

**Board of Appeals Minutes**  
**BA 14-005C AT&T Mobility**  
**March 26, 2015**

**Board Members Present:**

James Howard  
Genevieve Walker-Lightfoot  
John Lederer  
James Walsh  
Steven Hunt

**Attorneys:**

Barry Sanders, Board Attorney  
Attorney for AT&T: Greg Rapasarda  
Attorney for opposition: Kevin Collins

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**Preliminary Matters Discussed:**

Mr. Howard advised that AT&T Mobility had moved before the United States District Court on matters substantially relating to this case. Mr. Howard referred to Rule 2.204(j):

**(j) Cases Pending in Court.** The Board shall not hold a hearing on a petition involving substantially the same issues of a case that has been filed and is pending before a court of law. A hearing may be scheduled when the Board is advised by the Petitioner that the court has reached a final decision. The hearing shall be scheduled at the earliest possible date.

Mr. Howard advised that they needed to determine whether or not this Rule should be invoked at this time. Mr. Howard will give each side 10 minutes to address the Board.

Mr. Rapisarda indicated the United States District Court case which is pending is not substantially related to the matter before the Board and the Board should proceed.

Kevin Collins, on behalf of the Appellants, requested that this matter be stayed as they had not previously seen the Complaint filed in the United States District Court and requested that they be given sufficient time to prepare for an argument.

The Board adjourned their decision on 2.204(j) until the next hearing date, March 31, 2015, to allow the Appellants' to file their argument to the Motion.

7:26 p.m. Board Adjourned.