; and

AMERICAN SOCIETY OF HEATING,
REFRIGERATING, AND AIR-CONDITIONING
ENGINEERS, INC.

Counterdefendants.

Case No. 1:13-cv-01215-TSC-DAR

**PLAINTIFF-COUNTERDEFENDANT
THE AMERICAN SOCIETY OF
HEATING, REFRIGERATING, AND
AIR- CONDITIONING ENGINEERS,
INC.'S UNOPPOSED MOTION TO
ALLOW TELEPHONIC
APPEARANCE AT OCTOBER 14,
2014 HEARING**

Filed: August 6, 2013

The American Society of Heating, Refrigerating, and Air Conditioning Engineers (“ASHRAE”) respectfully requests that its counsel be allowed to appear telephonically at the October 14, 2014 hearing on Defendant’s Motion to Compel Discovery. In support of this Motion, ASHRAE states as follows:

1. On September 15, 2014, Defendant Public.Resource.Org, Inc. (“Public Resource”) filed a Motion to Compel Discovery. ECF No. 41. ASHRAE filed its response in opposition to the Motion on October 2, 2014. ECF No. 48. The Court has set a hearing on Public Resource’s Motion for October 14, 2014 at 3:00 p.m. before U.S. Magistrate Judge Deborah A. Robinson.

2. The attorneys with primary responsibility for this case work and reside in or around San Francisco, California. Permitting counsel to appear by telephone will save the time and expense of traveling across the country to Washington D.C. Counsel for ASHRAE believe that their ability to participate meaningfully in the hearing will not be impeded by a telephonic appearance.

3. No party will be prejudiced by the requested telephonic appearance by counsel for ASHRAE.

4. On October 9, 2014, counsel for ASHRAE contacted counsel for Public Resource, who stated that they have no opposition to the requested relief. Counsel for Public Resource further stated that they intend to be present for the hearing and wish for the hearing to go forward in the courtroom.

Accordingly, for the foregoing reasons, ASHRAE respectfully requests that the Court grant this Motion and permit counsel for ASHRAE to appear telephonically at the October 14, 2014 hearing. A proposed order is attached.

Dated: October 9, 2014

Respectfully submitted,

/s/ Kenneth L. Steinthal
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