

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

IN RE: APPLE IPHONE 3G AND 3G-S “MMS”
MARKETING AND SALES PRACTICES
LITIGATION

MDL DOCKET NO. 2116

SECTION: J

THIS DOCUMENT RELATES TO:

JUDGE BARBIER
MAG. JUDGE WILKINSON

Aleman/SDTX No. 10-11 EDLA No. 10-502
Baxter/EDMI No. 09-13938 EDLA No. 10-0019
Casey/EDLA No. 09-5470
Franklin/SDAL No. 09-704 EDLA No. 10-0018
Friloux/EDTX No. 09-618 EDLA No. 10-501
Davis-Raulston/MDAL No. 09-1133; EDLA No. 10-497
Storner/Lierman/EDMO No. 09-1480; EDLA No. 09-7609
Irving/D-MN No. 09-2613 EDLA No. 09-7608
Jackson/SDMS No. 10-003 EDLA No. 10-500
Meeker/SDIL No. 09-607 EDLA No. 09-7607
Mejia/MDFL No. 09-2582 EDLA No. 10-499
Monticello/SDNY No. 09-9505 EDLA No. 10-0020
Novick/MDFL No. 10-002 EDLA No. 10-498
Padden/EDNY No. 10-128 EDLA No. 10-821
Sullivan/NDOH No. 09-1993 EDLA No. 09-7611
Sterker, et al/NDCA No. 09-4242 EDLA No. 09-7604
West/D-NJ No. 10-1370 EDLA No. 10-1739

**JOINT MOTION TO CONTINUE BRIEFING SCHEDULE REGARDING
AT&T MOBILITY LLC’S PRELIMINARY MOTIONS**

NOW INTO COURT, through undersigned counsel, come plaintiffs and AT&T Mobility LLC, who respectfully move this Court for an Order Continuing the Briefing Schedule Regarding AT&T Mobility LLC's Preliminary Motions, to wit:

On August 19, 2010, Plaintiffs propounded discovery on AT&T Mobility LLC regarding discovery that Plaintiffs believe must be answered prior to filing the oppositions to AT&T Mobility LLC's Motion to Compel Arbitration. On September 17, 2010, AT&T Mobility LLC responded to Plaintiffs' First Request for Admission and First Request for Production with objections and responses, and on September 20, 2010, AT&T Mobility LLC responded to Plaintiffs' First Interrogatories with objections and responses.¹ Plaintiffs and AT&T Mobility LLC disagree regarding AT&T Mobility LLC's objections to discovery, however, the parties are attempting to work through their differences. The differences between Plaintiffs and AT&T Mobility LLC are not likely to be resolved prior to the Plaintiffs' current deadline of October 1, 2010 to file responses to AT&T Mobility LLC's Motions to Dismiss and Motions to Compel Arbitration. Thus, the parties have agreed to continue the current briefing schedule.

¹On September 23, 2010, Plaintiffs sent AT&T Mobility LLC a draft Rule 30(b)(6) deposition notice seeking testimony on eight topics. AT&T Mobility LLC believes that the deposition notice is improper and intends to object to the notice. AT&T Mobility will subsequently meet and confer with Plaintiffs regarding the deposition notice. By agreeing to extend the briefing schedule on its Motions to Dismiss and Motions to Compel Arbitration, AT&T Mobility LLC does not, in any way, waive its right to seek appropriate relief from the Court with respect to the deposition notice, including a protective order, if meet and confer efforts are unsuccessful.

WHEREFORE, plaintiffs and AT&T Mobility LLC respectfully request that this Honorable Court grant the Joint Motion to Continue the Briefing Schedule Regarding AT&T Mobility LLC's Preliminary Motions.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of September, 2010, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system which will send a notice of electronic filing.

/s/Scott R. Bickford
SCOTT R. BICKFORD