

**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

Hon. Thomas M. Durkin

Hon. Jeffrey Cole

JOINT STATUS REPORT

Pursuant to this Court's instruction at the February 6, 2024, status hearing to file a joint status report seven days before future status hearings, Plaintiffs, Defendant T-Mobile US, Inc. ("T-Mobile"), and Defendant Deutsche Telekom AG ("DT"), together "the parties," respectfully submit this Joint Status Report. The parties do not see a need for court intervention on any issue at the present time.

I. Discovery Progress

Plaintiffs and T-Mobile continue to meet and confer productively on discovery, including:

- T-Mobile's Responses and Objections to Plaintiffs' First Set of Requests for Production of Documents;
- Use of Search Terms and/or Technology-Assisted Review;
- T-Mobile's Custodians;
- Plaintiffs' Responses and Objections to T-Mobile's First Set of Requests for Production of Documents and First Set of Interrogatories;
- Proposed 502(d) Protective Order;
- Proposed Deposition Protocol; and

- Proposed Expert Stipulation.

Plaintiffs and T-Mobile anticipate resolving these issues through their ongoing meet and confer process. If any issue requires the Court's intervention at the time of the June Status Conference, the parties will present it then, or at such time as the issue is ripe for Court guidance or resolution. T-Mobile has produced a number of documents responsive to Plaintiffs' First Set of Requests for Production of Documents and will continue to make productions on a rolling basis. Plaintiffs have also begun to meet and confer with AT&T, Inc., Verizon Communications Inc., and DISH Network Corporation regarding Plaintiffs' requests for production of documents to those non-parties.

II. Deutsche Telekom AG

DT received service on February 27, 2024, through the Hague Convention. On March 21, 2024, the Court granted Plaintiffs and DT's stipulated motion for an extension until April 9, 2024, for DT to file its Motion to Dismiss. On March 27, 2024, Plaintiffs and DT entered a stipulation of dismissal as to DT, *see* Dkt. No. 177, which the Court approved on March 28, 2024, *see* Dkt. No. 178.

III. Pending Submission

The following submission remains pending with the Court: the parties' Joint [Proposed] Order Re Protocol for the Production of Electronically Stored Information (ESI), submitted to the Court on October 16, 2023.

Dated: March 29, 2024

/s/ Brendan P. Glackin

Brendan P. Glackin (*pro hac vice*)
Lin Y. Chan (*pro hac vice*)
Nicholas W. Lee (*pro hac vice*)
Sarah D. 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
Phone: (415) 956-1000
bglackin@lchb.com
lchan@lchb.com
nlee@lchb.com
szandi@lchb.com
jross@lchb.com

Gary I. Smith Jr. (*pro hac vice*)
HAUSFELD LLP
600 Montgomery Street, Suite 3200
San Francisco, CA 94111
Phone: (267) 702-2318
gsmith@hausfeld.com

Swathi Bojedla (*pro hac vice*)
Hill Brakefield (*pro hac vice*)
HAUSFELD LLP
888 16th Street N.W., Suite 300
Washington, D.C. 20006
Phone: (202) 540-7200
sbojedla@hausfeld.com
hbrakefield@hausfeld.com

Eric L. Cramer (*pro hac vice*)
Jeremy Gradwohl (*pro hac vice*)
BERGER MONTAGUE PC
1818 Market Street, Suite 3600
Philadelphia, PA 19103
Phone: (415) 215-0962
Phone: (215) 715-3256
ecramer@bm.net
jgradwohl@bm.net

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

Joshua P. Davis (*pro hac vice*)
Kyla Gibboney (*pro hac vice*)
Julie Pollock (*pro hac vice*)
BERGER MONTAGUE PC
505 Montgomery Street, Suite 625
San Francisco, CA 94111
Phone: (415) 689-9292
jdavis@bm.net
kgibboney@bm.net
jpollock@bm.net

*Interim Co-Lead Class Counsel for Plaintiffs and the
Proposed Class*

Kenneth N. Flaxman
ARDC No. 830399
Joel Flaxman
ARDC No. 6292818
LAW OFFICES OF KENNETH N. FLAXMAN P.C.
200 S Michigan Ave., Suite 201
Chicago, IL 60604
Phone: (312) 427-3200
jaf@kenlaw.com
knf@kenlaw.com

*Interim Liaison Counsel for Plaintiffs and the
Proposed Class*

/s/ Rachel S. Brass [with permission]

Clifford C. Histed
ARDC No. 6226815
Michael E. Martinez
ARDC No. 6275452
K&L GATES LLP
70 West Madison Street
Suite 3300
Chicago, IL 60602-4207
Phone: 312-807-4448
clifford.histed@klgates.com
michael.martinez@klgates.com

Theodore J. Boutrous, Jr. (*pro hac vice*)
Daniel G. Swanson (*pro hac vice*)
Rodney J. Stone (*pro hac vice*)
GIBSON, DUNN & CRUTCHER LLP
333 South Grand Avenue
Los Angeles, CA 90071-3197
Phone: 213-229-7000
TBoutrous@gibsondunn.com
DSwanson@gibsondunn.com
RStone@gibsondunn.com

Rachel S. Brass (*pro hac vice*)
GIBSON, DUNN & CRUTCHER LLP
One Embarcadero Center, Suite 2600
San Francisco, CA 94111-3715
Phone: 415-393-8200
RBrass@gibsondunn.com

Josh Krevitt (*pro hac vice*)
GIBSON, DUNN & CRUTCHER LLP
200 Park Avenue
New York, NY 10166-0193 USA
Phone: 212-351-4000
JKrevitt@gibsondunn.com

Counsel for T-Mobile US, Inc.

CERTIFICATE OF SERVICE

I, Brendan P. Glackin, an attorney, hereby certify that this **Joint Status Report** was electronically filed on March 29, 2024, and will be served electronically via the Court's ECF Notice system upon the registered parties of record.

Respectfully submitted,

/s/ Brendan P. Glackin

Brendan P. Glackin (*pro hac vice*)

LIEFF CABRASER HEIMANN & BERNSTEIN, LLP

275 Battery Street, 29th Floor

San Francisco, CA 94111-3339

(415) 956-1000

bglackin@lchb.com

*Interim Co-Lead Class Counsel for Plaintiffs and the
Proposed Class*