

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Caroline Behrend, et al.,)	Civil Action No. 03-6604
)	
Plaintiffs,)	The Honorable John R. Padova
)	
v.)	
)	
Comcast Corporation, et al.,)	
)	
Defendants.)	
)	

**PLAINTIFFS’ MOTION FOR CERTIFICATION OF
REVISED PHILADELPHIA CLASS**

Pursuant to Rule 23 of the Federal Rules of Civil Procedure and the Court’s Order dated June 21, 2013, Plaintiffs respectfully move this Court for an Order certifying this case as a class action pursuant to Rule 23(a) and (b)(3) with respect to the following revised Philadelphia Class:

All cable television customers who subscribe or subscribed at any time from January 1, 2003 to December 31, 2008 to video programming services (other than solely to basic cable services) from Comcast, or any of its subsidiaries or affiliates, in the counties of Bucks, Chester, Delaware, Montgomery and Philadelphia, Pennsylvania. The Class excludes governmental entities, Defendants, Defendants’ subsidiaries and affiliates and this Court.

This Motion is based upon all of the papers and proceedings in this matter, together with Plaintiffs’ Memorandum in Support of Motion for Certification of Revised Philadelphia Class, the Class Recertification Report of Dr. James T. McClave dated August 19, 2013 and the Second Supplemental Expert Report of Michael A. Williams, Ph.D. dated August 19, 2013.

WHEREFORE, Plaintiffs respectfully request that this Court enter an Order certifying the above revised Philadelphia Class. A form of a Proposed Order is filed with this Motion.

Dated: August 19, 2013

s/ David Woodward
Samuel D. Heins
Vincent J. Esades
David Woodward
Jessica N. Servais
Katherine T. Kelly
HEINS MILLS & OLSON, P.L.C.
310 Clifton Avenue
Minneapolis, MN 55403
Tel: (612) 338-4605
Fax: (612) 338-4692

Barry Barnett
Daniel H. Charest
LeElle Krompass
SUSMAN GODFREY L.L.P.
901 Main Street, Suite 5100
Dallas, Texas 75202-3775
Tel: (214) 754-1900
Fax: (214) 754-1933

Anthony J. Bolognese (#36937)
Joshua H. Grabar (JHG 1707) (#82525)
BOLOGNESE & ASSOCIATES, LLC
Two Penn Center Plaza
1500 JFK Boulevard, Suite 320
Philadelphia, PA 19102
Tel: (215) 814-6750
Fax: (215) 814-6764

Joseph Goldberg
FREEDMAN BOYD HOLLANDER GOLDBERG
URIAS & WARD, P.A.
200 Third Street NW
Albuquerque, NM 87102
Tel: (505) 842-9960
Fax: (505) 842-0761

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

The undersigned attorney certifies that on this day, August 19, 2013, he caused to be served via ECF copies of the foregoing document on the following counsel:

Sheron Korpus
KASOWITZ BENSON TORRES &
FRIEDMAN LLP
1633 Broadway
New York, New York 10019
skorpus@kasowitz.com

Christopher B. Hockett
DAVIS POLK & WARDWELL LLP
1600 El Camino Real
Menlo Park, CA 94025
chris.hockett@davispolk.com

s/ David Woodward
David W. Woodward