EXHIBIT F TO MF DECLARATION I-PHONE

DIFFERENCES BETWEEN HOLMAN/RIVELLO COMPLAINT v. KLIEGERMAN COMPLAINT

Our ¶	Their ¶	Difference
21	35	Identical
22	36	In cellular service there are two main competing network technologies: Global System for Mobile Communications ("GSM") and Code Division Multiple Access ("CDMA"), each of which has advantages and disadvantages which might appeal to or be rejected by individual consumers. GSM is the product of an international organization founded in 1987 dedicated to providing, **and** developing, and overseeing the worldwide wireless standard of GSM. CDMA, [~~a proprietary standard designed by Qualcomm in the United States~~], has been the dominant network standard for North America and parts of Asia.
23	37	To respond to the need for cellular phones which can also send and receive emails, streaming video and provide other services requiring higher data transfer speeds, technologies have been adopted by both CDMA and GSM carriers to comply with what the industry refers to as "3G" standards" or 3rd generation technologies. Those technologies require the cell phone to be operating on a separate 3G network. **The AT&T services provided to iPhone users described below is on AT&T's 2G network, not its 3G network. (This sentence same as Holman ¶28).**
27	38	While there are a number of cellular phone service providers **in the United States**, [~~there are~~] only [~~a few with~~] **four have** substantial national networks: AT&T, T-Mobile USA, Inc. (T-Mobile), Sprint Corporation **("Sprint")**, and Cellco Partnership d/b/a/ Verizon Wireless ("Verizon") (collectively, the "Major Carriers"). Other suppliers may in effect be "resellers" of cellular telephone service which they purchase from the Major Carriers. [Each technology is effectively a duopoly:] AT&T and T-Mobile are the two GSM Major Carriers; Sprint and Verizon are the two CDMA Major Carriers.

30	43	~~However~~, Thus, ~~even with~~ the existing hardware, ~~some degree of consumer choice is available by replacing a~~ of all GSM compatible cell phones give consumers some degree of choice to switch among GSM carriers' wireless networks by enabling them to replace their SIM card, a process that the average individual consumer easily can do with no training, by following a few simple instructions in a matter of minutes. SIM cards are very inexpensive, often in the $25 range. When the card is changed to the SIM card of another carrier, ~~then~~ the cell phone is immediately is usable on the ~~network of the~~ other carrier's network. To switch from AT&T to T-Mobile, or the other way around, all that is required is this simple change of the SIM card.
31	44	For telephone users who travel, particularly to Europe, the ability to change SIM cards to a European carrier such as Orange, Vodephone or TIM, allows the user of a GSM American phone to "convert it" to a "local" phone in the country where they traveled ~~to~~. Absent a conversion to local service, when the consumer uses his American GSM cell phone abroad, ~~he~~ must pay for the American service and additionally for "roaming" charges, that is the right to call outside of the customer's primary calling area. Roaming charges are typically very high, often a dollar or more a minute. As a result, when a U.S.-based user is traveling abroad, it is a very substantial saving to be able to switch to the SIM card and pay for local service rather than using the U.S.-based GSM carrier.

32	45	In an effort to ~~avoid these effects, and to restrain competition among the Major Carriers for customers (thereby suppressing competition and increasing price)~~ minimize consumers' ability to switch carriers or avoid roaming charges by simply switching SIM cards, the Major Carriers, acting in concert through "trade associations" and "standards setting" organizations such as the CDMA Development Group, the Telecommunications Industry Association, the Third Generation Partnership Project, the Alliance for Telecommunications, the Open Mobile Alliance, the ~~G~~CSM Association, the Universal Wireless Communications Consortium, and the Cellular Telephone Industry Association, and otherwise, agreed to implement Programming Lock features which effectively "locked" individual handsets so that they could not be used without the "locking" code. The carriers obtained a locking code ~~from the manufacturer and~~ (normally only six digits long) unique to each cell phone from the cell phone manufacturer and, at least initially refused to disclose the code to the consumer. That meant that a consumer who purchased a telephone manufactured to work with one of the Major Carriers could not switch to another carrier, even temporarily, such as while traveling abroad, without buying an entirely new phone.
33	46	In particular, the GSM carriers, AT&T and T-Mobile, adopted a SIM Lock standard, which locked a GSM phone to a particular SIM card, thereby ~~stopping the~~ preventing consumers from simply changing ~~his~~ their SIM card. However, ~~since before the start of and~~ throughout the class period, both T-Mobile and AT&T will typically ~~will~~ unlocked SIM cards on request for international travel ~~and~~ or even if ~~the~~ customers wants~~ed~~ to cancel their ~~his/her~~ account and switch to another carrier. In most cases, the unlock code ~~will be~~ was given on request, almost instantly, over the telephone.
34	47	Accordingly, AT&T will unlock SIM cards on telephones sold only through them, such as the Blackberry Pearl and the Samsung Blackjack. There is one exception: the iPhone. AT&T will not provide the unlock code for the iPhone for international travel or otherwise. On information and belief, that is because as described more fully below, AT&T and Apple unlawfully agreed that the iPhone would not be unlocked under any circumstances.

35	48	The iPhone operating system also contains "security measures" which are, in effect, Program Locks designed to restrict the consumer from using programs or services on the iPhone other than those sanctioned by, and which generate revenue for, Apple. ~~Other applications or services (collectively, "Third Party Apps") are intended to be precluded. However, because of the design of the Apple operating system, which is based on the widely available Unix platform, Apple's initial efforts to eliminate Third Party Apps were ineffective.~~ By design, Apple initially programmed the iPhone in a manner that prevented iPhone purchasers from downloading any "Third Party Apps" offered by software manufacturers who did not share their revenues with Apple.