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July 13, 2010

VIA HAND DELIVERY

filed electronically in docket office on 07/13/10

Hon. Mary Freeman, Chairman  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37238

Re: *Complaint of EveryCall Communications Against AT&T Tennessee and Motion for  
Emergency Relief to Prevent Disruption of Service*  
Docket No. 10-00132

Dear Chairman Freeman:

On July 12, 2010, AT&T Tennessee was notified by EveryCall's bankruptcy counsel in Louisiana that EveryCall had filed a petition under chapter 11 in the United States Bankruptcy Court in Baton Rouge, Louisiana.<sup>1</sup>

Accordingly, the parties agree that there is no reason to proceed with the 2:00 p.m. conference today, which was scheduled by the Authority prior to its receiving notice of the bankruptcy filing.<sup>2</sup>

The parties recognize the pendency of the bankruptcy proceeding and will comply with all applicable bankruptcy court orders.

I have been authorized to sign this letter on behalf of Mr. Henry Walker, local counsel for EveryCall.

Very truly yours,

Guy M. Hicks  
Counsel for AT&T Tennessee

Henry Walker  
Counsel for EveryCall Communications

<sup>1</sup> A copy of EveryCall's notification of bankruptcy filing is attached.

<sup>2</sup> The Georgia Public Service Commission determined today that a similar status conference involving AT&T Georgia and EveryCall was moot given EveryCall's bankruptcy filing in Louisiana. *EveryCall Communications, Inc.'s Petition for Temporary, Emergency Relief in Response to AT&T Georgia's Notice of Suspension and Disconnection of Service*, Georgia Public Service Commission Docket No. 24309 829174

**STEWART ROBBINS & BROWN**  
Attorneys at Law

**Facsimile Cover Sheet**

|                                   |   |
|-----------------------------------|---|
| Date                              | July 12, 2010   |
| To                                | Meredith E. Mays, Esq.: 404-927-3618; Tanya O'Neal: 205-321-4756; Patrick W. Turner, Esq.: 803-254-1731; Larry W. Thaxton: 678-966-2863; Guy M. Hicks, Esq.: 615-214-7406; Debbie V. Canale: 504-528-7556; Walter Thomas: 334-242-0509; Timothy J. Devlin: 1-800-511-0809; Reece McAllister: 404-656-2341; Jeff R. Derouen: 502-564-3460; Eve K. Gonzalez: 225-342-2831; Brian U. Ray: 601-961-5469; Renne Vance: 919-733-7300; Honorable Jocelyn Boyd: 803-869-5199; Honorable Mary W. Freeman: 615-532-4698; Jan Sanders: 501-682-1717; W. Lane Lanford: 512-936-7036 |
| From                              | Brandon A. Brown  |
| Matter Number                     | 947-001<br>"In re: EveryCall Communications, Inc."<br>No. 10-11054, U.S.B.C., M.D.Ia.   |
| Number of Pages (including cover) | 6   |
| Comments                          | Please see attached.  |
| Original to Follow by Mail?       | Yes _____ No <u>x</u>   |

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PLEASE CONTACT CHRISTIAN AT (225) 231-9998

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July 12, 2010

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Ms. Debbie V. Canale  
Regional Vice President  
AT&T Louisiana  
365 Canal Street, Ste. 3000  
New Orleans, LA 70130

Re: *"In re EveryCall Communications, Inc.,"* No. 10-11054, U.S.B.C., M.D.La.

All:

Please be advised that this firm has been engaged to represent EveryCall Communications, Inc. ("*EveryCall*") with regard to the filing and prosecution of a chapter 11 bankruptcy case. Please be further advised that on July 12, 2010, EveryCall filed a voluntary petition under chapter 11 of title 11, United States Code, in the United States Bankruptcy Court for the Middle District of Louisiana. Attached herewith is a receipt of filing issued by the Bankruptcy Court indicating the date and time of filing as well as case number.

EVERYCALL COMMUNICATIONS, INC.  
July 12, 2010  
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We are aware that AT&T (inclusive of all divisions and subsidiaries, "**AT&T**") has issued a Notice of Suspension and Termination dated June 18, 2010 (the "**Notice**"), which Notice indicates that AT&T intends to suspend EveryCall on or before July 6, 2010<sup>1</sup> and terminate the Interconnection Agreement between AT&T and EveryCall (the "**ICA**") on or before July 21, 2010. Please be advised that upon the commencement of a case under title 11, United States Code, a stay of certain actions statutorily issues pursuant to 11 U.S.C. § 362(a). Such stay prohibits, *inter alia*:

The commencement or continuation . . . of any judicial, administrative, or other action or proceeding against the debtor that was or could have been commenced before the commencement of a case under this title, or to recover a claim against the debtor that arose before the commencement of the case under this title; . . .

Any act to obtain possession of property of the estate or property from the estate or to exercise control over property of the estate; . . .

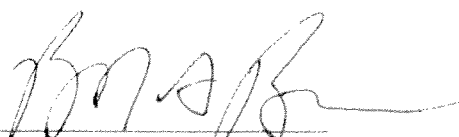
Any act to collect, assess, or recover a claim against the debtor that arose before the commencement of the case under this title. 11 U.S.C. § 362(a)(1), (3), (6).

Accordingly, the automatic stay prohibits AT&T from unilaterally Suspending, Discontinuing, or Terminating under ongoing contract, *i.e.*, the ICA, with EveryCall.

Should AT&T nonetheless violate the automatic stay by issuing a suspension of privileges pursuant to the ICA or outright terminate the ICA, EveryCall intends to proceed with requisite filings in the United States Bankruptcy Court for the Middle District of Louisiana to enforce the automatic stay, and such filings will request compensatory damages, punitive damages, and attorneys fees as may be available pursuant to 11 U.S.C. §§ 362, 105. We invite you to file whatever claim you deem appropriate with the bankruptcy court so that such claim may be resolved within these bankruptcy proceedings.

Should you have any questions, Please feel free to contact me.

Sincerely,  
STEWART ROBBINS & BROWN, LLC

By:   
Brandon A. Brown, APLC

<sup>1</sup> It is our understanding that such Suspension deadline was subsequently extended until July 13, 2010 by correspondence from Patrick W. Turner, Esq. dated July 6, 2010.

EVERYCALL COMMUNICATIONS, INC.

July 12, 2010

Page 3

cc: Mr. John H. Brydels, Jr., Via Email: brydels@everycall.com  
Mr. Kyle Coates, Via Email: coates@everycall.com  
Mr. Jon Seger, Via Email: seger@everycall.com  
Mr. Walter Thomas, Via Fax: 334-242-0509  
Mr. Timothy J. Devlin, Via Fax: 1-800-511-0809  
Mr. Reece McAllister, Via Fax: 404-656-2341  
Mr. Jeff R. Derouen, Via Fax: 502-564-3460  
Ms. Eve K. Gonzalez, Via Fax: 225-342-2831  
Mr. Brian U. Ray, Via Fax: 601-961-5469  
Ms. Renne Vance, Via Fax: 919-733-7300  
The Honorable Jocelun Boyd, Via Fax: 803-896-5199  
The Honorable Mary W. Freeman, Via Fax: 615-532-4698  
Ms. Jan Sanders, Via Fax: 501-682-1717  
Mr. W. Lane Lanford, Via Fax: 512- 936-7036

United States Bankruptcy Court  
Middle District of Louisiana

**Notice of Bankruptcy Case Filing**

A bankruptcy case concerning the debtor(s) listed below was filed under Chapter 11 of the United States Bankruptcy Code, entered on 07/12/2010 at 1:01 PM and filed on 07/12/2010.

**EveryCall Communications, Inc.**  
4315 Bluebonnet Blvd., Ste. A  
Baton Rouge, LA 70809  
Tax ID / EIN: 72-1403495  
*dba*  
**All American Home Phone**  
*dba*  
**Local USA**



The case was filed by the debtor's attorney:

**Brandon A. Brown**  
Stewart Robbins & Brown, LLC  
247 Florida Street  
P.O. Box 66498  
Baton Rouge, LA 70896  
225-231-9998

The case was assigned case number 10-11054.

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

If you would like to view the bankruptcy petition and other documents filed by the debtor, they are available at our *Internet* home page <http://ecf.lamb.uscourts.gov/> or at the Clerk's Office, 707 Florida Street Room 119 Baton Rouge, LA 70801.

You may be a creditor of the debtor. If so, you will receive an additional notice from the court setting forth important deadlines.

**Monica M. Menier**  
**Clerk, U.S. Bankruptcy**  
**Court**

LIVE Database Area

|                             |                  |                         |          |
|-----------------------------|------------------|-------------------------|----------|
| <b>PACER Service Center</b> |                  |                         |          |
| <b>Transaction Receipt</b>  |                  |                         |          |
| 07/12/2010 13:03:29         |                  |                         |          |
| <b>PACER Login:</b>         | sh3619           | <b>Client Code:</b>     |          |
| <b>Description:</b>         | Notice of Filing | <b>Search Criteria:</b> | 10-11054 |
| <b>Billable Pages:</b>      | 1                | <b>Cost:</b>            | 0.08     |

**CERTIFICATE OF SERVICE**

I hereby certify that on July 13, 2010, a copy of the foregoing document was served on the following, via the method indicated:

- ☐ Hand
- ☐ Mail
- ☐ Facsimile
- ☐ Overnight
- ☒ Electronic

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- ☐ Hand
- ☐ Mail
- ☐ Facsimile
- ☐ Overnight
- ☒ Electronic

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