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11 Attorneys for Defendant
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13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA**
 15 **SAN FRANCISCO DIVISION**

16 PATRICK HENDRICKS, on behalf of himself
 17 and all others similarly situated,

18 Plaintiff,

19 v.

20 AT&T Mobility LLC,

21 Defendant.

Case No. C11-00409 EMC

**DECLARATION OF LISA W.
 CORNEHL IN SUPPORT OF
 DEFENDANT AT&T MOBILITY LLC'S
 MOTION TO STAY**

Date: April 8, 2011
 Time: 10:00 a.m.
 Courtroom 8

Hon. Charles R. Breyer

1 I, Lisa W. Cornehl, do hereby declare:

2 1. I am an associate with the law firm Mayer Brown LLP, and I am one of the
3 attorneys representing defendant AT&T Mobility LLC (“ATTM”) in this action. I have personal
4 knowledge of the matters stated herein, and, if called upon, I could and would testify thereto.

5 2. On February 28, 2011, I notified counsel for plaintiff Patrick Hendricks that
6 ATTM intended to respond to Mr. Hendricks’ complaint on March 1, 2011, by moving to
7 compel arbitration, or, in the alternative, for a stay of proceedings pending a decision by the
8 United States Supreme Court in *AT&T Mobility LLC v. Concepcion*. I also informed counsel
9 that ATTM would concurrently be filing an administrative motion to take plaintiff’s motion to
10 appoint co-lead interim class counsel, currently set for hearing on March 25, 2011, off the
11 Court’s motion calendar until after the resolution of ATTM’s arbitration motion.

12 3. Counsel for Mr. Hendricks subsequently authorized me to inform the court that
13 the parties had stipulated to the following agreement: that (1) ATTM would not bring an
14 administrative motion to take plaintiff’s motion to appoint co-lead interim class counsel off-
15 calendar, (2) the briefing on the motion to appoint co-lead interim class counsel would proceed
16 under the briefing schedule provided by the Local Rules with the hearing to remain scheduled for
17 March 25, 2011, (3) by responding to Hendricks’ motion to appoint interim lead class counsel
18 and to appear at a hearing on that motion, ATTM would not waive its right to compel arbitration
19 of Hendricks’ claims; (4) ATTM reserves the right to oppose the motion to appoint interim lead
20 class counsel on any grounds it wishes, and (4) ATTM would move to stay its obligation to
21 respond to the complaint, along with all other proceedings (except on the motion for interim lead
22 counsel) pending the Supreme Court’s resolution of *Concepcion*.

23 I declare under penalty of perjury under the laws of the United States of America that the
24 foregoing is true and correct. Executed at Los Angeles, California this 1st day of March 2011.

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By: s/ Lisa W. Cornehl
Lisa W. Cornehl

1 **CERTIFICATE OF SERVICE**

2 I am employed in Los Angeles County, California. I am over the age of eighteen years
3 and not a party to the within-entitled action. My business address is 350 South Grand Avenue,
4 25th Floor, Los Angeles, California 90071-1503. On March 1, 2011, the following documents
5 were served electronically via the CM/ECF system:

6 **DECLARATION OF LISA W. CORNEHL IN SUPPORT OF DEFENDANT**
7 **AT&T MOBILITY LLC'S MOTION TO STAY**

8 I further certify that I mailed the foregoing document in a sealed envelope with postage
9 thereon fully prepaid, in the United States mail at Los Angeles, California addressed as set forth
10 below:

11 Aaron P. Davis
12 Barry L. Davis
13 Daniel R. Lever
14 THORNTON DAVIS & FEIN, P.A.
15 80 SW Eighth Street
16 Miami, FL 33130
17 Telephone: (305) 446-2646

18 I am readily familiar with the firm's practice of collection and processing correspondence
19 for mailing. Under that practice the envelopes would be deposited with the U.S. Postal Service
20 on that same day with postage thereon fully prepaid in the ordinary course of business. I am
21 aware that on motion of the party served, service is presumed invalid if postal cancellation date
22 or postage meter date is more than one day after date of deposit for mailing in affidavit.

23 I declare that I am employed in the office of a member of the bar of this court at whose
24 direction the service was made.

25 I declare under penalty of perjury under the laws of the State of California that the above
26 is true and correct.

27 Executed on March 1, 2011, at Los Angeles, California.

28 
Simoné Hernandez