

OCT 21 1994

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)	
)	
Elehue Kawika Freemon and)	
Lucille K. Freemon)	CC Docket No. 94-89
)	
Complainants,)	
)	
v.)	
)	File No. E-90-393
AT&T Corp.,)	
)	
Defendant.)	
)	

JOINT MOTION FOR MODIFICATION OF
SETTLEMENT CONFERENCE PROCEDURES

Complainants Elehue Kawika Freemon and Lucille K. Freemon (collectively "the Freemons") and defendant AT&T Corp. ("AT&T") jointly request the Presiding Officer to modify one aspect of the procedures for the parties' settlement conference scheduled for October 24, 1994 at 2:00 p.m. pursuant to paragraph 12 of the Prehearing Order in this proceeding released August 19, 1994.

Specifically, the Prehearing Order specifies that the settlement conference be conducted face-to-face at a prearranged agreed-upon location, and requires that an AT&T management employee, acting as a negotiating principal, participate in the conference. The Freemons represent that they are financially unable to travel to Washington D.C. for purposes of conducting the settlement

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conference. AT&T represents that travel by its counsel and a management employee principal to California, where the Freemons are located, for the purpose of conducting the conference would be costly and time consuming, and would be greatly disproportionate to the expected duration of the parties' conference. AT&T has also been advised by the Enforcement Division that for budgetary reasons it would be unable to participate in person in a conference held outside of the Washington, D.C. area.

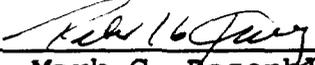
AT&T and complainant Elehue Kawika Freemon have conducted discussions to resolve this logistical issue, and have agreed, subject to the Presiding Officer's approval, to conduct the settlement conference at the scheduled date and time via conference call (such call to include the participation of the Enforcement Division). The parties to this motion submit that such a modification of the Prehearing Order's prescribed procedure will serve the interests of efficient administration of this proceeding, and preserve the Prehearing Order's objective of assuring a settlement dialogue among the parties.

WHEREFORE, for the reasons stated above, the Freemons and AT&T jointly request that paragraph 12 of the Prehearing Order herein be modified to allow the

parties to conduct their scheduled settlement conference via conference call.*

Respectfully submitted,

AT&T CORP.

By 
Mark C. Rosenblum
Peter H. Jacoby
Clifford K. Williams

Its Attorneys

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By _____
Elehue Kawika Freemon
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Big Bear Lake, CA 92315

By 
Lucille K. Freemon
730 West Columbia
Long Beach, CA 90806

October 15, 1994

* Because their respective locations would in all likelihood preclude obtaining a signature page for this motion executed by all of the parties within the time available before the scheduled settlement conference, the parties request the Presiding Judge to accept filing of this motion with counterpart signature pages executed by AT&T and each of the Freemons separately. (Additionally, to facilitate timely filing of this motion the signature page executed by Elehue Freemon has been transmitted via fax machine.) Further, while the Enforcement Division is not a party to this motion, it has executed an additional counterpart signature page to indicate its consent to the modification requested in the motion.

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Respectfully submitted,

AT&T CORP.

By [Signature]
Mark C. Rosenblum
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CONSENTED TO:


f. Thomas D. Wyatt
Chief, Formal Complaints and
Investigations Branch
Common Carrier Bureau
Federal Communications
Commission
1250 23rd Street, N.W.
Washington, D.C. 20554

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