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11 Attorneys for Defendant
 AT&T Mobility LLC

12 **UNITED STATES DISTRICT COURT**
 13 **NORTHERN DISTRICT OF CALIFORNIA**
 14 **SAN FRANCISCO DIVISION**
 15

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

18 Plaintiff,

19 vs.

20 AT&T MOBILITY, LLC,

21 Defendant.
 22
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Case No. CV 11-00409-CRB

**DECLARATION OF LILIAN L. CHAN
 IN SUPPORT OF DEFENDANT AT&T
 MOBILITY LLC'S MOTION TO
 COMPEL ARBITRATION AND TO
 STAY CASE**

Date: September 23, 2011
 Time: 10:00 a.m.
 Courtroom 8

Honorable Charles R. Breyer

1 I, Lilian L. Chan, hereby declare as follows:

2
3 1. The following facts are of my own personal knowledge, and if called as a witness
4 I could and would testify competently as to their truth.

5 2. I am currently employed by AT&T Services, Inc. as a Senior Technical Manager.
6 Since 2003, I have supported the sales of wireless services. I am familiar with the website,
7 <http://www.cingularwelcomekit.com>, as it appeared to me in 2005.

8 3. In 2005, in the course of my work relating to telephonic orders for wireless
9 service and cellular phones, I regularly accessed the web site
10 <http://www.cingularwelcomekit.com> to review customers' Cingular Welcome Kits, which were
11 generated for customers who placed such telephonic orders. Based on my experience and
12 recollection of how the web site functioned, a customer accessing the web site in 2005 would
13 have been asked to enter a telephone number and zip code connected with his or her account and
14 would have been informed that his or her customized Cingular Welcome Kit could be viewed by
15 clicking a button labeled "search." Ordinarily, upon clicking the "search" button, a customer
16 would have been presented with a PDF containing a current Cingular Welcome Kit for that
17 customer. Based on my recollection of how the web site operated, each Cingular Welcome Kit
18 remained available on the site for approximately 30 days after the relevant phone purchase.

19 4. On February 24, 2011, I visited the Internet Archive website (<http://www.archive.org>) and searched for an archived version of the web site at
20 <http://www.cingularwelcomekit.com>. I selected the result for May 25, 2005. To the best of my
21 knowledge and recollection, the web page displayed at that link is identical in relevant respects
22 to the web page displayed at <http://www.cingularwelcomekit.com> in June 2005. A true and
23 correct printout of that web page (http://web.archive.org/web/20050523015142/www.cingularwelcomekit.com/CTNSearch_WK.asp) is attached as Exhibit 1.
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I declare under penalty of perjury that the foregoing is true and correct. Executed on
February 25, 2011, at San Leandro, CA



Lilian L. Chan

Exhibit 1



Welcome To Cingular Wireless

View your customized Welcome Kit online in 3 Easy Steps.

Enter a phone number, a zip code and click Search to view your contract, rate plan details, coverage map, terms of service and any applicable rebates and special offers. You must enter a phone number and a zip code in order to view your Welcome Kit.

Step 1: Enter your Mobile Phone Number if you have it. Otherwise, enter your work or home phone number - -

Step 2: Enter your billing or shipping zip code - 5 digits only

Step 3: Click 'Search' to view your Cingular Welcome Kit

To track your order shipment, please login to:
https://www.cingular.com/order_status/order_status

You will need
Adobe Acrobat
Reader to view
your Welcome Kit

