

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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 :
 AVI KOSCHITZKI, on Behalf of Himself and
 all Others Similarly Situated, : Civil Action No. 1:08-cv-04451-JBW-VVP
 :
 Plaintiff, : **DECLARATION OF CAROLINE**
 : **MAHONE-GONZALEZ IN SUPPORT**
 vs. : **OF DEFENDANT AT&T MOBILITY**
 : **LLC’S MOTION TO COMPEL**
 APPLE INC. and AT&T MOBILITY LLC, : **ARBITRATION AND DISMISS**
 : **ACTION**
 Defendant. :
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I, Caroline Mahone-Gonzalez, 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 plaintiff Avi Koschitzki’s account history based on my review of the records for his account.
4. According to ATTM’s records, Mr. Koschitzki placed a telephone order with an ATTM customer care representative for a Sony Ericsson W580i cellular phone on August 27, 2008. Mr. Koschitzki subsequently activated that phone by using ATTM’s telephone Interactive Voice Response (“IVR”) system on August 29, 2008 to accept a new wireless service agreement.

5. According to ATTM's records, on August 31, 2008 Mr. Koschitzki obtained an iPhone 3G from an Apple retail store at Roosevelt Field in Garden City, New York.

I declare under penalty of perjury that the foregoing is true and correct. Executed on November 20, 2008.



Caroline Mahone-Gonzalez