

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

IN RE: APPLE iPHONE 3G AND 3GS MMS
MARKETING AND SALES PRACTICES
LITIGATION

MDL NO. 2116

2:09-md-2116

SECTION: J

THIS DOCUMENT RELATES TO ALL
CASES

JUDGE BARBIER

MAGISTRATE JUDGE WILKINSON

**AT&T MOBILITY LLC'S NOTICE OF U.S. SUPREME COURT
DECISION IN AT&T MOBILITY LLC V. CONCEPCION**

On November 17, 2010, the Court stayed all proceedings in these consolidated cases pending the decision of the United States Supreme Court in *AT&T Mobility LLC v. Concepcion*, No. 09-893. *See* Order, Dkt. No. 206.

The decision in *Concepcion*, 563 U.S. ___, 131 S. Ct. 1740 (2011), has now been issued (attached as Exhibit A). In *Concepcion*, the Supreme Court held that the Federal Arbitration Act preempts a state-law rule conditioning the enforceability of certain arbitration agreements on the availability of classwide arbitration. The ATTM arbitration provision in *Concepcion* is materially equivalent to the ATTM arbitration provisions in these consolidated cases.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of May, 2011, I served the foregoing by causing it to be filed with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to case participants.

/s/ Kathleen Taylor Sooy

Kathleen Taylor Sooy