

Attachment C

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	CV No. 17-2511
)	
vs.)	Washington, D.C.
)	December 7, 2017
AT&T, INC. ET AL.,)	2:30 p.m.
)	
Defendants.)	
)	

TRANSCRIPT OF STATUS CONFERENCE
BEFORE THE HONORABLE RICHARD J. LEON
UNITED STATES SENIOR DISTRICT JUDGE

APPEARANCES:

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1 order. I've reached my conclusion on the date, and it was
2 based upon both sides' arguments in the pleadings, which are
3 extensive; a fair consideration of the burden, which is
4 considerable to both sides and to the Court, certainly up to
5 a point; and my existing calendar.

6 So as it turns out, I have a six- to eight-week
7 criminal trial in a complex white-collar case starting in
8 April. And I have a two- to three-week criminal trial in
9 January. So it had to be sandwiched in between those two.
10 So the trial date I've picked is March 19th.

11 Now, what I would ask the parties to do is a
12 couple of things. First and foremost, reconstitute a
13 proposed scheduling order. Confer with one another, which
14 you have been doing, which is great, and come up with a
15 reconstituted, proposed scheduling order, with that as the
16 first day of the trial.

17 Build into that scheduling order the various
18 junctures along the road that you believe we just have to
19 do. You know, build them into the whole process.

20 The big ask is to this side. If that trial goes
21 three weeks, which is the guesstimate -- and it's only a
22 guesstimate. We all know from experience that trials have a
23 way of expanding, sometimes contracting, but expanding many
24 times.

25 That trial goes -- say it goes three weeks, as you

1 crystal-ball it. That's really April, April 6th. We're
2 going to have post-trial motions. We might have to have
3 post-trial arguments.

4 Getting an opinion out on April 22nd is not
5 happening. It can't be done. It's not humanly possible.

6 I have to write an opinion. And based on a lot of
7 experience, you don't crank out a 100-plus-page opinion on a
8 matter of this consequence in a couple of weeks. We don't
9 even have time in there built in for the post-trial motions.

10 So the defendants are going to have to talk to
11 their clients about this drop-dead date. Extend it 60 days,
12 maybe 90, whatever. But build some time into this so that
13 I can do my job post trial, keeping in mind that starting
14 April 16th, I have a six- to eight-week, complex
15 white-collar criminal trial that I really am not in a
16 position to reschedule at the moment.

17 So it's going to get a little crazy around here,
18 from my perspective, in March, April, and May. It's going
19 to be pretty tough.

20 We've done that before in *McConnell* and *Fannie Mae*
21 securities and *Boumediene* and a bunch of other big cases.
22 We know how to do that. We can do it. It's just that it's
23 going to be really rough.

24 So I'm putting the onus on you all to use your
25 good offices and your efforts to try to keep it as

1 efficient, smooth, and moving it forward as quickly as
2 possible so we can get you the final decision sometime in
3 that April/May time frame. I mean, that's the goal.

4 April 22nd is not realistic, not with a start date
5 of a trial in mid-March. It just can't be done. So that's
6 important for you all to be thinking about and talking to
7 your clients about and seeing what you can do to make some
8 adjustments in that regard. Okay?

9 I don't know what's going to happen in terms of
10 the motions. I can tell you from a 10,000-foot perspective,
11 we're going to try to keep it to a minimum.

12 I was interested in and actually happy to see that
13 neither side requested a Special Master. I'm not naturally
14 inclined, although I can do it, to bring in a third party in
15 between me and the lawyers, whether it be a magistrate judge
16 or a Special Master.

17 I'm planning on having status hearings every two
18 weeks. The next one will be in two weeks. And we'll deal
19 with whatever we're dealing with at that point in time.
20 We're going to have regular status hearings. This is that
21 important a matter for all of us to be done and be done
22 right and to be done efficiently.

23 So we're going to do that. And I'm going to, in
24 my case management order, have a specific requirement for
25 pre-motion conferences with the Court. The parties will be