

## **EXHIBIT 1**

**From:** Roth, Martin L.  
**To:** Swathi Bojedla; Horan, Theresa Cederoth  
**Cc:** Filip, Mark; Nealy Cox, Erin; Cottrell, Christa C.; \*OAntoine@crowell.com; Ludwig, Jordan; Bauer, Amie Marie; Hill Brakefield; jaf@kenlaw.com; knf@kenlaw.com; Gary I. Smith, Jr.  
**Subject:** RE: Dale et al. v. Deutsche Telekom, AG et al. -- Subpoena to AT&T  
**Date:** Wednesday, August 14, 2024 11:08:49 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)

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Swathi,

Thank you for sharing the T-Mobile data dictionary. It appears T-Mobile is producing a very broad range of fields, many of which are not relevant to this case and go well beyond the scope of plaintiffs' subpoena to AT&T. We are working with our client to review AT&T's data fields and will follow up with a proposal when we've determined what is available and relevant.

Regarding AT&T's prior productions, in the spirit of compromise, we will agree to produce the available set from prior productions so long as Plaintiffs will not request further document production from the pre-merger timeframe unless you make a showing of good cause. Please confirm we have agreement on that. As you know, AT&T believes that document discovery from nonparties from the pre-merger timeframe is generally not relevant or proportional to the needs of this case, and we are offering what we have remaining available from the prior productions solely in the interest of resolving these requests efficiently.

With that understanding, we would be willing to make these prior materials available as our first production. As we noted in an earlier discussion, before producing any materials in this case, AT&T will need to request a few modifications to the case confidentiality order for additional protection of sensitive commercial and personal data. We are working on proposed revisions to the confidentiality order and will provide a version for your review.

Thank you.

Martin L. Roth, P.C.

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**Sent:** Thursday, August 8, 2024 11:35 AM  
**To:** Horan, Theresa Cederoth <[theresa.horan@kirkland.com](mailto:theresa.horan@kirkland.com)>  
**Cc:** Filip, Mark <[mark.filip@kirkland.com](mailto:mark.filip@kirkland.com)>; Nealy Cox, Erin <[erin.nealycox@kirkland.com](mailto:erin.nealycox@kirkland.com)>; Cottrell, Christa C. <[ccottrell@kirkland.com](mailto:ccottrell@kirkland.com)>; Roth, Martin L. <[rothm@kirkland.com](mailto:rothm@kirkland.com)>; \*OAntoine@crowell.com <[OAntoine@crowell.com](mailto:OAntoine@crowell.com)>; Ludwig, Jordan <[JLudwig@crowell.com](mailto:JLudwig@crowell.com)>; Bauer, Amie Marie <[amie.bauer@kirkland.com](mailto:amie.bauer@kirkland.com)>; Hill Brakefield <[hbrakefield@hausfeld.com](mailto:hbrakefield@hausfeld.com)>; jaf@kenlaw.com; knf@kenlaw.com; Gary I. Smith, Jr. <[GSmith@hausfeld.com](mailto:GSmith@hausfeld.com)>  
**Subject:** RE: Dale et al. v. Deutsche Telekom, AG et al. -- Subpoena to AT&T

Theresa, now that you have T-Mobile's data sample fields, when can we expect AT&T's data sample?

Please also let us know your availability to continue meeting and conferring on the rest of the document requests.

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**From:** Swathi Bojedla <[sbojedla@hausfeld.com](mailto:sbojedla@hausfeld.com)>

**Sent:** Wednesday, July 24, 2024 6:37 PM

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**Cc:** Filip, Mark <[mark.filip@kirkland.com](mailto:mark.filip@kirkland.com)>; Nealy Cox, Erin <[erin.nealycox@kirkland.com](mailto:erin.nealycox@kirkland.com)>; Cottrell, Christa C. <[ccottrell@kirkland.com](mailto:ccottrell@kirkland.com)>; Roth, Martin L. <[rothm@kirkland.com](mailto:rothm@kirkland.com)>; [OAntoine@crowell.com](mailto:OAntoine@crowell.com) <[OAntoine@crowell.com](mailto:OAntoine@crowell.com)>; Ludwig, Jordan <[JLudwig@crowell.com](mailto:JLudwig@crowell.com)>; Bauer, Amie Marie <[amie.bauer@kirkland.com](mailto:amie.bauer@kirkland.com)>; Hill Brakefield <[hbrakefield@hausfeld.com](mailto:hbrakefield@hausfeld.com)>; [jaf@kenlaw.com](mailto:jaf@kenlaw.com); [knf@kenlaw.com](mailto:knf@kenlaw.com); Gary I. Smith, Jr. <[GSmith@hausfeld.com](mailto:GSmith@hausfeld.com)>

**Subject:** RE: Dale et al. v. Deutsche Telekom, AG et al. -- Subpoena to AT&T

Theresa-

T-Mobile has authorized us to share the attached data dictionary for the fields they have agreed to produce. It has been marked Highly Confidential – Attorneys’ Eyes Only. Please do not share with anybody except for outside counsel, under the terms of the protective order.

With respect to prior productions, while Plaintiffs cannot agree to forego all pre-merger document production without first seeing the documents, we can certainly hold those discussions in abeyance until we receive the prior productions. We also request that you produce them prior to any new productions, given that they are seemingly already collected and available for production.

I'll get back to you on Ms. Lambert's BAN number.



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**From:** Horan, Theresa <[theresa.horan@kirkland.com](mailto:theresa.horan@kirkland.com)>

**Sent:** Friday, June 28, 2024 6:06 PM

**To:** Swathi Bojedla <[sbojedla@hausfeld.com](mailto:sbojedla@hausfeld.com)>

**Cc:** Filip, Mark <[mark.filip@kirkland.com](mailto:mark.filip@kirkland.com)>; Nealy Cox, Erin <[erin.nealycox@kirkland.com](mailto:erin.nealycox@kirkland.com)>; Cottrell, Christa C. <[ccottrell@kirkland.com](mailto:ccottrell@kirkland.com)>; Roth, Martin L. <[rothm@kirkland.com](mailto:rothm@kirkland.com)>; \*OAntoine@crowell.com <[OAntoine@crowell.com](mailto:OAntoine@crowell.com)>; Ludwig, Jordan <[JLudwig@crowell.com](mailto:JLudwig@crowell.com)>; Bauer, Amie Marie <[amie.bauer@kirkland.com](mailto:amie.bauer@kirkland.com)>; Hill Brakefield <[hbrakefield@hausfeld.com](mailto:hbrakefield@hausfeld.com)>; [jaf@kenlaw.com](mailto:jaf@kenlaw.com); [knf@kenlaw.com](mailto:knf@kenlaw.com); Gary I. Smith, Jr. <[GSmith@hausfeld.com](mailto:GSmith@hausfeld.com)>

**Subject:** RE: Dale et al. v. Deutsche Telekom, AG et al. -- Subpoena to AT&T



Swathi,

Thank you for providing the contact information for the named plaintiffs. AT&T is looking into any records available for those individuals. So far, we're having some difficulty identifying records for Ann Lambert. Are you able to provide her BAN number? That's the account number, which I understand should be noted on her bills and/or online account.

Regarding the prior productions, AT&T has been able to locate approximately 1900 documents previously produced. Please let us know if Plaintiffs agree to drop other requests for unstructured data from the pre-merger timeframe if AT&T will agree to reproduce this universe when we begin rolling productions.

Regarding structured data, we continue to believe the most efficient path is for Plaintiffs to negotiate data parameters with Defendants first and then AT&T will work to suggest similar parameters to the extent applicable. While we appreciate that Plaintiffs aren't seeking more from the third parties than from Defendants, given similarities in the types of data sought from the

carriers and potentially among the underlying data systems, it makes sense to streamline data discovery by having the parties work out Defendants' parameters first, rather than AT&T and Plaintiffs undertaking the burden of a parallel simultaneous negotiation. We will be prepared to discuss AT&T's data once the parties have come to ground on Defendants' data parameters.

Thank you.

**Theresa Horan**

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**Sent:** Thursday, June 27, 2024 11:56 AM  
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**Cc:** Filip, Mark <[mark.filip@kirkland.com](mailto:mark.filip@kirkland.com)>; Nealy Cox, Erin <[erin.nealycox@kirkland.com](mailto:erin.nealycox@kirkland.com)>; Cottrell, Christa C. <[ccottrell@kirkland.com](mailto:ccottrell@kirkland.com)>; Roth, Martin L. <[rothm@kirkland.com](mailto:rothm@kirkland.com)>; \*[OAntoine@crowell.com](mailto:OAntoine@crowell.com) <[OAntoine@crowell.com](mailto:OAntoine@crowell.com)>; Ludwig, Jordan <[JLudwig@crowell.com](mailto:JLudwig@crowell.com)>; Bauer, Amie Marie <[amie.bauer@kirkland.com](mailto:amie.bauer@kirkland.com)>; Hill Brakefield <[hbrakefield@hausfeld.com](mailto:hbrakefield@hausfeld.com)>; [jaf@kenlaw.com](mailto:jaf@kenlaw.com); [knf@kenlaw.com](mailto:knf@kenlaw.com); Gary I. Smith, Jr. <[GSmith@hausfeld.com](mailto:GSmith@hausfeld.com)>  
**Subject:** RE: Dale et al. v. Deutsche Telekom, AG et al. -- Subpoena to AT&T

Theresa, do you have any updates on the below? We would like to move forward on getting a structured data sample so we can see whether it is sufficient. As I mentioned, it's not simple to map one company's data to another, so the more efficient course is to pull a sample and then we can tell you if there are any fields that are unnecessary based on what we've negotiated with T-Mobile.

With respect to Plaintiff information, here is the information you have requested.

Anthony Dale – 491 Rodeo Drive, Indianapolis, IN 46217, and also 1415 Gatewick Drive, Greenwood, IN 46143 – 317-372-1022  
Benjamin Borrowman – 2526 S Wyckles Road, Decatur, IL 62522, and also 116 Spaulding Place, Jacksonville, IL 62650 – 217-361-4977  
Ann Lambert – 2618 Vision Avenue, Plainfield, IL 60586 – 703-359-2303

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**From:** Swathi Bojedla <[sbojedla@hausfeld.com](mailto:sbojedla@hausfeld.com)>  
**Sent:** Monday, June 17, 2024 3:43 PM  
**To:** Horan, Theresa Cederoth <[theresa.horan@kirkland.com](mailto:theresa.horan@kirkland.com)>  
**Cc:** Filip, Mark <[mark.filip@kirkland.com](mailto:mark.filip@kirkland.com)>; Nealy Cox, Erin <[erin.nealycox@kirkland.com](mailto:erin.nealycox@kirkland.com)>; Cottrell, Christa C. <[ccottrell@kirkland.com](mailto:ccottrell@kirkland.com)>; Roth, Martin L. <[rothm@kirkland.com](mailto:rothm@kirkland.com)>; \*OAntoine@crowell.com <[OAntoine@crowell.com](mailto:OAntoine@crowell.com)>; Ludwig, Jordan <[JLudwig@crowell.com](mailto:JLudwig@crowell.com)>; Bauer, Amie Marie <[amie.bauer@kirkland.com](mailto:amie.bauer@kirkland.com)>; Hill Brakefield <[hbrakefield@hausfeld.com](mailto:hbrakefield@hausfeld.com)>; [jaf@kenlaw.com](mailto:jaf@kenlaw.com); [knf@kenlaw.com](mailto:knf@kenlaw.com); Gary I. Smith, Jr. <[GSmith@hausfeld.com](mailto:GSmith@hausfeld.com)>  
**Subject:** RE: Dale et al. v. Deutsche Telekom, AG et al. -- Subpoena to AT&T

Theresa-

We appreciate you speaking with your client about prior AT&T productions. Could you please let us know the volume of such productions so we can evaluate your request?

With respect to structured data, we are not asking AT&T or any third party recipient for more than we are asking for from T-Mobile. As I mentioned on our call, we are essentially looking for your customer database and your plan database, and while we do not know the exact field names in AT&T's systems, the specific information we are seeking can be found in RFPs 21, 22, 24, and 25. To the extent you can provide a sample from those databases (to the extent such databases exist), it would be helpful for us to review to discuss the fields for which we would ask for a full data pull.

We will get you the named plaintiff information shortly.

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**From:** Horan, Theresa Cederoth <[theresa.horan@kirkland.com](mailto:theresa.horan@kirkland.com)>  
**Sent:** Wednesday, June 12, 2024 11:32 AM  
**To:** Swathi Bojedla <[sbojedla@hausfeld.com](mailto:sbojedla@hausfeld.com)>  
**Cc:** Filip, Mark <[mark.filip@kirkland.com](mailto:mark.filip@kirkland.com)>; Nealy Cox, Erin <[erin.nealycox@kirkland.com](mailto:erin.nealycox@kirkland.com)>; Cottrell, Christa C. <[ccottrell@kirkland.com](mailto:ccottrell@kirkland.com)>; Roth, Martin L. <[rothm@kirkland.com](mailto:rothm@kirkland.com)>; \*OAntoine@crowell.com <[OAntoine@crowell.com](mailto:OAntoine@crowell.com)>; Ludwig, Jordan <[JLudwig@crowell.com](mailto:JLudwig@crowell.com)>; Bauer, Amie Marie <[amie.bauer@kirkland.com](mailto:amie.bauer@kirkland.com)>; Hill Brakefield <[hbrakefield@hausfeld.com](mailto:hbrakefield@hausfeld.com)>; jaf@kenlaw.com; knf@kenlaw.com; Gary I. Smith, Jr. <[GSmith@hausfeld.com](mailto:GSmith@hausfeld.com)>  
**Subject:** RE: Dale et al. v. Deutsche Telekom, AG et al. -- Subpoena to AT&T

Swathi,

Following our last call, we wanted to get back to you on several points. First, per your requests regarding AT&T's prior productions in previous matters related to the T-Mobile/Sprint merger, AT&T has been able to locate certain collections of materials previously produced in 2018-2019 to DOJ, the NY Attorney General, and the defendants in the previous merger litigation. These prior productions contain materials in various categories Plaintiffs have requested from AT&T, including 5G rollout and associated costs; spectrum purchases and consolidation; competitive analysis; anticipated potential impacts of the merger; and AT&T's pricing and plans. AT&T does not concede that these categories of information are all relevant or necessary for third party discovery in this case, and we continue to believe that pre-merger documents are generally not relevant to the litigation. However, in the spirit of compromise and efficiency, if Plaintiffs will agree to drop their other requests for unstructured data from the pre-merger timeframe, AT&T would agree to reproduce these prior productions when we begin rolling production. Please let us know if Plaintiffs agree.

On structured data, AT&T believes the most efficient path forward is for the parties to the litigation to determine the parameters for T-Mobile's structured data productions first, and once that is worked out, AT&T can see if similar parameters would be workable (to the extent applicable). In the meantime, we are looking into what's available from AT&T's systems.

Per Plaintiffs' requests for documents regarding the named plaintiffs, we will need additional identifying information to locate them as AT&T subscribers. Could you please provide the phone numbers and addresses for any named plaintiffs who allege they were AT&T subscribers? We understand from the complaint that this universe is Anthony Dale, Benjamin Borrowman, and Ann Lambert (as it appears Brett Jackson recently withdrew from the case), although please let us know if that is not correct.

Finally, we can confirm that based on our investigation to date, AT&T is not aware of any non-public communications about the T-Mobile/Sprint merger between AT&T and a government entity after the time of the merger, nor is AT&T aware of any communications between AT&T and government entities or the named plaintiffs regarding this litigation.

We are continuing to review the other requests from your recent letter, and will be available to confer further as needed.

Thank you.

**Theresa Horan**

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**From:** Swathi Bojedla <[sbojedla@hausfeld.com](mailto:sbojedla@hausfeld.com)>  
**Sent:** Thursday, May 30, 2024 11:18 AM  
**To:** Hill Brakefield <[hbrakefield@hausfeld.com](mailto:hbrakefield@hausfeld.com)>; Horan, Theresa Cederoth <[theresa.horan@kirkland.com](mailto:theresa.horan@kirkland.com)>  
**Cc:** Filip, Mark <[mark.filip@kirkland.com](mailto:mark.filip@kirkland.com)>; Nealy Cox, Erin <[erin.nealycox@kirkland.com](mailto:erin.nealycox@kirkland.com)>; Cottrell, Christa C. <[ccottrell@kirkland.com](mailto:ccottrell@kirkland.com)>; Roth, Martin L. <[rothm@kirkland.com](mailto:rothm@kirkland.com)>; \*[OAntoine@crowell.com](mailto:OAntoine@crowell.com) <[OAntoine@crowell.com](mailto:OAntoine@crowell.com)>; Ludwig, Jordan <[JLudwig@crowell.com](mailto:JLudwig@crowell.com)>; Bauer, Amie Marie <[amie.bauer@kirkland.com](mailto:amie.bauer@kirkland.com)>; [jaf@kenlaw.com](mailto:jaf@kenlaw.com); [knf@kenlaw.com](mailto:knf@kenlaw.com); Gary I. Smith, Jr. <[GSmith@hausfeld.com](mailto:GSmith@hausfeld.com)>  
**Subject:** RE: Dale et al. v. Deutsche Telekom, AG et al. -- Subpoena to AT&T

Sorry, my fault on missing those times. Let's do 12:30-1:30 CT. I can send a calendar invite.

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**From:** Horan, Theresa Cederoth <[theresa.horan@kirkland.com](mailto:theresa.horan@kirkland.com)>  
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**To:** Swathi Bojedla <[sbojedla@hausfeld.com](mailto:sbojedla@hausfeld.com)>; Hill Brakefield <[hbrakefield@hausfeld.com](mailto:hbrakefield@hausfeld.com)>  
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**Subject:** RE: Dale et al. v. Deutsche Telekom, AG et al. -- Subpoena to AT&T

Hi Swathi,

We'd offered a few times for this week but hadn't heard back from plaintiffs. Next week, we could speak Monday 6/3 between 12:30-1:30 or 3-4 CT. Let us know if sometime then works.

Thanks,  
Theresa

Theresa Horan

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**From:** Swathi Bojedla <[sbojedla@hausfeld.com](mailto:sbojedla@hausfeld.com)>  
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**To:** Horan, Theresa Cederoth <[theresa.horan@kirkland.com](mailto:theresa.horan@kirkland.com)>; Hill Brakefield <[hbrakefield@hausfeld.com](mailto:hbrakefield@hausfeld.com)>  
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**Subject:** RE: Dale et al. v. Deutsche Telekom, AG et al. -- Subpoena to AT&T

Could we please have a date to continue meeting and conferring? Please provide a few options on Monday and Tuesday of next week.

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**From:** Horan, Theresa <[theresa.horan@kirkland.com](mailto:theresa.horan@kirkland.com)>

**Sent:** Friday, May 17, 2024 5:22 PM

**To:** Swathi Bojedla <[sbojedla@hausfeld.com](mailto:sbojedla@hausfeld.com)>; Hill Brakefield <[hbrakefield@hausfeld.com](mailto:hbrakefield@hausfeld.com)>

**Cc:** Filip, Mark <[mark.filip@kirkland.com](mailto:mark.filip@kirkland.com)>; Nealy Cox, Erin <[erin.nealycox@kirkland.com](mailto:erin.nealycox@kirkland.com)>; Cottrell, Christa C. <[ccottrell@kirkland.com](mailto:ccottrell@kirkland.com)>; Roth, Martin L. <[rothm@kirkland.com](mailto:rothm@kirkland.com)>; \*OAntoine@crowell.com <[OAntoine@crowell.com](mailto:OAntoine@crowell.com)>; Ludwig, Jordan <[JLudwig@crowell.com](mailto:JLudwig@crowell.com)>; Bauer, Amie Marie <[amie.bauer@kirkland.com](mailto:amie.bauer@kirkland.com)>; jaf@kenlaw.com; knf@kenlaw.com; Gary I. Smith, Jr. <[GSmith@hausfeld.com](mailto:GSmith@hausfeld.com)>

**Subject:** RE: Dale et al. v. Deutsche Telekom, AG et al. -- Subpoena to AT&T

Thanks Swathi. Unfortunately in the interim we've now had conflicts come up for our team next Thursday, including a hearing scheduled at that time. We're coordinating schedules on our end and will reach out early next week to propose other potential time for the call. Have a good weekend.

Theresa Horan

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**From:** Swathi Bojedla <[sbojedla@hausfeld.com](mailto:sbojedla@hausfeld.com)>

**Sent:** Friday, May 17, 2024 3:09 PM

**To:** Horan, Theresa Cederoth <[theresa.horan@kirkland.com](mailto:theresa.horan@kirkland.com)>; Hill Brakefield <[hbrakefield@hausfeld.com](mailto:hbrakefield@hausfeld.com)>

**Cc:** Filip, Mark <[mark.filip@kirkland.com](mailto:mark.filip@kirkland.com)>; Nealy Cox, Erin <[erin.nealycox@kirkland.com](mailto:erin.nealycox@kirkland.com)>; Cottrell, Christa C. <[ccottrell@kirkland.com](mailto:ccottrell@kirkland.com)>; Roth, Martin L. <[rothm@kirkland.com](mailto:rothm@kirkland.com)>;

[\\*OAntoine@crowell.com](mailto:OAntoine@crowell.com) <[OAntoine@crowell.com](mailto:OAntoine@crowell.com)>; Ludwig, Jordan <[JLudwig@crowell.com](mailto:JLudwig@crowell.com)>; Bauer, Amie Marie <[amie.bauer@kirkland.com](mailto:amie.bauer@kirkland.com)>; [jaf@kenlaw.com](mailto:jaf@kenlaw.com); [knf@kenlaw.com](mailto:knf@kenlaw.com); Gary I. Smith, Jr. <[GSmith@hausfeld.com](mailto:GSmith@hausfeld.com)>

**Subject:** RE: Dale et al. v. Deutsche Telekom, AG et al. -- Subpoena to AT&T

Let's do 12-12:30 ET on Thursday if that still works on your end. Let me know and we'll send a calendar invite. We are also slightly delayed on our letter, but it should be to you by Monday if not earlier.

---

**SWATHI BOJEDLA**

Partner

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[+1 202-540-7150](tel:+12025407150) direct

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**From:** Horan, Theresa Cederoth <[theresa.horan@kirkland.com](mailto:theresa.horan@kirkland.com)>

**Sent:** Tuesday, May 14, 2024 9:30 PM

**To:** Swathi Bojedla <[sbojedla@hausfeld.com](mailto:sbojedla@hausfeld.com)>; Hill Brakefield <[hbrakefield@hausfeld.com](mailto:hbrakefield@hausfeld.com)>

**Cc:** Filip, Mark <[mark.filip@kirkland.com](mailto:mark.filip@kirkland.com)>; Nealy Cox, Erin <[erin.nealycox@kirkland.com](mailto:erin.nealycox@kirkland.com)>; Cottrell, Christa C. <[ccottrell@kirkland.com](mailto:ccottrell@kirkland.com)>; Roth, Martin L. <[rothm@kirkland.com](mailto:rothm@kirkland.com)>;

[\\*OAntoine@crowell.com](mailto:*OAntoine@crowell.com) <[OAntoine@crowell.com](mailto:OAntoine@crowell.com)>; Ludwig, Jordan <[JLudwig@crowell.com](mailto:JLudwig@crowell.com)>;

Bauer, Amie Marie <[amie.bauer@kirkland.com](mailto:amie.bauer@kirkland.com)>; [jaf@kenlaw.com](mailto:jaf@kenlaw.com); [knf@kenlaw.com](mailto:knf@kenlaw.com); Gary I. Smith, Jr. <[GSmith@hausfeld.com](mailto:GSmith@hausfeld.com)>

**Subject:** RE: Dale et al. v. Deutsche Telekom, AG et al. -- Subpoena to AT&T

We are available Thursday 5/23 between 10-12 CT. Let us know if sometime then works for plaintiffs.

Thanks,

Theresa

**Theresa Horan**



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F +1 312 862 2200

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---

**From:** Swathi Bojedla <[sbojedla@hausfeld.com](mailto:sbojedla@hausfeld.com)>  
**Sent:** Monday, May 13, 2024 12:24 PM  
**To:** Horan, Theresa Cederoth <[theresa.horan@kirkland.com](mailto:theresa.horan@kirkland.com)>; Hill Brakefield <[hbrakefield@hausfeld.com](mailto:hbrakefield@hausfeld.com)>  
**Cc:** Filip, Mark <[mark.filip@kirkland.com](mailto:mark.filip@kirkland.com)>; Nealy Cox, Erin <[erin.nealycox@kirkland.com](mailto:erin.nealycox@kirkland.com)>; Cottrell, Christa C. <[ccottrell@kirkland.com](mailto:ccottrell@kirkland.com)>; Roth, Martin L. <[rothm@kirkland.com](mailto:rothm@kirkland.com)>; \*[OAntoine@crowell.com](mailto:OAntoine@crowell.com) <[OAntoine@crowell.com](mailto:OAntoine@crowell.com)>; Ludwig, Jordan <[JLudwig@crowell.com](mailto:JLudwig@crowell.com)>; Bauer, Amie Marie <[amie.bauer@kirkland.com](mailto:amie.bauer@kirkland.com)>; [jaf@kenlaw.com](mailto:jaf@kenlaw.com); [knf@kenlaw.com](mailto:knf@kenlaw.com); Gary I. Smith, Jr. <[GSmith@hausfeld.com](mailto:GSmith@hausfeld.com)>  
**Subject:** RE: Dale et al. v. Deutsche Telekom, AG et al. -- Subpoena to AT&T

We are preparing a letter and will send to you this week. Can we put a meet and confer on the schedule for next week? Let us know your availability.

---

**SWATHI BOJEDLA**

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**From:** Horan, Theresa Cederoth <[theresa.horan@kirkland.com](mailto:theresa.horan@kirkland.com)>  
**Sent:** Friday, May 10, 2024 6:17 PM  
**To:** Swathi Bojedla <[sbojedla@hausfeld.com](mailto:sbojedla@hausfeld.com)>; Hill Brakefield <[hbrakefield@hausfeld.com](mailto:hbrakefield@hausfeld.com)>  
**Cc:** Filip, Mark <[mark.filip@kirkland.com](mailto:mark.filip@kirkland.com)>; Nealy Cox, Erin <[erin.nealycox@kirkland.com](mailto:erin.nealycox@kirkland.com)>; Cottrell, Christa C. <[ccottrell@kirkland.com](mailto:ccottrell@kirkland.com)>; Roth, Martin L. <[rothm@kirkland.com](mailto:rothm@kirkland.com)>; \*[OAntoine@crowell.com](mailto:OAntoine@crowell.com) <[OAntoine@crowell.com](mailto:OAntoine@crowell.com)>; Ludwig, Jordan <[JLudwig@crowell.com](mailto:JLudwig@crowell.com)>; Bauer, Amie Marie <[amie.bauer@kirkland.com](mailto:amie.bauer@kirkland.com)>; [jaf@kenlaw.com](mailto:jaf@kenlaw.com); [knf@kenlaw.com](mailto:knf@kenlaw.com); Gary I. Smith, Jr. <[GSmith@hausfeld.com](mailto:GSmith@hausfeld.com)>

**Subject:** RE: Dale et al. v. Deutsche Telekom, AG et al. -- Subpoena to AT&T

Hi Swathi,

We continue to believe that non-party discovery discussions aren't practical when the status of the case is uncertain on appeal. Nonetheless, if plaintiffs want to proceed with discovery discussions with AT&T, could you send us the letter you'd agreed to prepare after our last call outlining plaintiffs' narrowed requests and current asks? That would help frame our discussion and focus future negotiations. Once we've reviewed that, we can find a time to confer.

Best,  
Theresa

**Theresa Horan**

---

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---

**From:** Swathi Bojedla <[sbojedla@hausfeld.com](mailto:sbojedla@hausfeld.com)>  
**Sent:** Thursday, May 9, 2024 10:48 AM  
**To:** Horan, Theresa Cederoth <[theresa.horan@kirkland.com](mailto:theresa.horan@kirkland.com)>; Hill Brakefield <[hbrakefield@hausfeld.com](mailto:hbrakefield@hausfeld.com)>  
**Cc:** Filip, Mark <[mark.filip@kirkland.com](mailto:mark.filip@kirkland.com)>; Nealy Cox, Erin <[erin.nealycox@kirkland.com](mailto:erin.nealycox@kirkland.com)>; Cottrell, Christa C. <[ccottrell@kirkland.com](mailto:ccottrell@kirkland.com)>; Roth, Martin L. <[rothm@kirkland.com](mailto:rothm@kirkland.com)>; \*OAntoine@crowell.com <[OAntoine@crowell.com](mailto:OAntoine@crowell.com)>; Ludwig, Jordan <[JLudwig@crowell.com](mailto:JLudwig@crowell.com)>; Bauer, Amie Marie <[amie.bauer@kirkland.com](mailto:amie.bauer@kirkland.com)>; jaf@kenlaw.com; knf@kenlaw.com; Gary I. Smith, Jr. <[GSmith@hausfeld.com](mailto:GSmith@hausfeld.com)>  
**Subject:** RE: Dale et al. v. Deutsche Telekom, AG et al. -- Subpoena to AT&T

Theresa, we still haven't heard from the 7<sup>th</sup> Circuit and we do not want to delay these discussions any further, given the lack of any discovery stay. We'll request again a follow-up meet and confer, including to understand what (if any) documents and data remain from the pre-merger litigation or whether we need to negotiate production anew for those materials.

If we cannot get a meet and confer on the calendar, we may be forced to move to compel. Please let me know.

---

**SWATHI BOJEDLA**

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**From:** Horan, Theresa Cederoth <[theresa.horan@kirkland.com](mailto:theresa.horan@kirkland.com)>  
**Sent:** Monday, April 29, 2024 9:42 AM  
**To:** Swathi Bojedla <[sbojedla@hausfeld.com](mailto:sbojedla@hausfeld.com)>; Hill Brakefield <[hbrakefield@hausfeld.com](mailto:hbrakefield@hausfeld.com)>  
**Cc:** Filip, Mark <[mark.filip@kirkland.com](mailto:mark.filip@kirkland.com)>; Nealy Cox, Erin <[erin.nealycox@kirkland.com](mailto:erin.nealycox@kirkland.com)>; Cottrell, Christa C. <[ccottrell@kirkland.com](mailto:ccottrell@kirkland.com)>; Roth, Martin L. <[rothm@kirkland.com](mailto:rothm@kirkland.com)>; [OAntoine@crowell.com](mailto:OAntoine@crowell.com) <[OAntoine@crowell.com](mailto:OAntoine@crowell.com)>; Ludwig, Jordan <[JLudwig@crowell.com](mailto:JLudwig@crowell.com)>; Bauer, Amie Marie <[amie.bauer@kirkland.com](mailto:amie.bauer@kirkland.com)>; [jaf@kenlaw.com](mailto:jaf@kenlaw.com); [knf@kenlaw.com](mailto:knf@kenlaw.com); Gary I. Smith, Jr. <[GSmith@hausfeld.com](mailto:GSmith@hausfeld.com)>  
**Subject:** RE: Dale et al. v. Deutsche Telekom, AG et al. -- Subpoena to AT&T

Swathi,

Thanks for your note. Our understanding after our last call had been that plaintiffs were evaluating ways to narrow your discovery requests and would be sending us a letter, and we haven't received that yet. Regardless, we do not think third party discovery discussions should move forward right now given T-Mobile's pending 1292(b) request to the 7th Circuit. We will be ready to resume discussions if the 7th Circuit does not take up the appeal.

Best,  
Theresa

Theresa Horan

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---

**From:** Swathi Bojedla <[sbojedla@hausfeld.com](mailto:sbojedla@hausfeld.com)>  
**Sent:** Wednesday, April 24, 2024 3:42 PM  
**To:** Horan, Theresa Cederoth <[theresa.horan@kirkland.com](mailto:theresa.horan@kirkland.com)>; Hill Brakefield <[hbrakefield@hausfeld.com](mailto:hbrakefield@hausfeld.com)>  
**Cc:** Filip, Mark <[mark.filip@kirkland.com](mailto:mark.filip@kirkland.com)>; Nealy Cox, Erin <[erin.nealycox@kirkland.com](mailto:erin.nealycox@kirkland.com)>; Cottrell,

Christa C. <[ccottrell@kirkland.com](mailto:ccottrell@kirkland.com)>; Roth, Martin L. <[rothm@kirkland.com](mailto:rothm@kirkland.com)>; \*[OAntoine@crowell.com](mailto:OAntoine@crowell.com) <[OAntoine@crowell.com](mailto:OAntoine@crowell.com)>; Ludwig, Jordan <[JLudwig@crowell.com](mailto:JLudwig@crowell.com)>; Bauer, Amie Marie <[amie.bauer@kirkland.com](mailto:amie.bauer@kirkland.com)>; [jaf@kenlaw.com](mailto:jaf@kenlaw.com); [knf@kenlaw.com](mailto:knf@kenlaw.com); Gary I. Smith, Jr. <[GSmith@hausfeld.com](mailto:GSmith@hausfeld.com)>

**Subject:** RE: Dale et al. v. Deutsche Telekom, AG et al. -- Subpoena to AT&T

Hi Theresa,

Can you please let us know your availability to pick up our meet and confer efforts? I believe we were waiting on some information from your client, including the availability of productions from prior litigation and to government regulators, as well as your position on the proposed narrowing we discussed at the last meet and confer. Please let us know if you have availability next week.

---

**SWATHI BOJEDLA**

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**From:** Horan, Theresa Cederoth <[theresa.horan@kirkland.com](mailto:theresa.horan@kirkland.com)>

**Sent:** Tuesday, March 5, 2024 8:53 AM

**To:** Hill Brakefield <[hbrakefield@hausfeld.com](mailto:hbrakefield@hausfeld.com)>

**Cc:** Filip, Mark <[mark.filip@kirkland.com](mailto:mark.filip@kirkland.com)>; Nealy Cox, Erin <[erin.nealycox@kirkland.com](mailto:erin.nealycox@kirkland.com)>; Cottrell, Christa C. <[ccottrell@kirkland.com](mailto:ccottrell@kirkland.com)>; Roth, Martin L. <[rothm@kirkland.com](mailto:rothm@kirkland.com)>; \*[OAntoine@crowell.com](mailto:OAntoine@crowell.com) <[OAntoine@crowell.com](mailto:OAntoine@crowell.com)>; Ludwig, Jordan <[JLudwig@crowell.com](mailto:JLudwig@crowell.com)>; Bauer, Amie Marie <[amie.bauer@kirkland.com](mailto:amie.bauer@kirkland.com)>; [jaf@kenlaw.com](mailto:jaf@kenlaw.com); [knf@kenlaw.com](mailto:knf@kenlaw.com); Gary I. Smith, Jr. <[GSmith@hausfeld.com](mailto:GSmith@hausfeld.com)>; Swathi Bojedla <[sbojedla@hausfeld.com](mailto:sbojedla@hausfeld.com)>

**Subject:** Re: Dale et al. v. Deutsche Telekom, AG et al. -- Subpoena to AT&T

That works for us. I'll send around a dial-in. Thanks.

Theresa Horan

---

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---

[theresa.horan@kirkland.com](mailto:theresa.horan@kirkland.com)

On Mar 4, 2024, at 11:54 AM, Hill Brakefield <[hbrakefield@hausfeld.com](mailto:hbrakefield@hausfeld.com)> wrote:

Theresa,

We are available at 2:00pm (CT) on Tuesday 3/12. I can circulate a calendar invite if that time still works for you.

Regards,

<image001.png>

**HILL BRAKEFIELD**

Associate

[hbrakefield@hausfeld.com](mailto:hbrakefield@hausfeld.com)

<image002.png>

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**From:** Horan, Theresa Cederoth <[theresa.horan@kirkland.com](mailto:theresa.horan@kirkland.com)>  
**Sent:** Thursday, February 29, 2024 2:57 PM  
**To:** Hill Brakefield <[hbrakefield@hausfeld.com](mailto:hbrakefield@hausfeld.com)>; Filip, Mark <[mark.filip@kirkland.com](mailto:mark.filip@kirkland.com)>;  
Nealy Cox, Erin <[erin.nealycox@kirkland.com](mailto:erin.nealycox@kirkland.com)>; Cottrell, Christa C.  
<[ccottrell@kirkland.com](mailto:ccottrell@kirkland.com)>; Roth, Martin L. <[rothm@kirkland.com](mailto:rothm@kirkland.com)>;  
\*OAntoine@crowell.com <[OAntoine@crowell.com](mailto:OAntoine@crowell.com)>; Ludwig, Jordan  
<[JLudwig@crowell.com](mailto:JLudwig@crowell.com)>; Bauer, Amie Marie <[amie.bauer@kirkland.com](mailto:amie.bauer@kirkland.com)>  
**Cc:** jaf@kenlaw.com; knf@kenlaw.com; Gary I. Smith, Jr. <[GSmith@hausfeld.com](mailto:GSmith@hausfeld.com)>;  
Swathi Bojedla <[sbojedla@hausfeld.com](mailto:sbojedla@hausfeld.com)>  
**Subject:** RE: Dale et al. v. Deutsche Telekom, AG et al. -- Subpoena to AT&T

Hi Hill,

We have travel conflicts next week, but we're available Tuesday 3/12 between 2:00 – 4:30 CT or Wednesday 3/13 from 3:30-4:30 CT. Please let us know what works for you.

Thanks,  
Theresa

Theresa Horan

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F +1 312 862 2200

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---

**From:** Hill Brakefield <[hbrakefield@hausfeld.com](mailto:hbrakefield@hausfeld.com)>  
**Sent:** Tuesday, February 27, 2024 10:47 AM  
**To:** Horan, Theresa Cederoth <[theresa.horan@kirkland.com](mailto:theresa.horan@kirkland.com)>; Filip, Mark <[mark.filip@kirkland.com](mailto:mark.filip@kirkland.com)>; Nealy Cox, Erin <[erin.nealycox@kirkland.com](mailto:erin.nealycox@kirkland.com)>; Cottrell, Christa C. <[ccottrell@kirkland.com](mailto:ccottrell@kirkland.com)>; Roth, Martin L. <[rothm@kirkland.com](mailto:rothm@kirkland.com)>; \*OAntoine@crowell.com <[OAntoine@crowell.com](mailto:OAntoine@crowell.com)>; Ludwig, Jordan <[JLudwig@crowell.com](mailto:JLudwig@crowell.com)>; Bauer, Amie Marie <[amie.bauer@kirkland.com](mailto:amie.bauer@kirkland.com)>  
**Cc:** [jaf@kenlaw.com](mailto:jaf@kenlaw.com); [knf@kenlaw.com](mailto:knf@kenlaw.com); Gary I. Smith, Jr. <[GSmith@hausfeld.com](mailto:GSmith@hausfeld.com)>; Swathi Bojedla <[sbojedla@hausfeld.com](mailto:sbojedla@hausfeld.com)>  
**Subject:** RE: Dale et al. v. Deutsche Telekom, AG et al. -- Subpoena to AT&T

Counsel,

Thank you for the attached responses and objections. We would like to schedule a meeting to discuss those Requests for which AT&T indicated it is willing to meet and confer and to resolve any disputes over the Requests for which AT&T stated it will not produce documents. Please let me know your availability to meet and confer next week.

Regards,

<image001.png>  
**HILL BRAKEFIELD**  
Associate  
[hbrakefield@hausfeld.com](mailto:hbrakefield@hausfeld.com)

<image002.png>

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**From:** Horan, Theresa Cederoth <[theresa.horan@kirkland.com](mailto:theresa.horan@kirkland.com)>  
**Sent:** Wednesday, January 31, 2024 6:55 PM  
**To:** Brendan P. Glackin <[bglackin@lchb.com](mailto:bglackin@lchb.com)>; Chan, Lin Y. <[lchan@lchb.com](mailto:lchan@lchb.com)>; Nicholas W. Lee <[nlee@lchb.com](mailto:nlee@lchb.com)>; Sarah Zandi <[szandi@lchb.com](mailto:szandi@lchb.com)>; [jaf@kenlaw.com](mailto:jaf@kenlaw.com); [knf@kenlaw.com](mailto:knf@kenlaw.com); [jaf@kenlaw.com](mailto:jaf@kenlaw.com); [knf@kenlaw.com](mailto:knf@kenlaw.com); Robert E. Litan <[rlitan@bm.net](mailto:rlitan@bm.net)>; Joshua P. Davis <[jdavis@bm.net](mailto:jdavis@bm.net)>; Gary I. Smith, Jr. <[GSmith@hausfeld.com](mailto:GSmith@hausfeld.com)>  
**Cc:** Filip, Mark <[mark.filip@kirkland.com](mailto:mark.filip@kirkland.com)>; Nealy Cox, Erin <[erin.nealycox@kirkland.com](mailto:erin.nealycox@kirkland.com)>; Cottrell, Christa C. <[ccottrell@kirkland.com](mailto:ccottrell@kirkland.com)>; Roth, Martin L. <[rothm@kirkland.com](mailto:rothm@kirkland.com)>; Antoine, Olivier <[oantoine@crowell.com](mailto:oantoine@crowell.com)>; Ludwig, Jordan <[JLudwig@crowell.com](mailto:JLudwig@crowell.com)>; Bauer, Amie Marie <[amie.bauer@kirkland.com](mailto:amie.bauer@kirkland.com)>  
**Subject:** Dale et al. v. Deutsche Telekom, AG et al.

Counsel,

Please see the attached, on behalf of AT&T. Thank you.

Theresa Horan

---

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