

CORRECTED  
COURT OF APPEAL, FIRST CIRCUIT  
STATE OF LOUISIANA

RE: Docket Number 2003-CA-1264

STATE OF LOUISIANA, WILLIAM KIMBALL, H. M.  
KIMBALL, JR. AND ELIZABETH KIMBALL LEWIS,  
INDIVIDUALLY AND AS REPRESENTATIVE OF A CLASS  
OF THOSE SIMILARLY SITUATED

-- Versus --

SPRINT COMMUNICATIONS COMPANY, L. P., U.S.  
TELCOM, INC., M.C.I. TELECOMMUNICATIONS  
CORPORATION, INC., UTELCOM, INC. AND UCOM, INC.

18th Judicial District Court  
Case #: 26334  
West Baton Rouge Parish

Consolidated with the following:

2003 - CA - 1265

THE STATE OF LOUISIANA AND XCL, LTD., ET AL., INDIVIDUALLY AND AS  
REPRESENTATIVES OF A CLASS OF THOSE SIMILARLY SITUATED  
versus  
WILTEL, INC. AND WILTEL COMMUNICATIONS SYSTEMS, INC.

On Application for Rehearing filed 11/12/2004

Rehearing GRANTED

\_\_\_\_\_  
Burrell J. Carter

*Parro, J., would deny application.*

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Randolph H. Parro

*John M. Guidry*  
\_\_\_\_\_  
John M. Guidry

*John T. Pettigrew*  
\_\_\_\_\_  
John T. Pettigrew

*E. James Gaidry*  
\_\_\_\_\_  
E. James Gaidry

*Burrell J. Carter*

Carter, C.J., dissents from the granting of a rehearing in this matter, and further dissents from the denial of the applicants' request of an en banc rehearing. Because of the impact this decision has with respect to the property rights of thousands of Louisiana residents, if a rehearing is granted by the court, due deference to the importance of the issues raised in this case would dictate rehearing en banc.

Filed JAN 19 2005

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Christine L. Crow, Clerk