

Legal Notice

If You Are Or Were An AT&T Mobility Customer Whose Contract Included A Provision For A Flat-Rate Early Termination Fee, A Class Action Settlement Could Affect Your Rights.

Para ver este aviso en español, visita www.ATTMETFSettlement.com/espanol

A proposed settlement is pending in a class action entitled *Hall, et al., v. AT&T Mobility LLC*, Case No. 07-05325 (JLL) in the United States District Court for the District of New Jersey. The lawsuit alleges that AT&T Mobility LLC (“AT&T Mobility”) and its predecessors violated state and federal laws by charging customers a flat-rate early termination fee (“ETF”) in their wireless telephone service contracts. AT&T Mobility strongly denies any wrongdoing, but has agreed to settle to avoid the burden and cost of further litigation. You may be a part of the lawsuit if you are a current or former AT&T Mobility wireless subscriber who paid or was charged a flat-rate ETF, or whose contract included a flat-rate ETF provision, at any time after January 1, 1998.

Your Legal Rights Are Affected Even If You Do Not Act. Read This Notice Carefully.

A SUMMARY OF YOUR RIGHTS AND CHOICES

You May:	Summary:	Due Date:
Submit a Claim	Submit a Claim. You remain in the Settlement. You may be eligible for money or compensation if approved. You will be bound by the terms of the Settlement and give up your right to sue regarding issues in the case.	June 14, 2010. This date may be extended.

You May:	Summary:	Due Date:
Ask to be Excluded	<p>Get out of the Settlement.</p> <p>You cannot object to the Settlement and will not be eligible for money or compensation from the Settlement. But you keep your right to sue on your own regarding issues in the case.</p>	March 24, 2010
Submit an Objection	<p>Object to the Settlement.</p> <p>You remain in the Settlement. You may appear and speak at the Fairness Hearing on your own or through your own lawyer to object to or comment on the Settlement.</p>	March 24, 2010
Submit an Objection to Attorneys' Fees	<p>Object to Attorneys' Fees.</p> <p>You remain in the Settlement. You may appear and speak at the Fairness Hearing on your own or through your own lawyer to object to attorneys' fee, expenses, and incentive awards.</p>	April 12, 2010
Do Nothing	<p>You remain in the Settlement. You get no money or compensation and give up your right to sue regarding issues in the case.</p>	N/A

**THESE RIGHTS AND OPTIONS
- AND THE DEADLINES TO EXERCISE THEM -
ARE EXPLAINED IN THIS NOTICE.**

WHAT THIS NOTICE CONTAINS

BASIC INFORMATION

1. What is this Notice about?
2. What is a class action and who is involved?
3. What is this lawsuit about?
4. Why are these lawsuits class actions?.....
5. Am I a member of the Class?.....

TERMS OF THE SETTLEMENT

6. What are the terms of the Settlement?
7. Is there any money available now?.....

YOUR RIGHTS AND OPTIONS

8. What happens if I do nothing?
9. If I remain in the Class, what claims am I giving up?
10. Why would I ask to be excluded?
11. How do I exclude myself from the Class?.....
12. Can I object to the Settlement?
13. When is the Settlement Fairness Hearing?
14. Do I have to attend the Fairness Hearing?.....

15. May I speak at the Fairness Hearing?

THE LAWYERS REPRESENTING YOU

16. Does the Settlement Class have a lawyer?

17. Should I get my own lawyer?

18. How will the lawyers be paid?

GETTING MORE INFORMATION

19. Where can I get more information?

20. May I contact AT&T Mobility directly?

BASIC INFORMATION

1. What is this Notice about?

You received this Notice because you may be a current or former AT&T Mobility customer who had a wireless telephone service contract that contained a flat-rate ETF provision. This Notice explains:

- What the lawsuit and the Settlement are about.
- Who the Settlement affects.
- Who represents the Class Members in the lawsuit.
- What your legal rights and choices are.
- How and by when you need to act.

2. What is a class action and who is involved?

In a class action lawsuit, one or more people called “Class Representatives” sue on behalf of people who have similar claims. The people together are called the “Class” or “Class Members.” In this case, the people who initiated the lawsuit (“Plaintiffs”) and the company being sued, AT&T Mobility, have reached a proposed Settlement. The Court has allowed, or “certified,” a class action for purposes of settlement, and all decisions made concerning the Settlement will affect everyone in the Class.

3. What is this lawsuit about?

The lawsuit claims that AT&T Mobility violated state and federal laws by imposing a flat-rate ETF. The suit seeks monetary damages and restitution, and declaratory and injunctive relief. AT&T Mobility strongly denies any wrongdoing, but has agreed to settle to avoid the burden and cost of further litigation. The Settlement resolves claims in several other cases and arbitrations that challenge AT&T Mobility’s flat-rate ETF, including:

- *Hall, et al. v. AT&T Mobility LLC, et al.*, Case No. 07-05325 (JLL) (U.S. District Court, D.N.J.);
- *Sasik, et al. v. AT&T Wireless Services, Inc.*, Case No. 2:05-CV-2346-ABC (CWx) (U.S. District Court, C.D. Cal.);

- *Waldmann, et al. v. Cingular Wireless LLC*, Case No. 2:07-CV-05087-ABC (CWx) (U.S. District Court, C.D. Cal.);
- *Dias, et al. v. AT&T Wireless Services, Inc., et al.*, No. BC316195 (Calif. Super. Ct., L.A. County);
- *Kinkel v. Cingular Wireless LLC*, AAA WIA No. 11 494 02646 06 (American Arbitration Association Arbitration);
- *Cherrigan et al. v. AT&T Wireless Services, et al.*, JCCP 4332 (Calif. Super. Ct., Alameda County);
- *Ayyad, et al. v. Cingular Wireless LLC, et al.*, JCCP 4332 (Calif. Super. Ct., Alameda County); and
- *Graber v. AT&T Wireless PCS, LLC, et al.*, Case No. 50 2004CA004650MB(AI) (Florida Circuit Ct., Palm Beach County).

4. Why are these lawsuits class actions?

These lawsuits are class actions for purposes of settlement because they meet the requirements of Rule 23 of the Federal Rules of Civil Procedure. In order to be considered a class action, Rule 23 requires the following:

- That there are too many Class Members to be joined in a single action;
- That there are common questions of law or fact;
- That claims of the class representative are typical of other class members and their counsel can protect the interest of the whole Class; and
- That a class action is the best way to resolve the claims and disputes in the action.

5. Am I a Class Member?

You are a Class Member if you are a Person in the United States who:

- Was a party to a contract for a wireless telephone account with AT&T Mobility and/or its predecessors and was billed a flat-rate ETF by AT&T Mobility and/or its predecessors after January 1, 1998 until November 4, 2009; OR
- Was or is a party to a contract for a wireless telephone account with AT&T Mobility and/or its predecessors that included or includes a provision for a flat-rate ETF after January 1, 1998 until November 4, 2009, and who has not paid or been billed a flat-rate ETF.

TERMS OF THE SETTLEMENT

6. What are the terms of the Settlement?

AT&T Mobility will pay \$16,000,000.00 in cash and \$2,000,000 in non-cash benefits into a settlement fund for the benefit of Class Members. Relief is as follows:

- If you can prove you paid in full a flat-rate ETF, or AT&T Mobility’s records indicate you paid a flat-rate ETF, you may submit a Claim Form to receive up to \$140.
- If you certify under penalty of perjury that you paid in full a flat-rate ETF, but cannot prove it and AT&T Mobility’s records do not indicate you paid in full a flat-rate ETF, you may submit a Claim Form to receive up to \$25.
- If you were charged a flat-rate ETF, or AT&T Mobility’s records indicate you were charged a flat-rate ETF, but did not pay in full and/or did not receive a full credit within 30 days, you may submit a Claim Form to receive up to \$25.
- Non-cash benefits, up to \$2,000,000, will be provided for Persons who are parties to contracts for a wireless telephone accounts with AT&T Mobility as of the date that the court preliminarily approved the settlement. Non-cash benefits include: (1) an AT&T Prepaid Long Distance Card with up to 200 minutes; or (2) converting a flat-rate ETF to a prorated ETF. The actual amount received or non-cash benefits available (other than the prorated ETF benefit) will vary depending on the number of claims received.

For full details on the distribution of the Settlement benefits, please review the “Plan of Allocation” available at www.ATTMETFSettlement.com/planofallocation.

All costs of administering the Settlement, including the cost of notice, attorneys’ fees, and litigation costs, will be paid from the settlement fund before distribution to the Class. The Settlement does not relieve Class Members from any existing or future obligation to pay ETFs owed to AT&T Mobility.

7. Is there any money available now?

No. No money or benefits are available now because the Court has not yet decided whether to approve the Settlement and it has not become Final. There is no guarantee that money or benefits ever will be distributed; however, if you want to participate in the Settlement you must submit a Claim Form. Claim Forms are available at www.ATTMETFSettlement.com/ClaimForm. The deadline to submit Claim Forms is June 14, 2010. This deadline may be extended.

YOUR RIGHTS AND OPTIONS

You need to decide whether or not to participate in the Settlement.

8. What happens if I do nothing?

If you do nothing, you will automatically be considered part of the Settlement Class. However, in order to receive any benefit from the Settlement, you must submit a valid Claim Form. Claim Forms are available at www.ATTMETFSettlement.com/ClaimForm.

9. If I remain in the Class, what claims am I giving up?

If you remain in the Class, you give up your right to sue in court or arbitration or be part of any other lawsuit or arbitration against AT&T Mobility regarding any issues relating to the flat-rate ETF or the propriety of its assessment or collection.

10. Why would I ask to be excluded?

You want to exclude yourself from this Settlement if you already have (or intend to file) a lawsuit or arbitration against AT&T Mobility for the claims described above and want to continue that lawsuit or arbitration individually on your own behalf. If you do not exclude yourself, you will be legally bound by all Court orders in this case and will lose your right to sue in court or arbitration regarding the issues in this case. If you received notice informing you that you are a member of the certified class in the *Ayyad* or *Cherrigan* cases, defined above, and if you do not exclude yourself from this Settlement, you will be giving up your rights to participate as a class member in those cases, as well as any other cases relating to the issues in this case.

11. How do I exclude myself from the Class?

You may exclude yourself (“opt-out”) from the Settlement by sending a written request to the Claims Administrator postmarked no later than March 24, 2010. Your request must reference your AT&T Mobility mobile telephone number(s), must be signed, and must be sent to:

AT&T Mobility ETF Settlement Claims Administrator
c/o Rust Consulting
P.O. Box 2266
Faribault, MN 55021-2386

If you want to exclude yourself from the Class, you will not get any money or other benefits from the Settlement. However, you keep your right to sue or continue to sue or arbitrate against AT&T Mobility in a separate case on an individual basis on your own behalf for issues relating to flat-rate ETFs.

12. Can I object to the Settlement?

Yes. If you remain in the Settlement, you may object to all or part of the Settlement. Objecting is simply telling the Court that you do not like something about the Settlement. You will still be bound by all Court orders, even if your objection is rejected. All objections will be considered at the Fairness Hearing on April 14, 2010. If you do not file an objection, you waive your right to appeal the Settlement.

To object, you must send a letter saying that you object to the Settlement in *Hall, et al. v. AT&T Mobility LLC*. Your request should include your:

- Name and address.
- Contact telephone number.
- AT&T Mobility mobile telephone number.
- Your or your representative’s signature.
- Reasons for the objection

Objections must be sent to all the addresses below postmarked no later than March 24, 2010:

Court	Class Counsel	Defense Counsel
Clerk of the Court U.S. District Court for the District of New Jersey	Brian R. Strange, Esq. Strange & Carpenter 12100 Wilshire Blvd., Suite 1900	Andrew B. Joseph Drinker Biddle & Reath LLP 500 Campus Drive

50 Walnut Street
Newark, New Jersey 07101

Los Angeles, California 90025

Florham Park, New Jersey 07932

James E. Cecchi, Esq.
Carella, Byrne, Bain, Gilfillan, Cecchi,
Stewart & Olstein
5 Becker Farm Road
Roseland, New Jersey 07068

You have the right to consult and/or retain an attorney at your own expense to advise you regarding the Settlement, your rights, and the Fairness Hearing. You have the right, either personally or through an attorney hired by you, to seek to intervene in the lawsuit.

13. When is the Settlement Fairness Hearing?

The Court will hold a Fairness Hearing on April 14, 2010, at 10:00 a.m., in the United States District Court for the District of New Jersey, located at 50 Walnut Street, Newark, New Jersey 07101. The Court will consider if:

- The Settlement is fair, reasonable, and adequate;
- The Settlement should be approved;
- Attorneys' fees up to \$6,000,000.00, plus reimbursement of reasonable expenses, should be awarded;
- Incentive awards up to \$2,000 to each of the Class Representatives should be awarded; and
- There are any objections to the Settlement.

Attorneys' fees and Class Representative incentive awards will be paid from the settlement fund. Class Counsel's fee requests will be available at www.ATTMETFSettlement.com/courtdocuments. You may object to any fee request by mailing your objection to the Court and Class Counsel at the addresses listed above in Question 12 so that it is received by April 12, 2010.

14. Do I have to attend the Fairness Hearing?

No. Your attendance at the Fairness Hearing is not required even if you submit a written objection or comment. Class Counsel is prepared to respond to questions on your behalf. However, you or your attorney may attend the hearing at your own expense.

15. May I speak at the Fairness Hearing?

Yes. You may speak at the Fairness Hearing to object to the Proposed Settlement or application for attorneys' fees and expenses and incentive awards, but only if you filed a written objection as described above. Your objection must include a statement that you intend to appear and be heard at the Fairness Hearing. You may also enter an appearance through an attorney hired at your own expense. If you do not do so, Class Counsel will represent you. Until the Court makes a decision on whether the Settlement should be approved, neither you nor your representatives can pursue or file a lawsuit or arbitration against AT&T Mobility that relates to flat-rate ETFs.

THE LAWYERS REPRESENTING YOU

16. Does the Settlement Class have a lawyer?

Yes. The Court appointed the law firms of Strange & Carpenter and Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein to represent you and other Class Members. They are called “Class Counsel.” More information about these law firms, their practices, and their lawyers is available at www.carellabyrne.com and www.strangeandcarpenter.com.

17. Should I get my own lawyer?

You do not need to hire your own lawyer because Class Counsel is working on your behalf. However, you may hire an attorney at your own expense to represent you and speak on your behalf.

18. How will the lawyers be paid?

Class Counsel will ask the Court for reimbursement of fees and expenses incurred as a result of this lawsuit. The money will be paid from the \$16,000,000 settlement fund established by AT&T Mobility. Class Counsel have agreed not to seek more than \$6,000,000 in fees plus reimbursement of expenses. Class Counsel also intend to seek \$2,000 in incentive awards to each of the Class Representatives, Barry Hall, Roman Sasik, David Dickey, Steven Wright, Jane Waldmann, Robert Wise, Jackie Thurman, Richard Chisolm, Mary Pitsikoulis, Debra Lively, Jacqueline Sims, and Kiisha Orr.

GETTING MORE INFORMATION

19. Where can I get more information?

This notice is only a summary of relevant court documents. Complete copies of case-related documents are available at www.ATTMETFSettlement.com/courtdocuments. If you have further questions, you may:

- Call the toll free number: 1-888-228-0885;
- Visit the Settlement website at www.ATTMETFSettlement.com;
- Write to the Settlement Claims Administrator:

AT&T Mobility ETF Settlement Claims Administrator
c/o Rust Consulting, Inc.
P.O. Box 2266
Faribault, MN 55021-2386; or

- Contact Class Counsel identified above.

20. May I contact AT&T Mobility directly?

No. Please do not contact the Court or AT&T Mobility’s attorneys. They are not in a position to give you any advice. However, customers may always call AT&T Mobility’s customer service to discuss billing concerns.