

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

UNITED STATES OF AMERICA et al.,

Plaintiffs,

v.

AT&T INC. et al.,

Defendants.

Civil Action No. 11-01560 (ESH)

Referred to Special Master Levie

[PROPOSED] SPECIAL MASTER ORDER NO. ____

It is hereby ORDERED that that:

1. Depositions:

- a. The non-noticing side may examine a deponent for up to 2 hours. The noticing side may use any of the allotted deposition time that is not used by the non-noticing side.
- b. The duration of depositions noticed under Federal Rule of Civil Procedure 30(b)(6) shall be either seven or, for up to 5 party depositions, fourteen hours in total.

2. Schedule governing the identification of non-rebuttal trial exhibits and for resolving any admissibility objections or confidentiality objections:

- December 20: Parties submit to the Special Master either an agreed upon limit on the number of potential trial exhibits or separate proposals as to the size of that limit.
- January 12: Plaintiffs and Defendants provide initial lists of potential exhibits that are nonparty documents and give notice to nonparties.
- January 16: Deadline for the submission, to the Special Master, of party or nonparty objections respecting the potential disclosure at trial of confidential exhibits identified on January 12.
- January 18: Deadline for the submission of responses to any January 16 objection.
- January 19: Deadline for the submission of any replies in support of any January 16 objection.

- January 20: Hearing before Special Master Levie respecting any January 16 confidentiality objection.
- January 21: Plaintiffs and Defendants provide initial lists of potential exhibits that are party documents.
- January 25: Deadline for the submission, to the Special Master, of (1) motions respecting the admissibility of previously identified exhibits and (2) submissions of objections respecting the potential disclosure at trial of confidential exhibits identified on January 21.
- January 27: Deadline for the submission of responses to any January 25 motion.
- January 28: Deadline for the submission of any replies in support of any January 25 motion.
- January 30: Hearing before Special Master Levie respecting any January 25 motions.
- February 2: Plaintiffs and Defendants provide final lists of up to 50 additional potential exhibits of party or nonparty documents and give notice to nonparties. Any additional exhibits after February 2 shall only be permitted for good cause shown or on agreement of the parties.
- February 3: Hearing before the Special Master to hear any motions respecting the confidentiality or admissibility of potential exhibits identified on February 2.

3. Technology tutors for the Court:

- January 6: Parties identify one tutor per side and submit to the Court either (1) an agreed list of topics to be addressed or (2) competing proposals of potential topics for Court consideration respecting the topics to be addressed by the tutors.
- January 23: Teaching tutorial beginning at 10 a.m. Tutors will discuss with the Court the issues that the Court has indicated it would like to hear about, with each side's tutor alternating as lead.

4. Pretrial briefing:

January 20: Each side to submit a legal brief of no more than 10,000 words, with no exhibits.

February 3: Each side to submit responsive legal briefs of no more than 4,000 words, with no exhibits.

SO ORDERED this _____ day of _____, 2011.

Hon. Richard A. Levie (Ret.)
Special Master