

# **EXHIBIT H**

## Carter, David

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**From:** Carter, David  
**Sent:** Saturday, April 30, 2011 1:55 PM  
**To:** Schenkenberg, Philip; Meredith Moore; Buntrock, Ross; jcremer@bantzlaw.com; Talbot J. Wiczorek; 'Darla Pollman Rogers'; 'Margo D. Northrup'; 'Jeffrey D. Larson'  
**Cc:** Lawson, William [GA]  
**Subject:** RE: SDN v. Sprint Scheduling Order

Phil:

To clarify, I believe Meredith's statement is correct that paragraph 20 is the only substantive change. I did make some other minor changes (reordering paragraphs and adding some headings) to try to make it easier to ensure that the schedule that we were putting together was consistent and coherent, and added a discovery cut off date, which was not in the original schedule proposal. If you believe these changes substantively change the document, certainly let us know.

Thanks,  
David

David Carter  
Attorney

Arent Fox LLP | Attorneys at Law  
1050 Connecticut Avenue, NW  
Washington, DC 20036-5339  
202.857.8972 Direct | 202.857.6395 Fax  
carter.david@arentfox.com | www.arentfox.com

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**From:** Schenkenberg, Philip [PSchenkenberg@Briggs.com]  
**Sent:** Saturday, April 30, 2011 12:36 PM  
**To:** Meredith Moore; Buntrock, Ross; Carter, David; jcremer@bantzlaw.com; Talbot J. Wiczorek; 'Darla Pollman Rogers'; 'Margo D. Northrup'; 'Jeffrey D. Larson'  
**Cc:** Lawson, William [GA]  
**Subject:** RE: SDN v. Sprint Scheduling Order

I don't think that's correct, but will need to take a closer look.

Phil Schenkenberg  
Briggs and Morgan, P.A.  
Direct 612.977.8246  
Fax 612.977.8650  
pschenkenberg@briggs.com  
2200 IDS Center  
80 South 8th Street  
Minneapolis, MN 55402

From: Meredith Moore [mailto:meredithm@cutlerlawfirm.com]  
Sent: Saturday, April 30, 2011 11:09 AM  
To: Schenkenberg, Philip; Buntrock, Ross; Carter, David; jcremer@bantzlzlaw.com; Talbot J. Wiczorek; 'Darla Pollman Rogers'; 'Margo D. Northrup'; 'Jeffrey D. Larson'  
Cc: Lawson, William [GA]  
Subject: RE: SDN v. Sprint Scheduling Order

Phil,

The only substantive change is the addition of paragraph 20, which details the status of discovery between Splitrock and Sprint. It was added to be consistent with the other paragraphs pertaining to Sancom and Northern Valley. I believe the schedule is otherwise the same as the one previously circulated.

Thank you.

Meredith

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From: Schenkenberg, Philip [mailto:PSchenkenberg@Briggs.com]  
Sent: Saturday, April 30, 2011 10:29 AM  
To: Meredith Moore; Buntrock, Ross; Carter, David; jcremer@bantzlzlaw.com; Talbot J. Wiczorek; 'Darla Pollman Rogers'; 'Margo D. Northrup'; 'Jeffrey D. Larson'  
Cc: Lawson, William [GA]  
Subject: RE: SDN v. Sprint Scheduling Order Thanks Meredith. I think it is correct to say that the substantive portions of the document have been approved. It looks to me like there are some edits to those substantive parts since and prior "approval." Can you let us know what those changes are? Thanks.

Phil

Phil Schenkenberg  
Briggs and Morgan, P.A.  
Direct 612.977.8246  
Fax 612.977.8650  
pschenkenberg@briggs.com  
2200 IDS Center  
80 South 8th Street  
Minneapolis, MN 55402

From: Meredith Moore [mailto:meredithm@cutlerlawfirm.com]  
Sent: Friday, April 29, 2011 5:15 PM  
To: Schenkenberg, Philip; Buntrock, Ross; Carter, David; jcremer@bantzlzlaw.com; Talbot J. Wiczorek; 'Darla Pollman Rogers'; 'Margo D. Northrup'; 'Jeffrey D. Larson'  
Cc: Lawson, William [GA]  
Subject: RE: SDN v. Sprint Scheduling Order

All:

David Carter and I have visited regarding the proposed procedural schedule that has previously been circulated. I believe the substantive portions of the document have been approved for the most part and it is the actual schedule that requires further discussion and finalization. To that end, we've discussed proposed dates for moving forward with this matter and incorporated those in the attached proposed schedule in an effort to provide a starting point for future discussion.

Should anyone have comments or proposed changes to the attached, please let me know. Otherwise, assuming all are available, we can discuss at the time of a call next Friday.

Thank you.

Meredith

Meredith A. Moore  
Cutler & Donahoe, LLP  
P.O. Box 1400  
100 N. Phillips Ave., 9th Fl.  
Sioux Falls, SD 57101-1400  
Main: (605) 335-4950  
Fax: (605) 335-4966  
meredithm@cutlerlawfirm.com<mailto:meredithm@cutlerlawfirm.com>

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From: Schenkenberg, Philip [mailto:PSchenkenberg@Briggs.com]  
Sent: Friday, April 29, 2011 2:58 PM  
To: Buntrock, Ross; Carter, David; jcremer@bantzlzlaw.com; Talbot J. Wieczorek; 'Darla Pollman Rogers'; 'Margo D. Northrup'; 'Jeffrey D. Larson'  
Cc: Meredith Moore; Lawson, William [GA]  
Subject: RE: SDN v. Sprint Scheduling Order I can be available for such a call any time on the 6th if that works for others.

Phil

Phil Schenkenberg  
Briggs and Morgan, P.A.  
Direct 612.977.8246  
Fax 612.977.8650  
pschenkenberg@briggs.com  
2200 IDS Center  
80 South 8th Street  
Minneapolis, MN 55402  
From: Buntrock, Ross [mailto:Buntrock.Ross@ARENTFOX.COM]  
Sent: Friday, April 29, 2011 12:50 PM

To: Schenkenberg, Philip; Carter, David; jcremer@bantzlaw.com; Talbot J. Wieczorek; 'Darla Pollman Rogers'; 'Margo D. Northrup'; 'Jeffrey D. Larson'  
Cc: meredithm@cutlerlawfirm.com; Lawson, William [GA]  
Subject: RE: SDN v. Sprint Scheduling Order

Phil,

Assuming that you will be able review the responses and coordinate with your client sometime in the next 2-3 business days, I would propose that we schedule a call not later than Friday, May 6. Please provide some times when you are available next week.

Thanks for your cooperation. Have a nice weekend.

Ross

Ross Buntrock  
Partner

Arent Fox LLP | Attorneys at Law  
1050 Connecticut Avenue, NW  
Washington, DC 20036-5339  
202.775.5734 DIRECT | 202.857.6395 FAX  
buntrock.ross@arentfox.com<mailto:Buntrock.Ross@ARENTFOX.COM> |  
www.arentfox.com<http://www.arentfox.com>

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From: Schenkenberg, Philip [mailto:PSchenkenberg@Briggs.com]  
Sent: Friday, April 29, 2011 1:44 PM  
To: Carter, David; jcremer@bantzlaw.com; Talbot J. Wieczorek; 'Darla Pollman Rogers'; 'Margo D. Northrup'; 'Jeffrey D. Larson'  
Cc: Buntrock, Ross; meredithm@cutlerlawfirm.com; Lawson, William [GA]  
Subject: RE: SDN v. Sprint Scheduling Order

Thanks David, but I haven't even had a chance to look at the supplemental responses you emailed me after hours last night. I will need do so and share with my client before we take that next step.

Phil

Phil Schenkenberg  
Briggs and Morgan, P.A.  
Direct 612.977.8246  
Fax 612.977.8650  
pschenkenberg@briggs.com  
2200 IDS Center  
80 South 8th Street  
Minneapolis, MN 55402

From: Carter, David [mailto:Carter.David@ARENTFOX.COM]  
Sent: Friday, April 29, 2011 12:37 PM  
To: Schenkenberg, Philip; jcremer@bantzlaw.com; Talbot J. Wieczorek; 'Darla Pollman Rogers'; 'Margo D. Northrup'; 'Jeffrey D. Larson'  
Cc: Buntrock, Ross; meredithm@cutlerlawfirm.com; Lawson, William [GA]  
Subject: RE: SDN v. Sprint Scheduling Order

Phil:

Now that we have served Northern Valley's supplemental interrogatory responses, we would like to proceed with finalizing a scheduling order. Please let us know your availability for Monday or Tuesday of next week.

Thanks,  
David

David Carter  
Attorney

Arent Fox LLP | Attorneys at Law  
1050 Connecticut Avenue, NW  
Washington, DC 20036-5339  
202.857.8972 DIRECT | 202.857.6395 FAX  
carter.david@arentfox.com<mailto:Carter.David@ARENTFOX.COM> |  
www.arentfox.com<http://www.arentfox.com>

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From: Schenkenberg, Philip [mailto:PSchenkenberg@Briggs.com]  
Sent: Wednesday, April 20, 2011 5:19 PM  
To: jcremer@bantzlaw.com; Talbot J. Wiczorek; 'Darla Pollman Rogers'; 'Margo D. Northrup'; 'Jeffrey D. Larson'  
Cc: Buntrock, Ross; Carter, David; meredithm@cutlerlawfirm.com; Lawson, William [GA]  
Subject: RE: SDN v. Sprint Scheduling Order

As I've said, there are too many open discovery issues to finalize these dates right now, so I don't think we can get on a call and finalize. I was hoping to hear back from David following our discussion last week, and need those answers to know whether we are going to need to move to compel. We've given Meredith's client an extension until May 6 on our last requests, and we're trying to accommodate third parties whom we have served subpoenas on.

Phil

Phil Schenkenberg  
Briggs and Morgan, P.A.  
Direct 612.977.8246  
Fax 612.977.8650  
pschenkenberg@briggs.com  
2200 IDS Center  
80 South 8th Street  
Minneapolis, MN 55402  
From: James M. Cremer [mailto:jcremer@bantzlaw.com]  
Sent: Wednesday, April 20, 2011 4:15 PM  
To: Schenkenberg, Philip; Talbot J. Wiczorek; 'Darla Pollman Rogers'; 'Margo D. Northrup'; 'Jeffrey D. Larson'  
Cc: 'Buntrock, Ross'; 'Carter, David'  
Subject: FW: SDN v. Sprint Scheduling Order

Phil and Darla:

Last response on this was from Phil that the dates do not work. Phil, please propose new dates or lets set up a call on to finalize.

James M. Cremer | Bantz, Gosch & Cremer, L.L.C.  
305 Sixth Ave. SE | PO Box 970 | Aberdeen, SD 57402-0970  
(605) 225-2232 | Fax (605) 225-2497

From: James M. Cremer [mailto:jcremer@bantzlzlaw.com]  
Sent: Thursday, April 14, 2011 11:52 AM  
To: 'Philip R. Schenkenberg'; 'Darla Pollman Rogers'; 'Margo D. Northrup'  
Cc: 'Carter, David'; 'Buntrock, Ross'  
Subject: FW: SDN v. Spring Scheduling Order

Phil, Darla and Margo:

Can we get this competed this week? If this is draft is acceptable, I will send a version to sign, otherwise are you available Friday or Monday for a call to finalize?

James M. Cremer | Bantz, Gosch & Cremer, L.L.C.  
305 Sixth Ave. SE | PO Box 970 | Aberdeen, SD 57402-0970  
(605) 225-2232 | Fax (605) 225-2497

From: James M. Cremer [mailto:jcremer@bantzlzlaw.com]  
Sent: Thursday, March 17, 2011 5:12 PM  
To: 'Philip R. Schenkenberg'; 'Darla Pollman Rogers'; 'Margo D. Northrup'  
Subject: SDN v. Spring Scheduling Order

Phil, Darla and Margo:

I understand you will be discussing this tomorrow. Attached is a chart that I think incorporates the dates from the current draft that I thought may be useful during your discussions. I suggest we incorporate this in the schedule.

James M. Cremer | Bantz, Gosch & Cremer, L.L.C.  
305 Sixth Ave. SE | PO Box 970 | Aberdeen, SD 57402-0970  
(605) 225-2232 | Fax (605) 225-2497

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