

# **EXHIBIT 19**

Seeking Alpha

# Seeking Alpha $\alpha$

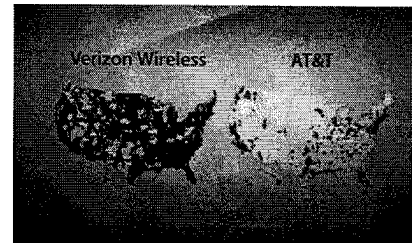
## Memo to AT&T: When You're in a Hole, Stop Digging 13 comments

by: Sam Diaz

November 15, 2009 | about: [T](#) / [VZ](#)

Somewhere in the telecommunications afterlife, Ma Bell is hiding her face in shame. The company that was once the powerhouse of American communications has been reduced to being more like that crybaby little kid who sits in a corner of the playground pouting because the other kids beat him at his own game.

AT&T ([T](#)) has posted on its Web site [an open statement](#) to its customers to whine - again - about those Verizon Wireless ([VZ](#)) TV commercials that paint a sad picture of the wireless 3G coverage that AT&T offers in the United States. (see image on right, video below) The statement is really sort of pathetic, an act of desperation that attempts to paint Verizon's ads as "blatantly false and misleading" even though AT&T has already acknowledged that the ads are not, in fact, false.



We already knew that AT&T considered the ads to be misleading - that was clear in [the lawsuit it filed over the ads](#). But false? AT&T clearly said before that what Verizon is advertising in these maps is not factually incorrect. Let's repeat that once more for emphasis: what Verizon is advertising in these maps is not factually incorrect.

AT&T's beef is that the Verizon isn't comparing all data coverage, only 3G data coverage (though I would counter that with a "Why should Verizon have to make that comparison?") In its letter to customers, AT&T attempts to clarify the points by breaking out the coverage of its different data offerings. In total, the company's wireless data coverage reaches 303 million people - or 97% of the U.S. population, it said, with three different types of technology. (Here's where we start splitting hairs), Those technologies are:

- 3G, which reaches 233 million people, or 75 percent of the population
- EDGE, which reaches 301 million people or 96 percent of the population.
- GPRS, which reaches 303 million people, or 97 percent of the population

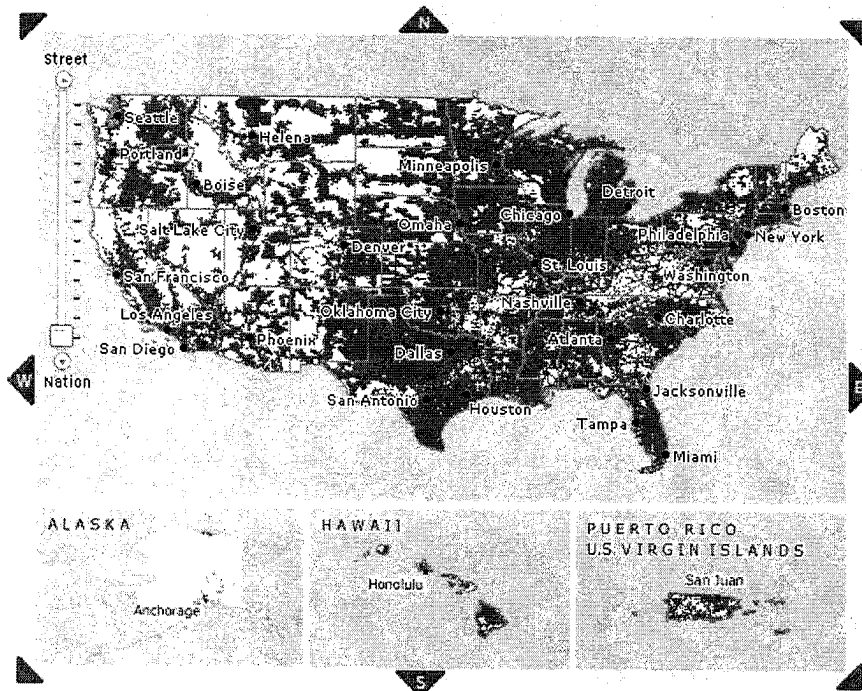
From the AT&T statement:

With both 3G and EDGE coverage, customers can access the Internet, send e-mail, surf the Web, stream music, download videos, send photos, text, talk and more. The only difference - with some data applications, 3G is faster than EDGE.

So, again, the map that Verizon is showing is not wrong. AT&T is just concerned that, by not showing the areas that EDGE covers on the AT&T map, Verizon is implying that there is no service of any kind in the white-space areas of that map. Verizon, of course, isn't saying such a thing and, interestingly enough, AT&T has no beef with the language or legal disclosures in those commercials - just the colors on the maps. You see, the company thinks consumers are too dumb to know the difference between 3G and non-3G coverage. Here's the data coverage map that AT&T wants consumers to see:

**Coverage Type**

Voice Data GoPhone Smart Limits, FamilyMap, Loopt Mobile TV

**Data Coverage Legend**

- National Data Coverage
- No Service Available

AT&T has taken a public relations beating over its poor 3G data coverage in the past, largely by disgruntled iPhone users who are often frustrated that their powerful - and expensive - smartphone is handicapped by a network that cannot consistently keep up with what the iPhone can do. AT&T has had several years now to get it right - but has largely failed.

Suddenly, though, there's some real competition looming around.

Google and Verizon have cut a deal

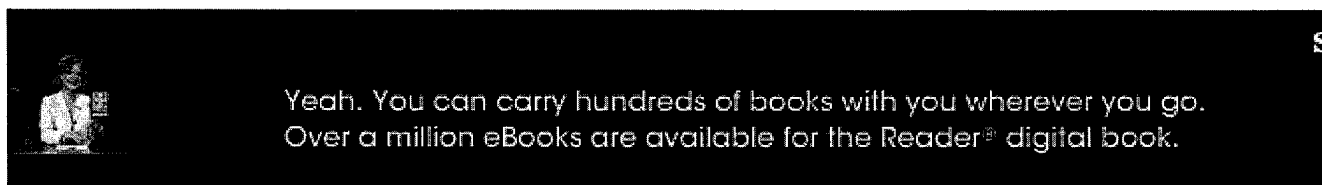
to bring Android phones to the stronger carrier and let's not forget the rumors of Apple shopping other carriers - including Verizon - for deals when the exclusive deal with AT&T ends, believed to be next year.

And so, AT&T has been reduced to filing lawsuits and issuing public statements to make the competition look bad when, in fact, AT&T is only trying to mask the truth: when it comes to offering a widespread 3G network, AT&T lags far behind the competition.





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# AT&T responds to Verizon's 3G ad campaign -- by bragging about EDGE

by Nilay Patel posted Nov 12th 2009 at 7:17PM



*My iPhone 3GS, in downtown Chicago, as I wrote this post.*

Verizon certainly seems to be getting under AT&T's skin with its ads focused on comparing 3G coverage -- not only is Ma Bell suing over 'em, it's now issuing PR to clarify what it sees as the inaccuracies of the entire campaign. If you'll recall, AT&T thinks Verizon's 1:1 comparison of 3G coverage maps makes it look like AT&T doesn't have any coverage at all across most of the country -- which means that our nation's largest wireless carrier is now in the sad position of pimping its gigantic EDGE network in response. Let's all gloss over the absolutely huge difference in 3G versus EDGE together, shall we?

624  
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*With both 3G and EDGE coverage, customers can access the Internet, send e-mail, surf the Web, stream music, download videos, send photos, text, talk and more. **The only difference – with some data applications, 3G is faster than EDGE.***

Right, right -- the only difference. That must be why Apple named it the iPhone EDGE Slightly Faster.

Now, AT&T has a valid point when it says that its 3G map covers 75 percent of the nation's population, and that Verizon's conflation of total 3G coverage with actual network quality is slightly misleading. But you know what? We watch our iPhones drop from 3G to EDGE and even to GPRS all day long in New York, Chicago, and San Francisco, and that has nothing to do with the damn map, and *everything* to do with AT&T's actual network quality. Let's put it this way: Verizon's ad campaign would be totally ineffective if it didn't ring so true, and the best way for AT&T to counter these ads is to build a rock-solid network, not filing lawsuits and issuing press releases bragging about freaking EDGE. We all clear on this? Good.

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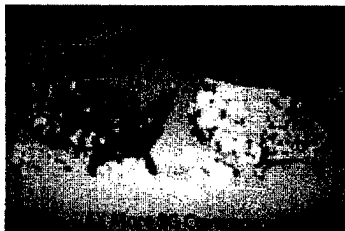
The tech world according to David Coursey

David Coursey | Wednesday, November 04, 2009 6:04 AM PST

# Verizon Lawsuit Makes AT&T The Villain, Again

225  
33

America is thanking AT&T this morning for drawing attention to how limited its 3G coverage is. This is something I never paid much attention to until yesterday, when AT&T sued Verizon over a TV ad comparing the carriers' 3G coverage.



AT&T sued over Verizon's "There's a map for that" TV ad that compares Verizon's 3G coverage (lots) to AT&T's (small by comparison). If AT&T had not sued, the ad would have come and gone. I might never have seen it, but now that I have, I am sharing it with friends--like you.

Now, if Verizon prevails in the lawsuit, AT&T can expect to see the ad, or something including the same maps, forever.

AT&T claims the ad is misleading because it shows areas of the country where

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it does not offer 3G coverage in white. AT&T claims this implies that it has no data coverage in those areas, when it actually does offer slower speed data coverage in much of Verizon's "white area."

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AT&T does not want people to notice the limitations on its 3G coverage, suggesting somehow, that any wireless data coverage it offers is good enough. If it were really good enough, people would not have upgraded to the iPhone to the 3GS, as I did.

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Look at the TV ad for yourself. (AT&T: See what this lawsuit is buying you?) I think it is extremely clear that Verizon is comparing 3G coverage to 3G coverage, apples to apples. The ad is not confusing at all. (I have linked to two different versions of the ad).

What I would have found confusing is just what AT&T wants, some additional color on its map. That would have ruined my ability to just glance at the map and understand its meaning: AT&T has less 3G coverage than Verizon.

As a smartphone user, 3G-signal coverage is what I want. I had already known AT&T's coverage does not match Verizon's. However, I had never really paid much attention, not until AT&T caused me to take a look for myself.

The specifics of the case, much of which sounds like whining on AT&T's part, are discussed here. As an aside, Mark Siegel, a career AT&T PR person, really deserves better than the company he ended up having to try to defend so very often.

AT&T is now asking a court on an emergency basis, essentially, to help it cover-up its network's shortcomings. While Verizon was building a 3G network that covers the boonies, AT&T did not.

Here is what AT&T says in wants in its complaint, filed in a Georgia federal court (presented as a PDF, courtesy of the *Wall Street Journal*):

"AT&T does not seek to stop Verizon from running its advertisements, nor does it seek to change the words Verizon uses in the advertisements. At this time, AT&T seeks only an order prohibiting Verizon from displaying, in the "Bench" advertisement, or in any other advertisement, a map of AT&T's "3G" coverage in which AT&T's non-"3G" coverage areas are depicted by white or blank space. This limited relief is necessary to prevent consumers from being misled by the maps into believing that AT&T offers no wireless service in large parts of the United States."

Looking at the map (there's that TV commercial again), it is clear AT&T's 3G covers the big cities. Just not very much in between. Sometimes I find myself in those places and wish I had 3G coverage.

As for not pointing out that AT&T has slower speed data coverage where it lacks 3G coverage, I do not see how Verizon is under any obligation to do so. Where AT&T claims Verizon has hit some sort of "new low" in comparative advertising, I see no foul as having been committed.

I am not saying AT&T's coverage isn't acceptable if that's all you have. However, I have occasionally I am surprised to find the 3G symbol I expect to see replaced by the E symbol, indicating my iPhone 3GS is connected to AT&T's the slower network.

If you are interested in how 3G works in various cities, we went to 13 cities around the U.S. and measured 3G



performance for this story that ran in June. For AT&T, the bottom line was that over more than 5,000 tests in nearly 300 locations, it did not do as well as Verizon or Sprint.

News

This lawsuit is not the first time AT&T has looked bad. It's slow adoption of MMS, lack of tethering support, and the Skype, Google Voice, Google Maps Navigation, and Google Latitude controversies have all hurt the company's image with customers.

Rev

How

Bottom line: AT&T needs to build out its 3G network or be willing to take the abuse that comes from not doing so. Making a big deal about Verizon's ad does AT&T more harm than good. Once again, AT&T looks like a villain to its customers.

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somebody please proofread stories before you publish them!omg!

DebbieTT says:  
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What was AT&T doing when Verizon rolled out 2 **TIMES** more 3G coverage than AT&T?

And then Verizon started covering 3 **TIMES** more areas than AT&T.

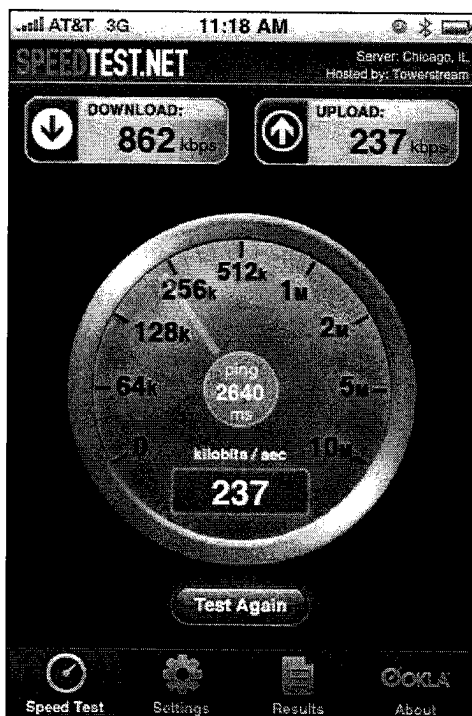
And then Verizon covered 4 **TIMES** more of the US than AT&T.



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## Editorial: Hey, AT&T -- drop lawsuits, not calls

by Chris Ziegler posted Nov 13th 2009 at 1:33PM



*AppleInsider* published a piece this week that does a good job rounding up the latest counterarguments we've been hearing against Verizon's claims in its suddenly ultra-aggressive attacks on archival AT&T's network -- attacks that have offended AT&T right into getting the legal team involved. Both sides are applying enough spin to make you dizzy at this point, so let's break down the latest round of pot shots, shall we?

Verbiage on Verizon's site suggests that swaths of its 3G network are still running at EV-DO Rev. 0 speed: **false**. In fact, 100 percent of Verizon's 3G coverage has been Rev. A **since 2007** -- the wording refers to 1xRTT, which is the transport technology in use where EV-DO hasn't been deployed.

You can't distinguish between EV-DO and 1xRTT on Verizon's coverage map: **false**. Turns out Verizon **has one of the more comprehensive coverage browsers** among top-tier carriers. The technologies aren't called out by name, but they're there -- they list compatible features in different coverage zones, ostensibly to reduce customer confusion since your average Joe (not to be confused with our own **Joe Flatley**) doesn't know or care what "1xRTT" means.

EDGE approaches the "low end" of EV-DO Rev. A: **false**. At the top end of the specification, EDGE can theoretically approach 500kbps in a cleanroom environment -- but in reality, it runs at a fraction of that and suffers more severe latency issues in practice (which is sometimes a greater detriment to a mobile web browsing experience than raw speed) than UMTS and EV-DO. Heck, **AT&T itself claims 75-135kbps**. Meanwhile, **we got 823kbps on the downlink** in real-world modem use on Verizon's Rev. A.

AT&T's 3.6Mbps and 7.2Mbps deployments are significantly faster than EV-DO Rev. A: **true, but only in theory**. We're getting downlink speeds ranging from the low 100s -- yes, 100s -- to the high 800s in Chicago and New York; Chicago's got a trial 7.2Mbps network that's live, but even if we're not connected to it (hard to say), we should still be on 3.6. We seriously have no idea what AT&T's doing behind the scenes with these rollouts, but in urban areas, at least, they're not helping. At all. And that's assuming we can **help ourselves from dropping down to EDGE**.

AT&T's service is augmented by the nation's largest WiFi network: **we won't even justify that with a rebuttal**.

Verizon's commercials would have you believe that by comparing only 3G coverage, Verizon wins by a country mile. And guess what? They do. To AT&T's credit, the 3GPP's WCDMA technology path is considerably more advanced and extensible than EV-DO Rev. A is, but beyond UMTS's simultaneous voice / data capability, the end user's experience is pretty similar in day-to-day use. We go where the faster real-world speeds (and the reliable calls) are.

Verizon is "defending steep losses" with its anti-AT&T, anti-iPhone commercials: **false**. Verizon added 1.2 million net customers in the most recently reported quarter, excluding acquisitions.

LTE is "still years away from viable use" on Verizon: **false**. They'll have 20-30 markets commercially live in 2010, which is 20-30 more than AT&T will have. It's not nationwide coverage by a long shot, but it gives the carrier a notable lead in the 4G transition since AT&T has sparsely detailed its LTE plans and isn't expected to go live with any markets until 2011 at the earliest.

To be fair, Verizon's taking a questionable angle in its advertising by trying to associate 3G coverage with call reliability -- in AT&T's case, the two are totally, completely unrelated -- but the fact remains that for a bunch of New York, Chicago, and San Francisco-based Engadget editors, Verizon bests AT&T in both categories, and we're having a hard time arguing with personal experience.

So listen, AT&T, we're sorry Verizon made you upset, but the solution's actually pretty simple: compete. Fix your network, keep scoring hot exclusives, and get hungry again -- because in a year or two, no one's going to give a damn that you used to have an exclusive on the iPhone.

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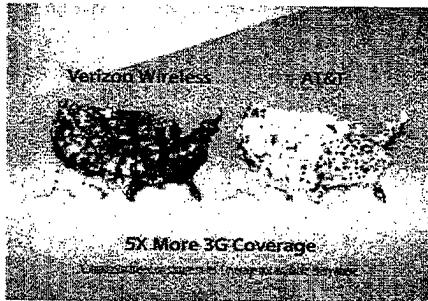
Smart tech advice for your small business

Tony Bradley | Tuesday, November 03, 2009 8:34 PM PST

**AT&T Sues Verizon Over 'There's a Map for That' Ads**

146  
14

AT&T has taken offense at the recent Verizon 'There's a Map for That' ad campaign and has filed a lawsuit against Verizon. AT&T claims that the ads are "misleading" customers and resulting in the loss of "incalculable market share." The lawsuit may backfire though as AT&T draws more attention to the ad campaign and the shortcomings of its own 3G network.



Verizon began an aggressive series of marketing campaigns targeting the iPhone dynamic duo of AT&T and Apple. It began with the

'There's a Map for That' ads, playing off of the iPhone 'There's an App for That' marketing slogan and illustrating how Verizon has 5 times more 3G network coverage than AT&T. It followed that up with the iDon't campaign, highlighting weaknesses of the iPhone and stating that the upcoming Android-based Droid can do all of those things and more.

AT&T doesn't claim that the information related to 3G coverage is wrong, but rather that customers that view the ads are too dumb to understand that it is only referring to 3G coverage, and not coverage in general.

The claim itself is just silly. Imagine if Ford made a commercial comparing the Ford Mustang to the Chevy Camaro and it used a blue Mustang and a white Camaro in the ad. The AT&T lawsuit against Verizon is like Chevy suing Ford and claiming that the ad misleads customers into believing that the Camaro is only available in the color white and its hurting the sales of the other colors the Camaro is available in. People aren't really that dumb.

The lawsuit was a bad strategic move for AT&T because it has the exact opposite effect of its goal. AT&T has asked for an injunction to prevent Verizon from continuing the ad campaign so that customers won't continue to see the stark contrast of the 3G networks from each provider. The result is that the marketing campaign is getting tons of attention and free advertising, and customers are led to question what AT&T is trying to hide.

What AT&T needs to realize is that it's a smart phone world. Mobile phones are not just phones any more—they're being replaced by mobile computing devices. Yes, AT&T has coverage of some sort in the vast majority of the blank white space depicted on the map in the Verizon ad, but that coverage is not sufficient to meet the needs of devices that rely on broadband connectivity.

AT&T marketing claims that it has the 'fastest 3G network'. For customers who live within the city limits of major urban centers that may be great, but for the people living in the white part of the map in the Verizon ad having the biggest 3G network is a more relevant claim. In an industry that is already moving on to 4G networks, not having 3G coverage is the same as no coverage for all intents and purposes.

I am an AT&T customer. I have been for years. I have no issues with my service per se, and I have no intention of switching providers any time soon. However, having driven cross-country trying to use my mobile phone as an

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The "there's a map" TV marketing campaign infringes on AT&T's "there's an app" iPhone theme, AT&T tells federal court.

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**AT&T Sues Verizon Over 'There's a Map for That' Ads**

AT&T has filed a lawsuit against Verizon claiming that the 'There's a Map for That' marketing campaign is misleading. The lawsuit brings attention to the ads and will backfire on AT&T.

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AT&T's grasping-at-straws lawsuit has a sort of "thou doth protest too much" air of desperation to it. AT&T has only 20 percent of the 3G coverage Verizon has and it is more or less married to the iPhone for the foreseeable future. Meanwhile Verizon is starting to roll out 4G connectivity and is stirring excitement with the Motorola Droid.

AT&T does need a new strategy, but I don't think its going to capture any market share by burying its head in the sand and trying to pretend its network is more capable than it really is.

Tony Bradley is an information security and unified communications expert with more than a decade of enterprise IT experience. He tweets as @PCSecurityNews and provides tips, advice and reviews on information security and unified communications technologies on his site at tonybradley.com .

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### Community Comments

killmonkey says:  
Tue Nov 03 21:35:16 PST 2009

Wow, finally a worthwhile article from PC World. This brings up excellent points and analyzes the issue appropriately.

I am an AT&T customer as well, using the blackberry. I have an older model and can't even access 3G (only Edge) so I don't see a lack of coverage as a problem. However, next year when I upgrade to the newer Blackberry, I will most likely go with Verizon as my service provider unless AT&T can step up to the plate.

jpratt3rd says:  
Tue Nov 03 22:14:44 PST 2009

Nice article. AT&T can't even provide decent 3G coverage in Phoenix, AZ, if you listen to the Kim Kommando show. Without the iPhone to prop it up, AT&T's demise would already be hastened forthwith.

waldojm says:  
Tue Nov 03 22:24:33 PST 2009

I want to know what lawyer told them they had a leg to stand on...

Verizon ad clearly states "3G" in BIG letters, they are using AT&T's OWN map... and they told the truth. They used a solid, truthful advertising method. AT&T wants to claim they are faster, fine. But you can use Verizon damn near everywhere. That is Verizon's selling point. You don't see Verizon suing because AT&T called them slow do you?

This is just AT&T trying to hide a weak point in their service. The Judge should look at AT&T's lawyers and tell them, sorry - oh well. Spend more of the money you made with the iPhone actually making the network better.

Jason1972 says:  
Tue Nov 03 22:47:37 PST 2009

The FCC should sue them both, especially AT%T

for the many outages and lack of redundancy in most of there networks. The MPLS network is a joke and they had a huge outage not to long ago. Also for farming out call centers and specialised IT Jobs to third world countrys.

Jason1972 says:  
Tue Nov 03 22:52:50 PST 2009

The FCC should sue them Both.

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I'm sorry I work for one of them, and they are right here in Texas. The tech support, Network troubleshooting, engineers, all of us.

TaiYurShu says:  
Tue Nov 03 23:13:12 PST 2009

With this move they have opened a can of worms for themselves.

AT&T users should be suing their own carrier for breach of contract. Everytime they have a call drop or no broadband access they go against their own promise...you still pay at the end of the month no matter what...do the math and see how much money they have stolen from your pockets and how much of that goes to benefit you...

They lure ppl with fancy looking phones but what good are they if they dont work as they're supposed to.

The only thing that works well on these phones are the mp3 players...and you dont pay a monthly charge for that.

joottonaro says:  
Tue Nov 03 23:39:01 PST 2009

Great article and even a better Verizon campaign "Got a Map for That".

I was a an AT&T subscriber with an iPhone for about 1 week before switching back to Verizon. What an awful network.

maxfi3ld says:  
Wed Nov 04 01:09:04 PST 2009

"AT&T doesn't claim that the information related to 3G coverage is wrong, but rather that customers that view the ads are too dumb to understand that it is only referring to 3G coverage, and not coverage in general."

Me taking offense to that and suing AT&T is like AT&T suing Verizon over the 3G coverage comparison map.

Aries278 says:  
Wed Nov 04 04:11:47 PST 2009

I think its really sad all these people are saying the FCC should sue. Why can't people take responsibly for themselves. You don't need the government to do everything for you.

If you don't like the service leave. The best way for a company to realize that they are doing something wrong is to loose customer base.

I'm currently with Verizon. If there currently was a company other than Verizon that could provide the service I like then I would switch. Until then I choose to go with them.

I believe the sense of entitlement is going to destroy this country.

bluntmasterflash says:  
Wed Nov 04 04:45:59 PST 2009

I don't see how those ads are any different than the Mac Vs. PC ads. Weren't they jocking on google last week? They should try to compete instead of suing everyone that has a better product.

Really nice article, except that after reading countless internet blog comments, I believe people may infact actually be "that dumb". LOL

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OcklawahaGuy says:  
Wed Nov 04 04:51:01 PST 2009

"AT&T doesn't claim that the information related to 3G coverage is wrong, but rather that customers that view the ads are too dumb to understand that it is only referring to 3G coverage, and not coverage in general."

For people who don't use email, web browsing, etc. on their cell phone, they don't know what 3G is much less 4G. The assumption by most older adults will be "AT&T has less cell phone coverage for my cell phone." A map showing cell phone coverage posted in the same ad would make it clearer but certainly NOT beneficial to Verizon - of course they are only advertising their strengths like all companies.

acman2k5 says:  
Wed Nov 04 05:44:10 PST 2009

AT&T, bunch of cry babies in the CEO dept that are worried about there yearly bonus. Hey, AT&T how about going to our government and get a loan from the taxpayers of american? Maybe then you could start giving customers better service and information about there accounts. Yea, I though not.

upsdrvvr says:  
Wed Nov 04 06:02:35 PST 2009

"If you don't like the service leave. The best way for a company to realize that they are doing something wrong is to loose customer base."

BINGO! I work for a medium sized company and manage wireless for approx 120 cell & BlackBerry users on AT&T.

Over the last several months I have received NUMEROUS complaints about AT&T. Dropped calls, no coverage, slow connections.

IMHO AT&T didn't anticipate the amount of traffic that would be generated by the iPhone.

My manager is questioning why we are paying top dollar for 3G devices that only work at 2G or lesser speeds.

We do have 5 or 6 users on VZ. We have started talking to VZ about switching them all over.

The firm that came up w/ the "There's a map for that" campaign is brilliant!

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