

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

AMERICAN EDUCATIONAL RESEARCH  
ASSOCIATION, INC., AMERICAN  
PSYCHOLOGICAL ASSOCIATION, INC., and  
NATIONAL COUNCIL ON MEASUREMENT IN  
EDUCATION, INC.,

Plaintiffs/Counter-defendants,

v.

PUBLIC.RESOURCE.ORG, INC.,

Defendant/Counterclaimant.

Case No. 1:14-cv-00857-TSC-DAR

**CONSENT REQUEST FOR TELEPHONIC  
STATUS CONFERENCE [DKT. NO. 45]**

Filed: May 23, 2014

Defendant-Counterclaimant Public.Resource.Org respectfully requests that the status conference requested by Plaintiffs (Dkt. No. 45) and ordered by the Court to occur at 2:00 p.m. on Thursday, May 21, 2015 be held telephonically, or in the alternative, allow for a telephonic appearance by Public Resource's counsel. As a one-person California non-profit with limited resources and pro bono representation, Public Resource has incurred great expense for repeated travel across the country and lodging in the District of Columbia, including travel for previously scheduled conferences.

Public Resource understands the Court's need to manage its calendar, and the Court's preference for in-person conferences. In this case, however, Public Resource believes a telephonic conference is appropriate, because a telephonic status conference or appearance would not impair discussion of any outstanding issues. The principal purpose stated in Plaintiffs' request for a status conference (Dkt. No. 45) was to discuss the joint consent motion to extend time for discovery (Dkt. No. 42) which has subsequently been granted by the Court, and to

discuss Plaintiffs' motion to compel discovery (Dkt. No. 27), which has already been fully argued before the Court.

Pursuant to Local Civil Rule 7(m), Public Resource has conferred with Plaintiffs' counsel Katherine Cappaert, who stated that Plaintiffs do not oppose Public Resource's request that the status conference be held telephonically.

Dated: May 19, 2015

Respectfully submitted,

/s/ Matthew B. Becker

Andrew P. Bridges (admitted)  
abridges@fenwick.com  
Matthew B. Becker (pro hac vice)  
mbecker@fenwick.com  
FENWICK & WEST LLP  
555 California Street, 12th Floor  
San Francisco, CA 94104  
Telephone: (415) 875-2300  
Facsimile: (415) 281-1350

David Halperin (D.C. Bar No. 426078)  
davidhalperindc@gmail.com  
1530 P Street NW  
Washington, DC 20005  
Telephone: (202) 905-3434

Mitchell L. Stoltz (D.C. Bar No. 978149)  
mitch@eff.org  
Corynne McSherry (pro hac vice)  
corynne@eff.org  
ELECTRONIC FRONTIER FOUNDATION  
815 Eddy Street  
San Francisco, CA 94109  
Telephone: (415) 436-9333  
Facsimile: (415) 436-9993

*Attorneys for Defendant-Counterclaimant  
Public.Resource.Org, Inc.*