

**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

THIS DOCUMENT RELATES TO:

SECTION: J

*Molina v. Apple Inc.*, No. 09-cv-07606  
(No. 09-cv-2032 (S.D. Cal.))

JUDGE BARBIER

MAGISTRATE JUDGE WILKINSON

**MOTION TO COMPEL ARBITRATION AND DISMISS CLAIMS  
PURSUANT TO THE FEDERAL ARBITRATION ACT**

Please take notice that on January 12, 2012, at 2:00 p.m., pursuant to the Federal Arbitration Act, 9 U.S.C. §§ 1-16, Defendant AT&T Mobility LLC (“ATTM”) will move and hereby does move this Court to compel Plaintiff Arturo Molina to arbitrate his disputes, and to dismiss his claims against ATTM. ATTM brings this motion on the ground that the Federal Arbitration Act requires Molina to pursue his claims in accordance with his arbitration agreement.

This motion is supported by the accompanying Memorandum of Points and Authorities (applicable to all motions to compel arbitration); the Declarations of Harry Bennett, Steven Bethel, Roger Dicke, Stacie Dobbs, Caroline Mahone-Gonzalez, Ramon L. Menendez, Darcy Pantano, Richard Pianka, Richard J. Rives, Larry B. White, and Scott Williamson and all

exhibits thereto; the accompanying proposed Order; any reply memorandum ATTM may file;  
and any oral argument ATTM may present.

Respectfully submitted,

MAYER BROWN LLP

October 20, 2011

BY: /s/ Archis A. Parasharami

Archis A. Parasharami  
aparasharami@mayerbrown.com

Evan M. Tager  
etager@mayerbrown.com

MAYER BROWN LLP  
1999 K Street NW  
Washington, DC 20006-1101  
Telephone: (202) 263-3000  
Facsimile: (202) 263-3300

Kathleen Taylor Sooy  
ksooy@crowell.com  
Tracy A. Roman  
troman@crowell.com  
CROWELL & MORING LLP  
1001 Pennsylvania Avenue NW  
Washington, DC 20004  
Telephone: (202) 624-2500  
Facsimile: (202) 628-5116

Gary J. Russo  
grusso@joneswalker.com  
JONES, WALKER, WAECHTER,  
POITEVENT, CARRER, DENEGRE LLP  
600 Jefferson Street, Suite 1600  
Lafayette, Louisiana 70501  
Telephone: (337) 262-9000  
Facsimile: (337) 262-9001

Attorneys for Defendant AT&T Mobility LLC

**CERTIFICATE OF SERVICE**

I hereby certify that on the 20th day of October, 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/ Archis A. Parasharami  
Archis A. Parasharami