

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

BIDDEFORD INTERNET CORPORATION,     )  
   )  
   )     Plaintiff,  
   )  
   )     v.     Civil Action No. 06-91-P-C  
   )  
VERIZON NEW ENGLAND INC.             )  
   )  
   )     Defendant.     )

**MEMORANDUM TO COUNSEL**

The Court has just reviewed the First Status Report filed by the parties in this matter (Docket Item No. 19) and is concerned that counsel are not proceeding expeditiously with the arbitration of the case. The Court did not intend by granting Verizon's Motion to Enforce Arbitration Agreement (Docket Item No. 9) by its Order Enforcing the Arbitration Agreement (Docket Item No. 18) to create an opportunity for strategic game playing and inordinate delay. The Court assumed that Verizon, by the filing of the Motion to Enforce the Agreement or Dismiss the Case, was serious about arbitrating the matter. The Court does not intend for this matter to remain on the Court's Docket while the parties engage in arcane procedural machinations involving the arbitration proceeding and the exercise of jurisdiction by the MPUC. Accordingly, NOTICE is GIVEN to counsel hereby that counsel for Verizon must file a further Status Report on or before December 6, 2006 indicating whether the arbitration proceeding has

been initiated by either party. In the event that the report indicates that no action in that respect has been taken the Court will dismiss the case sua sponte, without prejudice.

/s/Gene Carter  
GENE CARTER  
Senior U.S. District Court Judge

Dated at Portland, Maine this 20th day of November, 2006.

**Plaintiff**

**BIDDEFORD INTERNET  
CORPORATION**  
*doing business as*  
**GREAT WORKS INTERNET**

represented by **DAVID P. SILK**  
CURTIS, THAXTER, STEVENS,  
BRODER, & MICOLEAU  
ONE CANAL PLAZA  
P. O. BOX 7320  
PORTLAND, ME 04112-7320  
774-9000  
Fax: 775-0612  
Email: dsilk@curtisthaxter.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**SIDNEY ST. F. THAXTER**  
CURTIS, THAXTER, STEVENS,  
BRODER, & MICOLEAU  
ONE CANAL PLAZA  
P. O. BOX 7320  
PORTLAND, ME 04112-7320  
774-9000  
Email: sthaxter@curtisthaxter.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**VERIZON NEW ENGLAND  
INC**  
*doing business as*  
VERIZON MAINE

represented by **JOHN J. AROMANDO**  
PIERCE, ATWOOD LLP  
ONE MONUMENT SQUARE  
PORTLAND, ME 04101-1110  
791-1100  
Email:  
jaromando@pierceatwood.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*