

# Holland+Knight

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Tallahassee, FL 32301  
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August 25, 2006

D. BRUCE MAY, JR.  
850-425-5607

Internet Address:  
bruce.may@hklaw.com

VIA HAND DELIVERY

Blanca S. Bayo, Director  
Division of the Commission Clerk  
and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

RECEIVED-FPSC  
06 AUG 25 PM 2:52  
COMMISSION  
CLERK

Re: Complaint of Embarq Florida, Inc. f/k/a Sprint-Florida, Incorporated against AT&T Communications of the Southern States, LLC d/b/a AT&T d/b/a Lucky Dog Phone Co. d/b/a ACC Business d/b/a SmarTalk d/b/a Unispeaksm Service d/b/a [www.prepayserviceguide.com](http://www.prepayserviceguide.com) d/b/a CONQUEST for failure to pay intrastate access charges pursuant to Embarq's tariffs, Docket No. 060455-TP

Dear Ms. Bayo:

On behalf of AT&T Communications of the Southern States, LLC ("AT&T"), enclosed for filing in the referenced proceeding are the original and seven (7) copies of AT&T's Notice of Supplemental Authority.

For our records, please acknowledge your receipt of this filing on the enclosed copy of this letter. Thank you for your consideration.

- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_
- RCA \_\_\_\_\_ DBM:jaj
- SCR \_\_\_\_\_ Enclosures
- SGA \_\_\_\_\_
- SEC   1
- OTH \_\_\_\_\_ # 4010011\_v1

Sincerely,

HOLLAND & KNIGHT LLP

*D. Bruce May*  
D. Bruce May

Atlanta • Bethesda • Boston • Chicago • Fort Lauderdale • Jacksonville • Los Angeles  
Miami • New York • Northern Virginia • Orlando • Portland • San Francisco  
Tallahassee • Tampa • Washington, D.C. • West Palm Beach  
Beijing • Caracas\* • Helsinki\* • Mexico City • Tel Aviv\* • Tokyo • \*Representative Office

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DA

07862 AUG 25

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Complaint of Embarq Florida, Inc. f/k/a  
Sprint-Florida, Incorporated against AT&T  
Communications of the Southern States,  
LLC d/b/a AT&T d/b/a Lucky Dog Phone  
Co. d/b/a ACC Business d/b/a SmarTalk  
d/b/a Unispeaksm Service d/b/a  
[www.prepaidserviceguide.com](http://www.prepaidserviceguide.com) d/b/a/  
CONQUEST for failure to pay intrastate  
access charges pursuant to Embarq's tariffs

Docket No. 060455-TP

Filed: August 25, 2006

**AT&T COMMUNICATIONS OF THE SOUTHERN STATES, LLC'S**  
**NOTICE OF SUPPLEMENTAL AUTHORITY**

AT&T Communications of the Southern States, LLC ("AT&T"), by and through undersigned counsel, gives notice of the following supplemental authority to AT&T's Motion to Dismiss Embarq's Complaint or, in the Alternative, Stay the Proceeding filed in this docket on July 10, 2006:

1. Notice and schedule of mandatory mediation dated August 11, 2006, issued by the U. S. District Court in a similar proceeding initiated by Embarq styled *Embarq Missouri, Inc., et al. v. AT&T Corporation, et al.*, Case Number: 06-0480-CV-W-RED in the U. S. District Court for the Western District of Missouri, Western Division.
2. Notice of Pretrial Procedures dated August 10, 2006, issued by the U. S. District Court in the above-cited federal court proceeding initiated by Embarq.

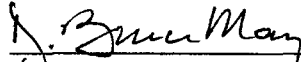
DOCUMENT NUMBER-DATE

07862 AUG 25 8

FPSC-COMMISSION CLERK

Respectfully submitted this 25th day of August, 2006.

**HOLLAND & KNIGHT LLP**



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D. Bruce May, Jr. (FBN 354473)  
315 South Calhoun Street, Suite 600  
Tallahassee, Florida 32301  
Post Office Drawer 810  
Tallahassee, Florida 32302-0810  
Phone: (850) 224-7000  
Fax: (850) 224-8832

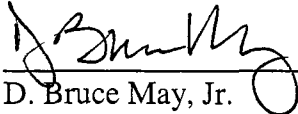
and

Tracy Hatch  
Florida Bar No. 449441  
101 North Monroe Street  
Suite 700  
Tallahassee, FL 32301  
Phone: (850) 425-6360  
Fax: (850) 425-6361

**Attorneys for AT&T Communications of the Southern  
States, LLC**

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing was provided by hand-delivery to Susan S. Masterton, Counsel for Embarq Corporation, 1313 Blair Stone Road, Tallahassee, Florida 32301; Adam Teitzman/Kira Scott, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 and Laura King/Nancy Pruitt, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 all on this 25th day of August, 2006.

  
\_\_\_\_\_  
D. Bruce May, Jr.

# 4009672\_v1

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
CHARLES E. WHITTAKER UNITED STATES COURTHOUSE  
400 EAST NINTH STREET, ROOM 3238  
KANSAS CITY, MISSOURI 64106

KENT SNAPP  
ADMINISTRATOR

EARLY ASSESSMENT PROGRAM

(816) 512-5080  
FAX (816) 512-5089

August 11, 2006

Mr. J. Emmett Logan  
Mr. Mark M. Iba  
Stinson Morrison Hecker, LLP  
1201 Walnut, Suite 2900  
Kansas City, MO 64106

Mr. Lawrence A. Rouse  
Mr. William D. Beil  
Rouse Hendricks German May, PC  
1010 Walnut, Suite 400  
Kansas City, MO 64106

RE: Embarq Missouri, Inc., et al. v. AT&T Corporation, et al.  
Case Number: 06-0480-CV-W-RED

Dear Counsel:

Because I own stock in AT&T Corporation, I am recusing myself from all substantive matters in this case.

This is notice to the parties that they have 15 days after August 16, 2006, to select an outside neutral of their choice and to file a certificate with the Clerk's office (or mail a letter to the office of the Early Assessment Program) stating the name, address and telephone number of the outside neutral selected, and the **date, time and place of the first meeting** scheduled with the outside neutral. The certificate or letter is to be signed by or on behalf of each party.

It is your responsibility to schedule a meeting with the neutral within 30 days after the neutral is selected. If the neutral does not schedule the meeting within 40 days after selection, you are required to select another neutral who can schedule a timely meeting. Within 10 days after the meeting with the neutral, you should each report in writing to the Early Assessment Program:

- (a) the date and length of the session;
- (b) whether or not the case was settled; and

Page 2  
August 11, 2006

(c) whether or not an additional session might be helpful in resolving the matter.

Enclosed are the Guidelines for Neutrals, which should be read by you and delivered to the selected outside neutral.

A clear understanding should be entered in between the parties and the outside neutral concerning the payment of the outside neutral, and how the payment is to be shared between the parties. Unless a party has been granted leave to proceed *informa pauperis*, the parties are to promptly pay for the services of the outside neutral.

If a certificate is not filed timely, or if the letter is not timely received, the parties will be provided with a panel of neutrals as provided in Section VIII.C.2 of the General Order establishing the Early Assessment Program.

Your prompt attention to the above is appreciated.

Yours very truly,

A handwritten signature in cursive script that reads "Kent Snapp".

Kent Snapp  
Administrator

KS/ds  
Enclosures

GUIDELINES FOR NEUTRALS  
THE EARLY ASSESSMENT PROGRAM

U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

1. As a neutral for cases assigned to the Early Assessment Program, it is important that you take action to see that the case you are involved in is handled as promptly as possible. It is important that problems and controversies in processing Early Assessment cases be kept to a minimum. If you do have problems or concerns, please call the Administrator of the Early Assessment Program (816-512-5080) for assistance or guidance. It is also the desire of the Court that cases are processed in an economical way so that controversies concerning neutrals' bills are kept to a minimum. It is the desire of the Early Assessment Program that its reputation for prompt assistance to attorneys and to litigants in a polite, helpful and cost-efficient basis is maintained.
2. Please read the General Order governing the Early Assessment Program.
3. The General Order requires that a neutral take or sign the oath of affirmation prescribed by 28 U.S.C. Section 453 before acting as a neutral. Please call the Early Assessment Program at (816) 512-5080 to arrange for a time to take the oath at the office of the Early Assessment Program before you conduct your first session as a mediator.
4. When an early assessment case is assigned to an outside neutral, the parties will be sent a notice that they may select a neutral of their choice within 15 days. If the parties select a neutral, they are required to file a certificate with the Clerk's office or the Early Assessment Program office indicating the name, address and telephone number of the neutral, and the date, time and place of the first meeting scheduled with the outside neutral. When contacted by one or more parties, the potential neutral is encouraged to work out a fee agreement as to his/her services, and to prepare a short writing to record the fee agreement.
5. **Meetings should be scheduled promptly. Meetings with the neutral should be scheduled and held within 30 days after the neutral is selected.** The neutral and the attorneys are responsible for prompt scheduling. If attorneys provide you with sound and specific reasons why specific limited evidence is needed to evaluate the case, and if the neutral receives assurances as to an early date certain the evidence can be obtained, the session with the neutral may be postponed for up to an additional 30 days. Any continuances beyond the foregoing must have the prior approval of the office of the Early Assessment Program.
6. **It is important that the lead trial attorneys, the parties and the insurance representatives be present in person. Being "available" by phone is not satisfactory.** If a corporate entity is involved, the person representing the entity should be someone who evaluates law suits and makes settlement decisions as a part of their regular duties. In the event a public entity is involved, they should have a representative of the public entity present in person who has settled similar cases in the past on the recommendation of such person. The personal presence of the lead trial attorney, or the person with authority, should not be excused without the prior approval of the office of the Early Assessment Program.

7. Neutrals are expected to charge a reasonable fee not to exceed the hourly rate on their last application to be on the List of Potential Neutrals. However, if agreed in writing and in advance between the neutral and the parties, the neutral may be compensated at the hourly rate agreed to in writing. Neutral compensation is subject to court approval. Neutrals may be required to do one or two pro bono cases per calendar year. The neutrals are not to bill for preparation time, research time, reviewing pleadings, or for the time of others (associates, partners, paralegals, secretaries, etc.).
8. It is assumed that each side of a two-party case will pay one-half of the cost of the neutral. If there are multiple plaintiffs or defendants, or both, unless otherwise agreed to in writing, each plaintiff will be responsible for a proportional share of one-half of the cost of the neutral, and each defendant will be responsible for a proportionate share of one-half of the cost of the neutral. The Administrator or the Court may make a different allocation.
9. If a party has been allowed to file in forma pauperis, that party will not be required to pay the neutral, and the session with the neutral shall not exceed two hours. In all other cases, the neutral should not charge for more than four hours unless first agreed in writing by all parties.
10. Neutrals who reside or office out of the Kansas City area are to conduct the neutral sessions in the Kansas City area unless otherwise approved in advance by the parties or the Administrator. Travel expenses and travel time are not to be charged by neutrals, unless approved in advance by the parties or the Administrator.
11. It is important that there be no conflicts of interest involving the neutral and any of the parties or the attorneys. You should be sure there are no conflicts of interest before acting as a neutral. No person should serve as a neutral in an action in which any of the circumstances specified in 28 U.S.C. Section 455 or in 28 U.S.C. Section 144 exists or, in good faith, are believed to exist. If a party or a neutral believes there may be a conflict of interest, they should make the possible conflict of interest known to each party and to the Administrator of the Early Assessment Program within ten days after learning of the possible conflict.
12. The neutrals may find it advantageous to request from the parties a copy of the last complaint and answer.
13. **Meetings will be conducted in a professional and civil manner.** Personal Attacks, language or gestures by attorneys intended to be offensive shall be reported to the Administrator.
14. Within ten (10) days after a session is completed, the neutral and the attorneys should forward a short written statement to the Administrator as to the date of the session, the length of time of the session, whether or not the case was settled, and whether or not an additional session might be helpful in resolving the matter. For information purposes only, forward a copy of your bill of your charges to the Administrator of the Early Assessment Program. The Early Assessment Program is not responsible for the processing of your bill, or for seeing that your bill is paid.

Kent Snapp  
Administrator



## LIST OF POTENTIAL NEUTRALS

July 14, 2006

THE HOURLY RATES OF NEUTRALS ON THIS LIST ARE SUBJECT TO CHANGE

Adler, James F. 9233 Ward Parkway, #240	Adler & Manson, L.C. Kansas City, MO 64114	\$175 816-333-0400
Aisenbrey, John C. 1201 Walnut St.	Stinson Morrison Hecker Kansas City, MO 64106	\$175-\$225 816-842-8600
Angstead, Robert K. P.O. Box 537	Newman Comley & Ruth, P.C. Jefferson City, MO 65102	\$150 573-634-2266
Arnell, Norman M. 1201 Walnut	Stinson Morrison Hecker, L.L.P. Kansas City, MO 64106	\$220 816-842-8600
Asberry, Brian K. 1949 E. Sunshine, #I-130	Neale & Newman, L.L.P. Springfield, MO 65804	\$170 417-882-9090
Atcheson, G. Gordon 4800 Rainbow Blvd.	The Atcheson Law Office Westwood, KS 66205	\$150 913-362-8650
Babcock, Robert A. 2400 Pershing Rd., #500	Baker Sterchi Cowden & Rice, L.L.C. Kansas City, MO 64108	\$185 816-471-2121
Badger, Elizabeth D. 1101 Walnut #1207	Badger & Levings, L.C. Kansas City, MO 64106	\$225 816-421-2828
Baker, Thomas O. 2400 Pershing Rd., #500	Baker Sterchi Cowden & Rice, L.L.C. Kansas City, MO 64108	\$195 816-471-2121
Bales, Jerome V. 2345 Grand Blvd.	Lathrop & Gage, L.C. Kansas City, MO 64108	\$250 816-292-2000
Bartels, Steven S. 10851 Mastin	Midland Loan Services, Inc. Overland Park, KS 66210	\$175 913-253-9164
Bates, William "Bert" 2345 Grand Blvd., #2600	Lathrop & Gage, L.C. Kansas City, MO 64108	\$250 816-460-5605
Bechtold, J. David 235 E. High St.	Husch & Eppenberger, L.L.C. Jefferson City, MO 65101	\$175 573-635-9118
Beck, Byron J. 1201 Walnut	Stinson Morrison Hecker, L.L.P. Kansas City, MO 64106	\$225 816-842-8600
Beger, John D. P.O. Box 805	Beger Bushie & Scheiderer, L.L.C. Rolla, MO 65402	\$200 573-364-6757

Bellemere III, Fred 911 Main St., #2800	Seigfreid Bingham Levy Selzer & Gee Kansas City, MO 64105	\$150 816-421-4460
Berkowitz, Lawrence M. Two Emanuel Cleaver II Blvd.	Berkowitz Stanton Kansas City, MO 64112	\$295 816-561-7007
Berson, Susan A. 2555 Grand Blvd.	Shook Hardy & Bacon Kansas City, MO 64108	\$200 816-421-5547
Bigus, Kenneth E. 11900 W. 87 <sup>th</sup> St., #240	The Bigus Law Firm Lenexa, KS 66215	\$200 913-888-4520
Bjerg, Robert J. 911 Main St., #2800	Seigfreid Bingham Levy Selzer & Gee, P.C. Kansas City, MO 64105	\$200 816-421-4460
Black, John S. 120 W. 12 <sup>th</sup> St., #1800	Shughart Thomson & Kilroy Kansas City, MO 64105	\$150 816-421-3355
Blumenthal, Michael L. 2600 Grand Blvd., #300	Constangy Brooks & Smith, L.L.C. Kansas City, MO 64108	\$230 816-472-6400
Bohrer, Joseph A. 3333 E. Battlefield Rd.	Yates Mauck Bohrer Elliff & Croessmann Springfield, MO 65804	\$200 417-883-7411
Braud, Bert S. 323 W. 8 <sup>th</sup> St., #200	The Popham Law Firm Kansas City, MO 64105	\$200 816-221-2288
Brown, Jane Pansing 400 E. 9 <sup>th</sup> St., #5510	United States Attorney's Office\$0 Kansas City, MO 64106	816-426-3165
Brown, Roger G. 216 E. McCarty	Roger Brown & Associates Jefferson City, MO 65101	\$210 573-634-8501
Brown, Stephen S. 911 Main St., #2300	Brown & Dunn, P.C. Kansas City, MO 64105	\$195 816-292-7000
Bryant, Richard T. 1102 Grand Blvd., #804	Richard T. Bryant & Associates Kansas City, MO 64106	\$150 816-221-9000
Bushmann, Eugene C. 515 E. High St.	Carson & Coil, P.C. Jefferson City, MO 65101	\$125 573-636-2177
Byergo, Anthony B. 4717 Grand Blvd., #300	Ogletree Deakins Nash Smoak & Stewart, P.C. Kansas City, MO 64112	\$250 816-471-1301
Coberly, Sharon A. 911 Main St., #2800	Seigfreid Bingham Levy Selzer & Gee, P.C. Kansas City, MO 64105	\$265 816-421-4600
Condry, James B. 1370 E. Primrose, Suite A	Hall Ansley Rodgers & Condry Springfield, MO 65804	\$200 417-890-8700
Connett, Frank D. 2512 Forest Ave.	Senior Judge St. Joseph, MO 64506	\$150 816-232-8742

Cotter, Robert W. 4420 Madison Avenue	Dysart Taylor Lay Cotter & McMonigle, P.C. Kansas City, MO 64111	\$200 816-931-2700
Cowden, John W. 2400 Pershing Rd., #500	Baker Sterchi Cowden & Rice, L.L.C. Kansas City, MO 64108	\$200 816-471-2121
Cox, Henry R. 4310 Madison Ave.	Attorney at Law Kansas City, MO 64111	\$200 816-268-1022
Craig, Bernard D. 911 Main, St. #2000	Levy & Craig, P.C. Kansas City, MO 64105	\$200 816-474-8181
Cunningham, Gary R. 1845 S. National	Lathrop & Gage, L.C. Springfield, MO 65804	\$225 417-886-2000
Curtis, Danny L. 605 W. 47 <sup>th</sup> St., #350	McDowell Rice Smith & Buchanan, P.C. Kansas City, MO 64112	\$250 816-753-5400
Davis, Richard E. 1919 E. Battlefield	Whiteaker & Wilson, P.C. Springfield, MO 65804	\$125 417-882-7400
Day, Bruce 2420 Pershing Rd., #400	Swanson Midgley, L.L.C. Kansas City, MO 64108	\$200 816-842-6100
DeHardt, Jay D. 4505 Madison Ave.	McQuain DeHardt & Rosenbloom, P.C. Kansas City, MO 64111	\$175 816-751-0507
DeSimone, David J. 4324 Belleview, #100	DeSimone Pearson, L.C. Kansas City, MO 64111	\$175 816-753-2823
Dods III, John C. 1200 Main St., 42 <sup>nd</sup> Fl.	Shook Hardy & Bacon Kansas City, MO 64105	\$225 816-391-6410
Dominique, P. Pierre 621 E. McCarty St.	Law Office of P. Pierre Dominique Jefferson City, MO 65102	\$125 573-635-7241
Doran, David W. 1240 E. Independence, #200	Attorney at Law Springfield, MO 65804	\$175 417-864-4700
Douglas, Jr., Elvin S. P.O. Box 280	Crouch Spangler & Douglas Harrisonville, MO 64701	\$150 816-380-3238
Drake, Angela K. (Green) 901 St. Louis St., 20 <sup>th</sup> Floor	Lowther Johnson, L.L.C. Springfield, MO 65806	\$225 417-866-7777
Eckold, Dennis C. 10920 Ambassador Dr., #500	Dennis C. Eckold & Associates, L.L.C. Kansas City, MO 64153	\$150 816-880-9991
Edgett, Michael X. 215 E. Franklin	Cason Edgett & Mahan Clinton, MO 64735	\$150 660-885-2234
Eischens, Joseph K. 4740 Grand Blvd., #200	Thornberry & Eischens, L.L.C. Kansas City, MO 64112	\$200 816-531-8383

Eldridge, Jr., Truman K. P.O. Box 32430	Schlee Huber McMullen & Krause, P.C. Kansas City, MO 64171-5430	\$190 816-931-3500
Ensz, James H. 1100 Main St., #2121	Ensz & Jester, P.C. Kansas City, MO 64105	\$175. 816-474-8010
Farr, J. Earlene 1100 Main St., #2121	Ensz & Pester, P.C. Kansas City, MO 64105	\$210 816-474-8010
Feldmiller, George E. 6831 Rockhill Rd.	Attorney at Law Kansas City, MO 64113	\$250 816-668-4797
FitzGerald, Kevin M. 3315 E. Ridgeview, #1000	Taylor Stafford Clithero FitzGerald & Harris, L.L.P. Springfield, MO 65804	\$150 417-887-2020
Fitzgerald, Michael D. 911 Main St., #2400	Van Osdol Magruder Erickson & Redmond, P.C. Kansas City, MO 64105	\$175 816-421-0644
Foster, Mark S. 1201 Walnut, #2800	Stinson Morrison Hecker, L.L.P. Kansas City, MO 64106	\$295 816-691-3106
Frensley, David R. Two Emanuel Cleaver II Blvd.	David R. Frensley, P.C. Kansas City, MO 64112	\$180 816-531-5262
Gallas, Alan B. 9140 Ward Parkway, #225	Gallas & Schultz Kansas City, MO 64114	\$175 816-822-8100
Ghertner, Douglas N. 4600 Madison Ave., #600	Slagle Bernard & Gorman, P.C. Kansas City, MO 64112	\$200 816-410-4600
Glaser, Amy L. 441 W. 59 <sup>th</sup> Terrace	Attorney at Law Kansas City, MO 64113	\$210 816-523-3756
Goldammer, Vicki J. 3405 W. Truman Blvd., #210	Armstrong Teasdale, L.L.P. Jefferson City, MO 65109	\$140 573-636-8394
Goldman, Joel K. 1200 Main St., #1700	Husch & Eppenberger, L.L.C. Kansas City, MO 64105	\$260 816-283-4670
Gordon, Thomas F. 11901 Wornall Rd.	Avila University Kansas City, MO 64145	\$175 816-501-3751
Granoff, Loeb H. 11411 Pennsylvania Ave.	Attorney at Law Kansas City, MO 64114	\$185 816-942-2420
Gum, Jr., Carl D. 1316 W. St. Johns Blvd.	Senior Judge Raymore, MO 64083	\$150 816-322-3007
Halderman, Daphne R. 9233 Ward Parkway, #270	Harris McCausland, P.C. Kansas City, MO 64114	\$175 816-523-3000
Halvordson, Martha A. 10401 Holmes, #300	Morrow Willnauer & Klosterman, L.L.C. Kansas City, MO 64131	\$180 816-382-1382

Hamilton, Brenda 2345 Grand Blvd., #1600	Shank & Hamilton, P.C. Kansas City, MO 64108	\$200 816-471-0909
Hargarten, Elizabeth (Beth) 10717 N. Lane Ave.	Attorney at Law Kansas City, MO 64157	\$140 816-616-0005
Hartigan, Patrick E. 1280 W. 59 <sup>th</sup> St.	Patrick E. Hartigan, Esq. Kansas City, MO 64113	\$225 816-237-1649
Holliday, Ronald R. 520 Francis	Montee Law Firm St. Joseph, MO 64501	\$200.00 816-364-1650
Hufft, Michael D. 4505 Madison Ave.	Hufft & Maginn, L.L.C. Kansas City, MO 64111	\$175 816-751-0588
Humphrey, Jr., James W. 1201 Walnut St., #2200	Stigall Humphrey Lucas & Peterson, L.C. Kansas City, MO 64106	\$150 816-221-3443
Hurley, John P. 204 W. Linwood Blvd.	Jolley Walsh Hurley & Raisher, P.C. Kansas City, MO 64111	\$150 816-561-3755
Hurwitz, Roger T. 1200 Main St., #1700	Husch & Eppenberger, L.L.C. Kansas City, MO 64105	\$275 816-283-4603
Hutton, Jr., James L. 20905 W. 90 <sup>th</sup> Terr.	Attorney at Law Lenexa, KS 66220	\$200 913-782-6027
Igoe, Vincent F. Two South Main St.	Withers Brant Igoe & Mullennix, P.C. Liberty, MO 64068	\$200 816-781-4788
Jackson, James B. 3675 S. Noland Rd.	Attorney at Law Independence, MO 64055	\$150 816-461-4762
Jackson, JoAnne Spears 3333 E. Battlefield Rd., #1000	Yates Mauck Bohrer Elliff Croessmann & Wieland, P.C. Springfield, MO 65804	\$200 417-883-7411
Johnson, Darwin E. 2600 Grand Blvd., #440	The Session Law Firm Kansas City, MO 64108	\$190 816-842-4949
Johnson, Michelle T. 1112 E. Armour Blvd., #5	Attorney at Law Kansas City, MO 64109	\$175 816-531-5652
Jolley, William A. 204 W. Linwood Blvd.	Jolley Walsh Hurley & Raisher, P.C. Kansas City, MO 64111	\$150 816-561-3755
Kalish, Jr., Ralph W. 720 Olive Street, 24 <sup>th</sup> Floor	Blackwell Sanders Peper Martin, L.L.P. St. Louis, MO 63101	\$250 314-345-6450
Kapke, George E. 221 W. Lexington, #250	Kapke Willerth & Leonard, L.L.C. Independence, MO 64050	\$175 816-461-3800
Kennedy, Mark A. P.O. Box 696	Kennedy Kennedy & Robbins, L.C. Poplar Bluff, MO 63902	\$150 573-686-2459

Kenny, Patrick J. One Metropolitan Square, #2600	Armstrong Teasdale, L.L.P. St. Louis, MO 63102	\$275 816-221-3420
Kessinger, James A. 6812 North Oak Trafficway, #1	Law Offices of James A. Kessinger, L.C. Kansas City, MO 64118	\$165 816-436-0707
Kinder, Byron L. P.O. Box 124	Senior Judge Jefferson City, MO 65102	\$200 573-584-9927
Koerner, Wendell E. 911 Main St., 21 <sup>st</sup> Floor	Franke Schultz & Mullen, P.C. Kansas City, MO 64105	\$150 816-421-7100
Kort, Stephen D. 800 W. 47 <sup>th</sup> St., #100	Carlson Kort, L.C. Kansas City, MO 64112	\$200 816-931-7878
Kraft, Ronald L. P.O. Box 480074	Kraft Law Firm, P.C. Kansas City, MO 64148	\$200 913-851-1414
Kyner, Jennifer P. 7300 W. 110 <sup>th</sup> St., #700	Kyner & Reefer, P.C. Overland Park, KS 66210	\$185 913-491-3200
Lemley, Gregg M. 211 N. Broadway, #3600	Bryan Cave, L.L.P. St. Louis, MO 63102	\$150 314-259-2020
Lerner, Lawrence 1301 Oak St.	Levy & Craig, P.C. Kansas City, MO 64106	\$290 816-460-1807
Lewis, Joseph K. 400 E. 95 <sup>th</sup> St., Suite E	Herron & Lewis Kansas City, MO 64131	\$225 816-361-1300
Lewis, Robert J. 720 Olive, #2400	Blackwell Sanders Peper Martin St. Louis, MO 63101	\$250 314-345-6443
Long, Jr., Douglas E. P.O. Box 551	D.E. Long & Associates, LLC Waynesville, MO 65583	\$250 573-528-0434
Loss, John R. 1044 Main St., #700	Benjamin & Loss, P.C. Kansas City, MO 64105	\$175 816-471-8100
Lowenstein, Sharon R. 4505 Madison Avenue	Offices of Sharon R. Lowenstein Kansas City, MO 64111	\$110 816-751-0553
Mallory, William A. 9200 Ward Parkway, #510	Holman Hansen Colville & Coates Kansas City, MO 64114	\$200 816-333-1527
Margolin, James S. 4520 Madison Avenue	Margolin Law Firm Kansas City, MO 64111	\$200 816-753-3838
Martin, Richard L. 1044 Main St., #400	Martin Leigh Laws & Fritzlen, P.C. Kansas City, MO 64105	\$150 816-221-1430
Mauer, William F. 901 W. Burningtreet Dr.	Metropolitan Arbitration & Mediation Services Kansas City, MO 64145	\$250 816-942-0002

McDonald, Donald F. 1125 Grand Blvd., #1400	Sanders Simpson & Fletcher Kansas City, MO 64106	\$200 816-471-6444
McKinley, Robert W. 2345 Grand Blvd., #2800	Lathrop & Gage, L.C. Kansas City, MO 64108	\$250 816-460-5632
McLeod, Richard E. 1100 Main St., #2900	McLeod Nash & Franciskato Kansas City, MO 64105	\$350 816-421-5656
McMonigle, Patrick F. 4420 Madison Avenue	Dysart Taylor Lay Cotter & McMonigle, P.C. Kansas City, MO 64111	\$200 816-931-2700
Millin, F. Russell 1100 Main St., #2800	Wilkins & Millin Kansas City, MO 64105	\$250 816-842-1130
Miller, Phillip A. 5401 Brookside Blvd, #302	Attorney at Law Kansas City, MO 64112	\$175 816-333-5477
Modin, Richard F. 10100 Ambassador Dr., #220	Dougherty Modin & Holloway Kansas City, MO 64153	\$200 816-891-9990
Moran, John I. 5225 Belleview	Senior Judge Kansas City, MO 64112	\$180 816-444-3103
Murphy, Marsha J. 17100 Highland Ridge Dr.	Arbitrator/Mediator Belton, MO 64012	\$175 816-322-1986
Newbery, Charles David 2231 SW Wanamaker Rd., #101	Newbery & Ungerer, L.L.P. Topeka, KS 66614	\$175 785-273-5250
Nichols, Patrick R. 5200 W. 15 <sup>th</sup> St., #302	Associates in Dispute Resolution Lawrence, KS 66049	\$250 785-865-3700
O'Donnell, Hugh F. 204 W. Linwood Blvd.	Attorney at Law Kansas City, MO 64111	\$175 816-931-5533
O'Leary, Timothy D. 120 W. 12 <sup>th</sup> St., #1800	Shughart Thomson & Kilroy, P.C. Kansas City, MO 64105	\$250 816-421-3355
Parshall, Jeffrey O. 609 E. Walnut St.	Ford Parshall & Baker, L.L.C. Columbia, MO 65205	\$175 573-449-2613
Patterson, Douglas J. 4601 College Blvd., #200	Patterson Law Group, P.C. Leawood, KS 66211	\$120 913-663-1300
Pearson, Brad I. 4324 Belleview	DeSimone Pearson, L.C. Kansas City, MO 64111	\$175 816-753-2823
Perkins, Kathy 2600 Grand Blvd., #300	Constangy Brooks & Smith, L.L.C. Kansas City, MO 64108	\$200 816-472-6400
Phillips, John R. 2300 Main St., #1000	Blackwell Sanders Peper Martin, L.L.P. Kansas City, MO 64108	\$295 816-983-8119

Preman, Vance C. 4330 Belleview, #200	Vance C. Preman, P.C. Kansas City, MO 64111	\$225 816-756-2323
Ralston, Richard H. 2345 Grand Blvd.	Armstrong Teasdale Kansas City, MO 64108	\$280 816-221-3420
Reinert, Bernard A. 812 N. Collins	Reinert & Rourke, P.C. St. Louis, MO 63102	\$250 314-621-5743
Reynolds, Jerry L. 318 Park Central East, #406	Reynolds & Conway, P.C. Springfield, MO 65806	\$200 417-869-0768
Rhyne, Richard D. 4435 Main St., #1100	Craft Fridkin & Rhyne Kansas City, MO 64111	\$250 816-531-1700
Rourke, John W. 812 N. Collins	Reinert & Rourke, P.C. St. Louis, MO 63102	\$200 314-621-5743
Rucker, Edward B. 306 E. 12 <sup>th</sup> St., #940	Edward B. Rucker, P.C. Kansas City, MO 64106	\$100 816-471-1300
Rudy, William A. 2345 Grand Blvd.	Lathrop & Gage, L.C. Kansas City, MO 64108	\$275 816-460-5819
Russell, David W. 2345 Grand Blvd., #2100	King Hershey, P.C. Kansas City, MO 64108	\$250 816-842-3636
Rute, Larry R. 212 S.W. 8 <sup>th</sup> Ave., #102	Associates in Dispute Resolution, Inc. Topeka, KS 66603	\$225 785-357-1800
Sanders, Norman O. 1125 Grand Blvd., #1400	Sanders Simpson & Fletcher, L.C. Kansas City, MO 64106	\$200 816-471-6444
Sanders, Jr., William H. 10450 Holmes, #330	Sanders Conkright & Warren, L.L.P. Kansas City, MO 64131	\$195 816-942-6100
Sauer, Elisabeth R. 422 E. 55 <sup>th</sup> St.	Elisabeth R. Sauer, P.C. Kansas City, MO 64110	\$150 816-333-1445
Saunders, Michael F. 1000 Walnut, #1400	Spencer Fane Britt & Browne, L.L.P. Kansas City, MO 64106	\$280 816-474-8100
Schumaker, Larry M. 10401 Holmes Rd.	Schumaker Center for Employment Law Kansas City, MO 64131	\$200 816-941-9994
Shaney, Mary Jo 4510 Belleview, #300	White Goss March Schulte & Weisenfels Kansas City, MO 64111	\$220 816-753-9200
Shapiro, Alvin D. 10801 Mastin, #820	Shapiro Manson & Karbank, P.C. Overland Park, KS 66210	\$200 913-498-8080
Shrager (formerly Hudek), Gail 4768 Oak St., #541	Arbitrator/Mediator Kansas City, MO 64112	406-249-4400 \$200



Shurin, Leland M. 911 Main St., #2000	Shaffer Lombardo Shurin Kansas City, MO 64105	\$250 816-931-0500
Simpson, Walter R. 1125 Grand Blvd., #1400	Sanders Simpson & Fletcher, P.C. Kansas City, MO 64106	\$225 816-471-6444
Siro, Rik N. 1621 Baltimore Ave.	Blumer Nally & Siro Kansas City, MO 64108	\$225 816-471-4881
Slough, Fred L. 4051 Broadway	Slough Connealy Irwin & Madden, L.L.C. Kansas City, MO 64111	\$175 816-531-2224
Smith, Eric W. 10955 Lowell Ave., #1050	E.W. Smith Employment Law, L.L.C. Overland Park, KS 66210	\$225 913-663-5550
Smith, Jane A. 505 E. State St.	Beetem & Card, L.L.C. Jefferson City, MO 65101	\$150 573-635-6659
Spencer, David J. 912 Baltimore, #120	McGonagle Spencer, P.C. Kansas City, MO 64105	\$175 816-221-2222
Stevens, Rodney J. 11 N. 7 <sup>th</sup> St.	Jones Schneider & Bartlett Columbia, MO 65201	\$150 573-449-2451
Stites, Mark A. 104 W. 9 <sup>th</sup> St., #400	Bioff Finucane Coffey Holland & Hosler, L.L.P. Kansas City, MO 64105	\$175 816-842-8770
Stitt, Charles L. 4629 Liberty	Senior Judge Kansas City, MO 64112	\$100 816-756-1309
Sullivan, Kent 1201 Walnut	Stinson Morrison Hecker, L.P. Kansas City, MO 64106	\$225 816-842-8600
Thomas, S. Michael 1100 Main St., #2850	Sherman Taff & Bangert, P.C. Kansas City, MO 64105	\$165 816-471-6900
Thompson, Robert M. 1200 Main St., #3500	Bryan Cave, L.L.P. Kansas City, MO 64105	\$260 816-374-3300
Toth, Timothy A. 1425 S. Noland Rd.	Mo-Kan Mediation, L.L.C. Independence, MO 64055	\$150 816-836-4083
Vandever, William Dirk 323 W. 8 <sup>th</sup> St., #200	The Popham Law Firm, P.C. Kansas City, MO 64105	\$275 816-221-2288
Vering, III, John A. 2345 Grand Blvd., #2000	Armstrong Teasdale, L.L.P. Kansas City, MO 64108	\$295 816-221-3420
Walter, Catherine A. 5611 S.W. Barrington Ct. S.	Office of Catherine Walter Topeka, KS 66614-2489	\$175 785-272-3000
Wells, Lee E. 1257 W. 64 <sup>th</sup> Terrace	Senior Judge Kansas City, MO 64113	\$200 816-361-7556

Weimer, David J. 1101 Walnut, #1202	Kramer & Frank, P.C. Kansas City, MO 64106	\$130 816-471-0030
Whisler, Joe B. 1100 Main St., #2400	Cooling & Herbers, P.C. Kansas City, MO 64105	\$250 816-474-0777
Whitacre, Jack L. 1000 Walnut, #1400	Spencer Fane Britt & Browne, L.L.P. Kansas City, MO 64106	\$175 816-474-8100
Wilkins, Fred J. 1100 Main St., #2800	Law Offices of Fred Wilkins Kansas City, MO 64105	\$225 816-842-1130
Willerth, Joe F. 221 W. Lexington, #250	Kapke Willerth & Leonard, L.L.C. Independence, MO 64050	\$175 816-461-3800
Wilson Setser, Tamra 103 Hulston Hall	University of Missouri School of Law Columbia, MO 65211	\$185 573-882-9679
Wood, C. Brooks 1201 Walnut St., #2800	Stinson Morrison Hecker Kansas City, MO 64106	\$175 816-691-2772
Yakimo, Michael 4400 College Blvd., #130	Chase Law Firm Overland Park, KS 66211	\$200 913-339-9666
Zeldin, Stanford A. 1111 Main St., #700	Stanford A. Zeldin Law Firm Kansas City, MO 64105	\$200 816-474-3000

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

**EMBARQ MISSOURI, INC., et al.,** )  
 )  
 **Plaintiff,** )  
 )  
 **vs.** )  
 )  
 **A T & T CORP.,** )  
 )  
 **Defendant.** )

**Case No. 06-0480-CV-W-RED**

**NOTICE OF PRETRIAL PROCEDURES**

A proposed scheduling order/discovery plan ("Proposed Plan") shall be filed on or before October 4, 2006. The Proposed Plan shall comply with Local Rules, including 16.1(d), 16.1(f), 26.1(c) and 26.1(d). The Proposed Plan shall also state whether the case will be tried to the Court or to a jury and the anticipated length of the trial. In accordance with Local Rule 16.1(d), plaintiff's counsel shall take the lead in preparing the Proposed Plan. It is expected that the discovery completion date will not exceed 180 days from when the last defendant was served unless extended by the Court for good cause.

The Fed. R. Civ. P. Rule 26(f) conference shall take place on or before September 14, 2006. Counsel are reminded that Fed. R. Civ. P. Rule 26(a)(1) disclosures must be completed within ten (10) days after the Fed. R. Civ. P. Rule 26(f) conference.

Within fifteen (15) days of this Order, each non-governmental corporate party must file a statement identifying all parent companies, subsidiaries (except wholly owned subsidiaries) and affiliates that have issued shares to the public. See Local Rule 3.1.

If this case has been removed from state court, and if a trial by jury has not already been

specifically requested on the face of the Complaint or in a separate filing, the parties shall have twenty (20) days from the date of this Order to file a demand for trial by jury. Failure to file such a jury demand shall constitute a waiver of the right to a trial by jury.

Counsel are requested to provide the Court with copies of the complaint, answer and dispositive motions. Counsel should refrain from providing courtesy copies of any other filings unless specifically requested by the Court.

When discovery commences in this case counsel are reminded that:

1. The number and form of interrogatories and the number of depositions are governed by Fed. R. Civ. P. 30 and 33.
2. The time permitted for depositions is governed by Fed. R. Civ. P. 30(d)(2).
3. The procedure for resolving discovery disputes is governed by Local Rule 37.1.
4. The form for answers to certain discovery requests and the disclosures required by Fed. R. Civ. P. 26 is provided in Local Rule 26.2
5. The filing of motions does not postpone discovery. See Local Rule 26.1(b).

**IT IS SO ORDERED.**

DATED: August 10, 2006

/s/ Richard E. Dorr  
RICHARD E. DORR, JUDGE  
UNITED STATES DISTRICT COURT