

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ANTHONY DALE, BRETT JACKSON,
JOHNNA FOX, BENJAMIN
BORROWMAN, ANN LAMBERT,
ROBERT ANDERSON, and CHAD
HOHENBERY on behalf of themselves and
all others similarly situated,

Plaintiffs,

v.

DEUTSCHE TELEKOM AG, and T-
MOBILE US, INC.,

Defendants.

Case No. 1:22-cv-03189

Honorable Thomas M. Durkin
Magistrate Judge Jeffrey Cole

**STIPULATED MOTION FOR EXTENSION OF TIME FOR
DEFENDANT DEUTSCHE TELEKOM AG TO RESPOND TO THE COMPLAINT**

Plaintiffs Anthony Dale, Brett Jackson, Johnna Fox, Benjamin Borrowman, Ann Lambert, Robert Anderson, and Chad Hohenberg (collectively, “Plaintiffs”) and Defendant Deutsche Telekom AG (“DT”), by and through undersigned counsel hereby submit this stipulated motion regarding DT’s anticipated motion to dismiss (the “Motion to Dismiss”). In support of the requested relief, the parties state as follows:

1. On June 17, 2022, Plaintiffs filed the Complaint in this action (Dkt. No. 1).
2. On February 27, 2024, DT received service of the Complaint through the Hague Convention.
3. DT anticipates filing a Motion to Dismiss the Complaint pursuant to Fed. R. Civ. P. 12(b).
4. Pursuant to the Court’s procedures for motions practice, the undersigned parties have met and conferred regarding DT’s anticipated Motion to Dismiss.

5. Pursuant to the Court's procedures, the parties have agreed to extend the deadline for DT to file its Motion to Dismiss to April 9, 2024.

6. Plaintiffs and DT continue to meet and confer regarding a briefing schedule and page limits for DT's forthcoming Motion to Dismiss.

7. This is the first request for an extension of time for DT to file its Motion to Dismiss.

WHEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the undersigned parties:

1. By filing this stipulated motion, DT does not waive any defense or right, including with respect to personal jurisdiction and/or venue, or concede any allegation.

2. The period for DT to file its Motion to Dismiss is extended to April 9, 2024.

THE PARTIES JOINTLY MOVE for a Court order permitted DT until April 9, 2024 to file its Motion to Dismiss.

[signatures on following page]

Dated: March 19, 2024

/s/ Gary I. Smith Jr.

Joel Flaxman
Kenneth N. Flaxman
**LAW OFFICES OF KENNETH N.
FLAXMAN P.C.**
200 S Michigan Ave., Suite 201
Chicago, IL 60604
Telephone: (312) 427-3200
jaf@kenlaw.com
knf@kenlaw.com

Brendan P. Glackin (*pro hac vice*)
Lin Y. Chan (*pro hac vice*)
Nicholas Lee (*pro hac vice*)
Sarah Zandi (*pro hac vice*)
Jules A. Ross (*pro hac vice*)
**LIEFF CABRASER HEIMANN &
BERNSTEIN, LLP**
275 Battery Street, 29th Floor
San Francisco, CA 94111-3339
Telephone: (415) 956-1000
bglackin@lchb.com
lchan@lchb.com
nlee@lchb.com
szandi@lchb.com
jross@lchb.com

Eric L. Cramer (*pro hac vice*)
Najah A. Jacobs (*pro hac vice*)
Jeremy Gradwohl (*pro hac vice*)
BERGER MONTAGUE PC
1818 Market Street, Suite 3600
Philadelphia, PA 19103
Telephone: (415) 215-0962
ecramer@bm.net
njacobs@bm.net
jgradwohl@bm.net

Robert Litan (*pro hac vice*)
BERGER MONTAGUE PC
2001 Pennsylvania Avenue, NW, Suite 300
Washington, D.C. 20006
Telephone: (202) 559-9745
rlitan@bm.net

Respectfully submitted,

/s/ Kenneth M. Kliebard

Kenneth M. Kliebard
Elizabeth B. Herrington
MORGAN, LEWIS & BOCKIUS LLP
110 N. Wacker Drive, Suite 2800
Chicago, IL 60606-1511
Telephone: (312) 324-1000
kenneth.kliebard@morganlewis.com
beth.herrington@morganlewis.com

Zachary M. Johns (*pro hac vice pending*)
MORGAN, LEWIS & BOCKIUS LLP
2222 Market Street
Philadelphia, PA 19103-3007
Telephone: (215) 963-5000
zachary.johns@morganlewis.com

/s/ David Gringer

David Gringer
Hallie B. Levin (*admission forthcoming*)
Ryanne E. Perio (*admission forthcoming*)
Nicholas Werle (*admission forthcoming*)
**WILMER CUTLER PICKERING
HALE AND DORR LLP**
7 World Trade Center
250 Greenwich Street
New York, NY 10007
Telephone: (212) 230-8800
hallie.levin@wilmerhale.com
david.gringer@wilmerhale.com
ryanne.perio@wilmerhale.com
nick.werle@wilmerhale.com

Jennifer Milici (*admission forthcoming*)
**WILMER CUTLER PICKERING
HALE AND DORR LLP**

2100 Pennsylvania Ave, NW
Washington, DC 20037
Telephone: (202) 663-6000
jennifer.milici@wilmerhale.com

Counsel for Defendant Deutsche Telekom AG

Joshua P. Davis (*pro hac vice*)
BERGER MONTAGUE PC
59A Montford Avenue
Mill Valley, CA 94941
Telephone: (415) 215-0962
jdavis@bm.net

Kyla J Gibboney (*pro hac vice*)
Julie Pollock (*pro hac vice*)
BERGER MONTAGUE PC
505 Montgomery Street, Suite 625
San Francisco, CA 94111
Telephone: (415) 906-1522
kgibboney@bm.net
jpollock@bm.net

Gary I. Smith Jr. (*pro hac vice*)
HAUSFELD LLP
325 Chestnut Street, Suite 900
Philadelphia, PA 19106
Phone: (267) 702-2318
gsmith@hausfeld.com

Marcus H. Brakefield (*pro hac vice*)
Swathi Bojedla (*pro hac vice*)
HAUSFELD LLP
888 16th St NW, Suite 300
Washington, DC 20006
Telephone: (202) 953-8190
hbrakefield@hausfeld.com
sbojedla@hausfeld.com

Counsel for Plaintiffs and the Proposed Class

CERTIFICATE OF SERVICE

I, Kenneth M. Kliebard, certify that on this March 19, 2024, I caused a true and correct copy of the foregoing document to be served via the Court's ECF system on all counsel of record.

/s/ Kenneth M. Kliebard

Kenneth M. Kliebard