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14

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

18

19 In re:

20 NATIONAL SECURITY AGENCY  
 TELECOMMUNICATIONS RECORDS  
 21 LITIGATION

22 This Document Relates To:  
 23

24 ALL ACTIONS

25

26

27

28

MDL Dkt. No. 06-1791-VRW

**MDL STATUS REPORT OF  
 AT&T CORP. AND  
 BELLSOUTH CORPORATION**

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

1 Defendants **AT&T CORP.** (“AT&T”) and **BELLSOUTH CORPORATION**  
2 (“BellSouth”) submit this MDL Status Report. As described more fully below, cases in  
3 MDL 06-1791 naming AT&T or BellSouth defendants are in large part the subject of  
4 limited stays or a stipulated briefing schedule with the plaintiffs. As such, AT&T’s and  
5 BellSouth’s sole purpose in filing this Status Report is to assist the Court in organizing the  
6 many cases, parties and claims that comprise the MDL.

7 The MDL currently consists of 47 cases.<sup>1</sup> These cases fall into three broad  
8 categories: (1) six actions putting at issue the authority of state officials to seek discovery  
9 about foreign intelligence surveillance from telecommunication carriers; (2) four actions  
10 brought by private plaintiffs against federal government officials and/or agencies; and  
11 (3) 37 actions brought by private plaintiffs against telecommunications carriers (this third  
12 category of actions has a number of subcategories, as explained below).

13 **1. Actions Concerning the Power of State Government Officials to Seek Discovery**  
14 **about Foreign Intelligence Surveillance and National Security Activities.**

15 This category comprises six actions. See Feb. 15, 2007 Notice of Decision by  
16 Judicial Panel (Dkt. 165). In five of them, the United States has filed suit against  
17 telecommunications carriers and state officials, seeking to enjoin state officials’ efforts to  
18 require disclosure of information regarding the United States’ alleged foreign intelligence  
19 surveillance and national security activities. These suits contend, among other things, that  
20 the demands for information are beyond the states’ constitutional authority and preempted  
21 by federal law. In the sixth case, *Clayton v. AT&T Communications of the Southwest, Inc.*,  
22 two members of the Missouri Public Service Commission have brought suit to enforce  
23 subpoenas against AT&T Defendants. (The same subpoenas are at issue in *Gaw*, one of the  
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25 <sup>1</sup> In addition, on February 28, 2007, a class action was filed in Florida state court  
26 against AT&T Corp.; American Telephone and Telegraph Company; BellSouth  
27 Telecommunications, Inc.; Cingular Wireless, LLC; Verizon Communications, Inc. and  
28 Verizon Florida, Inc. *Jacobs v. AT&T Corp.*, No. 0704470 (Fla. 17th Jud. Cir. Ct.).  
Defendants intend to remove this action to federal court and seek transfer to MDL 06-1791.

suits filed by the United States.) The following table lists these cases:

Case Name	Originating Case Number and District	Case Number in MDL
<i>Clayton v. AT&amp;T Commcn's of the Southwest, Inc.</i>	No. 2:06-cv-04177 (W.D. Mo.)	No. 3:07-cv-01187-VRW
<i>United States v. Adams</i>	No. 1:06-cv-00097 (D. Me.)	No. 3:07-cv-01323-VRW
<i>United States v. Gaw</i>	No. 4:06-cv-01132 (E.D. Mo.)	No. 3:07-cv-01242-VRW
<i>United States v. Palermino</i>	No. 3:06-cv-01405 (D. Conn.)	No. 3:07-cv-01326-VRW
<i>United States v. Rabner</i>	No. 3:06-cv-02683 (D.N.J.)	No. 3:07-cv-01324-VRW
<i>United States v. Volz</i>	No. 2:06-cv-00188 (D. Vt.)	No. 3:07-cv-01396-VRW

In all of these cases except *Rabner*, the state defendants are members of a state utilities commission. *Rabner* was brought against the New Jersey Attorney General, the official who sought discovery of information concerning alleged foreign intelligence surveillance and national security activities.

AT&T entities were named as defendants in four of the cases (*Gaw*, *Palermino*, *Rabner* and *Volz*). Verizon entities were named as defendants in four cases (*Adams*, *Palermino*, *Rabner* and *Volz*). Sprint, Cingular and Qwest Communications International, Inc. have been named as defendants in one case (*Rabner*). The Judicial Panel on Multidistrict Litigation ordered the transfer of these six cases over the state defendants' objections on February 15, 2007. The Panel's order was filed with this Court on February 21, 2007. Dkt. 173. On Friday, March 9, 2007, the state officials in all six cases filed an administrative motion for a scheduling order applicable to these cases, to which the parties will respond in due course. Dkt. 189, 190.

## 2. Actions Against Federal Agencies and Officials.

Plaintiffs have filed four cases that name only government agencies and/or officials as defendants. Those are:

Case Name	Originating Case Number and District	Case Number in MDL
<i>Al-Haramain Islamic Foundation, Inc. v. Bush</i>	No. 3:06-cv-00274 (D. Or.)	No. 3:07-cv-00109-VRW
<i>Center for Constitutional Rights v. Bush</i>	No. 1:06-cv-00313 (S.D.N.Y.)	No. 3:07-cv-01115-VRW

	<b>Case Name</b>	<b>Originating Case Number and District</b>	<b>Case Number in MDL</b>
2	<i>Guzzi v. Bush</i>	No. 1:06-cv-00135 (N.D. Ga.)	No. 3:06-cv-06225-VRW
3	<i>Shubert v. Bush</i>	No. 1:06-cv-02282 (E.D.N.Y.)	No. 3:07-cv-00693-VRW

4 One additional action that would otherwise fall in this category, *ACLU v. NSA*, No. 2:06-cv-  
5 10204 (E.D. Mich.), reached judgment prior to the transfer order, is now on appeal in the  
6 Sixth Circuit, and so is not part of this MDL.

7 Two other cases name telecommunications carriers, as well as federal officials  
8 and/or agencies, as defendants. *Mayer v. Verizon Communications, Inc.*, No. 1:06-cv-  
9 03650 (S.D.N.Y.), names federal defendants and AT&T Corp., AT&T Inc., BellSouth  
10 Corporation and Cellco Partnership; and *Lebow v. BellSouth Corporation*, 3:07-cv-00464-  
11 VRW, names the NSA, BellSouth Corporation, Cingular Wireless LLC, Cellco Partnership  
12 (d/b/a Verizon Wireless) and Sprint Nextel Corporation. *Mayer* and *Lebow* are included in  
13 Part 3 below, which describes actions against telecommunications carriers.

14 On March 12, 2007, the *Shubert* plaintiffs and the United States filed a stipulation  
15 and proposed order proposing a schedule for the United States to assert the state secrets  
16 privilege and move to dismiss the complaint in *Shubert*. Dkt. 193. Under the stipulated  
17 schedule, the United States will assert the state secrets privilege and file a dispositive  
18 motion by May 18, 2007. The *Shubert* plaintiffs will file their opposition by June 29, 2007,  
19 and the United States will reply by July 20, 2007. The hearing on the *Shubert* motion will  
20 be held on August 3, 2007 (or at another time convenient for the Court).

21 On March 13, 2007, the Court issued an Order setting a briefing schedule for the *Al-*  
22 *Haramain* plaintiffs' motion for partial summary judgment, which the plaintiffs had filed  
23 before the case was transferred to the MDL. Dkt. 196. Under the Court's Order, the  
24 defendants must file their oppositions to the motion by April 12, 2007, and plaintiffs' reply,  
25 if any, is due on April 19, 2007. The hearing date for the motion is set for May 3, 2007, at  
26 2:00 pm (or at another time that the parties may arrange with the Court's deputy).

### 27 **3. Actions Against Telecommunications Carriers.**

28 Thirty-seven cases in the MDL name telecommunications carriers as defendants,

1 some of which have been consolidated within Master Complaints against groups of carrier  
 2 defendants. *See* Attachment A. These carrier actions can be subdivided according to three  
 3 criteria: the nature of the substantive allegations; the nominal source of law for the claims;  
 4 and which carriers are named as defendants.

5 *Nature of allegations.* All 37 carrier cases allege that the carriers turned over  
 6 customer communication records to the government, and of these, 13 cases assert only  
 7 communication records claims (as opposed to content claims). Attachment A indicates  
 8 whether the individual cases involve call content, communications records, or both.

9 *Nominal source of law.* All of the cases in this MDL ultimately turn on questions of  
 10 federal law, and thirty-one of the 37 cases expressly raise claims under federal law. Those  
 11 are:

Case Name	Originating Case Number and District	Case Number in MDL
<i>Basinski v. Verizon Communication, Inc.</i>	No. 1:06-cv-04169 (S.D.N.Y.)	No. 3:06-cv-06434-VRW
<i>Bissitt v. Verizon Communications, Inc.</i>	No. 1:06-cv-00220 (D.R.I.)	No. 3:06-cv-05066-VRW
<i>Conner v. AT&amp;T</i>	No. 1:06-cv-00632 (E.D. Cal.)	No. 3:06-cv-05576-VRW
<i>Crockett v. Verizon Wireless</i>	No. 1:06-cv-00345 (D. Haw.)	No. 3:06-cv-06254-VRW
<i>Cross v. AT&amp;T Communications, Inc.</i>	No. 1:06-cv-00847 (S.D. Ind.)	No. 3:06-cv-06222-VRW
<i>Derosier v. Cingular Wireless, LLC</i>	No. 2:06-cv-00917 (W.D. Wash.)	No. 3:06-cv-06253-VRW
<i>Dolberg v. AT&amp;T Corp.</i>	No. 9:06-cv-00078 (D. Mont.)	No. 3:06-cv-05269-VRW
<i>Dubois v. AT&amp;T Corp.</i>	No. 5:06-cv-00085 (W.D. Mich.)	No. 3:06-cv-06387-VRW
<i>Fortnash v. AT&amp;T Corp.</i>	No. 1:06-cv-60828 (S.D. Fla.)	No. 3:06-cv-06385-VRW
<i>Fuller v. Verizon Communications, Inc.</i>	No. 9:06-00077 (D. Mont.)	No. 3:06-cv-05267-VRW
<i>Hardy v. AT&amp;T Corp.</i>	No. 2:06-cv-2853 (E.D. La.)	No. 3:06-cv-06924-VRW
<i>Harrington v. AT&amp;T Inc.</i>	No. 1:06-cv-00374 (W.D. Tex.)	No. 3:06-cv-05452-VRW
<i>Hepting v. AT&amp;T Corp.</i>	No. 3:06-cv-00672 (N.D. Cal.)	No. 3:06-cv-00672 VRW
<i>Herron v. Verizon Global Networks, Inc.</i>	No. 2:06-cv-02491 (E.D. La.)	No. 3:06-cv-05343-VRW
<i>Hines v. Verizon Northwest, Inc.</i>	No. 3:06-cv-00694 (D. Or.)	No. 3:06-cv-05341-VRW
<i>Joll v. AT&amp;T Corp.</i>	No. 1:06-cv-02680 (N.D. Ill.)	No. 3:06-cv-05485-VRW
<i>Lebow v. BellSouth Corp.</i>	No. 1:06-cv-01289 (N.D. Ga.)	No. 3:07-cv-00464-VRW

28

Case Name	Originating Case Number and District	Case Number in MDL
<i>Mahoney v. AT&amp;T Communications, Inc.</i>	No. 1:06-cv-00223 (D.R.I.)	No. 3:06-cv-05065-VRW
<i>Mahoney v. Verizon Communications, Inc.</i>	No. 1:06-cv-00224 (D.R.I.)	No. 3:06-cv-05064-VRW
<i>Marck v. Verizon Communications</i>	No. 2:06-cv-2455 (E.D.N.Y.)	No. 3:06-cv-05063-VRW
<i>Mayer v. Verizon Communications</i>	No. 1:06-cv-03650 (S.D.N.Y.)	Not Yet Assigned <sup>2</sup>
<i>Payne v. Verizon Communications, Inc.</i>	No. 1:06-cv-04193 (S.D.N.Y.)	No. 3:06-cv-06435-VRW
<i>Roche v. AT&amp;T Corp.</i>	No. 0:06-cv-04252 (D. Minn.)	No. 3:07-cv-01243-VRW
<i>Roe v. AT&amp;T Corp.</i>	No. 3:06-cv-03467 (N.D. Cal.)	No. 3:06-cv-03467-VRW
<i>Solomon v. Verizon Communications, Inc.</i>	No. 2:06-cv-02193 (E.D. Pa.)	No. 3:06-cv-06388-VRW
<i>Souder v. AT&amp;T Corp.</i>	No. 3:06-cv-1058 (S.D. Cal.)	No. 3:06-cv-05067-VRW
<i>Spielfogel-Landis v. MCI, LLC</i>	No. 3:06-cv-4221 (N.D. Cal.)	No. 3:06-cv-04221-VRW
<i>Suchanek v. Sprint Nextel Corp.</i>	No. 1:06-cv-00071 (W.D. Ky.)	No. 3:06-cv-06295-VRW
<i>Terkel v. AT&amp;T Corp.</i>	No. 1:06-cv-02837 (N.D. Ill.)	No. 3:06-cv-05340-VRW
<i>Trevino v. AT&amp;T Corp.</i>	No. 2:06-00209 (S.D. Tex.)	No. 3:06-cv-05268-VRW
<i>Waxman v. AT&amp;T Corp.</i>	No. 1:06-cv-02900 (N.D. Ill.)	No. 3:06-cv-06294-VRW

In addition, six cases purport to raise claims *only* under state law.<sup>3</sup> Those are:

Case Name	Originating Case Number and District	Case Number in MDL
<i>Bready v. Verizon Maryland, Inc.</i>	No. 1:06-cv-02185 (D. Md.)	No. 3:06-cv-06313-VRW
<i>Campbell v. AT&amp;T Communications of Cal.</i>	No. 1:06-cv-02185 (N.D. Cal.)	No. 3:06-cv-03596-VRW
<i>Chulsky v. Cellco Partnership d/b/a/ Verizon Wireless</i>	No. 2:06-cv-02530 (D.N.J.)	No. 3:06-cv-06570-VRW
<i>Cross v. AT&amp;T Communications, Inc.</i>	No. 3:06-cv-00932 (S.D. Ind.)	No. 3:06-cv-06224-VRW
<i>Mink v. AT&amp;T Communications of the Southwest, Inc.</i>	No. 4:06-cv-01113 (E.D. Mo.)	No. 3:06-cv-07934-VRW
<i>Riordan v. Verizon Communications, Inc.</i>	No. 3:06-cv-03574 (N.D. Cal.)	No. 3:06-cv-03574-VRW

<sup>2</sup> The transferor court in *Mayer* has not yet sent its file to the Clerk of the Northern District of California.

<sup>3</sup> In identifying cases with state-law claims, AT&T and BellSouth simply identify the complaints that on their face allege violations of state law without conceding that any such claims are properly pled or asserted.

1 Of the cases presenting only state-law claims, motions to remand have been denied with  
 2 prejudice in two cases, *Campbell* and *Riordan* (Dkt. 130), and administratively terminated  
 3 without prejudice in one case, *Chulsky*.<sup>4</sup> In *Bready*, a motion to remand was pending at the  
 4 time the case was transferred to MDL 06-1791.

5 In total, state-law claims are present in 17 of the 37 carrier cases: the six listed  
 6 immediately above that present only state-law claims, as well as eleven others:

Case Name	Originating Case Number and District	Case Number in MDL
<i>Conner v. AT&amp;T</i>	No. 1:06-cv-00632 (E.D. Cal.)	No. 3:06-cv-05576-VRW
<i>Crockett v. Verizon Wireless</i>	No. 1:06-cv-00345 (D. Haw.)	No. 3:06-cv-06254-VRW
<i>Dubois v. AT&amp;T Corp.</i>	No. 5:06-cv-00085 (W.D. Mich.)	No. 3:06-cv-06387-VRW
<i>Harrington v. AT&amp;T Inc.</i>	No. 1:06-cv-00374 (W.D. Tex.)	No. 3:06-cv-05452-VRW
<i>Hepting v. AT&amp;T Corp.</i>	No. 3:06-cv-00672 (N.D. Cal.)	No. 3:06-cv-00672 VRW
<i>Joll v. AT&amp;T Corp.</i>	No. 1:06-cv-02680 (N.D. Ill.)	No. 3:06-cv-05485-VRW
<i>Lebow v. BellSouth Corp.</i>	No. 1:06-cv-01289 (N.D. Ga.)	No. 3:07-cv-00464-VRW
<i>Marck v. Verizon Communications</i>	No. 2:06-cv-2455 (E.D.N.Y.)	No. 3:06-cv-05063-VRW
<i>Payne v. Verizon Communications, Inc.</i>	No. 1:06-cv-04193 (S.D.N.Y.)	No. 3:06-cv-06435-VRW
<i>Roe v. AT&amp;T Corp.</i>	No. 3:06-cv-03467 (N.D. Cal.)	No. 3:06-cv-03467-VRW
<i>Spielfogel-Landis v. MCI, LLC</i>	No. 3:06-cv-4221 (N.D. Cal.)	No. 3:06-cv-04221-VRW

18  
 19 Collectively, the actions in the MDL assert claims under the laws of all 50 states and the  
 20 District of Columbia. Attachment A identifies those carrier cases that have state law  
 21 claims, federal claims, or both.

22 *Carrier-defendant groups.* Plaintiffs have filed separate Master Consolidated  
 23 Complaints against five defendant groups: Cingular; Sprint; Verizon; BellSouth; and  
 24 Miscellaneous Carriers. There is no Master Complaint against the AT&T Defendants;  
 25 instead, the complaint in *Hepting v. AT&T Corp.* is being treated as the “lead complaint”  
 26

27 <sup>4</sup> In addition, a motion for remand was denied prior to transfer in one of the federal-  
 28 state cases: *United States v. Gaw*, No. 3:07-cv-01242- VRW.

1 against the AT&T Defendants. Nov. 17, 2006 Hrg. Tr. at 23:11-24:5.

2 **a. Actions Against AT&T Defendants.**

3 **i. *Hepting*.**

4 On March 9, 2007, the United States and Defendant AT&T Corp. filed their opening  
5 briefs in the appeal of this Court's July 20, 2006 order.<sup>5</sup> On the same day, the *Hepting*  
6 plaintiffs sent a letter to the Clerk of the Ninth Circuit pursuant to Circuit Rule 34-3  
7 informing the Court that plaintiffs intended to move to expedite the hearing date for the  
8 *Hepting* appeals. Attachment C. AT&T may eventually support that request.

9 On February 20, 2007, the Court entered a stay with respect to *Hepting* pending  
10 resolution of the appeals but explained that the Court "will entertain plaintiffs' motion to  
11 lift the stay for the purpose of requiring a response [to a limited and targeted set of  
12 interrogatories]." Dkt. 172.

13 **ii. Other Actions Against AT&T Defendants.**

14 In addition to *Hepting*, AT&T defendants are named in 21 other carrier actions:

Case Name	Originating Case Number and District	Case Number in MDL
<i>Campbell v. AT&amp;T Communications of Cal.</i>	No. 1:06-cv-02185 (N.D. Cal.)	No. 3:06-cv-03596-VRW
<i>Chulsky v. Cellco Partnership d/b/a Verizon Wireless</i>	No. 2:06-cv-02530 (D.N.J.)	No. 3:06-cv-06570-VRW
<i>Conner v. AT&amp;T</i>	No. 1:06-cv-00632 (E.D. Cal.)	No. 3:06-cv-05576-VRW
<i>Cross v. AT&amp;T Communications, Inc.</i>	No. 1:06-cv-00847 (S.D. Ind.)	No. 3:06-cv-06222-VRW
<i>Cross v. AT&amp;T Communications, Inc.</i>	No. 3:06-cv-00932 (S.D. Ind.)	No. 3:06-cv-06224-VRW
<i>Dolberg v. AT&amp;T Corp.</i>	No. 9:06-cv-00078 (D. Mont.)	No. 3:06-cv-05269-VRW
<i>Dubois v. AT&amp;T Corp.</i>	No. 5:06-cv-00085 (W.D. Mich.)	No. 3:06-cv-06387-VRW
<i>Fortnash v. AT&amp;T Corp.</i>	No. 1:06-cv-60828 (S.D. Fla.)	No. 3:06-cv-06385-VRW
<i>Hardy v. AT&amp;T Corp.</i>	No. 2:06-cv-2853 (E.D. La.)	No. 3:06-cv-06924-VRW
<i>Harrington v. AT&amp;T Inc.</i>	No. 1:06-cv-00374	No. 3:06-cv-05452-VRW

25 <sup>5</sup> The Ninth Circuit has granted the United States' petition under 28 U.S.C. § 1292(b)  
26 for permission to appeal a transferee court's order in *Al-Haramain Islamic Foundation, Inc.*  
27 *v. Bush* (MDL Case No. 3:07-cv-00109 VRW). The Ninth Circuit, however, recently  
28 ordered that the appeal in *Al-Haramain* be held in abeyance pending the outcome of the  
*Hepting* appeals. Attachment B.



	Case Name	Originating Case Number and District	Case Number in MDL
1			
2		(W.D. Tex.)	
3	<i>Herron v. Verizon Global Networks, Inc.</i>	No. 2:06-cv-02491 (E.D. La.)	No. 3:06-cv-05343-VRW
4	<i>Joll v. AT&amp;T Corp.</i>	No. 1:06-cv-02680 (N.D. Ill.)	No. 3:06-cv-05485-VRW
5	<i>Mahoney v. AT&amp;T Communications, Inc.</i>	No. 1:06-cv-00223 (D.R.I.)	No. 3:06-cv-05065-VRW
6	<i>Mayer v. Verizon Communications</i>	No. 1:06-cv-03650 (S.D.N.Y.)	Not Yet Assigned
7	<i>Mink v. AT&amp;T Communications of the Southwest, Inc.</i>	No. 4:06-cv-01113 (E.D. Mo.)	No. 3:06-cv-07934-VRW
8	<i>Roche v. AT&amp;T Corp.</i>	No. 0:06-cv-04252 (D. Minn.)	No. 3:07-cv-01243-VRW
9	<i>Roe v. AT&amp;T Corp.</i>	No. 3:06-cv-03467 (N.D. Cal.)	No. 3:06-cv-03467-VRW
10	<i>Souder v. AT&amp;T Corp.</i>	No. 3:06-cv-1058 (S.D. Cal.)	No. 3:06-cv-05067-VRW
11	<i>Terkel v. AT&amp;T Corp.</i>	No. 1:06-cv-02837 (N.D. Ill.)	No. 3:06-cv-05340-VRW
	<i>Trevino v. AT&amp;T Corp.</i>	No. 2:06-00209 (S.D. Tex.)	No. 3:06-cv-05268-VRW
	<i>Waxman v. AT&amp;T Corp.</i>	No. 1:06-cv-02900 (N.D. Ill.)	No. 3:06-cv-06294-VRW

On March 8, 2007, the AT&T plaintiffs and defendants filed a Stipulation and Proposed Order seeking to stay these 21 actions pending the appeals in *Hepting*. Dkt. 188.

**b. Actions Against Cingular Defendants.**

Cingular defendants are now indirect subsidiaries of AT&T Inc. as a result of the recent merger of AT&T Inc. and BellSouth, which was finalized after the July 20, 2006 *Hepting* Order was entered, and after the filing of the complaints in the individual actions in MDL 06-1791. Cingular defendants are named in seven cases:

	Case Name	Originating Case Number and District	Case Number in MDL
19			
20	<i>Chulsky v. Cellco Partnership d/b/a Verizon Wireless</i>	No. 2:06-cv-02530 (D.N.J.)	No. 3:06-cv-06570-VRW
21			
22	<i>Crockett v. Verizon Wireless</i>	No. 1:06-cv-00345 (D. Haw.)	No. 3:06-cv-06254-VRW
23	<i>Cross v. AT&amp;T Communications, Inc.</i>	No. 1:06-cv-00847 (S.D. Ind.)	No. 3:06-cv-06222-VRW
24	<i>Cross v. AT&amp;T Communications, Inc.</i>	No. 3:06-cv-00932 (S.D. Ind.)	No. 3:06-cv-06224-VRW
25	<i>Derosier v. Cingular Wireless, LLC</i>	No. 2:06-cv-00917 (W.D. Wash.)	No. 3:06-cv-06253-VRW
26	<i>Harrington v. AT&amp;T Inc.</i>	No. 1:06-cv-00374 (W.D. Tex.)	No. 3:06-cv-05452-VRW
27	<i>Lebow v. BellSouth Corp.</i>	No. 1:06-cv-01289 (N.D. Ga.)	No. 3:07-cv-00464-VRW
28			

1 These cases have been consolidated into one Master Complaint. Dkt. 121. On  
 2 February 22, 2007, the Court entered an order staying all proceedings against Cingular  
 3 defendants pending the interlocutory appeals in *Hepting*. Dkt. 177.

4 **c. Actions Against BellSouth Defendants.**

5 BellSouth defendants are now indirect subsidiaries of AT&T Inc. as a result of the  
 6 recent merger of AT&T Inc. and BellSouth, which was finalized after the July 20, 2006  
 7 *Hepting* Order was entered, and after the filing of the complaints in the individual actions in  
 8 MDL 06-1791. BellSouth defendants are named in six cases:

Case Name	Originating Case Number and District	Case Number in MDL
<i>Conner v. AT&amp;T</i>	No. 1:06-cv-00632 (E.D. Cal.)	No. 3:06-cv-05576-VRW
<i>Derosier v. Cingular Wireless, LLC</i>	No. 2:06-cv-00917 (W.D. Wash.)	No. 3:06-cv-06253-VRW
<i>Herron v. Verizon Global Networks, Inc.</i>	No. 2:06-cv-02491 (E.D. La.)	No. 3:06-cv-05343-VRW
<i>Joll v. AT&amp;T Corp.</i>	No. 1:06-cv-02680 (N.D. Ill.)	No. 3:06-cv-05485-VRW
<i>Lebow v. BellSouth Corp.</i>	No. 1:06-cv-01289 (N.D. Ga.)	No. 3:07-cv-00464-VRW
<i>Mayer v. Verizon Communications</i>	No. 1:06-cv-03650 (S.D.N.Y.)	Not Yet Assigned

15 These six cases have been consolidated into one Master Complaint. Dkt. 126. On March  
 16 12, 2007, the plaintiffs and defendants in these cases filed a stipulation and proposed order  
 17 setting a deadline for the defendants to file motions to dismiss the BellSouth Master  
 18 Complaint: the later of (a) May 29, 2007, or (b) twenty-eight days after the Court decides  
 19 any motion to dismiss the Verizon Master Consolidated Complaint (Dkt. 125) brought by  
 20 any defendant named by Dkt. 125. Dkt. 192.

21 **d. Actions Against Sprint Defendants.**

22 Sprint defendants are named in five cases:

Case Name	Originating Case Number and District	Case Number in MDL
<i>Crockett v. Verizon Wireless</i>	No. 1:06-cv-00345 (D. Haw.)	No. 3:06-cv-06254-VRW
<i>Cross v. AT&amp;T Communications, Inc.</i>	No. 1:06-cv-00847 (S.D. Ind.)	No. 3:06-cv-06222-VRW
<i>Cross v. AT&amp;T Communications, Inc.</i>	No. 3:06-cv-00932 (S.D. Ind.)	No. 3:06-cv-06224-VRW

Case Name	Originating Case Number and District	Case Number in MDL
<i>Lebow v. BellSouth Corp.</i>	No. 1:06-cv-01289 (N.D. Ga.)	No. 3:07-cv-00464-VRW
<i>Suchanek v. Sprint Nextel Corp.</i>	No. 1:06-cv-00071 (W.D. Ky.)	No. 3:06-cv-06295-VRW

These cases have been consolidated into one Master Complaint. Dkt. 124. On February 14, 2007, the Court entered an order staying all proceedings against Sprint defendants pending the interlocutory appeals in *Hepting*. Dkt. 163.

**e. Actions Against Verizon Defendants.**

Verizon defendants are named in 21 cases:

Case Name	Originating Case Number and District	Case Number in MDL
<i>Basinski v. Verizon Communication, Inc.</i>	No. 1:06-cv-04169 (S.D.N.Y.)	No. 3:06-cv-06434-VRW
<i>Bissitt v. Verizon Communications, Inc.</i>	No. 1:06-cv-00220 (D.R.I.)	No. 3:06-cv-05066-VRW
<i>Bready v. Verizon Maryland, Inc.</i>	No. 1:06-cv-02185 (D. Md.)	No. 3:06-cv-06313-VRW
<i>Chulsky v. Cellco Partnership d/b/a Verizon Wireless</i>	No. 2:06-cv-02530 (D.N.J.)	No. 3:06-cv-06570-VRW
<i>Conner v. AT&amp;T</i>	No. 1:06-cv-00632 (E.D. Cal.)	No. 3:06-cv-05576-VRW
<i>Crockett v. Verizon Wireless</i>	No. 1:06-cv-00345 (D. Haw.)	No. 3:06-cv-06254-VRW
<i>Cross v. AT&amp;T Communications, Inc.</i>	No. 1:06-cv-00847 (S.D. Ind.)	No. 3:06-cv-06222-VRW
<i>Cross v. AT&amp;T Communications, Inc.</i>	No. 3:06-cv-00932 (S.D. Ind.)	No. 3:06-cv-06224-VRW
<i>Dubois v. AT&amp;T Corp.</i>	No. 5:06-cv-00085 (W.D. Mich.)	No. 3:06-cv-06387-VRW
<i>Fuller v. Verizon Communications, Inc.</i>	No. 9:06-00077 (D. Mont.)	No. 3:06-cv-05267-VRW
<i>Herron v. Verizon Global Networks, Inc.</i>	No. 2:06-cv-02491 (E.D. La.)	No. 3:06-cv-05343-VRW
<i>Hines v. Verizon Northwest, Inc.</i>	No. 3:06-cv-00694 (D. Or.)	No. 3:06-cv-05341-VRW
<i>Joll v. AT&amp;T Corp.</i>	No. 1:06-cv-02680 (N.D. Ill.)	No. 3:06-cv-05485-VRW
<i>Lebow v. BellSouth Corp.</i>	No. 1:06-cv-01289 (N.D. Ga.)	No. 3:07-cv-00464-VRW
<i>Mahoney v. Verizon Communications, Inc.</i>	No. 1:06-cv-00224 (D.R.I.)	No. 3:06-cv-05064-VRW
<i>Marck v. Verizon Communications</i>	No. 2:06-cv-2455 (E.D.N.Y.)	No. 3:06-cv-05063-VRW
<i>Mayer v. Verizon Communications</i>	No. 1:06-cv-03650 (S.D.N.Y.)	Not Yet Assigned
<i>Payne v. Verizon Communications, Inc.</i>	No. 1:06-cv-04193 (S.D.N.Y.)	No. 3:06-cv-06435-VRW
<i>Riordan v. Verizon Communications, Inc.</i>	No. 3:06-cv-03574 (N.D. Cal.)	No. 3:06-cv-03574-VRW

Case Name	Originating Case Number and District	Case Number in MDL
<i>Solomon v. Verizon Communications, Inc.</i>	No. 2:06-cv-02193 (E.D. Pa.)	No. 3:06-cv-06388-VRW
<i>Spielfogel-Landis v. MCI, LLC</i>	No. 3:06-cv-4221 (N.D. Cal.)	No. 3:06-cv-04221-VRW

These cases have been consolidated into one Master Complaint. Dkt. 125. On March 12, 2007, the United States filed an administrative motion for a scheduling order for motions to dismiss the Verizon Master Complaint. Dkt. 194.

**f. Actions Against Other Carriers.**

Seven other carriers were named in the transferred cases, and four of these seven were named in the Miscellaneous Carriers Master Complaint. Dkt. 123. All seven carriers have now been dismissed from the MDL:

Name of Defendant	MDL Docket Entry No.
TDS Communications Systems, Inc.	Nos. 89, 90
McLeod USA Telecommunications Services, Inc.	No. 162
T-Mobile USA, Inc.	No. 164
Bright House Networks LLC	No. 168, 169
Charter Communications, LLC	No. 170
Comcast Telecommunications, Inc.	No. 184
Transworld Network Corp.	No. 185

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1 Dated: March 13, 2007.

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