

APPENDIX A

Docket as of June 8, 2004 8:58 pm

Web PACER (v2.4)

U.S. District Court

Northern District of Illinois (Chicago)

CIVIL DOCKET FOR CASE #: 02-CV-6002

IL Bell Telephone Co v. Kevin K Wright, et al

Filed: 08/22/02

Assigned to: Hon. Joan B. Gottschall

Demand: \$0,000

Nature of Suit: 950

Lead Docket: None

Jurisdiction: Federal Question

Dkt# in other court: None

Cause: 28:1331 Fed Question: Fed Communications Act of 1934

ILLINOIS BELL TELEPHONE
COMPANY, INC.
 plaintiff

Theodore A. Livingston
[COR LD NTC A]
John E. Muench
[COR]
Tyson J Covey
[COR]
Robert Michael Dow, Jr.
[COR]
Mayer, Brown, Rowe & Maw LLP
190 South LaSalle Street
Chicago, IL 60603
(312) 782-0600

Michael Walter Ward
[COR NTC]
Michael W. Ward, P.C.
1608 Barclay Boulevard
Buffalo Grove, IL 60089
(847) 243-3100

DATA NET SYSTEMS, L.L.C.
 intervenor

IL PUB TELECOMMC
 intervenor

v.

RICHARD MATHIAS
 defendant
[term 09/11/02]

Thomas R. Stanton
[COR]
Illinois Commerce Commission
160 North LaSalle Street

C-800

Chicago, IL 60601
(312) 793-2877John P. Kelliher
[COR LD NTC A]
Office of General Counsel
Illinois Commerce Commission
160 North LaSalle Street
Suite C-800
Chicago, IL 60601
(312) 793-2877RUTH KRETSCHMER
defendant
[term 10/08/03]Thomas R. Stanton
[term 10/08/03]
(See above)
[COR]John P. Kelliher
[term 10/08/03]
(See above)
[COR LD NTC A]EDWARD HURLEY
defendantThomas R. Stanton
(See above)
[COR]John P. Kelliher
(See above)
[COR LD NTC A]TERRY HARVILL
defendant
[term 10/08/03]Thomas R. Stanton
[term 10/08/03]
(See above)
[COR]John P. Kelliher
[term 10/08/03]
(See above)
[COR LD NTC A]MARY FRANCES SQUIRES, as
Commissioners of the Illinois
Commerce Commission, in their
official capacity and not as
individuals,
defendantThomas R. Stanton
(See above)
[COR]John P. Kelliher
(See above)
[COR LD NTC A]

KEVIN K WRIGHT

Thomas R. Stanton

defendant

(See above)
[COR]John P. Kelliher
(See above)
[COR LD NTC A]

LISA M FORD, Commissioner of
the Illinois Commerce
Commission
defendant

Thomas R. Stanton
(See above)
[COR]

John P. Kelliher
(See above)
[COR LD NTC A]

ERIN M O'CONNELL-DIAZ,
Commissioner of the Illinois
Commerce Commission
defendant

Thomas R. Stanton
(See above)
[COR]

John P. Kelliher
(See above)
[COR LD NTC A]

GLOBALCOM INC
intervenor defendant

Stephen James Moore
[COR]
Thomas H. Rowland
[COR LD NTC A]
Rowland & Moore
200 W. Superior Street
Suite 400
Chicago, IL 60610
(312) 803-1000

WORLDCOM, INC.
intervenor defendant

Darryl Mark Bradford
[term 03/11/03]
[NTC]
Jenner & Block, LLC
One IBM Plaza
330 North Wabash Avenue
40th Floor
Chicago, IL 60611
(312)222-9350

NOVACON LLC
intervenor defendant

Stephen James Moore
(See above)
[COR]
Thomas H. Rowland
(See above)
[COR LD NTC A]

=====

Z-TEL COMMUNICATIONS, INC
intervenor defendant

Henry T. Kelly
[COR LD NTC A]
Kelley, Drye & Warren
333 West Wacker Drive
Suite 2600
Chicago, IL 60606
(312) 857-7095

=====

AT&T
intervenor defendant

David W. Carpenter
[NTC]
Sidley Austin Brown & Wood LLP

Bank One Plaza
10 South Dearborn Street
Chicago, IL 60603
(312) 853-7000

DOCKET PROCEEDINGS

DATE	#	DOCKET ENTRY
8/22/02	1	COMPLAINT (Attachments)(1 vol.) - Civil cover sheet - Appearance(s) of Theodore A. Livingston, John E. Muench, Tyson J Covey, Robert Michael Dow Jr. as attorney(s) for plaintiff (No summons(es) issued.) (Documents: 1-1 through 1-3) (ar) [Entry date 08/23/02] [Edit date 08/23/02]
8/22/02	2	LOCAL Rule 3.2 notification of affiliates-disclosure statement by plaintiff (ar) [Entry date 08/23/02]
8/22/02	--	RECEIPT regarding payment of filing fee paid; on 8/22/02 in the amount of \$ 150.00, receipt # 1072488. (ar) [Entry date 08/23/02]
9/6/02	3	ATTORNEY APPEARANCE for defendants by John P. Kelliher, Thomas R. Stanton; Notice. (gy) [Entry date 09/09/02]
9/6/02	4	MOTION by plaintiff for substitution under Rule 25(d)(1) ; Notice (ip) [Entry date 09/11/02]
9/10/02	--	SCHEDULE set on 9/10/02 by Hon. Joan B. Gottschall : Status hearing set to 9:30 10/3/02. Plaintiff is directed to advise the defendants of the status hearing forthwith. Parties are directed to discuss settlement of case, consent to proceed before the Magistrate Judge and a proposed discovery plan. See Judge Gottschall's civil case management packet for important information about pretrial case management procedures. This information is also located on the court's website: http://www.ilnd.uscourts.gov . Mailed notice (rj) [Entry date 09/10/02]
9/11/02	5	MINUTE ORDER of 9/11/02 by Hon. Joan B. Gottschall: Kevin K. Wright in his official capacity as a Commissioner of the Illinois Commerce Commission to be substituted as a party pursuant to Rule 25(d)(1) of the FRCP [4-1] is granted. Richard L. Mathias no longer holds the office of the Commissioner of the ICC. Mailed notice (ip) [Entry date 09/11/02]

9/30/02 6 ATTORNEY APPEARANCE for plaintiff by Michael Walter Ward; Notice (ip) [Entry date 10/01/02]

10/1/02 7 ATTORNEY APPEARANCE for Worldcom Inc by Darryl Mark Bradford, John R. Harrington, Steven Joseph Winger (ip) [Entry date 10/02/02]

10/1/02 9 MOTION by Worldcom Inc to intervene in this action as a defendant Memorandum of law in Support ; Notices (ip) [Entry date 10/08/02]

10/3/02 8 ATTORNEY APPEARANCE for Globalcom Inc by Thomas H. Rowland, Stephen James Moore (Attachment) (ip) [Entry date 10/03/02]

10/3/02 10 MINUTE ORDER of 10/3/02 by Hon. Joan B. Gottschall : Status hearing held. Ameritech's opening brief on the merits is due by 2/6/03. Responses are due by 3/21/02. Replies are due by 4/14/02. The court will rule by mail. Motion by Worldcom, Inc., to intervene [9-1] is granted. Oral motion by counsel for Data Net Syst LLC and IL Pub Telecommc to intervene in this action is granted. Oral motion by counsel for GlobalCom Inc for leave to intervene in this action is granted. Mailed notice (ip) [Entry date 10/09/02]

10/3/02 11 ANSWER and affirmative defenses by intervenor defendant Worldcom Inc to plaintiff's complaint for declaratory and other relief [1-1] (ip) [Entry date 10/09/02]

10/15/02 12 UNOPPOSED MOTION by Z-Tel Communc for leave to intervene ; Notice (ip) [Entry date 10/21/02]

10/15/02 14 ATTORNEY APPEARANCE for intervenor defendant Z-Tel Communc by Henry T. Kelly; Notice (ip) [Entry date 10/21/02]

10/15/02 15 ANSWER by intervenor defendant Z-Tel Communications, Inc's to plaintiff's complaint for declaratory and other relief [1-1] (ip) [Entry date 10/21/02]

10/15/02 16 DISCLOSURE by intervenor defendant Z-Tel Communc of corporate affiliations and financial interest (ip) [Entry date 10/21/02]

10/18/02 13 MINUTE ORDER of 10/18/02 by Hon. Joan B. Gottschall: Unopposed motion for leave to intervene by Z-Tel Communications, Inc [12-1] is granted. No appearance is required 10/23/02 at 9:30 a.m. Mailed notice (ip) [Entry date 10/21/02]

10/21/02 17 ANSWER by defendants to plaintiff's complaint for declaratory and other relief [1-1]; Notice. (air) [Entry date 10/22/02]

10/21/02 18 ANSWER by TruComm Corp, intervenors Data Net Syst LLC, IL Pub Telecommc to plaintiff's complaint for declaratory and other relief [1-1]; Notice. (air) [Entry date 10/22/02]

11/7/02 19 MOTION by unknown Globalcom Inc to file answer to complaint instanter ; Notice. (lxs) [Entry date 11/08/02]

11/7/02 20 MOTION by unknown Globalcom Inc for leave to intervene. (lxs) [Entry date 11/08/02]

11/8/02 21 NOTICE by Globalcom Inc of motion for leave to intervene [20-1] and Notice of filing of motion to file answer to complaint instanter [19-1] (ip) [Entry date 11/14/02]

11/13/02 22 MINUTE ORDER of 11/13/02 by Hon. Joan B. Gottschall: Intervenor/defendant Globalcom, Inc's motion for leave to file answer to complaint instanter [19-1] is granted. Intervenor/defendant Globalcom, Inc's motion for leave to intervene [20-1] is granted. Mailed notice (ip) [Entry date 11/14/02]

1/7/03 24 UNOPPOSED MOTION by plaintiff to amend briefing schedule (Attachments); Notice. (lxs) [Entry date 01/14/03]

1/9/03 23 ATTORNEY APPEARANCE for AT&T Commc IL Inc by David W. Carpenter. (km) [Entry date 01/10/03]

1/9/03 27 UNOPPOSED MOTION by AT&T for leave to intervene (Attachment); Memorandum in support; Notice. (vj) [Entry date 01/28/03]

1/9/03 28 STATEMENT regarding disclosure of affiliates by intervenor defendant AT&T. (vj) [Entry date 01/28/03]

1/10/03 25 MINUTE ORDER of 1/10/03 by Hon. Joan B. Gottschall : Illinois Bell Telephone Company's unopposed motion to amend briefing schedule is granted [24-1]. The new briefing schedule is as follows: SBC Illinois opening brief is due by 03/12/03; responses are due by 04/23/03; replies are due by 05/14/03. The briefing schedule set on 10/03/03 is vacated. Mailed notice (lxs) [Entry date 01/14/03]

1/21/03 26 ATTORNEY APPEARANCE for AT&T Commc IL Inc by Brian A McAleenan (gy) [Entry date 01/22/03]

1/24/03 29 MINUTE ORDER of 1/24/03 by Hon. Joan B. Gottschall: Intervenor/defendant AT&T's unopposed motion for leave to intervene is granted [27-1]. Mailed notice (vj) [Entry date 01/28/03]

2/25/03 30 MOTION by plaintiff IL Bell Telephone Co to amend briefing schedule (Attachments); Notice. (vj) [Entry date 03/05/03]

3/3/03 31 MINUTE ORDER of 3/3/03 by Hon. Joan B. Gottschall: Illinois Bell Telephone Company's motion to amend briefing schedule is granted [30-1]. The briefing schedule entered on 1/10/03 is modified as follows: SBC Illinois' will file its Opening Brief within three (3) weeks after the release of the Triennial Review Order. The ICC and Intervenor's will file their response brief(s) within six (6) weeks after the filing of the SBC Illinois' Opening Brief, but not before 6/12/03. SBC Illinois' will file its Reply Brief within three (3) weeks after the filing of the ICC's and

Intervenor's Response Brief(s). Mailed notice (vj)
[Entry date 03/05/03]

3/11/03 32 NOTICE of withdrawal of Attorney Darryl M. Bradford by
intervenor defendant Worldcom Inc.; Notice. (vj)

[Entry date 03/12/03]

6/27/03 33 UNOPPOSED MOTION by plaintiff to amend briefing schedule
for submitting briefs on the merits ; Notice. (km)
[Entry date 07/08/03]

7/2/03 34 MINUTE ORDER of 7/2/03 by Hon. Joan B. Gottschall :
Plaintiff's unopposed motion to amend briefing schedule is
granted [33-1]. Plaintiff to file motion to amend complaint
2 weeks after the date on which the Triennial Review Order
is released. Defendants/intervenors to file answer 3 weeks
after amended complaint is filed. SBC to file opening brief
3 weeks after date which answers to amended complaint are
due. Defendant/intervenor to file response briefs 6 weeks
after filing of opening brief. SBC to file reply brief 3
weeks thereafter. Mailed notice (km) [Entry date 07/08/03]

9/4/03 35 MOTION by plaintiff for leavei to file instanter first
amended complaint for declaratory and other relief ;
Notice (ls) [Entry date 09/11/03]

9/10/03 36 MINUTE ORDER of 9/10/03 by Hon. Joan B. Gottschall :
Motion by plaintiff for leave to file instanter first
amended complaint for declaratory and other relief is
granted [35-1]. Briefing schedule set in this court's order
dated 7/2/03 to proceed. Mailed notice (ls)
[Entry date 09/11/03]

9/10/03 37 FIRST AMENDED COMPLAINT [1-1] by plaintiff for declaratory
and other relief (Attachments) (ls) [Entry date 09/11/03]

10/1/03 38 ANSWER by Trucomm Corporation, Data Net Sustems and
Illinois Public Telecommunications Associations to
plaintiffs complaint [37-1]; Notice (ls)
[Entry date 10/01/03]

10/1/03 39 ANSWER by the Illinois Commerce Commission's to plaintiff's
amended complaint [37-1]; Notice (ls) [Entry date 10/01/03]

10/1/03 40 ATTORNEY APPEARANCE for Novacon LLC by Thomas H. Rowland,
and Stephen James Moore ; Notice (ls) [Entry date 10/02/03]

10/1/03 41 ANSWER by intervenor defendant Z-Tel Communc to plaintiff's
first amended complaint [37-1]; Notice (ls)
[Entry date 10/02/03]

10/1/03 42 ANSWER and affirmative defenses by intervenor defendant
Worldcom Inc to plaintiff's first amended complaint [37-1] ;
Notice (ls) [Entry date 10/02/03]

10/1/03 43 ANSWER and affirmative defenses by Globalcom Inc to
plaintiff's first amended complaint [37-1]; Notice (ls)
[Entry date 10/02/03]

10/1/03 44 FIRST AMENDED ANSWER by AT&T to complaint [37-1] (ls)
[Entry date 10/02/03]

10/1/03 45 MOTION by Novacon LLC for leave to intervene ; Notice (ls)
[Entry date 10/09/03]

10/1/03 46 MOTION by intervenor defendant Z-Tel Communc to substitute
attorney ; Notice (ls) [Entry date 10/09/03]

10/1/03 47 MOTION by Lula M. Ford and Erin M. O' Connell-Diazfor
substitution under rule 25.(d)(1) ; Notice (ls)
[Entry date 10/09/03]

10/1/03 48 ANSWER and affirmative defenses by intervenor defendant
Novacon LLC to plaintiff's first amended complaint [37-1]
(ls) [Entry date 10/09/03]

10/8/03 49 MINUTE ORDER of 10/8/03 by Hon. Joan B. Gottschall :
Motion by proposed intervenor/defendant Novacon LLC for
leave to intervene is granted [45-1]. Intervenor/Defendant
Novacon LLC is given leave to intervene pursuant to
FRCP24(a) as a defendant in this action in order to assert
defenses set forth in its answer. Motion by
Intervenor-Defendant Z-Tel Communications for leave to
substitute the appearance of Kelley Drye & Warren, LLP in
lieu of O'Keefe Ashenden Lyons & Ward, withdrawn is granted
[46-1]. Henry T. Kelly and Joseph E. Donavan of Kelly Drye
& Warren, LLP to file appearance forthwith. Motion by Lisa
M. Ford and Erin M. O'Connell-Diaz in their official
capacities as Commissioners of the Illinois Commerce
Commission for substitution under rule 25.(d)(1) is granted
[47-1]. Lisa M. Ford and Erin M. O'Connell-Diaz are
substituted as parties in this action. terminating party
Terry Harvill, party Ruth Kretschmer Mailed notice (ls)
[Entry date 10/09/03]

10/10/03 50 MOTION by plaintiff for coordinated briefing; Notice (hp)
[Entry date 10/21/03]

10/17/03 51 MINUTE ORDER of 10/17/03 by Hon. Joan B. Gottschall :
Motion by plaintiff directing the parties to coordinate
briefing is granted as to the terms of record. [50-1] No
notice (hp) [Entry date 10/21/03]

10/23/03 52 OPENING BRIEF by plaintiff (Attachment). (hp)
[Entry date 10/28/03]

10/23/03 53 APPENDIX by plaintiff to opening brief on the merits
[52-1] (2 Vols. 53-1 thru 53-2) (hp) [Entry date 10/28/03]

11/25/03 56 MOTION by defendants Commissioners of the Illinois Commerce
Commission to suspend the briefing schedule to allow the
commissioners of the Illinois Commerce Commission to file a
motion requesting the court to remand this case to the
commission (Attachments); Notice (ls) [Entry date 12/05/03]

12/1/03 54 COMBINED RESPONSE by intervenors to the ICC's motion to

suspend briefing schedule ; Notice (ls)
[Entry date 12/02/03]

12/3/03 55 ATTORNEY APPEARANCE for defendant Lisa M Ford, defendant Erin M O'Connell-Diaz by John P. Kelliher, Thomas R. Stanton ; Notice (ls) [Entry date 12/04/03]

12/3/03 57 MINUTE ORDER of 12/3/03 by Hon. Joan B. Gottschall : The Commissioners of the Illinois Commerce Commission motion to suspend the briefing schedule to allow the Commissioners of the Illinois Commerce Commission to file a motion requesting the court to remand this case to the commission is granted [56-1]. Commissioners of the Illinois Commerce Commission's motion to remand is due by 12/10/03. Responses are due by 12/22/03. Replies are due by 1/7/04. Ruling by mail. Mailed notice (ls) [Entry date 12/05/03]

12/10/03 58 MOTION by defendant commissioners' to remand; Memorandum in support ; Notice (ls) [Entry date 12/23/03]

12/17/03 62 MINUTE ORDER of 12/17/03 by Hon. Joan B. Gottschall : Briefing schedule set as to defendant, Commissioners' motion to remand [58-1] is extended as follows: Response is due by 1/5/04. Reply is due by 1/19/04. Ruling by mail. Mailed notice (ls) [Entry date 12/23/03]

12/22/03 59 NOTICE by intervenor defendant Worldcom Inc of withdraw of Steven J. Winger as counsel ; Notice (ls)
[Entry date 12/23/03]

12/22/03 60 COMBINED OPPOSITION by intervenor defendant AT&T to ICC's motion to remand [58-1]; Notice (ls) [Entry date 12/23/03]

12/22/03 61 RESPONSE by plaintiff to the Commissioners' motion to remand [58-1] (ls) [Entry date 12/23/03]

1/20/04 63 REPLY by defendant in support of motion to remand; Notice (cdy) [Entry date 01/21/04]

3/10/04 64 NOTICE by intervenors regarding supplemental authority ; Notice (ls) [Entry date 03/11/04]

3/24/04 65 RESPONSE by plaintiff IL Bell Telephone Co to intervenors' notice regarding supplemental authority (eav)
[Entry date 03/25/04]

5/17/04 66 MINUTE ORDER of 5/17/04 by Hon. Joan B. Gottschall : Defendants' motion to remand is granted [58-1] remanding case to state court, terminating case. (See reverse of minute order.) Mailed notice (nf) [Entry date 05/25/04]

5/17/04 67 ENTERED JUDGMENT (nf) [Entry date 05/25/04]

6/8/04 -- MAILED certified copy of order dated 5/17/04 to the Clerk of Circuit Court of Cook County with remand letter (ls)
[Entry date 06/08/04]