FILED

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN

MAR 1 1 2005

CLERK'S OFFICE
U. S. DISTRICT COURT

EASTERN MICHIGAN

MCIMETRO ACCESS TRANSMISSION SERVICES LLC,) EASTERN MICHIGAI
Plaintiff,))
V.) Civil Action No. 05-70885
MICHIGAN BELL TELEPHONE COMPANY,) Hon. Arthur J. Tarnow
d/b/a SBC MICHIGAN,) Magistrate Judge Pepe
Defendant.)

ORDER GRANTING PRELIMINARY INJUNCTION

Before the Court is the Motion for a Temporary Restraining Order and Preliminary Injunction filed on March 8, 2005 by plaintiff McImetro Access Transmission Services LLC's ("MCI"). MCI's Motion seeks a preliminary injunction against defendant Michigan Bell Telephone Company, d/b/a SBC Michigan ("SBC"). The Court, having reviewed MCI's Motion and supporting papers and SBC's response in opposition, and having heard argument from both MCI and SBC on MCI's Motion on March 11, 2005, hereby **ORDERS** as follows:

IT IS HEREBY ORDERED THAT MCI's motion is GRANTED, and:

(1) SBC, as well as its agents, successors, assigns, and all those acting in concert with them, are hereby **ENJOINED**, pending further Order of this Court, from rejecting orders placed by MCI to establish telephone service for new MCI customers in Michigan using the services set forth in Appendix XXIII (the "UNE" Appendix) including but not limited to "NEW UNE-P" as set forth in section 16.5 of the UNE Appendix, under the terms and conditions set forth in the parties' interconnection agreement;

(2) The Court will issue a written opinion setting forth specific findings regarding the preliminary injunction factors forthwith.

United States District Judge

A TRUE COPY

CLERK, U.S. DISTRICT COURT EASTERN DISTRICT OF MICHIGAN

BY: Cathe a. Pikles

DEPUTY CLERK