

EXHIBIT E

July 15, 2024

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VIA ELECTRONIC MAIL

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Re: July 3, 2024 Letter in *Dale v. Deutsche Telekom AG*, Case No. 1:22-cv-03189 (N.D. Ill.)

Dear Scott:

Thank you for your letter dated July 3, 2024. We write to respond to T-Mobile's remaining objections and latest proposals regarding Plaintiffs' RFPs the parties discussed during their May 31, 2024 meet and confer. We hope our responses below can resolve any remaining disputes.

RFP No. 15: Plaintiffs appreciate T-Mobile's offer to compromise, and believe the proposal in your July 3 letter resolves any dispute the parties had for this Request.

RFP No. 25: As we explained during our meeting on May 31, Plaintiffs' narrowed request only seeks information related to T-Mobile's activities in organizations that would discuss the competitive landscape of the U.S. wireless industry, wireless service pricing, and network development and deployment, and similar issues. We further explained during our meeting that Plaintiffs cannot limit this Request to "telecommunications trade associations" because that would exclude organizations like the U.S. Chamber of Commerce, which has already taken an interest in this case—likely at T-Mobile's request. And we explained that we cannot limit this Request based on whether "T-Mobile is a member" because that may exclude organizations in which T-Mobile is involved yet does not have a formalized membership.

Given the shortfalls in T-Mobile's proposed limitations, we thought talking through examples with you during our meet and confer would provide sufficient clarity for T-Mobile to assess how many organizations fall within the scope of Request No. 25. We offered as examples of organizations that fall within the Request's scope the trade groups that filed amicus briefs in support of T-Mobile's bid for an interlocutory appeal: The U.S. Chamber of Commerce and CTIA – The Wireless Association. We then illustrated what would fall outside the scope of this Request with the hypothetical of T-Mobile sending its accountants to an accounting trade association. An accounting trade association, for example, would not be discussing things like the entry of DISH into the retail mobile wireless market or the cost of 5G network deployment. We hoped these illustrations would enable T-Mobile to either accept our proposed revisions to Request No. 25, or at least return with an accurate list of trade associations for further discussion.

Unfortunately, it does not appear that T-Mobile was able to apply the logic of our examples to its evaluation of this Request. While it is laudable that T-Mobile dedicates time and resources to organizations like Deaf Seniors of America, Black Archives of Mid-America, Center for Civic

Education, LGBTQ Victory Fund, NAACP, Parent Institute for Quality Education, the American Legion, Vote.org, and over a hundred more non-profits listed in Appendix A, these organizations neither fit within the ordinary meaning of trade organization nor dovetail with the description we gave you during our meet and confer of what Plaintiffs seek. Appendix A also double counts several organizations (e.g., “The Wireless Innovation Forum” and “Wireless Innovation Forum,” and “The Latino Coalition” and “Latino Coalition”). Rather than illustrate any burden imposed by Plaintiffs’ Request No. 25, Appendix A suggests there has been an unfortunate misunderstanding about the purpose of the Request.

Notwithstanding this setback, Plaintiffs are willing to further revise Request No. 25 as follows:

All agendas, minutes, or notes of meetings of; communications between members of; documents submitted to; or presentations made to Alliance for Telecom, Alliance for Telecommunications Industry Solutions – ATIS, Competitive Carriers Association (CCA), Computer and Communications Industry Association (CCIA), Consumer Technology Association (CES), CTIA, Enterprise Wireless Alliance, Federal Communications Bar Association and FBCA Foundation, Global Mobile Suppliers Association, Incompas, Telecommunications for the Deaf – TDI, Telecommunications Industry Association – TIA, Telecommunications Policy Research Conference – TPRC, The United States ITU Association – USITIUA, The Wireless Innovation Forum, US Chamber of Commerce, Wireless Communications Alliance – WCA, Wireless Infrastructure Association (WIA), or Wireless Innovation Forum, where any of the following was discussed:

- (1) the proposed merger between AT&T and T-Mobile, which was announced in 2011;
- (2) Sprint’s discussions to acquire T-Mobile, originally reported publicly in 2013;
- (3) T-Mobile’s acquisition of Sprint;
- (4) 4-to-3 mergers, including regulatory scrutiny or competitive effects thereof;
- (5) market conditions following T-Mobile’s acquisition of Sprint, including any discussions of industry profit or income trends;
- (6) entrance of cable or internet providers (e.g., DISH) into the retail mobile wireless market;
- (7) the cost of 5G network deployment and maintenance; or
- (8) the profitability of providing 5G services to customers.

Plaintiffs propose this narrowing with the understanding that T-Mobile did not omit any national telecommunications trade organizations in which it participates from Appendix A to your letter. If additional organizations like those listed in Plaintiffs’ proposal exist, we ask that T-Mobile include those in the Request. While Plaintiffs believe it would not be unreasonable to include the various regional and affinity-group trade organizations that have submitted statements to the FCC in matters involving T-Mobile—such as Coalition of Large Tribes and California Asian Pacific Chamber of Commerce—within the scope of this Request, they are willing to forego that discovery at this stage for the sake of avoiding disputes. Plaintiffs will reserve the right to seek such discovery later if it becomes necessary as other discovery develops.

RFP Nos. 33, 34, 37, 38, 40, and 41: Plaintiffs agree to your proposal. In exchange for T-Mobile producing documents sufficient to show T-Mobile's retention policies (RFP No. 37), T-Mobile's mobile phone policies (RFP No. 38), and T-Mobile's policy for employees' use of personal devices for T-Mobile business purposes (RFP No. 41) for the relevant time period defined in T-Mobile's January 10 Responses and Objections, Plaintiffs will table their Request Numbers 33–34 and 39–40. Plaintiffs reserve the right to revisit their Request Numbers 33–34 and 39–40 should facts uncovered during discovery necessitate it.

We hope that our proposal above for Plaintiffs' RFP No. 25 will resolve T-Mobile's concerns. If it does not, please let us know when you are available next week to meet and confer.

Kind regards,



Hill Brakefield