

1 folks should provide a courtesy email copy on the
2 date of service. That way --

3 JUDGE SIPPEL: I'm expecting that.

4 MS. KANE: Okay.

5 JUDGE SIPPEL: That should be the
6 practice. Does anybody have any problem with
7 that?

8 MR. KELLER: No.

9 JUDGE SIPPEL: Faxes should be fine,
10 too, though.

11 MR. KELLER: I know what the Bureau
12 does; if there's a large attachment, they'll get
13 a courtesy copy without the attachment and the
14 attachment comes on the filing.

15 JUDGE SIPPEL: That's fine. But, yes,
16 I mean that's absolutely right. There should be
17 courtesy. But that's always been -- well, that's
18 the way to do it; courtesy copies the day of.

19 Yes, sir?

20 MR. MILLER: So will that be in
21 addition to just normal mail service; you know
22 mailing the hard copy by mail or if --

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1 JUDGE SIPPEL: Well, you can do it
2 electronically, the rules allow for that. Am I
3 right?

4 MR. MILLER: Okay. So we can just say
5 in our certificate of service is that we've
6 emailed it on this date and that would suffice?

7 JUDGE SIPPEL: Well, no, no, no. I'm
8 talking about electronic filing. I'm not talking
9 about electronic mailing.

10 MR. KELLER: There is a rule provision
11 for serving by email if the parties consent --

12 MS. KANE: We would prefer paper
13 copies as well as an email courtesy copy. But
14 I'm not sure that there is an automatic right to
15 electronic filing. I believe that is something
16 that is set up hearing-by-hearing.

17 MS. GOSSE: Communication cases are --
18 paper cases are not --

19 JUDGE SIPPEL: Strictly paper?

20 MS. GOSSE: But instructions from you
21 they file electronically, but the copy they file
22 electronically -- courtesy copy to you has to

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1 have a certificate receipt on the back.

2 JUDGE SIPPEL: All right. Somebody
3 have a suggestion? Yes, sir?

4 MR. TURNER: Your Honor, if I may?

5 JUDGE SIPPEL: Please.

6 MR. TURNER: I think it make sense to
7 have the paper copy be the official copy and to
8 do paper filings if everyone agrees to do a
9 courtesy copy via email on the date that they
10 mail the paper copy. I think that's the best way
11 to do it.

12 JUDGE SIPPEL: Makes sense to do it
13 that way.

14 MR. KELLER: I don't know that it was
15 optional. I mean, I though you could file-- is
16 there any reason that we can't agree to that?

17 MR. TURNER: I think it would be
18 better given the number of parties and the amount
19 of paper that's flying around to have the paper
20 copy be the official copy and to do courtesy
21 copies by email. I mean, that would just be my
22 preference.

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1 MR. LIEBERMAN: And I agree.

2 JUDGE SIPPEL: Thank you. I've done
3 it that way and it's worked.

4 MS. GOSSE: Electronic copies that are
5 sent directly to the secretary's office don't
6 necessarily --

7 MR. KELLER: No, no. I mean, the copy
8 the Judge --

9 JUDGE SIPPEL: Well, that's the way
10 it's going to be done.

11 MR. LIEBERMAN: If I may, Your Honor,
12 add one thing to that to make life easier for
13 people. Stipulate that they only need to send
14 one to us on behalf of all of the Havens parties,
15 that would be fine.

16 And also can we agree that service to
17 counsel of record effects service to their
18 clients?

19 MS. KANE: That would be fine with us.
20 And copies that Mr. Havens has asked for
21 individual copies --

22 MR. LIEBERMAN: I'm waving that now

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1 and saying service us with one --

2 MS. KANE: That would be good.

3 MR. LIEBERMAN: That's fine. We are
4 fine with both of us.

5 JUDGE SIPPEL: Okay. Service on
6 counsel is sufficient. Does everybody agree with
7 that? The parties don't have to get it.

8 Okay. Everybody with us on that?

9 I will issue an order setting that
10 forth.

11 We're in hearing at 9:30, there's
12 going to be a witness in the stand. And that's
13 when we get going, unless there's a reason
14 otherwise, okay?

15 Ten minute breaks, we'll take 15
16 minutes, all right. Five minutes breaks, we'll
17 take ten minutes. Because that's the way they
18 work. And other than that, we -- as I say, we're
19 going until 6:00 at night is the latest I want to
20 go. And we'll take a hour and 15 minutes to an
21 hour and a half for lunch because there's no
22 place to eat around here.

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1 So, that's about it.

2 I hope I made good notes.

3 You will hear from me shortly. And
4 I'll be looking forward to it.

5 Thank you very much.

6 (Whereupon, the conference was
7 concluded at 11:01 a.m.)

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Date of Hearing

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June 27, 2011

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