



Association of Directory Publishers

R. Lawrence Angove
President & Chief Executive Officer

San Francisco Update:

Motion for Preliminary Injunction Filed

August 31, 2011

To: All North American Members

Fr: Larry

Re: Statement by Press Release

The Local Search Association today filed a motion for Preliminary Injunction in the U.S. District Court against the City of San Francisco's opt-out ordinance.

ADP is not a named plaintiff in this action but is contributing financially in support of the industry's effort to overturn this ill-conceived, discriminatory, and, I believe, illegal legislation.

A copy of the LSA release follows.

**Motion for Preliminary Injunction
Statement from Neg Norton
President, Local Search Association
August 31, 2011**

The Local Search Association today filed a motion for preliminary injunction in U.S. District Court to halt the City of San Francisco's destructive Yellow Pages law pending final resolution of the lawsuit it filed against the city in June. The First Amendment does not permit the city to

arbitrarily restrict the distribution of Yellow Pages out of a misguided belief that directories are less valuable than other media. The Environmental Protection Agency says that phone directories make up less than one half of one percent of municipal waste – much less than other media.

The real impact of this law will be felt by thousands of San Francisco residents who will be deprived of a valuable resource that links them to vital community services. This ordinance disenfranchises the nearly 30 percent of San Franciscans who can't afford Internet access and smartphones – including lower income residents, seniors and international communities – as well as those that simply prefer print directories to find local civic and business information.

San Francisco's ordinance also hurts thousands of local businesses by virtually eliminating one of their most effective means of advertising, forcing them to pay more for less effective results and fewer advertising options at the whim of local lawmakers.

Research from Burke, a premier independent research and consulting firm, shows that 71 percent of San Francisco residents used Yellow Pages directories in the past year to locate local civic and business information.

Although the ordinance's delivery restrictions do not take effect until May 2012, publishers are suffering economic consequences today. Not only must they plan to invest in expensive methods to solicit opt-ins, but the uncertainty over the Yellow Pages circulation deters advertisers. A preliminary injunction is in the public interest, not only because of the First Amendment rights at stake, but because the ordinance harms the wider community – both the local businesses that rely on sales generated by Yellow Pages ads, and the thousands of San Francisco residents who find the Yellow Pages more efficient than searching the Internet, or who lack consistent Internet access.

Yellow Pages publishers don't want to deliver directories to people who don't want them. We believe, however, that the decision to use the yellow pages, a newspaper, the Internet, or any other media should be up to the citizens of San Francisco, not the judgment of politicians. We provide consumers nationwide with a single, easy-to-use site to stop or limit delivery to their homes at www.yellowpagesoptout.com.