



Association of Directory Publishers



R. Lawrence Angove
President & Chief Executive Officer

Seattle Update:

Industry To Appeal Decision to Ninth Circuit

May 12, 2011

To: All North American ADP Members

Fr: Larry

Re: Decision to Appeal Made

Below please find the press release announcing the industry's decision to appeal the District Court's denial of our Motions for Preliminary Injunction and Temporary Restraining Order. Details to follow as they develop.

FOR IMMEDIATE RELEASE:

**Yellow Pages Publishers Appeal
Unconstitutional and Unnecessary Phone Book Law**

**Official Industry Opt-Out Site at www.YellowPagesOptOut.com
Is No-Cost Choice for Cities,
Privacy-Guaranteed Choice for Residents**

SEATTLE – May 12, 2011 – Yellow Pages publishers have filed a notice of appeal of a Seattle judge’s denial of their request to enjoin Seattle’s unconstitutional and unnecessary phone book law marred by duplication and waste, inefficiency, and a lack of privacy guarantees. The publishers requested that the Seattle District Court temporarily stay the ordinance until the United States Court of Appeals for the 9th Circuit in San Francisco has an opportunity to review their appeal.

“The City of Seattle has successfully misled both the Court and its own residents into thinking they’ve created something new and legal when the fact remains that Yellow Pages companies have already built a national program that allows Seattle residents – and residents of all cities – to stop Yellow Pages delivery if they choose,” said Neg Norton, president, Local Search Association. “Seattle taxpayers and consumers should be outraged that the city is continuing to waste its limited resources building, operating and defending a duplicative system that assaults Seattle small business’ ability to freely market themselves.”

The official site, www.yellowpagesoptout.com, offers consumers a number of advantages including privacy protections that Seattle’s site does not provide, an easy to use interface, and the ability to stop delivery of both Yellow Pages and white pages phone books.

“Seattle residents continue to be misled by their own elected officials – namely if they believe that the City’s site will protect their privacy when removing themselves from Yellow Pages delivery lists, they will be sadly mistaken,” said Larry Angove, president and CEO, Association of Directory Publishers, which partnered with the Local

Search Association to develop the industry's site. "We are also concerned that Seattle continues to release exaggerated and misleading statistics through its media relations campaign against an industry that works to help local small businesses succeed."

In statistics released this week, the City noted the number of opt-out requests it had received through its new website, but wasn't able to indicate whether those requests to stop delivery were new requests or they were duplicate requests from residents who have already opted-out through www.yellowpagesoptout.com or individual publishers' sites.

"Seattle's own data shows that the city recycles approximately 1,500 tons of phone books, or less than 2 percent of total recyclables," Norton said. "The City also won't tell you that there is significant demand for post-consumer paper from Yellow Pages, which actually generates revenue for recycling centers. Based on this alone, it's clear that the numbers that the City releases are slanted, to say the least."

One National Site is the Sustainable Approach

Even as the City of Seattle has worked to reduce its environmental footprint, it has selected a model that only encourages waste by duplicating work that the industry has already done. The sustainable approach is a national one, where there is one standard website for consumers across the United States to stop delivery of directories. The benefits of the industry's site include:

- No burden to cities, taxpayers, or city government staff: Industry assumes all costs and staffing associated with

development, maintenance and promotion of www.yellowpagesoptout.com.

- Greater awareness: One official industry site will result in greater awareness for consumers across the country, amplifying the positive impact of the initiative.
- Integration with publishers' technology systems: The website will work seamlessly with the publishers' systems; no third-party vendor has the same level of existing knowledge.
- Library of directory covers provide better clarity of choice for the user: The website will include visuals that will make it easier for residents to identify the directories they wish to keep or stop.
- Protected personal information: Residents using www.yellowpagesoptout.com can be confident that their personal information will only be shared with publishers for the purpose of customizing their directory delivery choices and not sold to third parties or used by city governments or their website vendors for marketing purposes. The city has made no such assurances for its opt-out program or website.

Providing Valuable & Sustainable Local Search Options

This year the Local Search Association issued its second annual sustainability report, which for the first time reflects the internationally recognized Global Reporting Initiative (GRI) framework. Key highlights from the 2011 report include:

- Directory paper demand decreased an additional 8.1 percent in 2010, totaling nearly 35 percent in paper reduction since 2007.

- Directory recovery rate increased to 36.9 percent according to the latest Environmental Production Agency data. This figure is up from 21.4 percent in last year's report.
- A comprehensive website at www.yellowpagesoptout.com that makes it easy to choose to reduce or stop directory delivery.
- Telephone directories continue to only represent 0.3 percent of the solid waste stream, significantly less than newspapers (3.2 percent) and office paper (2.2 percent).
- An array of strategic partnerships focused on environmental, economic and social performance.

The Association has also formed a Sustainability Committee to continue developing sustainable business practices that make sense for their stakeholders, as well as to establish new benchmarks for the industry.

To read the full Local Search Association 2011 Sustainability Report, please visit: www.localsearchassociation.org

About the Local Search Association

Formerly the Yellow Pages Association, the Local Search Association (www.localsearchassociation.org) is the largest trade organization of print, digital, mobile and social media that help local businesses get found and selected by ready-to-buy consumers. Association members include U.S. and international Yellow Pages companies, search engines, online listings and review sites, digital advertising agencies and mobile search providers. The Association has members in 29 countries.

Read the Local Search Association blog at www.localsearchinsider.com and follow [@LocalSearchAssn](https://twitter.com/LocalSearchAssn) on Twitter. To learn more about Yellow Pages advertising, visit www.buyyellow.com. To choose which phone books you receive, or stop delivery of all directories, visit www.yellowpagesoptout.com.

About the Association of Directory Publishers

The Association of Directory Publishers (ADP) (<http://www.adp.org>), founded in 1898, is the oldest trade association in North America representing the interests of directory publishers and the companies whose products and service support the industry.

Larry Angove is president and chief executive officer of ADP. Danny Bills, owner of ATD - Austin, is chairman of its Board of Directors. ADP Board member companies include Bridgerland Phone Book, Downey Publishing, Everyday Yellow Pages, Hagadone Directories, Lakeview Publishing, Names and Numbers, Texas Publishing, Valley Yellow Pages, Yellowbook, and the National Marketing Division of LSA.

The Association of Directory Publishers is a Massachusetts not-for-profit corporation.

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