

From: [Swathi Bojedla](#)
To: [Ludwig, Jordan](#); [Gary I. Smith, Jr.](#); [Jose Roman Lavergne](#); [Roth, Martin L.](#); [Bauer, Amie Marie](#); [Al Dajani, Ahmad](#); [Kelley, Molly](#)
Cc: [TMobile Merger AT](#)
Subject: RE: Dale v. Deutsche Telekom AG, Case No. 1:22-cv-03189 (N.D. Ill.)
Date: Friday, February 14, 2025 5:04:29 PM
Attachments: [image004.png](#)
[image005.png](#)
[image935256.png](#)
[image801036.png](#)

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Be cautious, particularly with links and attachments.

Jordan,

As you may be aware, Judge Cole recently denied the parties' joint request to extend the schedule. He expects discovery to proceed expeditiously. To that end, we will need to have a clear timetable for obtaining production of AT&T's structured data. Also, given the state of negotiations of the protective order, we expect to have to file a motion before him shortly bringing that matter to a head. If we need to file that motion, we would like to have a clear understanding of the state of play with respect to AT&T.

First, please confirm when AT&T will answer all the outstanding questions in our January 31, 2025 letter. We suggest they should be answered by Friday, February 21 at the latest (three weeks from when we posed the questions.) Having the answers to these questions will streamline the process.

Second, please confirm by Friday February 21, that AT&T has begun collecting and will produce structured data for the time period beginning January 1, 2010 through December 31, 2024. Given that we've had a common understanding on the data for some time, we would expect that data to be produced shortly after resolution of the protective order issues, but in any event no later than 30 days from today or two weeks from a finalization of the protective order, whichever is longer. Specifically we expect to be produced:

1. All data fields reflected in the samples previously provided ("bill_subscriber," "bill," "charge_encharge" and "adjustment").
2. All data fields reflected in AT&T's "group_level" table.
3. All available data, to the extent it exists, reflecting or measuring (a) subscribers' zip codes, (b) subscribers' census block group identifiers, (c) original contract price, features and plan characteristics (e.g., contract type, high speed data access, terms of 5G access, entertainment access), (d) monthly measures of the cost of providing the subscriber service, (e) measures of data upload and download speeds, latency, and packet loss, (f) breakdown of data usage (time and amount) by 3G, 4G, or 5G network, (g) separate fields for overage fees and monthly recurring charges as opposed to

aggregated total current charges, (h) data fields or other information that clarifies the relationship between “VOLUME” and “FREE_VOLUME” and allows us to differentiate between otherwise identical records in the “charge_encharge” data that have different volumes, and (i) a complete data dictionary for all requested data fields and tables, including descriptions of discounts, promotional benefits, or other benefits such as free or discounted hardware referenced in AT&T’s “adjustment” data sample.

We would appreciate your confirmation on these points, as we plan to bring a motion to compel before the Court on the protective order issue if it is not imminently resolved, and if any additional daylight remains between the parties on these other issues, we plan to raise that as well. (As to the protective order, we would plan to submit the third-parties’ dueling revisions and let them advocate their positions to the Court.)

We are available next week if you would like to discuss.

Have a nice long weekend.

SWATHI BOJEDLA

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From: Ludwig, Jordan <JLudwig@crowell.com>

Sent: Wednesday, February 12, 2025 5:48 PM

To: Gary I. Smith, Jr. <GSmith@hausfeld.com>; Jose Roman Lavergne <jlavergne@hausfeld.com>; Roth, Martin L. <rothm@kirkland.com>; Bauer, Amie Marie <amie.bauer@kirkland.com>; Al Dajani, Ahmad <AAIDajani@crowell.com>; Kelley, Molly <molly.kelley@kirkland.com>

Cc: TMobile Merger AT <TMobileMergerAT@hausfeld.com>

Subject: RE: Dale v. Deutsche Telekom AG, Case No. 1:22-cv-03189 (N.D. Ill.)

Gary,

We have received your letter and are diligently working to track down answers to your questions. We will not be in a position to respond by February 14. As you may know from our prior correspondence with your colleagues, this process has posed significant technical challenges for AT&T and has been enormously burdensome to the company. That said, we will do our best to get back to you as soon as we can, and we are also happy to discuss providing answers on a rolling basis once we have them.

Thank you,
Jordan

Jordan Ludwig

Pronouns: he/him/his

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From: Gary I. Smith, Jr. <GSmith@hausfeld.com>

Sent: Wednesday, February 12, 2025 10:42 AM

To: Jose Roman Lavergne <jlavergne@hausfeld.com>; Ludwig, Jordan <JLudwig@crowell.com>; Roth, Martin L. <rothm@kirkland.com>; Bauer, Amie Marie <amie.bauer@kirkland.com>; Al Dajani, Ahmad <AAIDajani@crowell.com>; Kelley, Molly <molly.kelley@kirkland.com>

Cc: TMobile Merger AT <TMobileMergerAT@hausfeld.com>

Subject: RE: Dale v. Deutsche Telekom AG, Case No. 1:22-cv-03189 (N.D. Ill.)

Jordan,

We wanted to check on the status of the requests in our January 31, 2025 letter, including whether AT&T would be responding in full by this Friday as requested. Can you provide an update?

Gary

GARY I. SMITH, JR.

Partner

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From: Jose Roman Lavergne <jlavergne@hausfeld.com>
Sent: Friday, January 31, 2025 12:13 PM
To: Ludwig, Jordan <JLudwig@crowell.com>; Roth, Martin L. <rothm@kirkland.com>; Bauer, Amie Marie <amie.bauer@kirkland.com>; Al Dajani, Ahmad <AAIDajani@crowell.com>; Kelley, Molly <molly.kelley@kirkland.com>
Cc: TMobile Merger AT <TMobileMergerAT@hausfeld.com>
Subject: RE: Dale v. Deutsche Telekom AG, Case No. 1:22-cv-03189 (N.D. Ill.)

Thank you for confirming, Jordan. Please find attached Plaintiffs' letter.

I'll make sure to include Molly in future correspondence.

JOSE ROMAN LAVERGNE

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From: Ludwig, Jordan <JLudwig@crowell.com>
Sent: Friday, January 31, 2025 2:16 PM
To: Jose Roman Lavergne <jlavergne@hausfeld.com>; Roth, Martin L. <rothm@kirkland.com>; Bauer, Amie Marie <amie.bauer@kirkland.com>; Al Dajani, Ahmad <AAIDajani@crowell.com>; Kelley, Molly <molly.kelley@kirkland.com>

Cc: TMobile Merger AT <TMobileMergerAT@hausfeld.com>

Subject: RE: Dale v. Deutsche Telekom AG, Case No. 1:22-cv-03189 (N.D. Ill.)

Jose,

Thank you for checking. Assuming Hausfeld's email system is "secure and encrypted," as the revised protective order provides, you can send the letter as an attachment.

Additionally, Theresa Horan and Olivier Antoine are no longer with Kirkland and Crowell, respectively. I've removed them from this email chain. Can you please include Molly Kelley from Kirkland, who is copied here, on all correspondence moving forward?

Thank you,

Jordan

Jordan Ludwig

Pronouns: he/him/his

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From: Jose Roman Lavergne <jlavergne@hausfeld.com>

Sent: Thursday, January 30, 2025 10:43 AM

To: theresa.horan@kirkland.com; Ludwig, Jordan <JLudwig@crowell.com>; Roth, Martin L. <rothm@kirkland.com>; Bauer, Amie Marie <amie.bauer@kirkland.com>; Antoine, Olivier <OAntoine@crowell.com>; Al Dajani, Ahmad <AAlDajani@crowell.com>

Cc: TMobile Merger AT <TMobileMergerAT@hausfeld.com>

Subject: Dale v. Deutsche Telekom AG, Case No. 1:22-cv-03189 (N.D. Ill.)

Counsel,

Plaintiffs plan on sending a letter to AT&T that addresses our questions on AT&T's data samples. Please confirm that sending AT&T the letter as an attachment complies with the data security restrictions we agreed upon.

Best regards,

Jose

JOSE ROMAN LAVERGNE

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