

LAW OFFICES
MESSER, CAPARELLO & SELF
A PROFESSIONAL ASSOCIATION

ORIGINAL

218 SOUTH MONROE STREET, SUITE 701
POST OFFICE BOX 1876
TALLAHASSEE, FLORIDA 32302-1876
TELEPHONE (904) 222-0720
TELECOPIERS (904) 224-4399, (904) 429-1842

March 19, 1998

Ms. Blanca Bayo, Director
Division of Records and Reporting
Room 110, Easley Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

BY HAND DELIVERY

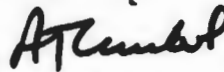
Re: Docket No. 951232-TI

Dear Ms. Bayo:

Enclosed are an original and 15 copies of "Transcall's Motion to Compel Answers to Interrogatories" and "Transcall's Request for Oral Argument on its Motion to Compel Answers to Interrogatories" for filing in the referenced docket. Please indicate receipt by stamping the enclosed extra copy of this letter.

Thank you for your assistance in this matter.

Very truly yours,



Albert T. Gimbel

ACK
AFA 2
APP ATG/es
CAF
CMU Enclosures
CTR cc: Beth Keating, Esq.
EAG Wesley R. Parsons, Esq.
LEG B. Keating
LIN 3
OPC W:\MESSER\DEETS\BAYO\A2.A06
RCH
SEC 1
WAS
OTH

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

000000 MAR 20 88

FPSC RECORDS/REPORTING

In Re: Dade County Circuit Court referral of)
 certain issues in Case No. 92-11654 (Transcall)
 America, Inc. d/b/a ATC Long Distance v.)
 Telecommunications Services, Inc. and)
 Telecommunications Services, Inc. vs. Transcall)
 America, Inc., d/b/a ATC Long Distance) that)
 are within the Commission's jurisdiction.)

DOCKET NO. 951232-TI
 Filed: March 19, 1998

**TRANSCALL'S MOTION TO COMPEL
 ANSWERS TO INTERROGATORIES**

Pursuant to Rule 1.380(a), Florida Rules of Civil Procedure and Rule 25-22.034, Florida Administrative Code, Transcall America, Inc., d/b/a ATC Long Distance (hereinafter "Transcall") respectfully requests entry of an order compelling Telecommunications Services, Inc. (TSI) to answer the fact interrogatories previously served by Transcall/ATC and as grounds therefor would state:

1. On January 6, 1998, Transcall served its First Set of Fact Interrogatories, containing 221 interrogatories, including subparts, to TSI.
2. On February 3, 1998, TSI requested an extension of time to file its answers to Transcall's interrogatories, up to and including February 27, 1998. Transcall agreed to the extension.
3. On February 17, 1998, TSI requested a second extension of time to respond to Transcall's interrogatories, up to and including March 13, 1998. On February 23, 1998, the undersigned responded to TSI's request in a letter which concluded with the following paragraph:

I am not quite sure how to respond to your request for an additional extension of time up to and including March 13, 1998. Since we took your client's deposition in May of 1994, almost four years ago, we have been waiting for your client to tell us his side of the story through the documents he claims support his position. We have been through three sets of opposing counsel and three or four different legal

DOCUMENT MADE DATE

03355 MAR 20 88

FISHER & PHILLIPS P.C.

forums on this case. I do not want to oppose your request for extension just for the sake of opposing it. However, we need to have a meaningful response to our interrogatories and production of documents as soon as possible. Essentially, we have been put on hold by your client due to his failure to be forthcoming regarding the basis of his claims. I apologize for the frustration conveyed in this response, but we have tried for years to get your client to show us the documents that evidence the credits he claims he is owed, the number of clients he claims are affected, a month by month customer list, documents that reflect the credits he granted to his customers, a list of the customers he claims to have lost as clients because of the billing problems, and information regarding the carriers he has utilized since he left ATC. Further extensions of time only cut into the time available to us to prepare our case for hearing. If you cannot provide the responsive information on the already extended date of Friday, February 27, 1998 as agreed, then we need to discuss continuing the hearing until such time as we can gain access to the information and documents we need to properly prepare our case for presentation. Please let me know how you wish to proceed.

4. On March 10, 1998, TSI filed its non-responsive Answers to Transcall's First Set of Fact Interrogatories. TSI's responses essentially fall into five categories:

a. TSI improperly invoked the option to produce business records pursuant to Rule 1.340(c), Florida Rules of Civil Procedure without specifying where the answers can be located within its mass of records;¹

b. TSI answered by referring Transcall to a copy of its experts report which as of March 19, 1998, is yet to be produced;²

¹Transcall has been advised that the business records are comprised of approximately 56 boxes of materials maintained in a Miami warehouse, 5 boxes of which are currently housed at TSI's expert's offices.

²On March 3, 1998, Transcall received TSI's response to Transcall's First Set of Expert Interrogatories. Attached thereto was a "Preliminary Report" prepared by TSI's experts dated November 4, 1997. Counsel for Transcall immediately contacted TSI's counsel and requested a hard copy of the experts preliminary report since the copy Transcall received was a copy of a fax transmission and contained irregularities and was in some instances unreadable. On March 5, 1998, Transcall followed up its request for a hard copy of the experts preliminary report in a letter to counsel for TSI. As of this date, notwithstanding representations made by counsel for TSI, Transcall has not received a hard copy of an unfaxed version of the experts November 4, 1997 Preliminary Report.

c. TSI answered interrogatories that requested identification of an individual(s) most knowledgeable concerning respective issues by referring Transcall to Exhibit A, attached to its interrogatory answers which contains the names of 19 individuals;

d. TSI answered in a non-responsive fashion;

e. TSI objected on the basis of relevancy and that the interrogatories were unduly burdensome.

5. In this Motion, Transcall seeks entry of an order compelling the answers to the following interrogatories:

1. a., b., d., e., f., g., h., i., k., m., n.
4. a., b., c., d., e., f., g., h., i., k., m.
5. a., b., c., d., e., f., i., k.
6. a., b., c., d., e., f., i., k.
7. a., b., c., d., e., f., g., h., k., l., n.
8. a., b., c., d., e., f., i., j., l.
9. a., b., c., d., e., f., i., j., l.
10. a., b., c., d., e., f., i., j., l.
11. a., b., c., f., h., i., j., m.
12. a., b., d., f., h., i., j., m.
13. a., b., d., f., g., h., k.
14. a., d., e., g., i., l.
15. a., b., c., e., g., h., i., l.
16. a., b., c., f., h., i., j., m.
17. a., b., c., f., h., i., j., m.
19. c.
- 20.

A copy of Transcall's interrogatories and TSI's answers are attached hereto and by reference made a part hereof as Composite Exhibit A.

6. Pursuant to Rule 1.340(b), Florida Rules of Civil Procedure, interrogatories may relate to "any matters that can be inquired into under Rule 1.280(b)." The information sought must appear reasonably calculated to lead to the discovery of admissible evidence. Transcall's

interrogatories request such information as they each ask for identification, elaboration, or supporting information regarding each allegation TSI makes against Transcall.

7. Contrary to TSI's assertions, Transcall has not requested information that is unduly burdensome or irrelevant. Transcall believes TSI's responses were intended to be evasive and incomplete. Evasive and incomplete answers shall be treated as a failure to answer. See, Rule 1.380(a)(3), Florida Rules of Civil Procedure; see also, Herold v. Computer Components International, Inc., 252 So. 2d 576 (Fla. 4th DCA 1971).

8. In contrast, on February 10, 1998, despite objections and without waiving them, Transcall made full and complete production of all known files and documents except for privileged materials to TSI's counsel and expert.

9. The extent of unresponsive and evasive answers do not permit Transcall to separately list each interrogatory and the corresponding response.³ Accordingly, since TSI's non-answers fall into five categories, Transcall has selected examples from each category of answer for discussion. An appendix identifying each interrogatory answer by category of response is attached hereto as Exhibit B.

Option to Produce Business Records

In response to eighty-three (83) interrogatory subparts (column 1 of Exhibit B), TSI answered by improperly invoking the option to produce business records set forth in Rule 1.340(c), Florida Rules of Civil Procedure. This case arises from Transcall's provision of service to TSI and its customers. Transcall's position is that TSI owes approximately \$750,000.00 for services rendered

³Transcall is simultaneously filing a request for oral argument which the Pre-hearing Officer may feel is more suited to discussing each particular interrogatory.

which TSI has not paid. TSI maintains that the \$750,000.00 is inaccurate, and the proper amount, once determined, will be offset further by credits that remain due and owing to TSI and its customers. Transcall believes that it has provided all of the credits, adjustments, and refunds due and owing to TSI that have been identified by TSI to date. Transcall has been attempting since 1992 to have TSI, and its principal Joel Esquenazi, identify those credits which it claims remain outstanding. TSI has the burden of proof with respect to its allegations of overbillings, double billings, credits due, and whatever else it is contending. It has had over six years to document the nature and extent of its allegations with respect to these matters. To respond to legitimate interrogatories by essentially saying, "We're not sure how much we were overbilled or double billed, but Transcall can find the answer in the 56 boxes located in a warehouse in Miami," is not the type of response envisioned by the rule.

Moreover, even if TSI's attempt to invoke the option to produce business records is valid, it has improperly exercised that option. In 1984, subsection (c) of Rule 1.340 Fla.R.Civ.P., was amended to add the requirement of detail in identifying records when they are produced as an alternative to answering the interrogatory or to designate certain persons who will be able to locate the records in sufficient detail to identify the information that answers the specific interrogatory. TSI's responses fail to meet both of these standards.

In the case of Matthews v. USAir, Inc., 882 F.Supp. 274 (D.C.N.D. N.Y. 1995), in response to an interrogatory that requested the names and addresses of passengers aboard a specific flight, USAir responded by submitting a reservation list and photocopies of boarding passes from which the plaintiffs were to cross-reference and discern who was actually aboard a particular flight. In

construing the corollary federal rule providing for the production of business records, the court held that “[a]lthough Fed.R.Civ.P. 33 permits a party to answer interrogatories with business records as long as the burden of deriving the answer from the documents is equal among the parties, ‘[t]he rule does not permit a party to answer simply by directing the seeking party to an undifferentiated mass of business records which may or may not answer the interrogatory.’ ” 882 F.Supp. at 275 (quoting Cathay Pacific Airways Ltd. v. Fly and See Travel, Inc., 1991 WL 156381 (S.D. N.Y. Aug. 8, 1991)).

In Summit Chase Condominium Association v. Protean Investors, Inc., 421 So. 2d 562 (Fla. 3rd DCA 1982), interrogatories were answered by attaching an architectural and structural engineering survey describing condominium defects. The report consisted of approximately 140 letter-size pages. Almost all of the interrogatories before the court were answered by reference to the attached engineering survey and damage report. The answering party maintained that the interrogatories were substantially answered by attaching the engineer’s report. The court disagreed and stated: “Assuming *arguendo* that the engineering report contained the desired information, it was not presented to the defendants as they were entitled to receive it in accordance with the arrangement of their questions. . . . It does not authorize leaving a party to ferret and sift through a report to determine whether the requested information is there.” 421 So. 2d at 567.

As further authority, Transcall cites the recent case of Walt Disney Company v. DeFabiis, 168 F.R.D. 281 (D.C.C.D. Ca. 1996). In construing the corresponding federal rule, particularly that part of the option to produce business records that requires that specification shall be in sufficient detail to permit the interrogating party to locate and identify, as readily as can the parties served, the records from which the answer is ascertained, the court stated that Rule 33 was amended in 1980 to

“prevent abuse of the business records option.” The amendment was “to make it clear that a responding party has the duty to specify by category and location the records from which answers to interrogatories can be derived.” 168 F.R.D. at 284. The court granted Walt Disney Company’s motion to compel and awarded attorney’s fees to them for the cost of bringing the motion.

TSI’s objections do not meet the requirement of the rule or the principles set forth in these cases. Mere reference to 56 boxes of documents is wholly inadequate because counsel for TSI has represented that the boxes contain only copies of the end user bills prepared by Transcall on behalf of TSI. None of the interrogatories propounded by Transcall can be answered by looking at the contents of these boxes. Merely looking at a customer’s bill does not identify the customers who complained, the billing disputes raised by the customers, or any of the other billing irregularities claimed by TSI. Accordingly, TSI should be compelled to produce complete responses to these questions or face sanctions including the dismissal of its claims.

Experts Report

TSI responded to thirty (30) interrogatory subparts (column 2 of Exhibit B) by referencing an unattached expert report. TSI’s response to these interrogatories is: “TSI is compiling this information in the form of a report of its designated expert, Lopez, Levy & Associates, and expects to furnish this report to counsel for T/ATC shortly.” In State Road Department v. Florida East Coast Railway Company, 212 So. 2d 315, 317 (Fla. 3rd DCA 1968), the court stated: “An answer to an interrogatory must be complete in itself and should not refer to other pleadings or documents or affidavits and thereby attempt to make their contents a part of the answer.” See also, Summit Chase Condominium Association, supra.

This response to interrogatories might be acceptable if the report had been attached. Since 1992, through three different sets of counsel, TSI keeps indicating that answers to our questions will be forthcoming. In May of 1994, TSI's principal, Mr. Joel Esquenazi was deposed and in acknowledgment of the fact that he could not provide specific answers to our questions, indicated that he would hire an expert and answers would be forthcoming. Four years later, in response to thirty interrogatories, Transcall is again told that answers will be forthcoming. TSI should either be compelled to explain the basis for its claims or such claims should be withdrawn.

Reference to Exhibit A

In response to eight (8) separate interrogatory subparts (column 3 of Exhibit B) which require identification of an individual most knowledgeable as to a particular issue. TSI references or refers Transcall to an attached Exhibit A which lists 19 individuals. Nowhere on Exhibit A is there an indication of which individual listed is the most knowledgeable on each respective point. Of course, that is precisely the information such interrogatory seeks. Hence, all interrogatories answered by reference to Exhibit A are non-responsive.

Non-Responsive Answers

TSI responded to seven (7) interrogatory subparts (column 4 of Exhibit B) by providing evasive, non-responsive answers. For example, TSI's interrogatory 1.a. asks that TSI fully explain how Transcall violated its tariff on file with the Florida Public Service Commission. TSI's response is as follows:

TSI objects to this interrogatory to the extent that T/ATC (Transcall and ATC) claimed that 'tariffs were not the basis of service to TSI' in its answers to TSI's interrogatories dated April 16, 1993. Notwithstanding this objection and without waiving it, TSI states T/ATC billed in excess of the charges allowed.

TSI's response, although in quotes, does not accurately reflect Transcall's 1993 answer and has taken such answer out of context. Moreover, how Transcall responded to interrogatories in a different case is irrelevant within the context of TSI's claims in this case. This interrogatory asks TSI to fully explain how Transcall violated its tariff. TSI's response that Transcall violated its tariff because it billed in excess of the charges allowed, is circular and nonresponsive.

Interrogatory 1.b. asks TSI to fully explain how Transcall billed in excess of the charges allowed under its tariff. TSI's response is that "such tariffs were the Telus, ATC, and Transcall PSC tariffs for the period July 1989 through May 1992 and specifically Transcall PSC tariff number 43." Again, reference to the tariffs to explain how such tariffs were violated is non-responsive and evasive. Evasive and incomplete answers shall be treated as a failure to answer. See Rule 1.380(a)(3), Florida Rules of Civil Procedure; see also, Herold v. Computer Components International, Inc., 252 So. 2d 576 (Fla. 4th DCA 1971).

Objections

Transcall objected to two (2) interrogatory subparts (column 5 of Exhibit B) on the basis that the information requested is irrelevant and unduly burdensome. Interrogatory 4.f. requests that TSI state whether TSI was advised by its customers of improper billings for calls that were not made, and if so to provide the customer's name, address, and date upon which TSI was first advised by such customer. TSI's response is: "As to the first part of this interrogatory, yes. As to the other parts of this interrogatory pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects on the grounds that it is not relevant to the subject matter of the pending action and is unduly burdensome."

Interrogatory 7.1. requests that TSI provide all facts which support TSI's allegation that Transcall/ATC was overcharging and adding time to calls. TSI's response is: "pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the grounds that it is not relevant to the subject matter of the pending action and is unduly burdensome."

Customer complaints made to TSI about the services Transcall was providing go to the heart of TSI's claims and are matters that can be inquired into under Rule 1.280(b), Florida Rules of Civil Procedure. Furthermore, if facts supporting TSI's claims of overcharges and adding time are not reasonably calculated to lead to the discovery of admissible evidence, then TSI has no claims against Transcall. Transcall's interrogatories simply track each of the allegations TSI has made since 1992 regarding Transcall's billing practices. They also seek information about the acts and practices of Transcall that TSI believes constitutes a breach of contract. Each of these interrogatories focus on the allegations of improper conduct and the amount owed. Proper answers to these fundamental questions will allow Transcall to adequately prepare its defenses or demonstrate that TSI has no case.

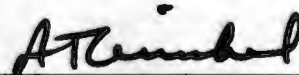
Conclusion

Transcall has attempted for six years to get TSI and its principal, Mr. Joel Esquenazi, to produce the documents that evidence the credits that TSI claims are due and owing, documents that evidence the overbillings that occurred, documents that evidence the number of clients TSI claims were affected, documents that reveal on a month-to-month basis the number of customers utilizing TSI's service, and documents that reflect the credits TSI granted to its customers. If responsive information is not forthcoming, Transcall will be forced to seek either a dismissal of TSI's complaint

or a continuance of the hearing until such time as it can gain access to the information and documents it needs to properly prepare its case for presentation.

WHEREFORE, Transcall seeks entry of an order compelling TSI to answer the interrogatories discussed herein, requiring payment of the attorney's fees and costs of bringing this motion, and for such other relief deemed just and proper by this tribunal.

Respectfully submitted,

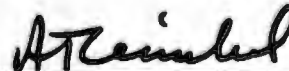


ELLIOTT MESSER
Florida Bar No.: 054461
FLOYD R. SELF
Florida Bar No.: 608025
ALBERT T. GIMBEL
Florida Bar No.: 279730
MESSER, CAPARELLO & SELF, P.A.
P. O. Box 1876
Tallahassee, FL 32302-1876
(850) 222-0720

ATTORNEYS FOR TRANSCALL

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy hereof was furnished by regular U.S. mail to: Wesley R. Parsons, Esq., 2601 S. Bayshore Drive, Coconut Grove, Florida, 33133-5419; and Beth Keating, Esq., Division of Legal Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida, 32399-0850, this 19th day of March, 1998.



Albert T. Gimbel

COMPOSITE EXHIBIT "A"

BEFORE THE PUBLIC SERVICE COMMISSION

In Re: Dade County Circuit Court referral of)
certain issues in Case No. 92-11654 (Transcall)
America, Inc. d/b/a ATC Long Distance v.)
Telecommunications Services, Inc. and)
Telecommunications Services, Inc. vs. Transcall)
America, Inc., d/b/a ATC Long Distance) that)
are within the Commission's jurisdiction.)
_____)

DOCKET NO. 951232-TI
Filed: January 6, 1998

**TRANSCALL AND ATC'S FIRST SET OF FACT
INTERROGATORIES TO TELECOMMUNICATIONS SERVICES, INC.**

Transcall and ATC, pursuant to Florida Rules of Civil Procedure 1.340, propound the attached interrogatories to Telecommunications Services, Inc. (TSI), to be answered in writing and under oath within thirty (30) days of the date hereof.

INSTRUCTIONS

A. In answering these Interrogatories, furnish all information which is available to you, including information in the possession of your agents, employees, attorneys, investigators, and all others from whom you may obtain it.

B. As used herein, "Transcall" and "ATC" shall include subsidiaries and predecessor companies including, but not limited to Transcall America Inc., d/b/a ATC Long Distance; Advanced Telecommunications Corporation, and Telus, Inc.;

C. "And" and "or" shall be construed as "and/or."

D. As used herein, "document" and "documents" shall have the meaning set forth in Rule 1.350 (a), Fla. R. Civ. P., and shall include information stored or recorded in any form or format, including but not limited to electronic, magnetic, image or other media.

E. As used herein, "identify" or "identity" have the following meanings:

a. With regard to individuals, state the person's name, last known employer, employment title, employment address and telephone numbers, and home address and telephone number.

b. With regard to business entities, state the name, type of entity (e.g., corporation, partnership, limited partnership, etc.), state of organization, principal business address and principal contact within each business entity.

c. With regard to documents or recorded communications, "identify" its author(s) and recipient(s), "identify" all individuals or entities having possession or the right to possession of original(s) or copies thereof, and state the date, number of pages, and type (i.e., contract, memorandum, letter, directive, etc.) of each document, or any other means of identifying it with sufficient particularity to meet the requirement for its inclusion in a Request for Production of Documents pursuant to Rule 1.350 of the Florida Rules of Civil Procedure. If any such document was, but is no longer, in your possession or subject to your control, state what disposition was made of it and the reason for such disposition. In lieu of identifying any document, a true and correct copy of it may be annexed to, and incorporated into, the answers to these Interrogatories. For information, documents, or communications maintained by electronic data processing equipment or stored on any electronic or magnetic medium, identify the custodian of such information, document or communication.

F. As used herein, "Complaint" shall mean the Restated Third Amended Answer, Affirmative Defenses, Counterclaims and Third Party Claims, filed with the Dade County Circuit Court on or about August 27, 1997.

G. As used herein "relating to" shall mean constituting, referring to, discussing, or concerning, in whole or in part.

H. As used herein, the words "association or relationship" shall be construed to encompass all business and professional relationships and associations, including but not limited to employment of any kind, as well as the meanings normally ascribed to such words.

Transcall and ATC shall be referred to jointly as T/ATC.

ALLEGED WRONGFUL CONDUCT

TSI has identified twelve allegations of "wrongful conduct engaged in by ATC and Transcall" in TSI's Counterclaims and Third Party Claims as follows:

- 1. Billing in violation of and in excess of the charges allowed under Transcall's tariff on file with the Florida Public Service Commission.**
- 2. Direct billing of TSI's customers despite a course of dealing which would not permit this, in an effort and with the intent to steal TSI's customers.**
- 3. Advertising and soliciting TSI's customers directly, contrary to the course of dealing between the parties, with the intent of stealing TSI's customers.**
- 4. Improperly billing for calls that were not made, that were not completed, had busy signals and/or bad connections.**
- 5. Overcharging and adding time to calls, double billing for the same phone call and billing for items that had been billed in a previous month's billing and charging twice for calls that were overlapping and appeared on two month's bills.**
- 6. Improper charges on 800 numbers for calls which were made outside of the marketing area and billing for calls not received by 800 customers.**

7. **Billing in one minute increments instead of 6 or 30 second increments as required under the course of dealing between the parties.**

8. **Billing for travel cards customers did not have.**

9. **Billing at improper and excessive rates.**

10. **Billing on accounts long after the accounts had been canceled by TSI.**

11. **Supplying bills where the billing details did not match the time and billing summaries related thereto.**

12. **Billing for "800 use" where the customer did not have a "800" number.**

The following Interrogatories will reference each alleged "wrongful conduct" by number rather than fully reallege each allegation.

INTERROGATORIES

1. **Regarding alleged wrongful conduct number 1, provide the following information and facts.**

a. **Fully explain how T/ATC violated Transcall's tariff on file with the Florida Public Service Commission.**

b. **Fully explain how T/ATC billed in excess of the charges allowed under Transcall's tariff on file with the Florida Public Service Commission.**

c. **Specifically identify which tariff or alternatively attach a copy of the exact tariff which TSI is referencing in wrongful conduct 1.**

d. **Specifically identify each TSI customer who was billed in violation of and in excess of the charges allowed under Transcall's tariff on file with the Florida Public Service Commission and provide names, addresses and phone numbers of each person or entity identified.**

e. For each TSI customer identified in the above interrogatory (d), identify the calls regarding each customer which was billed in violation of and in excess of the charges allowed under Transcall's tariff on file with the Florida Public Service Commission and provide the date of such calls and the exact amount improperly billed as identified in wrongful conduct 1 to such customer.

f. Identify the total number of calls affected by wrongful conduct 1 and the total value of calls affected by wrongful conduct 1.

g. State whether any customers complained not TSI regarding wrongful conduct 1 and if so identify the customer's name, phone number and address.

h. State whether TSI informed T/ATC of wrongful conduct 1, and if so identify the date TSI informed T/ATC of wrongful conduct 1 and provide the name, address and phone number of the TSI representative who informed T/ATC and provide all information such TSI representative provided to T/ATC.

i. Identify the person or persons (and provide their address and phone number) with the most knowledge of wrongful conduct 1 from (i) TSI and (ii) anywhere else.

j. Specifically identify how TSI was damaged as a result of wrongful conduct 1.

k. Specifically identify the amount of damages suffered by TSI as a result of wrongful conduct 1.

l. Identify the TSI representative with the most knowledge of TSI's damages related to wrongful conduct 1.

m. In regard to wrongful conduct 1 and the allegation of billing in violation of an in excess of the charges allowed under Transcall's tariff, did T/ATC provide credits, refunds or any other compensation to TSI for billing in violation of and in excess the charges allowed under Transcall's tariff and if so what were the total credits, refunds or other compensation provided to TSI by T/ATC?

n. In regard to wrongful conduct 1 and the allegation of billing in violation of and in excess of the charges allowed under Transcall's tariff, did TSI provide credits, refunds, or any other compensation to its customers regarding billing in violation of and in excess of the charges allowed under Transcall's tariff as identified in wrongful conduct 1 and if so what were the total credits, refunds or other compensation provided to TSI's customers by TSI and identify each customer which received such credit, refund or other compensation and the amount of each identified customer's credit, refund or other compensation.

2. Regarding alleged wrongful conduct number 2, provide the following information and facts:

a. Specifically identify each TSI customer who was billed directly as identified in wrongful conduct 2 and provide the name, address and phone number of each TSI customer directly billed.

b. Regarding the "course of dealing" identified in wrongful conduct 2, identify all facts which support such course of dealing and identify the person at T/ATC and at TSI with the most knowledge of this course of dealing, providing such person's phone number and address.

c. Identify the TSI representative with the most knowledge of wrongful conduct 2 and identify such person's position, address and phone number.

d. Identify each and every TSI customer who was stolen as identified or referenced in wrongful conduct 2 and provide such customer's address and phone number.

e. Specifically identify how TSI was damaged as a result of wrongful conduct 2.

f. Specifically set forth the amount of damages suffered by TSI as a result of wrongful conduct 2.

g. Identify the person with the most knowledge regarding TSI's damages relating to wrongful conduct 2 and provide such person's address and phone number.

h. Did any TSI customer complain of wrongful conduct 2 and if so identify the customer's name, address and phone number.

i. Did TSI inform T/ATC of wrongful conduct 2 and if so provide the date TSI first informed T/ATC and identify the TSI representative who provided such information and identify what information was specifically provided to T/ATC regarding wrongful conduct 2.

j. Did T/ATC provide any credits, refunds or any other compensation to TSI regarding wrongful conduct 2 and if so identify the total credits, refunds and other compensation provided to TSI by T/ATC for wrongful conduct 2.

k. Did TSI provide credits, refunds or any other compensation to its customer relating to wrongful conduct 2 and if so, identify the total credits, refunds or other compensation provided to TSI's customers by TSI regarding wrongful conduct 2 and identify the name and address of each such TSI customer and the amount of such customer's credit, refund or other compensation.

3. Regarding alleged wrongful conduct number 3, provide the following information and facts:

a. Specifically identify each and every TSI customer to whom T/ATC advertised and solicited directly as referenced in wrongful conduct 2, providing the name, address and phone number of such TSI customers.

b. Identify all facts which support TSI's allegations in wrongful conduct 3 that such advertising and soliciting was "contrary to the course of dealing between the parties".

c. Identify the TSI representative with the most knowledge of the course of dealing between the parties as identified in wrongful conduct 3 and provide such person's address and phone number.

d. Identify each and every TSI customer that was stolen by T/ATC as referenced in wrongful conduct 3 and provide such customer's address and phone number.

e. Provide the name of the TSI representative with the most knowledge of wrongful conduct 3.

3. f. **Specifically identify how TSI was damaged as a result of wrongful conduct**
- g. **Specifically set forth the amount of damages suffered by TSI as a result of wrongful conduct 3.**
- h. **State the name of the person with the most knowledge of TSI's damages relating to wrongful conduct 3 and provide such person's phone number and address.**
- i. **Did TSI advise T/ATC of wrongful conduct 3 and if so, provide the date TSI first informed T/ATC of wrongful conduct 3 and identify the TSI representative who provided such information and specifically set forth what information was provided to T/ATC.**
- j. **Did any TSI customers complaint to TSI regarding wrongful conduct 3 and if so, provide the name, address and phone number of such customer who complained regarding wrongful conduct 3.**

4. **Regarding alleged wrongful conduct number 4, provide the following information and facts:**

- a. **Identify each individual and entity which was improperly billed for calls that were not made as identified in wrongful conduct 4 and specifically identify the address and phone number of such individual and entity.**
- b. **State the total value of calls referenced in wrongful conduct 4.**
- c. **State the total number of calls referenced in wrongful conduct 4.**
- d. **State the name, address and phone number of the TSI representative with the most knowledge that T/ATC improperly billed for calls that were not made.**
- e. **Regarding wrongful conduct 4 and the allegation of improper billing for calls that were not made, identify each and every improper billing for calls that were not made by**

identifying the specific call including the date of such call, the specific customer who was improperly billed for the call that was not made, and identify the amount billed for such call.

f. State whether TSI was advised by a customer of improper billing for calls that were not made and if so provide the customer's name, address and date upon which TSI was first advised by such customer.

g. State what steps TSI took to confirm each customer complaint identified in par. (f) above.

h. State whether TSI informed T/ATC of such customer complaints and if so identify the TSI representative who informed T/ATC of such customer complaints, identify the date of such advisement and the name of the T/ATC representative who was advised and provide all information the TSI representative conveyed to the T/ATC representative regarding such customer complaints.

i. Regarding TSI's allegation in wrongful conduct 4 of improperly billing for calls that were not made, did T/ATC provide any credits, refunds or any other compensation to TSI regarding improper billing for calls that were not made and if so identify each and every credit, refund or other compensation provided to TSI by T/ATC.

j. Regarding TSI's allegation in wrongful conduct 4 of improperly billing for calls that were not made, did TSI provide credits, refunds, or other compensation to its own customers regarding this allegation in wrongful conduct 4.

k. If the answer to part (j) above is in the affirmative, identify the total credits, refunds or other compensation provided to TSI customers by TSI regarding this allegation in wrongful conduct 4 and identify each customer and their address and phone number who received such credits, refunds or other compensation and identify the exact amount of each refund to each identified customer.

l. Specifically state how TSI was damaged by T/ATC improperly billing for calls that were not made as identified in wrongful conduct 4.

m. Specifically identify the amount of TSI's damages as a result of T/ATC improperly billing for calls that were not made.

n. Identify the individual with the most knowledge of TSI's damages resulting from T/ATC improperly billing for calls that were made and provide the address and phone number of such person.

5. a. Identify each individual and entity which was improperly billed for calls that were not completed as identified in wrongful conduct 4 and specifically identify the address and phone number of such individual and entity.

b. State the name, address and phone number of the TSI representative with the most knowledge that T/ATC improperly billed for calls that were not completed.

c. Regarding wrongful conduct 4 and the allegation of improper billing for calls that were not completed, identify each and every improper billing for calls that were not completed by identifying the specific call including the date of such call, the specific customer who was improperly billed for the call that was not completed and identify the amount billed for such call.

d. State whether TSI was advised by a customer of improper billing for calls that were not completed and if so provide the customer's name, address and date upon which TSI was first advised by such customer.

e. State what steps TSI took to confirm each customer complaint identified in part (d) above.

f. State whether TSI informed T/ATC of such customer complaints and if so the TSI representative who informed T/ATC of such customer complaints, identify the date of such advisement and the name of the T/ATC representative who was advised and provide all information that the TSI representative conveyed to the T/ATC representative regarding such customer complaints.

g. Regarding TSI's allegation in wrongful conduct 4 of the improper billing for calls that were not completed, did T/ATC provide any credits, refunds or any other compensation

to TSI regarding improper billing for calls that were not completed and if so identify each and every credit, refund or other compensation provided to TSI by T/ATC.

h. Regarding TSI's allegation in wrongful conduct 4 of the improperly billing for calls that were not completed, did TSI provide credits, refunds or other compensation to its own customers regarding this allegation in wrongful conduct 4?

i. If the answer to the above interrogatory (h) is in the affirmative, identify the total credits, refunds or other compensation provided to TSI customers by TSI regarding this allegation in wrongful conduct 4 and identify each customer and their address and phone number who received such credits, refunds or other compensation and identify the exact amount of each refund to each identified customer.

j. Specifically state how TSI was damaged by T/ATC improperly billing for calls that were not completed as identified in wrongful conduct 4.

k. Specifically identify the amount of TSI's damages as a result of T/ATC improperly billing for calls that were not completed.

l. Identify the individual with the most knowledge of TSI's damages resulting from T/ATC's improperly billing for calls that were not completed and provide the address and phone number of such person.

6. a. Identify each individual and entity which was improperly billed for calls that had busy signals and/or bad connections as identified in wrongful conduct 4 and specifically identify the address and phone number of such individual and entity.

b. State the name, address and phone number of the TSI representative with the most knowledge that T/ATC improperly billed for calls that had busy signals and/or bad connections.

c. Regarding wrongful conduct 4 and the allegations of improper billing for calls that had busy signals and/or bad connections, identify each and every improper billing for calls that had busy signals and/or bad connections by identifying the specific call including the date of such

call, the specific customer who was improperly billed for the call that had a busy signal and/or bad connection and identify the amount billed for such call.

d. State whether TSI was advised by a customer of improper billing for calls that had busy signals and/or bad connections and if so provide the customer's name, address and date upon which TSI was first advised by such customer.

e. State what steps TSI took to confirm each customer complaint identified in part (d) above.

f. State whether TSI informed T/ATC of such customer complaints and if so identify the TSI representative who informed T/ATC of such customer complaints, identify the date of such advisement and the name of the T/ATC representative who was advised and provide all information that the TSI representative conveyed to the T/ATC representative regarding such customer complaints.

g. Regarding TSI's allegation in wrongful conduct 4 of improperly billing for calls that had busy signals and/or bad connections, did T/ATC provide any credits, refunds or any other compensation to TSI regarding improper billing for calls that had busy signals and/or bad connections and if so identify each and every credit, refund or other compensation provided to TSI by T/ATC.

h. Regarding TSI's allegation in wrongful conduct 4 of improperly billing for calls that had busy signals and/or bad connections, did TSI provide credits, refunds or other compensation to its own customers regarding this allegation in wrongful conduct 4.

i. If the answer to part (h) above is in the affirmative, identify the total credits, refunds or other compensation provided to TSI customers by TSI regarding this allegation in wrongful conduct 4 and identify each customer and their address and phone number who received such credits, refunds or other compensation and identify the exact amount of each refund to each identified customer.

j. Specifically state how TSI was damaged by T/ATC improperly billing for calls that had busy signals and/or bad connections as identified in wrongful conduct 4.

k. Specifically identify the amount of TSI's damages as a result of T/ATC improperly billing for calls that had busy signals and/or bad connections.

l. Identify the individual with the most knowledge of TSI's damages resulting from T/ATC's improperly billing for calls that had busy signals and/or bad connections and provide the address and phone number of such person.

7. Regarding alleged wrongful conduct number 5, provide the following information and facts:

a. Identify each individual and entity which T/ATC was overcharging and adding time to calls as identified in wrongful conduct 5 and specifically identify the address and phone number of each such individual and entity.

b. State the total value of calls referenced in wrongful conduct 5.

c. State the total number of calls referenced in wrongful conduct 5.

d. State the name, address and phone number of the TSI representative with the most knowledge that T/ATC was overcharging and adding time to calls as alleged in wrongful conduct 5.

e. Regarding wrongful conduct 5 and the allegation of overcharging and adding time to calls, identify each and every call which T/ATC overcharged and added time to as identified in wrongful conduct 5 by identifying the specific call including the date of such call, the specific customer who was overcharged and to whom time was added to calls and identify the amount billed for each such overcharging and adding time to calls.

f. State whether TSI was advised by a customer of overcharging and adding time to calls and if so provide the customer's name, address and date upon which TSI was first advised by such customer.

g. State what steps TSI took to confirm each customer complaint identified in part (f) above.

h. State whether TSI informed T/ATC of such customer complaints and if so identify the TSI representative who informed T/ATC of such customer complaints, identify the date of such advisement and the name of the T/ATC representative who was advised and provide all information the TSI representative conveyed to the T/ATC representative regarding such customer complaints.

i. Regarding TSI's allegation in wrongful conduct 5 of overcharging and adding time to calls, did T/ATC provide any credits, refunds or other compensation to TSI regarding overcharging and adding time to calls and if so identify each and every credit, refund or other compensation provided to TSI by T/ATC.

j. Regarding TSI's allegation in wrongful conduct 5 of overcharging and adding time to calls, did TSI provide credits, refunds or other compensation to its own customers regarding this allegation in wrongful conduct 5?

k. If the answer to part (j) above is in the affirmative, identify the total credits, refunds or other compensation provided to TSI customers by TSI regarding this allegation in wrongful conduct 5 and identify each customer and their address and phone number who received such credits, refunds or other compensation and identify the exact amount of each refund to each identified customer.

l. Provide all facts which support TSI's allegations in wrongful conduct 5 that T/ATC was overcharging and adding time to calls.

m. Specifically state how TSI was damaged by T/ATC as a result of T/ATC overcharging and adding time to calls.

n. Specifically identify the amount of damages suffered by TSI as a result of T/ATC overcharging and adding time to calls as allege din wrongful conduct 5.

o. Identify the person with the most knowledge of TSI's damages resulting from T/ATC overcharging and adding time to calls and provide such person's phone number and address.

8. a. Identify each individual and entity which was double billed for the same phone call as identified in wrongful conduct 5 and specifically identify the address and phone number of such individual and entity.

b. State the name, address and phone number of the TSI representative with the most knowledge that T/ATC double billed for the same phone call as identified in wrongful conduct 5.

c. Regarding wrongful conduct 5 and the allegation of double billing for the same phone call, identify each and every double billed phone call by identifying the specific call including the date of such call, the specific customer who was double billed for the same phone call and identify the amount double billed for such call.

d. State whether TSI was advised by a customer of double billing for the same phone call and if so provide the customer's name, address and date upon which TSI was first advised by such customer.

e. State what steps TSI took to confirm each customer complaint identified in part (d) above.

f. State whether TSI informed T/ATC of such customer complaints and if so, identify the TSI representative who informed T/ATC of such customer complaints, identify the date of such advisement and the name of the T/ATC representative who was advised and provide all information the TSI representative conveyed to the T/ATC representative regarding such customer complaints.

g. Regarding TSI's allegation in wrongful conduct 5 of double billing for the same phone call, did T/ATC provide any credits, refunds or any other compensation to TSI regarding double billing for the same phone call and if so identify each and every credit, refund or other compensation provided to TSI by T/ATC.

h. Regarding TSI's allegation in wrongful conduct 5 of double billing for the same phone call, did TSI provide credits, refunds or other compensation to its own customers regarding this allegation in wrongful conduct 5.

i. If the answer to the above interrogatory (h) is in the affirmative, identify the total credits, refunds or other compensation provided to TSI customers by TSI regarding this allegation in wrongful conduct 5 and identify each customer and their address and phone number who received such credits, refunds or other compensation and identify the exact amount of each refund to each identified customer.

j. Provide all facts which support TSI's allegations in wrongful conduct 5 that T/ATC was double billing for the same phone call.

k. Specifically state how TSI was damaged as a result of T/ATC double billing for the same phone call.

l. Specifically state the amount of damages suffered by TSI as a result of T/ATC double billing for the same phone call as alleged in wrongful conduct 5.

m. Identify the person with the most knowledge of TSI's damages resulting from T/ATC double billing for the same phone call and provide such person's phone number and address.

9. a. Identify each individual and entity which was billed for items that had been billed in a previous month's billing as identified in wrongful conduct 5 and specifically identify the address and phone number of each such individual and entity.

b. State the name, address and phone number of the TSI representative with the most knowledge that T/ATC billed for items that had been billed in a previous month's billing.

c. Regarding wrongful conduct 5 and the allegation that T/ATC was billing for items that had been billed in a previous month's billing, identify each and every call which was billed and had been billed in a previous month's billing as identified in wrongful conduct 5 by identifying the specific call which had been billed in a previous month's billing including the date of such call, the specific customer who was billed and had been billed in a previous month's billing and identify the amount billed for such call which had been billed in a previous month's billing.

d. State whether TSI was advised by a customer of billing for items that had been billed in a previous month's billing and if so provide the customer's name, address and date upon which TSI was first advised by such customer.

e. State what steps TSI took to confirm each customer complaint identified in part (d) above.

f. State whether TSI informed T/ATC of such customer complaints and if so identify the TSI representative who informed T/ATC of such customer complaints, identify the date of such advisement and the name of the T/ATC representative who was advised and provide all information the TSI representative conveyed to the T/ATC representative regarding such customer complaints.

g. Regarding TSI's allegation in wrongful conduct 5 of billing for items that had been billed in a previous month's billing, did T/ATC provide any credits, refunds or any other compensation to TSI regarding billing for items that had been billed in a previous month's billing and if so, identify each and every credit, refund or other compensation provided to TSI by T/ATC.

h. Regarding TSI's allegation in wrongful conduct 5 of billing for items that had been billed in a previous month's billing, did TSI provide credits, refunds or other compensation to its own customer regarding this allegation in wrongful conduct 5.

i. If the answer to part (i) above is in the affirmative, identify the total credits, refunds or other compensation provided to TSI customers by TSI regarding this allegation in wrongful conduct 5 and identify each customer and their address and phone number who received such credits, refunds or other compensation and identify the exact amount of each refund to each identified customer.

j. Provide all facts which support TSI's allegations in wrongful conduct 5 that T/ATC was billing for items that had been billed in a previous month.

k. Specifically state how TSI was damaged as a result of T/ATC billing for items that had been billed in a previous month's billing as alleged in wrongful conduct 5.

l. Specifically identify the amount of damages suffered by TSI as a result of T/ATC billing for items that had been billed in a previous month as alleged in wrongful conduct 5.

m. Identify the person with the most knowledge of TSI's damages resulting from T/ATC billing for items that had been billed in a previous month and provide such person's phone number and address.

10. a. Identify each individual and entity which was charged twice for calls that were overlapping and appeared on two months bills as identified in wrongful conduct 5 and specifically identify the address and phone number of each such individual and entity.

b. State the name, address and phone number of the TSI representative with the most knowledge that T/ATC charged twice for calls that were overlapping and appeared on two months bills.

c. Regarding wrongful conduct 5 and the allegation that T/ATC charged twice for calls that were overlapping and appeared on two months bills, identify each and every call which T/ATC charged twice for such call that was overlapping and appeared on two months bills as identified in wrongful conduct 5 by identifying the specific call which was charged twice and that were overlapping and appeared on two months bills including the date of such call, the specific customer who was charged twice for calls that were overlapping and appeared on two months bills and identify the amount charged twice for such call.

d. State whether TSI was advised by a customer of T/ATC charging twice for calls that were overlapping and appeared on two months bills and if so provide the customer's name, address and date upon which TSI was first advised by such customer.

e. State what steps TSI took to confirm each customer complaint identified in part (d) above.

f. State whether TSI informed T/ATC of such customer complaints and if so identify the TSI representative who informed T/ATC of such customer complaints, identify the date of such advisement and the name of the T/ATC representative who was advised and provide all information the TSI representative conveyed to the T/ATC representative regarding such customer complaint.

g. Regarding TSI's allegation in wrongful conduct 5 that T/ATC charged twice for calls that were overlapping and appeared on two months bills, did T/ATC provide any credits, refunds or any other compensation to TSI regarding T/ATC charging twice for calls that were

overlapping and appeared on two months bills and if so identify each and every credit, refund or other compensation provided to TSI by T/ATC.

h. Regarding TSI's allegation in wrongful conduct 5 of T/ATC charging twice for calls that were overlapping and appeared on two months bills, did TSI provide credits, refunds or other compensation to its own customer regarding this allegation in wrongful conduct 5?

i. If the answer to part (h) above is in the affirmative, identify the total credits, refunds or other compensation provided to TSI customers by TSI regarding this allegation in wrongful conduct 5 and identify each customer and their address and phone number who received such credits, refunds or other compensation and identify the exact amount of each refund to each identified customer.

j. Provide all facts which support TSI's allegation in wrongful conduct 5 that T/ATC charged twice for calls that were overlapping and appeared on two months bills.

k. Specifically state how TSI was damaged as a result of T/ATC charging twice for calls that were overlapping and appeared on two months bills.

l. Specifically identify the amount of damages suffered by TSI as a result of T/ATC charging twice for calls that were overlapping and appeared on two months bills.

m. Identify the person with the most knowledge of TSI's damages resulting from T/ATC charging twice for calls that were overlapping and appeared on two months bills and provide such person's phone number and address.

11. Regarding alleged wrongful conduct number 6, provide the following information and facts:

a. Fully describe what TSI means when it references "improper charges on 800 numbers" in wrongful conduct 6, including why charges were "improper".

b. Specifically identify all improper charges and billing, including the customer who was improperly charged and billed and such customer's address and phone number as referenced in wrongful conduct 6 and identify the specific calls which were improperly charged and

billed, the date of such calls and the amount of the improperly charged or billed call, as referenced in wrongful conduct 6.

c. Provide all facts upon which TSI relies to prove its allegation that T/ATC made improper charges on 800 numbers for calls which were made outside the marketing area and billing for calls not received by 800 customers.

d. Identify the person with the most knowledge of the allegation that T/ATC made improper charges on 800 numbers for calls which were made outside the marketing area and billing for calls not received by 800 customers and provide such person's phone number and address.

e. Fully describe how TSI was damaged as a result of T/ATC's making improper charges on 800 numbers for calls which were made outside of the marketing area and describe how TSI was damaged as a result of T/ATC billing for calls not received by 800 customers.

f. State the amount of damages suffered by TSI as a result of T/ATC making improper charges on 800 numbers for calls which were made outside of the marketing area and state the amount of damages suffered by TSI as a result of T/ATC billing for calls not received by 800 customers.

g. Identify the person with the most knowledge of TSI's damages resulting from wrongful conduct 6 and provide such person's phone number and address.

h. Regarding wrongful conduct 6 and the allegation that T/ATC was improperly charging on 800 numbers for calls which were made outside of the marketing area and billing for calls not received by 800 customers, state whether TSI was advised by a customer of wrongful conduct 6 and if so provide the customer's name, address and date upon which TSI was first advised by such customer.

i. State what steps TSI took to confirm each customer complaint identified in part (h) above.

j. State whether TSI informed T/ATC of such customer complaints and if so identify the TSI representative who informed T/ATC of such customer complaints, identify the date of such advisement and the name of the T/ATC representative who was advised and provide all of

information the TSI representative conveyed to the T/ATC representative regarding such customer complaint.

k. Regarding TSI's allegation in wrongful conduct 6, did T/ATC provide any credits, refunds or any other compensation to TSI regarding wrongful conduct 6 and if so identify each and every credit, refund or other compensation provided to TSI by T/ATC.

l. Regarding TSI's allegation in wrongful conduct 6, did TSI provide credits, refunds or other compensation to its own customer regarding this allegation in wrongful conduct 6?

m. If the answer to part (l) above is in the affirmative, identify the total credits, refunds or other compensation provided to TSI customers by TSI regarding this allegation in wrongful conduct 6 and identify each customer and their address and phone number who receives such credits, refunds or other compensation and identify the exact amount of each refund to each identified customer.

12. Regarding alleged wrongful conduct number 7, provide the following information and facts:

a. Identify each and every individual and entity and provide the address and phone number of such individual and entity who T/ATC billed in one minute increments instead of 6 or 30 second increments as required under the course of dealing between the parties and identify the time period during which such billing as identified in wrongful conduct 7 occurred.

b. Identify the total number of calls affected by wrongful conduct 7 and the total value of calls affected by wrongful conduct 7.

c. Specifically identify the type of call, i.e., international, which TSI is referencing in wrongful conduct 7.

d. Referring to wrongful conduct 7, identify all facts which support the allegation in wrongful conduct 7 and which establish the "course of dealing between the parties" as referred to in wrongful conduct 7 and identify the TSI and the T/ATC representatives with the most knowledge of those facts.

e. Specifically state how TSI has been damaged by the allegations in wrongful conduct 7.

f. Specifically identify the amount of damages suffered by TSI as a result of the conduct alleged in wrongful conduct 7.

g. Identify the TSI representative with the most knowledge of the damages suffered by TSI regarding wrongful conduct 7.

h. State whether TSI was advised by a customer of wrongful conduct 7 and if so provide the customer's name, address and date upon which TSI was first advised by such customer.

i. State what steps TSI took to confirm each customer complaint identified in part (h) above.

j. State whether TSI informed T/ATC of such customer complaints and if so identify the TSI representative who informed T/ATC of such customer complaints, identify the date of such advisement and the name of the T/ATC representative who was advised and provide all information the TSI representative conveyed to the T/ATC representative regarding such customer complaints.

k. Regarding TSI's allegation in wrongful conduct 7, did T/ATC provide any credits, refunds, or any other compensation to TSI regarding wrongful conduct 7 and if so identify each and every credit, refund or other compensation provided to TSI by T/ATC.

l. Regarding TSI's allegation in wrongful conduct 7, did TSI provide credits, refunds or other compensation to its own customer regarding this allegation in wrongful conduct 7?

m. If the answer to party (l) above is in the affirmative, identify the total credits, refunds or other compensation provided to TSI customers by TSI regarding this allegation in wrongful conduct 7 and identify each customer and their address and phone number who received such credits, refunds or other compensation and identify the exact amount of each refund to each identified customer.

13. Regarding alleged wrongful conduct number 8, provide the following information and facts:

a. Identify each and every customer referenced in wrongful conduct 8 who was billed for travel cards which such customer did not have and specifically identify how much such customer was billed and when such customer was billed and provide the address and phone number of such customer.

b. Referring to wrongful conduct 8, identify all facts which support the allegations in wrongful conduct 8 and provide the name of the TSI representative with the most knowledge of the allegations in wrongful conduct 8.

c. Specifically state how TSI was damaged as a result of wrongful conduct 8.

d. Specifically identify the amount of damages suffered by TSI as a result of T/ATC billing for travel cards customers did not have as identified in wrongful conduct 8.

e. Identify the person with the most knowledge of TSI's damages resulting from wrongful conduct 8 and provide such person's phone number and address.

f. State whether TSI was advised by a customer of wrongful conduct 8 and if so provide the customer's name, address and date upon which TSI was first advised by such customer.

g. State what steps TSI took to confirm each customer complaint identified in part (f) above.

h. State whether TSI informed T/ATC of such customer complaints and if so identify the TSI representative who informed T/ATC of such customer complaints, identify the date of such and the name of the T/ATC representative who advised and provide all information the TSI representative conveyed to the T/ACT representative regarding such customer complaints.

i. Regarding TSI's allegations in wrongful conduct 8, did T/ATC provide any credits, refunds or any other compensation to TSI regarding the allegations in wrongful conduct 8 and if so identify each and every credit, refund or other compensation provided to TSI by T/ATC.

j. Regarding TSI's allegations in wrongful conduct 8, did TSI provide credits, refunds or other compensation to its own customer regarding this allegation in wrongful conduct 8?

k. If the answer to party (j) above is the affirmative, identify the total credits, refunds or other compensation provided to TSI customers by TSI regarding this allegation in wrongful conduct 8 and identify each customer and their address and phone number who received such credits, refunds or other compensation and identify the exact amount of each refund to each identified customer.

14. Regarding alleged wrongful conduct number 9, provide the following information and the facts:

a. Specifically identify each customer who billed at improper and excessive rates as identified in wrongful conduct 9 and provide such customer's address and phone number.

b. Specifically define and explain what TSI means by billing at "improper" rates as identified in wrongful conduct 9.

c. Specifically define and explain what TSI means by billing in "excessive" rates as identified in wrongful conduct 9.

d. Identify all facts which support TSI's allegations in wrongful conduct 9 and identify all individuals with knowledge of such facts and provide their phone number and address.

e. Identify each and every call which was billed at an improper and excessive rate as referenced in wrongful conduct 9 and identify the date of such call, the customer's name regarding such call and the total amount of the call and identify the amount which was improper and excessive regarding the billing of such calls.

f. Specifically identify how TSI was damaged as a result of wrongful conduct 9.

g. Specifically identify the amount of damages suffered by TSI as a result of wrongful conduct 9.

h. Identify the TSI representative with the most knowledge of the damages suffered by TSI as a result of wrongful conduct 9.

i. State whether TSI was advised by a customer of the allegations in wrongful conduct 9 and if so state whether TSI informed T/ATC of such customer complaint and if so the TSI representative who informed T/ATC of such customer complaint, identify the date of such advisement and the name of the T/ATC representative who advised and provide all information the TSI representative conveyed to the T/ATC representative regarding such customer complaint.

j. Regarding TSI allegation in wrongful conduct 9, did T/ATC provide any credits, refunds or any other compensation to TSI regarding wrongful conduct 9 and if so identify each and every credit, refund or other compensation provided to TSI by T/ATC.

k. Regarding TSI's allegation in wrongful conduct 9, did TSI provide credits, refunds or other compensation to its own customer regarding this allegation in wrongful conduct 9?

l. If the answer to part (k) above is in the affirmative, identify the total credits, refunds or other compensation provided to TSI by TSI regarding the allegation in wrongful conduct 9 and identify each customer and their address and phone number who received such credits, refunds or other compensations and identify the exact amount of each refund to each identified customer.

15. Regarding alleged wrongful conduct number 10, provide the following information and facts.

a. Identify each account, including the customer name, address and phone number which T/ATC billed long after the account had been canceled by TSI as alleged in wrongful conduct 10.

b. For each account identified in the above interrogatory (a) identify the date that TSI canceled such account and specifically identify the date that a billing occurred after the account had been canceled.

c. Fully describe how TSI procedurally canceled accounts as referenced in wrongful conduct 10 and identify the individuals at TSI involved in such cancellations and identify each individual involved for T/ATC regarding such cancellation and provide addresses and phone number for each identified individual.

d. Specifically state how TSI was damaged as a result of wrongful conduct 10.

e. Specifically identify the amount of damages suffered by TSI as a result of wrongful conduct 10.

f. Identify the TSI representative with the most knowledge of damages suffered by TSI as a result of wrongful conduct 10.

g. State whether TSI was advised by a customer regarding billing on accounts long after the accounts had been cancelled by TSI as identified in wrongful conduct 10.

h. State what steps TSI took to confirm each customer complaint identified in part (g) above.

i. State whether TSI informed T/ATC of such customer complaint and if so identify the TSI representative who informed T/ATC of such customer complaint, identify the date of such advisement and the name of the T/ATC representative who was advised and provide all information the TSI representative conveyed to the T/ATC representative regarding such customer complaints.

j. Regarding TSI's allegation in wrongful conduct 10, did T/ATC provide any credits, refunds or any other compensation to TSI regarding wrongful conduct 10 and if so identify each and every credit, refund or other compensation provided to TSI by T/ATC.

k. Regarding TSI's allegation wrongful conduct 10, did TSI provide credits, refunds or other compensation to its own customers regarding this allegation in wrongful conduct 10?

l. If the answer to part (1) above is in the affirmative, identify the total credits, refunds or other compensation provided to TSI customers by TSI regarding this allegation in wrongful conduct 10 and identify each customer and their address and phone number who received such credits, refunds or other compensation and identify the exact amount of each refund to each identified customer.

16. Regarding alleged wrongful conduct number 11, provide the following information and facts:

a. Identify the customer and customer address and phone number regarding whom bills were supplied where the billing details did not match the time and billing summaries related thereto as identified in wrongful conduct 11.

b. Identify the bills by date and customer name and address referred to in wrongful conduct 11 where T/ATC supplied bills where the billing details did not match the time and billing summary related thereto as identified in wrongful conduct 11.

c. Fully explain what TSI means in wrongful conduct 11 where it states that "billing details did not match the time and billing summaries related thereto" and explain how the billing details "did not match" the time and billing summaries and provide all facts which support TSI's allegation in wrongful conduct 11.

d. Identify the TSI representative with the most knowledge of the allegations in wrongful conduct 11.

e. Specifically state how TSI was damaged as a result of wrongful conduct 11.

f. Specifically identify the amount of damages suffered by TSI as a result of wrongful conduct 11.

g. Identify the TSI representative with the most knowledge of the damages suffered by TSI as a result of wrongful conduct 11.

h. State whether TSI was advised by a customer of the allegations in wrongful conduct 11 and if so provide the customer's name, address and date upon which TSI was first advised by such customer.

i. State what steps TSI took to confirm each customer complaint identified in part (h) above.

j. State whether TSI informed T/ATC of such customer complaints and if so identify the TSI representative who informed T/ATC of such customer complaints, identify the date of such advisement and the name of the T/ATC representative who was advised and provide all information the TSI representative conveyed to the T/ATC representative regarding such customer complaints.

k. Regarding TSI's allegation in wrongful conduct 11, did T/ATC provide any credits, refunds or any other compensation to TSI regarding wrongful conduct 11 and if so identify each and every credit, refund or other compensation provided to TSI by T/ATC.

l. Regarding TSI's allegation in wrongful conduct 11, did TSI provide credits, refunds or other compensation to its own customer regarding this allegation in wrongful conduct 11?

m. If the answer to part (l) above is in the affirmative, identify the total credits, refunds, or other compensation provided to TSI customers by TSI regarding this allegation in wrongful conduct 11 and identify each customer and their address and phone number who received such credits, refunds or other compensation and identify the exact amount of each refund to each identified customer.

17. Regarding alleged wrongful conduct number 12, provide the following information and facts:

a. Identify each customer and provide such customer's address and phone number as referenced in wrongful conduct 12 where the customer was billed for "800 use" where the customer did not have a "800" number.

b. Identify each billing and call referenced in wrongful conduct 12 for "800 use" where the customer did not have a "800" number, identifying the date of such billing and call and the customer billed and specifically identify the amount of such billing for "800 use" referenced in wrongful conduct 12.

c. Identify all facts which support TSI's wrongful conduct 12 allegation.

12. d. Identify the TSI representative with the most knowledge of wrongful conduct
12. e. Specifically state who TSI has been damaged as a result of wrongful conduct
12. f. State the amount of damages suffered by TSI as a result of wrongful conduct
- g. Identify the TSI representative with the most knowledge of TSI's damages as a result of wrongful conduct 12.
- h. State whether TSI was advised by a customer of wrongful conduct 12 and if so provide the customer's name, address and date upon which TSI was first advised by such customer.
- i. State what steps TSI took to confirm each customer complaint identified in part (h) above.
- j. State whether TSI informed T/ATC of such customer complaints and if so identify the TSI representative who informed T/ATC of such customer complaints, identify the date of such advisement and the name of the T/ATC representative who was advised and provide all information the TSI representative conveyed to the T/ATC representative regarding such customer complaints.
- k. Regarding TSI's allegations in wrongful conduct 12, did T/ATC provide any credits refunds or any other compensation to TSI regarding wrongful conduct 12 and if so identify each and every credit, refund or other compensation provided to TSI by T/ATC.
- l. Regarding TSI's allegations in wrongful conduct 12, did TSI provide credits refunds or other compensation to its own customer regarding this allegation in wrongful conduct 12?
- m. If the answer to part (l) above is in the affirmative, identify the total credits, refunds or other compensation provided to TSI customers by TSI regarding this allegation in wrongful conduct 12 and identify each customer and their address and phone number who received such credits, refunds or other compensation and identify the exact amount of each refund to each identified customer.

18. Identify all other "wrongful conduct engaged in by ATC and Transcall" other than in paragraphs (1)-(1), which TSI is referencing and referring to.

19. The following interrogatories relate to Exhibit A to the pending Transcall Complaint against TSI and such document will be referred to as Complaint Exhibit A.

- A.**
- a. Identify the TSI representative with the most knowledge of Complaint Exhibit**
 - b. Regarding the calls and minutes identified on Complaints Exhibit A, state whether TSI billed and collected from any of its own customers for the calls referenced and minutes referenced on Complaint Exhibit A.**
 - c. If the answer to the above interrogatory (b) is in the affirmative, identify the amount of money collected by TSI from its customers regarding the calls referenced and minutes referenced on Complaint Exhibit A.**

20. Since April of 1992 describe how TSI has provided and currently provides long distance service to its customers and identify each carrier TSI has utilized to provide long distance service to TSI's customers, a description of the service provided and the dates associated with such service from each inter-exchange carrier.

21. Describe any switches, trunks, lines, or other facilities owned by TSI, the date of acquisition, and whether such facilities are still in service.

DEFENDANT

STATE OF FLORIDA)
)
COUNTY OF DADE)

BEFORE ME the undersigned authority, personally appeared _____, who after being duly sworn, deposes and says that the foregoing Answers to Interrogatories are true and correct to the best of his/her knowledge.

SWORN TO AND SUBSCRIBED before me this ____ day of _____, 1998.

Notary Public, State of Florida at Large

My Commission Expires:

Personally Known
Identification Provided

H:\USERS\DEE\TSA\J00\INTERLA02

BEFORE THE PUBLIC SERVICE COMMISSION

In Re: Dade County Circuit Court referral of)
certain issues in Case No. 92-11654 (Transcall)
America, Inc. d/b/a ATC Long Distance v.)
Telecommunications Services, Inc. and)
Telecommunications Services, Inc. vs. Transcall)
America, Inc., d/b/a ATC Long Distance) that)
are within the Commission's jurisdiction.)

DOCKET NO. 951232-TI
Filed:

**TSI'S RESPONSES TO TRANSCALL AND ATC'S
FIRST SET OF FACT INTERROGATORIES**

Telecommunications Services, Inc. ("TSI") hereby responds to the First Set of Fact Interrogatories propounded by Transcall America Inc., d/b/a ATC Long Distance and Advanced Telecommunications Corporation ("T/ATC").

General Objections

1. TSI objects to the extent the instructions and definitions impose requirements beyond those contemplated by the Florida Rules of Civil Procedure.
2. TSI objects to the definition of "Complaint" in Instruction (F) as misleading.
3. TSI objects to those interrogatories, numbers 2 and 3, with subparts, that seek information on issues that the PSC has established are not within its jurisdiction pursuant to Appendix A to the Order Establishing Procedures, issued January 21, 1998, and thus are not relevant to the subject matter of the instant action under Rule 1.280, Florida Rules of Civil Procedure.
4. TSI objects to these interrogatories as violative of subsection (b) of the "Discovery" section of the PSC's Order Establishing Procedures, issued January 21, 1998, in that T/ATC's interrogatories, including subparts, exceed 200 in number.

5. TSI objects to these interrogatories on the grounds that they are unduly burdensome and the information requested may be better had by other means, including inspection and copying of documents, and deposition of witnesses. As to requests by T/ATC for detailed information on specific accounts, complaints, calls, and events, TSI believes that the information sought may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof. Additionally, TSI believes that the best source of much of the detailed information sought may be derived from Call Detail Record on TSI traffic contained on magnetic tapes in the exclusive possession of T/ATC that T/ATC is unlawfully withholding from production to TSI.

Notwithstanding these general objections, and without waiving them, TSI responds to the interrogatories as follows:

ANSWERS TO INTERROGATORIES

1. Regarding alleged wrongful conduct number 1, provide the following information and facts.

a. Fully explain how T/ATC violated Transcall's tariff on file with the Florida Public Service Commission.

TSI objects to this interrogatory to the extent that T/ATC claimed that "tariffs were not the basis of service to TSI," in its answers to TSI's interrogatories dated April 16, 1993. Notwithstanding this objection and without waiving it, TSI states T/ATC billed in excess of the charges allowed.

b. Fully explain how T/ATC billed in excess of the charges allowed under Transcall's tariff on file with the Florida Public Service Commission.

TSI objects to this interrogatory to the extent that T/ATC claimed that "tariffs were not the basis of service to TSI," in its answers to TSI's interrogatories dated April 16, 1993. Notwithstanding this objection and without waiving it, TSI states that such tariffs were the Telus, ATC, and Transcall PSC tariffs for the period July 1989 through May 1992, and specifically Transcall PSC Tariff No. 43.

c. Specifically identify which tariff or alternatively attach a copy of the exact tariff which TSI is referencing in wrongful conduct 1.

TSI objects to this interrogatory to the extent that T/ATC claimed that "tariffs were not the basis of service to TSI," in its answers to TSI's interrogatories dated April 16, 1993. Notwithstanding this objection and without waiving it, TSI states that such tariffs were the Telus, ATC, and Transcall PSC tariffs for the period July 1989 through May 1992, and specifically Transcall PSC Tariff No. 43. The tariffs as they existed during this period are within the knowledge of T/ATC, and not TSI, except that TSI knows that the billing errors alleged by TSI were not allowed by the tariffs.

d. Specifically identify each TSI customer who was billed in violation of and in excess of the charges allowed under Transcall's tariff on file with the Florida Public Service Commission and provide names, addresses and phone numbers of each person or entity identified.

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the grounds it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

e. For each TSI customer identified in the above interrogatory (d), identify the calls regarding each customer which was billed in violation of and in excess of the charges allowed under Transcall's tariff on file with the Florida Public Service Commission and provide the date of such calls and the exact amount improperly billed as identified in wrongful conduct 1 to such customer.

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

f. Identify the total number of calls affected by wrongful conduct 1 and the total value of calls affected by wrongful conduct 1.

TSI is compiling this information in the form of a report of its designated expert, Lopez Levi & Associates, and expects to furnish this report to counsel for T/ATC shortly.

g. State whether any customers complained not TSI regarding wrongful conduct 1 and if so identify the customer's name, phone number and address.

TSI assumes that the word "not" in the interrogatory should be "to". As to the first part of this interrogatory, yes.

As to the other parts of this interrogatory, pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

h. State whether TSI informed T/ATC of wrongful conduct 1, and if so identify the date TSI informed T/ATC of wrongful conduct 1 and provide the name, address and phone number of the TSI representative who informed T/ATC and provide all information such TSI representative provided to T/ATC.

As to the first part of this interrogatory, yes.

As to the other parts of this interrogatory, pursuant to Rule 1.200, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

i. Identify the person or persons (and provide their address and phone number) with the most knowledge of wrongful conduct 1 from (i) TSI and (ii) anywhere else.

See Exhibit A hereto.

j. Specifically identify how TSI was damaged as a result of wrongful conduct 1.

TSI was overcharged by T/ATC. The overcharges were either paid by TSI, or T/ATC is seeking to collect such overcharges in this lawsuit against TSI.

k. Specifically identify the amount of damages suffered by TSI as a result of wrongful conduct 1.

TSI is compiling this information in the form of a report of its designated expert, Lopez Levi & Associates, and expects to furnish this report to counsel for T/ATC shortly.

l. Identify the TSI representative with the most knowledge of TSI's damages related to wrongful conduct 1.

**Joel Esquenazi
World Access Communications Corporation
1101 Brickell Avenue, Suite 200
Miami, Florida 33131**

m. In regard to wrongful conduct 1 and the allegation of billing in violation of an in excess of the charges allowed under Transcall's tariff, did T/ATC provide credits, refunds or any

other compensation to TSI for billing in violation of and in excess the charges allowed under Transcall's tariff and if so what were the total credits, refunds or other compensation provided to TSI by T/ATC?

Despite demand by TSI, T/ATC generally did not provide credits, refunds, or other compensation for overcharges.

n. In regard to wrongful conduct 1 and the allegation of billing in violation of and in excess of the charges allowed under Transcall's tariff, did TSI provide credits, refunds, or any other compensation to its customers regarding billing in violation of and in excess of the charges allowed under Transcall's tariff as identified in wrongful conduct 1 and if so what were the total credits, refunds or other compensation provided to TSI's customers by TSI and identify each customer which received such credit, refund or other compensation and the amount of each identified customer's credit, refund or other compensation.

As to the first part of the interrogatory, TSI generally did provide credits, refunds or other compensation for T/ATC overcharges billed to customers.

As to the other parts of this interrogatory, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

2. Regarding alleged wrongful conduct number 2, provide the following information and facts:

TSI objects to this interrogatory and each and every subpart thereof because it seeks information on an issue that the PSC has established is not within its jurisdiction pursuant to Appendix A to the Order Establishing Procedures, issued January 21, 1998, and thus is not relevant to the subject matter of the instant action under Rule 1.290, Florida Rules of Civil Procedure.

a. Specifically identify each TSI customer who was billed directly as identified in wrongful conduct 2 and provide the name, address and phone number of each TSI customer directly billed.

See Objection to Interrogatory 2, which is incorporated herein.

b. Regarding the "course of dealing" identified in wrongful conduct 2, identify all facts which support such course of dealing and identify the person at T/ATC and at TSI with the most knowledge of this course of dealing, providing such person's phone number and address.

See Objection to Interrogatory 2, which is incorporated herein.

c. Identify the TSI representative with the most knowledge of wrongful conduct 2 and identify such person's position, address and phone number.

See Objection to Interrogatory 2, which is incorporated herein.

d. Identify each and every TSI customer who was stolen as identified or referenced in wrongful conduct 2 and provide such customer's address and phone number.

See Objection to Interrogatory 2, which is incorporated herein.

e. Specifically identify how TSI was damaged as a result of wrongful conduct 2.

See Objection to Interrogatory 2, which is incorporated herein.

f. Specifically set forth the amount of damages suffered by TSI as a result of wrongful conduct 2.

See Objection to Interrogatory 2, which is incorporated herein.

g. Identify the person with the most knowledge regarding TSI's damages relating to wrongful conduct 2 and provide such person's address and phone number.

See Objection to Interrogatory 2, which is incorporated herein.

h. Did any TSI customer complain of wrongful conduct 2 and if so identify the customer's name, address and phone number.

See Objection to Interrogatory 2, which is incorporated herein.

i. Did TSI inform T/ATC of wrongful conduct 2 and if so provide the date TSI first informed T/ATC and identify the TSI representative who provided such information and identify what information was specifically provided to T/ATC regarding wrongful conduct 2.

See Objection to Interrogatory 2, which is incorporated herein.

j. Did T/ATC provide any credits, refunds or any other compensation to TSI regarding wrongful conduct 2 and if so identify the total credits, refunds and other compensation provided to TSI by T/ATC for wrongful conduct 2.

See Objection to Interrogatory 2, which is incorporated herein.

k. Did TSI provide credits, refunds or any other compensation to its customer relating to wrongful conduct 2 and if so, identify the total credits, refunds or other compensation provided to TSI's customers by TSI regarding wrongful conduct 2 and identify the name and address of each such TSI customer and the amount of such customer's credit, refund or other compensation.

See Objection to Interrogatory 2, which is incorporated herein.

3. Regarding alleged wrongful conduct number 3, provide the following information and facts:

TSI objects to this interrogatory and each and every subpart thereof because it seeks information on an issue that the PSC has established is not within its jurisdiction pursuant to Appendix A to the Order Establishing Procedures, issued January 21, 1998, and thus is not relevant to the subject matter of the instant action under Rule 1.280, Florida Rules of Civil Procedure.

a. Specifically identify each and every TSI customer to whom T/ATC advertised and solicited directly as referenced in wrongful conduct 2, providing the name, address and phone number of such TSI customers.

See Objection to Interrogatory 3, which is incorporated herein.

b. Identify all facts which support TSI's allegations in wrongful conduct 3 that such advertising and soliciting was "contrary to the course of dealing between the parties".

See Objection to Interrogatory 3, which is incorporated herein.

c. Identify the TSI representative with the most knowledge of the course of dealing between the parties as identified in wrongful conduct 3 and provide such person's address and phone number.

See Objection to Interrogatory 3, which is incorporated herein.

d. Identify each and every TSI customer that was stolen by T/ATC as referenced in wrongful conduct 3 and provide such customer's address and phone number.

See Objection to Interrogatory 3, which is incorporated herein.

e. Provide the name of the TSI representative with the most knowledge of wrongful conduct 3.

See Objection to Interrogatory 3, which is incorporated herein.

f. Specifically identify how TSI was damaged as a result of wrongful conduct 3.

See Objection to Interrogatory 3, which is incorporated herein.

g. Specifically set forth the amount of damages suffered by TSI as a result of wrongful conduct 3.

See Objection to Interrogatory 3, which is incorporated herein.

h. State the name of the person with the most knowledge of TSI's damages relating to wrongful conduct 3 and provide such person's phone number and address.

See Objection to Interrogatory 3, which is incorporated herein.

i. Did TSI advise T/ATC of wrongful conduct 3 and if so, provide the date TSI first informed T/ATC of wrongful conduct 3 and identify the TSI representative who provided such information and specifically set forth what information was provided to T/ATC.

See Objection to Interrogatory 3, which is incorporated herein.

j. Did any TSI customers complaint to TSI regarding wrongful conduct 3 and if so, provide the name, address and phone number of such customer who complained regarding wrongful conduct 3.

See Objection to Interrogatory 3, which is incorporated herein.

4. Regarding alleged wrongful conduct number 4, provide the following information and facts:

a. Identify each individual and entity which was improperly billed for calls that were not made as identified in wrongful conduct 4 and specifically identify the address and phone number of such individual and entity.

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the grounds it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/AATC. Therefore, T/AATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/AATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

b. State the total value of calls referenced in wrongful conduct 4.

TSI is compiling this information in the form of a report of its designated expert, Lopez Levi & Associates, and expects to furnish this report to counsel for T/AATC shortly.

c. State the total number of calls referenced in wrongful conduct 4.

TSI is compiling this information in the form of a report of its designated expert, Lopez Levi & Associates, and expects to furnish this report to counsel for T/AATC shortly.

d. State the name, address and phone number of the TSI representative with the most knowledge that T/AATC improperly billed for calls that were not made.

See Exhibit A hereto.

e. Regarding wrongful conduct 4 and the allegation of improper billing for calls that were not made, identify each and every improper billing for calls that were not made by identifying the specific call including the date of such call, the specific customer who was improperly billed for the call that was not made, and identify the amount billed for such call.

Pursuant to Rule 1.290, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/AATC. Therefore, T/AATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/AATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

f. State whether TSI was advised by a customer of improper billing for calls that were not made and if so provide the customer's name, address and date upon which TSI was first advised by such customer.

As to the first part of this interrogatory, yes.

As to the other parts of this interrogatory, pursuant to Rule 1.290, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

g. State what steps TSI took to confirm each customer complaint identified in part (f) above

Pursuant to Rule 1.290, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, TSI was generally responsive to customer complaints, and communicated with each complaining customer, either in person, by telephone, by mail, or by telefax, concerning the nature of the complaint and the appropriate response thereto, and, if the complaint were justified, credited the customer's account.

Additionally notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory as to specific complaints may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

h. State whether TSI informed T/ATC of such customer complaints and if so identify the TSI representative who informed T/ATC of such customer complaints, identify the date of such advisement and the name of the T/ATC representative who was advised and provide all information the TSI representative conveyed to the T/ATC representative regarding such customer complaints.

As to the first part of this interrogatory, yes.

As to the other parts of this interrogatory, pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

i. Regarding TSI's allegation in wrongful conduct 4 of improperly billing for calls that were not made, did T/ATC provide any credits, refunds or any other compensation to TSI regarding improper billing for calls that were not made and if so identify each and every credit, refund or other compensation provided to TSI by T/ATC.

Despite demand by TSI, T/ATC generally did not provide credits, refunds, or other compensation for overcharges.

j. Regarding TSI's allegation in wrongful conduct 4 of improperly billing for calls that were not made, did TSI provide credits, refunds, or other compensation to its own customers regarding this allegation in wrongful conduct 4.

TSI generally did provide credits, refunds or other compensation for T/ATC overcharges billed to customers.

k. If the answer to part (j) above is in the affirmative, identify the total credits, refunds or other compensation provided to TSI customers by TSI regarding this allegation in wrongful conduct 4 and identify each customer and their address and phone number who received such credits, refunds or other compensation and identify the exact amount of each refund to each identified customer.

TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

l. Specifically state how TSI was damaged by T/ATC improperly billing for calls that were not made as identified in wrongful conduct 4.

TSI was overcharged by T/ATC. The overcharges were either paid by TSI, or T/ATC is seeking to collect such overcharges in this lawsuit against TSI.

m. Specifically identify the amount of TSI's damages as a result of T/ATC improperly billing for calls that were not made.

TSI is compiling this information in the form of a report of its designated expert, Lopez Levi & Associates, and expects to furnish this report to counsel for T/ATC shortly.

n. Identify the individual with the most knowledge of TSI's damages resulting from T/ATC improperly billing for calls that were made and provide the address and phone number of such person.

**Joel Esquenazi
World Access Communications Corporation
1101 Brickell Avenue, Suite 200
Miami, Florida 33131**

5. a. Identify each individual and entity which was improperly billed for calls that were not completed as identified in wrongful conduct 4 and specifically identify the address and phone number of such individual and entity.

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

b. State the name, address and phone number of the TSI representative with the most knowledge that T/ATC improperly billed for calls that were not completed.

See Exhibit A hereto.

6. Regarding wrongful conduct 4 and the allegation of improper billing for calls that were not completed, identify each and every improper billing for calls that were not completed by identifying the specific call including the date of such call, the specific customer who was improperly billed for the call that was not completed and identify the amount billed for such call.

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

d. State whether TSI was advised by a customer of improper billing for calls that were not completed and if so provide the customer's name, address and date upon which TSI was first advised by such customer.

As to the first part of this interrogatory, yes.

As to the other parts of this interrogatory, pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

e. State what steps TSI took to confirm each customer complaint identified in part (d) above.

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, TSI was generally responsive to customer complaints, and communicated with each complaining customer, either in person, by telephone, by mail, or by telefax, concerning the nature of the complaint and the appropriate response thereto, and, if the complaint were justified, credited the customer's account.

Additionally notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory as to specific complaints may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

f. State whether TSI informed T/ATC of such customer complaints and if so the TSI representative who informed T/ATC of such customer complaints, identify the date of such advisement and the name of the T/ATC representative who was advised and provide all information that the TSI representative conveyed to the T/ATC representative regarding such customer complaints.

As to the first part of this interrogatory, yes.

As to the other parts of this interrogatory, pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

g. Regarding TSI's allegation in wrongful conduct 4 of the improper billing for calls that were not completed, did T/ATC provide any credits, refunds or any other compensation to

TSI regarding improper billing for calls that were not completed and if so identify each and every credit, refund or other compensation provided to TSI by T/ATC.

Despite demand by TSI, T/ATC generally did not provide credits, refunds, or other compensation for overcharges.

h. Regarding TSI's allegation in wrongful conduct 4 of the improperly billing for calls that were not completed, did TSI provide credits, refunds or other compensation to its own customers regarding this allegation in wrongful conduct 4?

TSI generally did provide credits, refunds or other compensation for T/ATC overcharges billed to customers.

i. If the answer to the above interrogatory (h) is in the affirmative, identify the total credits, refunds or other compensation provided to TSI customers by TSI regarding this allegation in wrongful conduct 4 and identify each customer and their address and phone number who received such credits, refunds or other compensation and identify the exact amount of each refund to each identified customer.

TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

j. Specifically state how TSI was damaged by T/ATC improperly billing for calls that were not completed as identified in wrongful conduct 4.

TSI was overcharged by T/ATC. The overcharges were either paid by TSI, or T/ATC is seeking to collect such overcharges in this lawsuit against TSI.

k. Specifically identify the amount of TSI's damages as a result of T/ATC improperly billing for calls that were not completed.

TSI is compiling this information in the form of a report of its designated expert, Lopez Levi & Associates, and expects to furnish this report to counsel for T/ATC shortly.

l. Identify the individual with the most knowledge of TSI's damages resulting from T/ATC's improperly billing for calls that were not completed and provide the address and phone number of such person.

**Joel Esquenazi
World Access Communications Corporation
1101 Brickell Avenue, Suite 200
Miami, Florida 33131**

6. a. Identify each individual and entity which was improperly billed for calls that had busy signals and/or bad connections as identified in wrongful conduct 4 and specifically identify the address and phone number of such individual and entity.

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the grounds it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

b. State the name, address and phone number of the TSI representative with the most knowledge that T/ATC improperly billed for calls that had busy signals and/or bad connections.

See Exhibit A hereto.

c. Regarding wrongful conduct 4 and the allegations of improper billing for calls that had busy signals and/or bad connections, identify each and every improper billing for calls that had busy signals and/or bad connections by identifying the specific call including the date of such call, the specific customer who was improperly billed for the call that had a busy signal and/or bad connection and identify the amount billed for such call.

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County,

Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

d. **State whether TSI was advised by a customer of improper billing for calls that had busy signals and/or bad connections and if so provide the customer's name, address and date upon which TSI was first advised by such customer.**

As to the first part of this interrogatory, yes.

As to the other parts of this interrogatory, pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

e. **State what steps TSI took to confirm each customer complaint identified in part (d) above.**

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, TSI was generally responsive to customer complaints, and communicated with each complaining customer, either in person, by telephone, by mail, or by telefax, concerning the nature of the complaint and the appropriate response thereto, and, if the complaint were justified, credited the customers's account.

Additionally notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory as to specific complaints may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are

invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

f. State whether TSI informed T/ATC of such customer complaints and if so identify the TSI representative who informed T/ATC of such customer complaints, identify the date of such advisement and the name of the T/ATC representative who was advised and provide all information that the TSI representative conveyed to the T/ATC representative regarding such customer complaints.

As to the first part of this interrogatory, yes.

As to the other parts of this interrogatory, pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

g. Regarding TSI's allegation in wrongful conduct 4 of improperly billing for calls that had busy signals and/or bad connections, did T/ATC provide any credits, refunds or any other compensation to TSI regarding improper billing for calls that had busy signals and/or bad connections and if so identify each and every credit, refund or other compensation provided to TSI by T/ATC.

Despite demand by TSI, T/ATC generally did not provide credits, refunds, or other compensation for overcharges.

h. Regarding TSI's allegation in wrongful conduct 4 of improperly billing for calls that had busy signals and/or bad connections, did TSI provide credits, refunds or other compensation to its own customers regarding this allegation in wrongful conduct 4.

TSI generally did provide credits, refunds or other compensation for T/ATC overcharges billed to customers.

i. If the answer to part (h) above is in the affirmative, identify the total credits, refunds or other compensation provided to TSI customers by TSI regarding this allegation in wrongful conduct 4 and identify each customer and their address and phone number who received

such credits, refunds or other compensation and identify the exact amount of each refund to each identified customer.

TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

j. Specifically state how TSI was damaged by T/ATC improperly billing for calls that had busy signals and/or bad connections as identified in wrongful conduct 4.

TSI was overcharged by T/ATC. The overcharges were either paid by TSI, or T/ATC is seeking to collect such overcharges in this lawsuit against TSI.

k. Specifically identify the amount of TSI's damages as a result of T/ATC improperly billing for calls that had busy signals and/or bad connections.

TSI is compiling this information in the form of a report of its designated expert, Lopez Levi & Associates, and expects to furnish this report to counsel for T/ATC shortly.

l. Identify the individual with the most knowledge of TSI's damages resulting from T/ATC's improperly billing for calls that had busy signals and/or bad connections and provide the address and phone number of such person.

**Joel Esquenazi
World Access Communications Corporation
1101 Brickell Avenue, Suite 200
Miami, Florida 33131**

7. Regarding alleged wrongful conduct number 5, provide the following information and facts:

a. Identify each individual and entity which T/ATC was overcharging and adding time to calls as identified in wrongful conduct 5 and specifically identify the address and phone number of each such individual and entity.

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the grounds it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

b. State the total value of calls referenced in wrongful conduct 5.

TSI is compiling this information in the form of a report of its designated expert, Lopez Levi & Associates, and expects to furnish this report to counsel for T/ATC shortly.

c. State the total number of calls referenced in wrongful conduct 5.

TSI is compiling this information in the form of a report of its designated expert, Lopez Levi & Associates, and expects to furnish this report to counsel for T/ATC shortly.

d. State the name, address and phone number of the TSI representative with the most knowledge that T/ATC was overcharging and adding time to calls as alleged in wrongful conduct 5.

See Exhibit A hereto.

e. Regarding wrongful conduct 5 and the allegation of overcharging and adding time to calls, identify each and every call which T/ATC overcharged and added time to as identified in wrongful conduct 5 by identifying the specific call including the date of such call, the specific customer who was overcharged and to whom time was added to calls and identify the amount billed for each such overcharging and adding time to calls.

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of

TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

f. **State whether TSI was advised by a customer of overcharging and adding time to calls and if so provide the customer's name, address and ate upon which TSI was first advised by such customer.**

As to the first part of this interrogatory, yes.

As to the other parts of this interrogatory, pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

g. **State what steps TSI took to confirm each customer complaint identified in part (f) above.**

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, TSI was generally responsive to customer complaints, and communicated with each complaining customer, either in person, by telephone, by mail, or by telefax, concerning the nature of the complaint and the appropriate response thereto, and, if the complaint were justified, credited the customers's account.

Additionally notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory as to specific complaints may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counse^l for T/ATC are

invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

h. State whether TSI informed T/ATC of such customer complaints and if so identify the TSI representative who informed T/ATC of such customer complaints, identify the date of such advisement and the name of the T/ATC representative who was advised and provide all information the TSI representative conveyed to the T/ATC representative regarding such customer complaints.

As to the first part of this interrogatory, yes.

As to the other parts of this interrogatory, pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

i. Regarding TSI's allegation in wrongful conduct 5 of overcharging and adding time to calls, did T/ATC provide any credits, refunds or other compensation to TSI regarding overcharging and adding time to calls and if so identify each and every credit, refund or other compensation provided to TSI by T/ATC.

Despite demand by TSI, T/ATC generally did not provide credits, refunds, or other compensation for overcharges.

j. Regarding TSI's allegation in wrongful conduct 5 of overcharging and adding time to calls, did TSI provide credits, refunds or other compensation to its own customers regarding this allegation in wrongful conduct 5?

TSI generally did provide credits, refunds or other compensation for T/ATC overcharges billed to customers.

k. If the answer to part (j) above is in the affirmative, identify the total credits, refunds or other compensation provided to TSI customers by TSI regarding this allegation in wrongful conduct 5 and identify each customer and their address and phone number who received

such credits, refunds or other compensation and identify the exact amount of each refund to each identified customer.

TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

l. Provide all facts which support TSI's allegations in wrongful conduct 5 that T/ATC was overcharging and adding time to calls.

Pursuant to Rule 1.200, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the grounds it is not relevant to the subject matter of the pending action, and is unduly burdensome.

m. Specifically state how TSI was damaged by T/ATC as a result of T/ATC overcharging and adding time to calls.

TSI was overcharged by T/ATC. The overcharges were either paid by TSI, or T/ATC is seeking to collect such overcharges in this lawsuit against TSI.

n. Specifically identify the amount of damages suffered by TSI as a result of T/ATC overcharging and adding time to calls as alleged in wrongful conduct 5.

TSI is compiling this information in the form of a report of its designated expert, Lopez Levi & Associates, and expects to furnish this report to counsel for T/ATC shortly.

o. Identify the person with the most knowledge of TSI's damages resulting from T/ATC overcharging and adding time to calls and provide such person's phone number and address.

**Joel Esquenazi
World Access Communications Corporation
1101 Brickell Avenue, Suite 200
Miami, Florida 33131**

8. a. Identify each individual and entity which was double billed for the same phone call as identified in wrongful conduct 5 and specifically identify the address and phone number of such individual and entity.

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the grounds it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/AATC. Therefore, T/AATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/AATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

- b. State the name, address and phone number of the TSI representative with the most knowledge that T/AATC double billed for the same phone call as identified in wrongful conduct 5.

See Exhibit A hereto.

- c. Regarding wrongful conduct 5 and the allegation of double billing for the same phone call, identify each and every double billed phone call by identifying the specific call including the date of such call, the specific customer who was double billed for the same phone call and identify the amount double billed for such call.

TSI is compiling this information in the form of a report of its designated expert, Lopez Levi & Associates, and expects to furnish this report to counsel for T/AATC shortly.

- d. State whether TSI was advised by a customer of double billing for the same phone call and if so provide the customer's name, address and date upon which TSI was first advised by such customer.

As to the first part of this interrogatory, yes.

As to the other parts of this interrogatory, pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/AATC. Therefore, T/AATC is respectfully directed to those records of

TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

e. State what steps TSI took to confirm each customer complaint identified in part (d) above.

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, TSI was generally responsive to customer complaints, and communicated with each complaining customer, either in person, by telephone, by mail, or by telefax, concerning the nature of the complaint and the appropriate response thereto, and, if the complaint were justified, credited the customers's account.

Additionally notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory as to specific complaints may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

f. State whether TSI informed T/ATC of such customer complaints and if so, identify the TSI representative who informed T/ATC of such customer complaints, identify the date of such advisement and the name of the T/ATC representative who was advised and provide all information the TSI representative conveyed to the T/ATC representative regarding such customer complaints.

As to the first part of this interrogatory, yes.

As to the other parts of this interrogatory, pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for

TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

g. Regarding TSI's allegation in wrongful conduct 5 of double billing for the same phone call, did T/ATC provide any credits, refunds or any other compensation to TSI regarding double billing for the same phone call and if so identify each and every credit, refund or other compensation provided to TSI by T/ATC.

Despite demand by TSI, T/ATC generally did not provide credits, refunds, or other compensation for overcharges.

h. Regarding TSI's allegation in wrongful conduct 5 of double billing for the same phone call, did TSI provide credits, refunds or other compensation to its own customers regarding this allegation in wrongful conduct 5.

TSI generally did provide credits, refunds or other compensation for T/ATC overcharges billed to customers.

i. If the answer to the above interrogatory (h) is in the affirmative, identify the total credits, refunds or other compensation provided to TSI customers by TSI regarding this allegation in wrongful conduct 5 and identify each customer and their address and phone number who received such credits, refunds or other compensation and identify the exact amount of each refund to each identified customer.

TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

j. Provide all facts which support TSI's allegations in wrongful conduct 5 that T/ATC was double billing for the same phone call.

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the grounds it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this

interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

k. Specifically state how TSI was damaged as a result of T/ATC double billing for the same phone call.

TSI was overcharged by T/ATC. The overcharges were either paid by TSI, or T/ATC is seeking to collect such overcharges in this lawsuit against TSI.

l. Specifically state the amount of damages suffered by TSI as a result of T/ATC double billing for the same phone call as alleged in wrongful conduct 5.

TSI is compiling this information in the form of a report of its designated expert, Lopez Levi & Associates, and expects to furnish this report to counsel for T/ATC shortly.

m. Identify the person with the most knowledge of TSI's damages resulting from T/ATC double billing for the same phone call and provide such person's phone number and address.

**Joel Esquenazi
World Access Communications Corporation
1101 Brickell Avenue, Suite 200
Miami, Florida 33131**

9. a. Identify each individual and entity which was billed for items that had been billed in a previous month's billing as identified in wrongful conduct 5 and specifically identify the address and phone number of each such individual and entity.

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the grounds it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County,

Florida, and counsel for T/AATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

b. State the name, address and phone number of the TSI representative with the most knowledge that T/AATC billed for items that had been billed in a previous month's billing.

See Exhibit A hereto.

c. Regarding wrongful conduct 5 and the allegation that T/AATC was billing for items that had been billed in a previous month's billing, identify each and every call which was billed and had been billed in a previous month's billing as identified in wrongful conduct 5 by identifying the specific call which had been billed in a previous month's billing including the date of such call, the specific customer who was billed and had been billed in a previous month's billing and identify the amount billed for such call which had been billed in a previous month's billing.

TSI is compiling this information in the form of a report of its designated expert, Lopez Levi & Associates, and expects to furnish this report to counsel for T/AATC shortly.

d. State whether TSI was advised by a customer of billing for items that had been billed in a previous month's billing and if so provide the customer's name, address and date upon which TSI was first advised by such customer.

As to the first part of this interrogatory, Yes.

As to the other parts of this interrogatory, pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

e. State what steps TSI took to confirm each customer complaint identified in part (d) above.

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, TSI was generally responsive to customer complaints, and communicated with each complaining customer, either in person, by telephone, by mail, or by telex, concerning the nature of the complaint and the appropriate response thereto, and, if the complaint were justified, credited the customer's account.

Additionally notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory as to specific complaints may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

f. State whether TSI informed T/ATC of such customer complaints and if so identify the TSI representative who informed T/ATC of such customer complaints, identify the date of such advisement and the name of the T/ATC representative who was advised and provide all information the TSI representative conveyed to the T/ATC representative regarding such customer complaints.

As to the first part of this interrogatory, yes.

As to the other parts of this interrogatory, pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

g. Regarding TSI's allegation in wrongful conduct 5 of billing for items that had been billed in a previous month's billing, did T/ATC provide any credits, refunds or any other compensation to TSI regarding billing for items that had been billed in a previous month's billing and if so, identify each and every credit, refund or other compensation provided to TSI by T/ATC.

Despite demand by TSI, T/ATC generally did not provide credits, refunds, or other compensation for overcharges.

h. Regarding TSI's allegation in wrongful conduct 5 of billing for items that had been billed in a previous month's billing, did TSI provide credits, refunds or other compensation to its own customer regarding this allegation in wrongful conduct 5.

TSI generally did provide credits, refunds or other compensation for T/ATC overcharges billed to customers.

i. **If the answer to part (i) above is in the affirmative, identify the total credits, refunds or other compensation provided to TSI customers by TSI regarding this allegation in wrongful conduct 5 and identify each customer and their address and phone number who received such credits, refunds or other compensation and identify the exact amount of each refund to each identified customer.**

TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

j. **Provide all facts which support TSI's allegations in wrongful conduct 5 that T/ATC was billing for items that had been billed in a previous month.**

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the grounds it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

k. **Specifically state how TSI was damaged as a result of T/ATC billing for items that had been billed in a previous month's billing as alleged in wrongful conduct 5.**

TSI was overcharged by T/ATC. The overcharges were either paid by TSI, or T/ATC is seeking to collect such overcharges in this lawsuit against TSI.

l. **Specifically identify the amount of damages suffered by TSI as a result of T/ATC billing for items that had been billed in a previous month as alleged in wrongful conduct 5.**

TSI is compiling this information in the form of a report of its designated expert, Lopez Levi & Associates, and expects to furnish this report to counsel for T/ATC shortly.

m. Identify the person with the most knowledge of TSI's damages resulting from T/ATC billing for items that had been billed in a previous month and provide such person's phone number and address.

**Joel Esquenazi
World Access Communications Corporation
1101 Brickell Avenue, Suite 200
Miami, Florida 33131**

10. a. Identify each individual and entity which was charged twice for calls that were overlapping and appeared on two months bills as identified in wrongful conduct 5 and specifically identify the address and phone number of each such individual and entity.

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the grounds it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

b. State the name, address and phone number of the TSI representative with the most knowledge that T/ATC charged twice for calls that were overlapping and appeared on two months bills.

See Exhibit A hereto.

c. Regarding wrongful conduct 5 and the allegation that T/ATC charged twice for calls that were overlapping and appeared on two months bills, identify each and every call which T/ATC charged twice for such call that was overlapping and appeared on two months bills as identified in wrongful conduct 5 by identifying the specific call which was charged twice and that were overlapping and appeared on two months bills including the date of such call, the specific customer who was charged twice for calls that were overlapping and appeared on two months bills and identify the amount charged twice for such call.

TSI is compiling this information in the form of a report of its designated expert, Lopez Levi & Associates, and expects to furnish this report to counsel for T/ATC shortly.

d. **State whether TSI was advised by a customer of T/ATC charging twice for calls that were overlapping and appeared on two months bills and if so provide the customer's name, address and date upon which TSI was first advised by such customer.**

As to the first part of this interrogatory, yes.

As to the other parts of this interrogatory, pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

e. **State what steps TSI took to confirm each customer complaint identified in part (d) above.**

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, TSI was generally responsive to customer complaints, and communicated with each complaining customer, either in person, by telephone, by mail, or by telefax, concerning the nature of the complaint and the appropriate response thereto, and, if the complaint were justified, credited the customers's account.

Additionally notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory as to specific complaints may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are

invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

f. State whether TSI informed T/ATC of such customer complaints and if so identify the TSI representative who informed T/ATC of such customer complaints, identify the date of such advisement and the name of the T/ATC representative who was advised and provide all information the TSI representative conveyed to the T/ATC representative regarding such customer complaint.

As to the first part of this interrogatory, yes.

As to the other parts of this interrogatory, pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

g. Regarding TSI's allegation in wrongful conduct 5 that T/ATC charged twice for calls that were overlapping and appeared on two months bills, did T/ATC provide any credits, refunds or any other compensation to TSI regarding T/ATC charging twice for calls that were overlapping and appeared on two months bills and if so identify each and every credit, refund or other compensation provided to TSI by T/ATC.

Despite demand by TSI, T/ATC generally did not provide credits, refunds, or other compensation for overcharges.

h. Regarding TSI's allegation in wrongful conduct 5 of T/ATC charging twice for calls that were overlapping and appeared on two months bills, did TSI provide credits, refunds or other compensation to its own customer regarding this allegation in wrongful conduct 5?

TSI generally did provide credits, refunds or other compensation for T/ATC overcharges billed to customers.

i. If the answer to part (h) above is in the affirmative, identify the total credits, refunds or other compensation provided to TSI customers by TSI regarding this allegation in wrongful conduct 5 and identify each customer and their address and phone number who received

such credits, refunds or other compensation and identify the exact amount of each refund to each identified customer.

TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

j. Provide all facts which support TSI's allegation in wrongful conduct 5 that T/ATC charged twice for calls that were overlapping and appeared on two months bills.

Pursuant to Rule 1.290, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the grounds it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

k. Specifically state how TSI was damaged as a result of T/ATC charging twice for calls that were overlapping and appeared on two months bills.

TSI was overcharged by T/ATC. The overcharges were either paid by TSI, or T/ATC is seeking to collect such overcharges in this lawsuit against TSI.

l. Specifically identify the amount of damages suffered by TSI as a result of T/ATC charging twice for calls that were overlapping and appeared on two months bills.

TSI is compiling this information in the form of a report of its designated expert, Lopez Levi & Associates, and expects to furnish this report to counsel for T/ATC shortly.

m. Identify the person with the most knowledge of TSI's damages resulting from T/ATC charging twice for calls that were overlapping and appeared on two months bills and provide such person's phone number and address.

**Joel Esquenazi
World Access Communications Corporation
1101 Brickell Avenue, Suite 200
Miami, Florida 33131**

11. Regarding alleged wrongful conduct number 6, provide the following information and facts:

a. Fully describe what TSI means when it references "improper charges on 800 numbers" in wrongful conduct 6, including why charges were "improper".

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, TSI was generally responsive to customer complaints, and communicated with each complaining customer, either in person, by telephone, by mail, or by telefax, concerning the nature of the complaint and the appropriate response thereto, and, if the complaint were justified, credited the customers's account.

Additionally notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory as to specific complaints may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

b. Specifically identify all improper charges and billing, including the customer who was improperly charged and billed and such customer's address and phone number as referenced in wrongful conduct 6 and identify the specific calls which were improperly charged and billed, the date of such calls and the amount of the improperly charged or billed call, as referenced in wrongful conduct 6.

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the grounds it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this

interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

c. Provide all facts upon which TSI relies to prove its allegation that T/ATC made improper charges on 800 numbers for calls which were made outside the marketing area and billing for calls not received by 800 customers.

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the grounds it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

d. Identify the person with the most knowledge of the allegation that T/ATC made improper charges on 800 numbers for calls which were made outside the marketing area and billing for calls not received by 800 customers and provide such person's phone number and address.

**Joel Esquenazi
World Access Communications Corporation
1101 Brickell Avenue, Suite 200
Miami, Florida 33131**

e. Fully describe how TSI was damaged as a result of T/ATC's making improper charges on 800 numbers for calls which were made outside of the marketing area and describe how TSI was damaged as a result of T/ATC billing for calls not received by 800 customers.

TSI was overcharged by T/ATC. The overcharges were either paid by TSI, or T/ATC is seeking to collect such overcharges in this lawsuit against TSI.

f. State the amount of damages suffered by TSI as a result of T/ATC making improper charges on 800 numbers for calls which were made outside of the marketing area and state

the amount of damages suffered by TSI as a result of T/ATC billing for calls not received by 800 customers.

TSI is compiling this information in the form of a report of its designated expert, Lopez Levi & Associates, and expects to furnish this report to counsel for T/ATC shortly.

g. Identify the person with the most knowledge of TSI's damages resulting from wrongful conduct 6 and provide such person's phone number and address.

**Joel Esquenazi
World Access Communications Corporation
1101 Brickell Avenue, Suite 200
Miami, Florida 33131**

h. Regarding wrongful conduct 6 and the allegation that T/ATC was improperly charging on 800 numbers for calls which were made outside of the marketing area and billing for calls not received by 800 customers, state whether TSI was advised by a customer of wrongful conduct 6 and if so provide the customer's name, address and date upon which TSI was first advised by such customer.

As to the first part of this interrogatory, yes.

As to the other parts of this interrogatory, pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

i. State what steps TSI took to confirm each customer complaint identified in part (h) above.

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, TSI was generally responsive to customer complaints, and communicated with each complaining customer, either in person, by telephone, by mail, or by telefax, concerning the nature of the complaint and the appropriate response thereto, and, if the complaint were justified, credited the customers's account.

Additionally notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory as to specific complaints may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

j. State whether TSI informed T/ATC of such customer complaints and if so identify the TSI representative who informed T/ATC of such customer complaints, identify the date of such advisement and the name of the T/ATC representative who was advised and provide all of information the TSI representative conveyed to the T/ATC representative regarding such customer complaint.

As to the first part of this interrogatory, yes.

As to the other parts of this interrogatory, pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

k. Regarding TSI's allegation in wrongful conduct 6, did T/ATC provide any credits, refunds or any other compensation to TSI regarding wrongful conduct 6 and if so identify each and every credit, refund or other compensation provided to TSI by T/ATC.

Despite demand by TSI, T/ATC generally did not provide credits, refunds, or other compensation for overcharges.

1. Regarding TSI's allegation in wrongful conduct 6, did TSI provide credits, refunds or other compensation to its own customer regarding this allegation in wrongful conduct 6?

TSI generally did provide credits, refunds or other compensation for T/ATC overcharges billed to customers.

m. If the answer to part (1) above is in the affirmative, identify the total credits, refunds or other compensation provided to TSI customers by TSI regarding this allegation in wrongful conduct 6 and identify each customer and their address and phone number who receives such credits, refunds or other compensation and identify the exact amount of each refund to each identified customer.

TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

12. Regarding alleged wrongful conduct number 7, provide the following information and facts:

a. Identify each and every individual and entity and provide the address and phone number of such individual and entity who T/ATC billed in one minute increments instead of 6 or 30 second increments as required under the course of dealing between the parties and identify the time period during which such billing as identified in wrongful conduct 7 occurred.

Pursuant to Rule 1.290, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the grounds it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

b. Identify the total number of calls affected by wrongful conduct 7 and the total value of calls affected by wrongful conduct 7.

TSI is compiling this information in the form of a report of its designated expert, Lopez Levi & Associates, and expects to furnish this report to counsel for T/ATC shortly.

c. Specifically identify the type of call, i.e., international, which TSI is referencing in wrongful conduct 7.

Intrastate, interstate, and international.

d. Referring to wrongful conduct 7, identify all facts which support the allegation in wrongful conduct 7 and which establish the "course of dealing between the parties" as referred to in wrongful conduct 7 and identify the TSI and the T/ATC representatives with the most knowledge of those facts.

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the grounds it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

e. Specifically state how TSI has been damaged by the allegations in wrongful conduct 7.

TSI was overcharged by T/ATC. The overcharges were either paid by TSI, or T/ATC is seeking to collect such overcharges in this lawsuit against TSI.

f. Specifically identify the amount of damages suffered by TSI as a result of the conduct alleged in wrongful conduct 7.

TSI is compiling this information in the form of a report of its designated expert, Lopez Levi & Associates, and expects to furnish this report to counsel for T/ATC shortly.

g. Identify the TSI representative with the most knowledge of the damages suffered by TSI regarding wrongful conduct 7.

**Joel Esquenazi
World Access Communications Corporation
1101 Brickell Avenue, Suite 200
Miami, Florida 33131**

h. State whether TSI was advised by a customer of wrongful conduct 7 and if so provide the customer's name, address and date upon which TSI was first advised by such customer.

As to the first part of this interrogatory, yes.

As to the other parts of this interrogatory, pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

i. State what steps TSI took to confirm each customer complaint identified in part (h) above.

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, TSI was generally responsive to customer complaints, and communicated with each complaining customer, either in person, by telephone, by mail, or by telefax, concerning the nature of the complaint and the appropriate response thereto, and, if the complaint were justified, credited the customers's account.

Additionally notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory as to specific complaints may be derived or ascertained

from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/AATC. Therefore, T/AATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/AATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

j. State whether TSI informed T/AATC of such customer complaints and if so identify the TSI representative who informed T/AATC of such customer complaints, identify the date of such advisement and the name of the T/AATC representative who was advised and provide all information the TSI representative conveyed to the T/AATC representative regarding such customer complaints.

As to the first part of this interrogatory, **yes.**

As to the other parts of this interrogatory, pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/AATC. Therefore, T/AATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/AATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

k. Regarding TSI's allegation in wrongful conduct 7, did T/AATC provide any credits, refunds, or any other compensation to TSI regarding wrongful conduct 7 and if so identify each and every credit, refund or other compensation provided to TSI by T/AATC.

Despite demand by TSI, T/AATC generally did not provide credits, refunds, or other compensation for overcharges.

l. Regarding TSI's allegation in wrongful conduct 7, did TSI provide credits, refunds or other compensation to its own customer regarding this allegation in wrongful conduct 7? **TSI generally did provide credits, refunds or other compensation for T/AATC overcharges billed to customers.**

m. If the answer to party (1) above is in the affirmative, identify the total credits, refunds or other compensation provided to TSI customers by TSI regarding this allegation in

wrongful conduct 7 and identify each customer and their address and phone number who received such credits, refunds or other compensation and identify the exact amount of each refund to each identified customer.

TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

13. Regarding alleged wrongful conduct number 8, provide the following information and facts:

a. Identify each and every customer referenced in wrongful conduct 8 who was billed for travel cards which such customer did not have and specifically identify how much such customer was billed and when such customer was billed and provide the address and phone number of such customer.

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the grounds it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

b. Referring to wrongful conduct 8, identify all facts which support the allegations in wrongful conduct 8 and provide the name of the TSI representative with the most knowledge of the allegations in wrongful conduct 8.

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the grounds it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this

interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

c. **Specifically state how TSI was damaged as a result of wrongful conduct 8.**

TSI was overcharged by T/ATC. The overcharges were either paid by TSI, or T/ATC is seeking to collect such overcharges in this lawsuit against TSI.

d. **Specifically identify the amount of damages suffered by TSI as a result of T/ATC billing for travel cards customers did not have as identified in wrongful conduct 8.**

TSI is compiling this information in the form of a report of its designated expert, Lopez Levi & Associates, and expects to furnish this report to counsel for T/ATC shortly.

e. **Identify the person with the most knowledge of TSI's damages resulting from wrongful conduct 8 and provide such person's phone number and address.**

**Joel Esquenazi
World Access Communications Corporation
1101 Brickell Avenue, Suite 200
Miami, Florida 33131**

f. **State whether TSI was advised by a customer of wrongful conduct 8 and if so provide the customer's name, address and date upon which TSI was first advised by such customer.**

As to the first part of this interrogatory, yes.

As to the other parts of this interrogatory, pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County,

Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

g. State what steps TSI took to confirm each customer complaint identified in part (f) above.

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, TSI was generally responsive to customer complaints, and communicated with each complaining customer, either in person, by telephone, by mail, or by telefax, concerning the nature of the complaint and the appropriate response thereto, and, if the complaint were justified, credited the customers's account.

Additionally notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory as to specific complaints may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

h. State whether TSI informed T/ATC of such customer complaints and if so identify the TSI representative who informed T/ATC of such customer complaints, identify the date of such and the name of the T/ATC representative who advised and provide all information the TSI representative conveyed to the T/ACT representative regarding such customer complaints.

As to the first part of this interrogatory, yes.

As to the other parts of this interrogatory, pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County,

Florida, and counsel for T/A/TC are invited to examine, audit, or inspect such records and to make copies, comparisons, abstracts, or summaries thereof.

i. Regarding TSI's allegations in wrongful conduct 8, did T/A/TC provide any credits, refunds or any other compensation to TSI regarding the allegations in wrongful conduct 8 and if so identify each and every credit, refund or other compensation provided to TSI by T/A/TC.

Despite demand by TSL, T/A/TC generally did not provide credits, refunds, or other compensation for overcharges.

j. Regarding TSI's allegations in wrongful conduct 8, did TSI provide credits, refunds or other compensation to its own customer regarding this allegation in wrongful conduct 8?

TSI generally did provide credits, refunds or other compensation for T/A/TC overcharges billed to customers.

k. If the answer to party (j) above is the affirmative, identify the total credits, refunds or other compensation provided to TSI customers by TSI regarding this allegation in wrongful conduct 8 and identify each customer and their address and phone number who received such credits, refunds or other compensation and identify the exact amount of each refund to each identified customer.

TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSL, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/A/TC. Therefore, T/A/TC is respectfully directed to these records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/A/TC are invited to examine, audit, or inspect such records and to make copies, comparisons, abstracts, or summaries thereof.

14. Regarding alleged wrongful conduct number 9, provide the following information and the facts:

a. Specifically identify each customer who billed at improper and excessive rates as identified in wrongful conduct 9 and provide such customer's address and phone number.

Pursuant to Rule 1.350, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the grounds it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSL, and the

burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

b. Specifically define and explain what TSI means by billing at "improper" rates as identified in wrongful conduct 9.

TSI means billing at rates higher than those established by the agreement between the parties.

c. Specifically define and explain what TSI means by billing in "excessive" rates as identified in wrongful conduct 9.

TSI means billing at rates higher than those established by the agreement between the parties.

d. Identify all facts which support TSI's allegations in wrongful conduct 9 and identify all individuals with knowledge of such facts and provide their phone number and address.

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the grounds it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

e. Identify each and every call which was billed at an improper and excessive rate as referenced in wrongful conduct 9 and identify the date of such call, the customer's name regarding such call and the total amount of the call and identify the amount which was improper and excessive regarding the billing of such calls.

TSI is compiling this information in the form of a report of its designated expert, Lopez Levi & Associates, and expects to furnish this report to counsel for T/ATC shortly.

9. f. Specifically identify how TSI was damaged as a result of wrongful conduct

TSI was overcharged by T/ATC. The overcharges were either paid by TSI, or T/ATC is seeking to collect such overcharges in this lawsuit against TSI.

g. Specifically identify the amount of damages suffered by TSI as a result of wrongful conduct 9.

TSI is compiling this information in the form of a report of its designated expert, Lopez Levi & Associates, and expects to furnish this report to counsel for T/ATC shortly.

h. Identify the TSI representative with the most knowledge of the damages suffered by TSI as a result of wrongful conduct 9.

**Joel Esquenazi
World Access Communications Corporation
1101 Brickell Avenue, Suite 200
Miami, Florida 33131**

i. State whether TSI was advised by a customer of the allegations in wrongful conduct 9 and if so state whether TSI informed T/ATC of such customer complaint and if so the TSI representative who informed T/ATC of such customer complaint, identify the date of such advisement and the name of the T/ATC representative who advised and provide all information the TSI representative conveyed to the T/ATC representative regarding such customer complaint.

As to the first part of this interrogatory, yes.

As to the other parts of this interrogatory, pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

j. Regarding TSI allegation in wrongful conduct 9, did T/ATC provide any credits, refunds or any other compensation to TSI regarding wrongful conduct 9 and if so identify each and every credit, refund or other compensation provided to TSI by T/ATC.

Despite demand by TSI, T/ATC generally did not provide credits, refunds, or other compensation for overcharges.

k. Regarding TSI's allegation in wrongful conduct 9, did TSI provide credits, refunds or other compensation to its own customer regarding this allegation in wrongful conduct 9?

TSI generally did provide credits, refunds or other compensation for T/ATC overcharges billed to customers.

l. If the answer to part (k) above is in the affirmative, identify the total credits, refunds or other compensation provided to TSI by TSI regarding the allegation in wrongful conduct 9 and identify each customer and their address and phone number who received such credits, refunds or other compensations and identify the exact amount of each refund to each identified customer.

TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

15. Regarding alleged wrongful conduct number 10, provide the following information and facts.

a. Identify each account, including the customer name, address and phone number which T/ATC billed long after the account had been canceled by TSI as alleged in wrongful conduct 10.

TSI is compiling this information in the form of a report of its designated expert, Lopez Levi & Associates, and expects to furnish this report to counsel for T/ATC shortly.

b. For each account identified in the above interrogatory (a) identify the date that TSI canceled such account and specifically identify the date that a billing occurred after the account had been canceled.

TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this

answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

c. Fully describe how TSI procedurally canceled accounts as referenced in wrongful conduct 10 and identify the individuals at TSI involved in such cancellations and identify each individual involved for T/ATC regarding such cancellation and provide addresses and phone number for each identified individual.

TSI canceled accounts by sending out notice and stopping service. Generally, Joel Esquenazi and Carlos Rodriguez, identified in answers above, were involved in cancellations. TSI believes that the answer to this interrogatory as to specific customers may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

d. Specifically state how TSI was damaged as a result of wrongful conduct 10.

TSI was overcharged by T/ATC. The overcharges were either paid by TSI, or T/ATC is seeking to collect such overcharges in this lawsuit against TSI.

e. Specifically identify the amount of damages suffered by TSI as a result of wrongful conduct 10.

TSI is compiling this information in the form of a report of its designated expert, Lopez Levi & Associates, and expects to furnish this report to counsel for T/ATC shortly.

f. Identify the TSI representative with the most knowledge of damages suffered by TSI as a result of wrongful conduct 10.

**Joel Esquenazi
World Access Communications Corporation
1101 Brickell Avenue, Suite 200
Miami, Florida 33131**

g. State whether TSI was advised by a customer regarding billing on accounts long after the accounts had been canceled by TSI as identified in wrongful conduct 10.

As to the first part of this interrogatory, yes.

As to the other parts of this interrogatory, pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

h. State what steps TSI took to confirm each customer complaint identified in part (g) above.

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, TSI was generally responsive to customer complaints, and communicated with each complaining customer, either in person, by telephone, by mail, or by telefax, concerning the nature of the complaint and the appropriate response thereto, and, if the complaint were justified, credited the customers's account.

Additionally notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory as to specific complaints may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

i. State whether TSI informed T/ATC of such customer complaint and if so identify the TSI representative who informed T/ATC of such customer complaint, identify the date

of such advisement and the name of the T/ATC representative who was advised and provide all information the TSI representative conveyed to the T/ATC representative regarding such customer complaints.

As to the first part of this interrogatory, yes.

As to the other parts of this interrogatory, pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

j. **Regarding TSI's allegation in wrongful conduct 10, did T/ATC provide any credits, refunds or any other compensation to TSI regarding wrongful conduct 10 and if so identify each and every credit, refund or other compensation provided to TSI by T/ATC.**

Despite demand by TSI, T/ATC generally did not provide credits, refunds, or other compensation for overcharges.

k. **Regarding TSI's allegation wrongful conduct 10, did TSI provide credits, refunds or other compensation to its own customers regarding this allegation in wrongful conduct 10?**

TSI generally did provide credits, refunds or other compensation for T/ATC overcharges billed to customers.

l. **If the answer to part (1) above is in the affirmative, identify the total credits, refunds or other compensation provided to TSI customers by TSI regarding this allegation in wrongful conduct 10 and identify each customer and their address and phone number who received such credits, refunds or other compensation and identify the exact amount of each refund to each identified customer.**

TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert,

Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

16. Regarding alleged wrongful conduct number 11, provide the following information and facts:

a. Identify the customer and customer address and phone number regarding whom bills were supplied where the billing details did not match the time and billing summaries related thereto as identified in wrongful conduct 11.

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the grounds it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

b. Identify the bills by date and customer name and address referred to in wrongful conduct 11 where T/ATC supplied bills where the billing details did not match the time and billing summary related thereto as identified in wrongful conduct 11.

TSI is compiling this information in the form of a report of its designated expert, Lopez Levi & Associates, and expects to furnish this report to counsel for T/ATC shortly.

c. Fully explain what TSI means in wrongful conduct 11 where it states that "billing details did not match the time and billing summaries related thereto" and explain how the billing details "did not match" the time and billing summaries and provide all facts which support TSI's allegation in wrongful conduct 11.

TSI means that the detailed information provided by T/ATC was not consistent with the reports supposedly summarizing the information; for example, total minutes and total amounts did not appear to be correctly summed, and there were additional footing and extension errors.

TSI is compiling the facts supporting these errors in the form of a report of its designated expert, Lopez Levi & Associates, and expects to furnish this report to counsel for T/ATC shortly.

d. Identify the TSI representative with the most knowledge of the allegations in wrongful conduct 11.

**Joel Esquenazi
World Access Communications Corporation
1101 Brickell Avenue, Suite 200
Miami, Florida 33131**

e. Specifically state how TSI was damaged as a result of wrongful conduct 11.

TSI was overcharged by T/ATC. The overcharges were either paid by TSI, or T/ATC is seeking to collect such overcharges in this lawsuit against TSI.

f. Specifically identify the amount of damages suffered by TSI as a result of wrongful conduct 11.

TSI is compiling this information in the form of a report of its designated expert, Lopez Levi & Associates, and expects to furnish this report to counsel for T/ATC shortly.

g. Identify the TSI representative with the most knowledge of the damages suffered by TSI as a result of wrongful conduct 11.

**Joel Esquenazi
World Access Communications Corporation
1101 Brickell Avenue, Suite 200
Miami, Florida 33131**

h. State whether TSI was advised by a customer of the allegations in wrongful conduct 11 and if so provide the customer's name, address and date upon which TSI was first advised by such customer.

As to the first part of this interrogatory, yes.

As to the other parts of this interrogatory, pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

i. **State what steps TSI took to confirm each customer complaint identified in part (h) above.**

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, TSI was generally responsive to customer complaints, and communicated with each complaining customer, either in person, by telephone, by mail, or by telefax, concerning the nature of the complaint and the appropriate response thereto, and, if the complaint were justified, credited the customers's account.

Additionally notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory as to specific complaints may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

j. **State whether TSI informed T/ATC of such customer complaints and if so identify the TSI representative who information T/ATC of such customer complaints, identify the date of such advisement and the name of the T/ATC representative who was advised and provide all information the TSI representative conveyed to the T/ATC representative regarding such customer complaints.**

As to the first part of this interrogatory, yes.

As to the other parts of this interrogatory, pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

k. Regarding TSI's allegation in wrongful conduct 11, did T/ATC provide any credits, refunds or any other compensation to TSI regarding wrongful conduct 11 and if so identify each and every credit, refund or other compensation provided to TSI by T/ATC.

Despite demand by TSI, T/ATC generally did not provide credits, refunds, or other compensation for overcharges.

l. Regarding TSI's allegation in wrongful conduct 11, did TSI provide credits, refunds or other compensation to its own customer regarding this allegation in wrongful conduct 11?

TSI generally did provide credits, refunds or other compensation for T/ATC overcharges billed to customers.

m. If the answer to part (l) above is in the affirmative, identify the total credits, refunds, or other compensation provided to TSI customers by TSI regarding this allegation in wrongful conduct 11 and identify each customer and their address and phone number who received such credits, refunds or other compensation and identify the exact amount of each refund to each identified customer.

TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

17. Regarding alleged wrongful conduct number 12, provide the following information and facts:

a. Identify each customer and provide such customer's address and phone number as referenced in wrongful conduct 12 where the customer was billed for "800 use" where the customer did not have a "800" number.

TSI is compiling this information in the form of a report of its designated expert, Lopez Levi & Associates, and expects to furnish this report to counsel for T/ATC shortly.

b. **Identify each billing and call referenced in wrongful conduct 12 for "800 use" where the customer did not have a "800" number, identifying the date of such billing and call and the customer billed and specifically identify the amount of such billing for "800 use" referenced in wrongful conduct 12.**

TSI is compiling this information in the form of a report of its designated expert, Lopez Levi & Associates, and expects to furnish this report to counsel for T/ATC shortly.

c. **Identify all facts which support TSI's wrongful conduct 12 allegation**

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the grounds it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

12. d. **Identify the TSI representative with the most knowledge of wrongful conduct**

**Joel Esquenazi
World Access Communications Corporation
1101 Brickell Avenue, Suite 200
Miami, Florida 33131**

12. e. **Specifically state who TSI has been damaged as a result of wrongful conduct**

TSI was overcharged by T/ATC. The overcharges were either paid by TSI, or T/ATC is seeking to collect such overcharges in this lawsuit against TSI.

12. f. State the amount of damages suffered by TSI as a result of wrongful conduct

TSI is compiling this information in the form of a report of its designated expert, Lopez Levi & Associates, and expects to furnish this report to counsel for T/ATC shortly.

g. Identify the TSI representative with the most knowledge of TSI's damages as a result of wrongful conduct 12.

**Joel Esquenazi
World Access Communications Corporation
1101 Brickell Avenue, Suite 200
Miami, Florida 33131**

h. State whether TSI was advised by a customer of wrongful conduct 12 and if so provide the customer's name, address and date upon which TSI was first advised by such customer.

As to the first part of this interrogatory, yes.

As to the other parts of this interrogatory, pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

i. State what steps TSI took to confirm each customer complaint identified in part (h) above.

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, TSI was generally responsive to customer complaints, and communicated with each complaining

customer, either in person, by telephone, by mail, or by telefax, concerning the nature of the complaint and the appropriate response thereto, and, if the complaint were justified, credited the customers's account.

Additionally notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory as to specific complaints may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

j. State whether TSI informed T/ATC of such customer complaints and if so identify the TSI representative who informed T/ATC of such customer complaints, identify the date of such advisement and the name of the T/ATC representative who was advised and provide all information the TSI representative conveyed to the T/ATC representative regarding such customer complaints.

As to the first part of this interrogatory, yes.

As to the other parts of this interrogatory, pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the ground it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, pursuant to Rule 1.340(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

k. Regarding TSI's allegations in wrongful conduct 12, did T/ATC provide any credits refunds or any other compensation to TSI regarding wrongful conduct 12 and if so identify each and every credit, refund or other compensation provided to TSI by T/ATC.

Despite demand by TSI, T/ATC generally did not provide credits, refunds, or other compensation for overcharges.

l. Regarding TSI's allegations in wrongful conduct 12, did TSI provide credits, refunds or other compensation to its own customer regarding this allegation in wrongful conduct 12?

TSI generally did provide credits, refunds or other compensation for T/ATC overcharges billed to customers.

m. If the answer to part (l) above is in the affirmative, identify the total credits, refunds or other compensation provided to TSI customers by TSI regarding this allegation in wrongful conduct 12 and identify each customer and their address and phone number who received such credits, refunds or other compensation and identify the exact amount of each refund to each identified customer.

TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to these records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

18. Identify all other "wrongful conduct engaged in by ATC and Transcall" other than in paragraphs (1)-(l), which TSI is referencing and referring to.

TSI assumes that "(1)-(1)" should be "(1)-(12)". TSI objects to this interrogatory to the extent it seek information on issues that the PSC has established is not within its jurisdiction pursuant to Appendix A to the Order Establishing Procedures, issued January 21, 1998, and thus are not relevant to the subject matter of the instant action under Rule 1.280, Florida Rules of Civil Procedure. Notwithstanding this objection, and without waiving it, TSI answers:

- a. The matters set forth in their preliminary and tentative written report attached to TSI's Responses to T/ATC's First Set of Expert Interrogatories;**
- b. Non-crediting of TSI's checks in payment for services rendered;**
- c. Multiple billing of calls during the same or almost the same minutes to the same number;**
- d. "Stuck clock" overbilling;**

- e.. Extension, footing, and arithmetic errors on billing;
- f. Beginning balance errors on billing;
- g. Miscellaneous overbilling; and
- h. All matters set forth in TSI's Third Restated Counterclaim.

19. The following interrogatories relate to Exhibit A to the pending Transcall Complaint against TSI and such document will be referred to as Complaint Exhibit A.

a. Identify the TSI representative with the most knowledge of Complaint Exhibit A.

Joel Esquenazi
World Access Communications Corporation
1101 Brickell Avenue, Suite 200
Miami, Florida 33131

b. Regarding the calls and minutes identified on Complaints Exhibit A, state whether TSI billed and collected from any of its own customers for the calls referenced and minutes referenced on Complaint Exhibit A.

Yes.

c. If the answer to the above interrogatory (b) is in the affirmative, identify the amount of money collected by TSI from its customers regarding the calls referenced and minutes referenced on Complaint Exhibit A.

Pursuant to Rule 1.349(c), Florida Rules of Civil Procedure, TSI believes that the answer to this interrogatory may be derived or ascertained from the records of TSI, and the burden of so deriving or ascertaining this answer is substantially the same for TSI and T/ATC. Therefore, T/ATC is respectfully directed to those records of TSI in storage and with its expert, Lopez Levi & Associates, in Dade County, Florida, and counsel for T/ATC are invited to examine, audit, or inspect such records and to make copies, compilations, abstracts, or summaries thereof.

20. Since April of 1992 describe how TSI has provided and currently provides long distance service to its customers and identify each carrier TSI has utilized to provide long distance service to TSI's customers, a description of the service provided and the dates associated with such service from each inter-exchange carrier.

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the grounds it is not relevant to the subject matter of the pending action, and is unduly burdensome.

TSI used NTC, Inc., MCI Telecommunications Corp., and AT&T Corp. to provide long distance service through 1994.

21. Describe any switches, trunks, lines, or other facilities owned by TSI, the date of acquisition, and whether such facilities are still in service.

Pursuant to Rule 1.280, Florida Rules of Civil Procedure, TSI objects to this interrogatory on the grounds it is not relevant to the subject matter of the pending action, and is unduly burdensome.

Notwithstanding this objection, and without waiving it, TSI answers that there are currently, none.

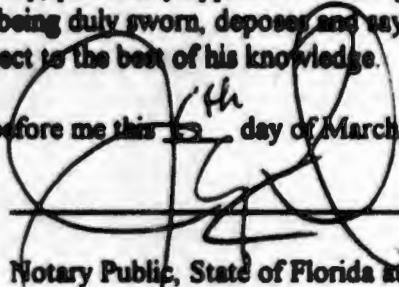
 3/6/98

JOEL ESQUENAZI

STATE OF FLORIDA)
)
COUNTY OF DADE)

BEFORE ME the undersigned authority, personally appeared Joel Esquenazi, President of Telecommunications Services, Inc., who after being duly sworn, deposes and says that the foregoing Answers to Interrogatories are true and correct to the best of his knowledge.

SWORN TO AND SUBSCRIBED before me this 6th day of March, 1998.



Notary Public, State of Florida at Large

My Commission Expires:

Personally Known
Identification Provided



JAMES R.C. DICKEY
COMMISSION # CC 650535
EXPIRES MAY 26, 2001
BONDED THROUGH
ATLANTIC BONDING CO., INC.

As to objections:

ADORNO & ZEDER, P.A.



Jon W. Zeder
Florida Bar No. 98432
Wesley R. Parsons
Florida Bar No. 539414
2601 South Bayshore Drive, Suite 1600
Miami, Florida 33133
Telephone No.: (305) 858-5555
Telefax No.: (305) 858-4777

EXHIBIT A

TSL Witnesses:

**Joel Esquenazi
World Access Communications Corporation
1101 Brickell Avenue, Suite 200
Miami, Florida 33131**

**Carlos Rodriguez
World Access Communications Corporation
1101 Brickell Avenue, Suite 200
Miami, Florida 33131**

TSL Expert Witnesses:

**William Shulman, Certified Public Accountant
Lopez Levi & Associates
815 N.W. 57th Ave.
Miami FL 33126**

**Raimundo Levi, Certified Public Accountant
Lopez Levi & Associates
815 N.W. 57th Ave.
Miami FL 33126**

**Ignacio DuQuesne, Certified Public Accountant
Lopez Levi & Associates
815 N.W. 57th Ave.
Miami FL 33126**

T/ATC Witnesses:

**May Joe Daurio
c/o WorldCom Inc.
1515 S. Federal Highway, Suite 400
Boca Raton, Florida 33432**

**Clara Reynardus-Thompson
c/o WorldCom Inc.
1515 S. Federal Highway, Suite 400
Boca Raton, Florida 33432**

**Joseph P. Holop
c/o WorldCom Inc.
1515 S. Federal Highway, Suite 400
Boca Raton, Florida 33432**

**Steve Sullivan
c/o WorldCom Inc.
1515 S. Federal Highway, Suite 400
Boca Raton, Florida 33432**

**Dennis Sickle
c/o WorldCom Inc.
1515 S. Federal Highway, Suite 400
Boca Raton, Florida 33432**

**Brian Sulmonetti
c/o WorldCom Inc.
1515 S. Federal Highway, Suite 400
Boca Raton, Florida 33432**

**William Anderson
c/o WorldCom Inc.
1515 S. Federal Highway, Suite 400
Boca Raton, Florida 33432**

Non Party Witnesses:

**Dan Merritt
Address Unknown
Austin, Texas**

**Joseph Signorelli
1800 Eller Drive, Suite 300
Fort Lauderdale, Florida 33316**

**David Resposo
Ryder Systems
8600 N.W. 36th Street
Miami, Florida 33166**

Joe Ambersley
Address Unknown

Rudy McGlashen
15839 N.W. 83d Place
Miami Lakes, Florida 33016

Norman Khugman
Address Unknown

Raymond H. Yeager, Jr.
Address Unknown

143579

EXHIBIT "B"

EXHIBIT B

The following is a list of the interrogatory answers by category of response:

1	2	3	4	5
Option to Produce Business Records	Experts Report	Reference to Exhibit A	Non-Responsive Answers	Objections
1. d., e., g., h., n.	1. f., k.	1. i.	1. a., b., m.	4. f.
4. a., e., g. h.	4. b., c., m.	4. d.	4. i., k.	7. l.
5. a., c., d., e., f., i.	5. k.	5. b.	11. a.	9. d.
6. a., c., d., e., f., i.	6. k.	6. b.	20.	
7. a., e., f., g., h., k.	7. b., c., n.	7. d.		
8. a., d., e., f., i., j.	8. c., l.	8. b.		
9. a., e., i., j.	9. c. l.	9. b.		
10. a., d., e., f., i., j.	10. c. l.	10. b.		
11. a., b., c., h., i., j., m.	11. f.			
12. a., d., h., i., j., m.	12. b., f.			
13. a., b., f., g., h., k.	13. d.			
14. a., d., i., l.	14. e., g.			
15. b., c., g., h. i. l.	15. a., e.			
16. a., h., i., h., m.	16. b., c., f.			
17. c., h., i., j., m.	17. a., b., f.			
19. c.				