

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

IN RE: DOMESTIC DRYWALL
ANTITRUST LITIGATION

:
: MDL No. 2437
: 13-MD-2437
:
:
:
:
:
:

THIS DOCUMENT RELATES TO:
ALL ACTIONS

[REDACTED] ORDER GRANTING DISCOVERY UNDER THE CABLE ACT

WHEREAS, the Defendants have provided to Plaintiffs certain names and telephone numbers of individuals subject to certain discovery in this case;

WHEREAS, the Plaintiffs have served subpoenas on telephone carriers seeking documents relating to calls made to and from these numbers and individuals;

WHEREAS, several of the companies subject to the subpoenas have stated that they are cable operators and thus are subject to the Cable Communications Policy Act of 1984, 47 U.S.C. § 551 (the "Cable Act"); and

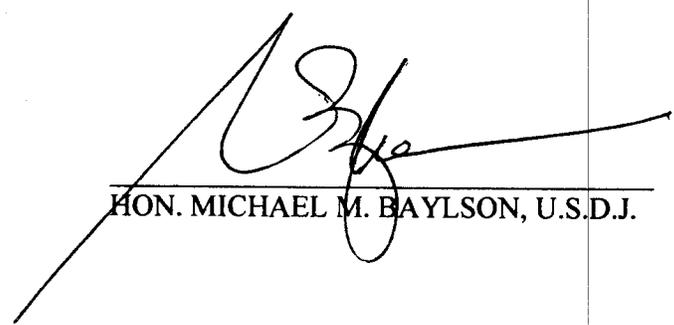
WHEREAS, Defendants have no objection to the proposed Order;

Now, therefore, it is hereby ORDERED:

- (1) that any subpoena issued in this case seeking production of documents that reflect, in whole or part, the date, time, originating telephone number, destination telephone number and duration of any phone calls, faxes, text messages or other communications shall be deemed an appropriate court order under Section 551(c)(2)(B) of the Cable Act;
- (2) that any entity that has been served with such a subpoena shall be deemed to have been served with a court order under the Cable Act for purposes of complying with subsection 551(c)(2)(B);
- (3) that, before complying with such a subpoena, any entity served that is subject to the Cable Act shall first comply with the provisions of the Cable Act that direct the entity to provide subscribers notice and an opportunity to object to production of the records; and

(4) that this Order does not waive or limit any party's right to object to a subpoena on any grounds other than satisfaction of subsection 551(c)(2)(B) of the Cable Act, nor does it waive or limit any party's right to enforce the subpoena or to challenge any party's assertion that it is subject to the Cable Act.

Dated: 9/18/13, 2013



HON. MICHAEL M. BAYLSON, U.S.D.J.