UNITED STATES DISTRICT COURT EASTERN DISTRICT OF LOUISIANA

IN RE: APPLE iPHONE 3G AND 3GS

"MMS" MARKETING AND SALES

PRACTICES LITIGATION

THIS DOCUMENT RELATES TO:
ALL CASES

MAGISTRATE JUDGE

WILKINSON

DECLARATION OF CAROLINE MAHONE-GONZALEZ IN SUPPORT OF MOTIONS OF AT&T MOBILITY LLC TO DISMISS FIRST AMENDED AND SUPPLEMENTAL COMPLAINTS

- I, Caroline Mahone-Gonzalez, hereby declare as follows:
- 1. 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. I am employed by AT&T Mobility LLC ("ATTM") as an Area Manager in the West Region of the Office of the President. I am familiar with the service agreements under which ATTM provides wireless service to its subscribers and the manner in which in the regular and ordinary course of business those agreements and records pertaining to customers' accounts are stored and may be retrieved.
- 3. I can provide details of the plaintiffs' account histories based on my review of the records for what appear, based on names and residences, to be the records of their accounts.

Ryan Baxter

4. According to ATTM's records, on June 21, 2009, Baxter activated ATTM wireless service for an iPhone that he purchased from Apple. Attached as Exhibit 1 is a true and correct copy of Baxter's Customer Service Summary for the transaction, with some information redacted to protect his personal information.

Henri Friloux

5. According to ATTM's records, Henri Friloux is a user on an account held by Allison Friloux. Attached as Exhibit 2 is a true and correct copy of Allison Friloux's June 2009 billing statement, with some information reducted to protect her personal information.

Laurie Guenther

6. According to ATTM's records, on July 11, 2008, Guenther activated ATTM wireless service for an iPhone that she purchased from Apple. Attached as Exhibit 3 is a true and correct copy of Guenther's Customer Service Summary for the transaction, with some information redacted to protect her personal information.

Janice Jackson

- 7. According to ATTM's records, on January 16, 2009, Jackson activated ATTM wireless service for an iPhone that she purchased from ATTM. Attached as Exhibit 4 is a true and correct copy of Jackson's Customer Service Summary for the transaction, with some information reducted to protect her personal information.
- 8. Attached as Exhibit 5 is a true and correct copy of ATTM's electronic record of what appears to be Jackson's signature on ATTM's electronic signature-capture device for the transaction.

Aida Kamarian

9. According to ATTM's records, Aida Kamarian is a user on an account held by Anto Kamarian. On October 13, 2008, at the customer's request, ATTM wireless service was activated for an iPhone that was purchased from Apple. Attached as Exhibits 6 and 7 are true and correct copies of the Customer Service Summaries for the transaction, with some information redacted to protect the Kamarians' personal information.

Paige Lierman

- 10. According to ATTM's records, on July 2, 2009, Lierman activated ATTM wireless service for an iPhone that she purchased from Apple. Attached as Exhibit 8 is a true and correct copy of Lierman's Customer Service Summary for the transaction, with some information redacted to protect her personal information.
- 11. Attached as Exhibit 9 is a true and correct copy of Lierman's July 2009 billing statement, with some information redacted to protect her personal information.

Francis P. Monticelli

12. Attached as Exhibit 10 is a true and correct copy of Monticelli's September 2009 billing statement, with some information redacted to protect his personal information.

Gerard Padden

13. According to ATTM's records, on November 23, 2008, Padden activated ATTM wireless service for an iPhone that he purchased from Apple. Attached as Exhibit 11 is a true and correct copy of Padden's Customer Service Summary for the transaction, with some information redacted to protect his personal information.

Bartley Raulston

- 14. According to ATTM's records, on July 24, 2008, Raulston activated ATTM wireless service for an iPhone that he purchased from ATTM. Attached as Exhibit 12 is a true and correct copy of Raulston's Customer Service Summary for the transaction, with some information redacted to protect his personal information.
- 15. Attached as Exhibit 13 is a true and correct copy of relevant computer-generated entries from ATTM's account notes for Raulston, with some information redacted to protect his personal information, showing that the terms and conditions of ATTM's wireless service agreement were "WEB ACCEPTED."

Philip Sterker

16. According to ATTM's records, on July 21, 2009, Sterker activated ATTM wireless service for an iPhone that he purchased from Apple. Attached as Exhibits 14 and 15 are true and correct copies of Sterker's Customer Service Summaries for the transaction, with some information redacted to protect his personal information.

Matthew Sullivan

- 17. According to ATTM's records, on July 22, 2009, Sullivan activated ATTM wireless service for an iPhone that he purchased from Apple. Attached as Exhibit 16 is a true and correct copy of Sullivan's Customer Service Summary for the transaction, with some information redacted to protect his personal information.
- 18. Attached as Exhibit 17 is a true and correct copy of Sullivan's August 2009 billing statement, with some information reducted to protect his personal information.

Timothy Williams

- 19. According to ATTM's records, on July 11, 2009, Williams activated ATTM wireless service for an iPhone that he purchased from Apple. Attached as Exhibit 18 is a true and correct copy of Williams' Customer Service Summary for the transaction, with some information reducted to protect his personal information.
- 20. Attached as Exhibit 19 is a true and correct copy of Williams' August 2009 billing statement, with some information reducted to protect his personal information.

Rate Plan Brochures

- 21. In my position, I am also familiar with the brochures that describe and provide the terms of the domestic rate plans to which ATTM customers subscribe. I am familiar with how these brochures are stored and may be retrieved in the regular and ordinary course of business.

 These brochures are printed with code numbers that indicate the month and year in which they went into effect.
- 22. Attached as Exhibit 20 is a true and correct copy of the ATTM rate plan brochure that went into effect in June 2008.
- 23. Attached as Exhibit 21 is a true and correct copy of the ATTM rate plan brochure that went into effect in June 2009.
- 24. Attached as Exhibit 22 is a true and correct copy of the ATTM rate plan brochure that went into effect in August 2009.

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 10, 2010, in Sacramento, California.

Caroline Mahone-Gonzalez