

**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 Hohenbery (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*)  
Ryenne 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  
ryenne.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