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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

ZOLTAN STIENER and YNEZ STIENER,  
  
Plaintiffs,  
  
v.  
  
APPLE COMPUTER, INC. AT&T  
MOBILITY, LLC, and DOES 1 through 50,  
inclusive,  
  
Defendants.

Case No. C 07-04486 SBA

**REPLY DECLARATION OF NEAL S.  
BERINHOUT IN SUPPORT OF  
DEFENDANT ATTM'S MOTION TO  
COMPEL ARBITRATION AND  
DISMISS COMPLAINT**

I, Neal S. Berinhout, hereby declare as follows:


1. I am employed by AT&T Mobility LLC ("ATTM") as Associate General Counsel—Litigation. The following facts are of my own personal knowledge, and if called as a witness I could and would testify competently as to their truth.

2. In paragraphs 18 and 19 of my original declaration in this case, I described the "Notice of Dispute" process under ATTM's arbitration provision; stated that ATTM is often able to resolve customers' disputes to their satisfaction shortly after receiving a notice of dispute; and indicated that ATTM generally responds to a Notice of Dispute with a written settlement offer.

3. In making such written settlement offers, ATTM's goal is to resolve customers' disputes quickly, efficiently, and to their satisfaction.

4. In furtherance of that objective, after promulgating ATTM's most recent arbitration provision, I instructed the ATTM paralegals who respond to Notices of Dispute to include a reasonable amount of attorneys' fees in any offer to settle whenever a customer represented by counsel has included a request for attorneys' fees in his or her demand.

I declare under penalty of perjury that the foregoing is true and correct. Executed on February 12, 2008.

  
Neal S. Berinhout