

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

AT&T MOBILITY LLC,

Plaintiff,

vs.

CELLCO PARTNERSHIP d/b/a
VERIZON WIRELESS

Defendant.

Civil Action File No.
1:09-CV-3057-TCB

TRANSMITTAL DECLARATION OF KENNETH A. PLEVAN

I, Kenneth A. Plevan, under penalty of perjury, declare as follows:

1. I am a member of the bar of the State of New York, and a member of the law firm of Skadden, Arps, Slate, Meagher & Flom LLP, co-counsel for Defendant Cellco Partnership d/b/a Verizon Wireless.

2. Attached as Exhibit 1 is the Declaration of Joel B. Cohen, dated November 12, 2009. Included with Professor Cohen's Declaration is his curriculum vitae.

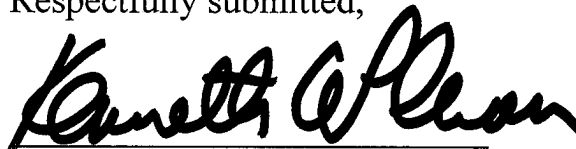
3. Attached as Exhibit 2 is the Supplemental Declaration of Joel B. Cohen, dated November 15, 2009.

4. Attached as Exhibit 3 is the first five pages of a May 2009 report entitled "Survey to Assess Consumer Perception of a Reliable and a Dependable 3G Network," conducted by Michael B. Mazis, Ph.D. at the request of AT&T and Manatt, Phelps & Phillips LLP. Said report by Dr. Mazis was used by AT&T to support an advertising challenge it filed on or about July 1, 2009 against Verizon Wireless at the National Advertising Division of the Council of the Better Business Bureaus, Inc.

5. Attached as Exhibit 4 are excerpts from the Answer and Counterclaim of AT&T Mobility LLC, dated September 1, 2009, in *Cellco Partnership d/b/a Verizon Wireless v. AT&T Mobility LLC*, Case No. 1:09-cv-6656 (LTS) (S.D.N.Y. Sept. 1, 2009 [Dkt. No. 15]).

I declare the foregoing is true and correct. Executed in New York, New York on November 15, 2009.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kenneth A. Plevan". The signature is written in a cursive style and is positioned above a horizontal line.

Kenneth A. Plevan