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10 Attorneys for Defendants

11 **UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

13 HEATHER STERN, on behalf of
herself and all others similarly situated,

14 Plaintiff,

15 v.

16 AT&T MOBILITY CORPORATION
f/k/a CINGULAR WIRELESS
CORPORATION, et al.,

17 Defendants.

18 PAUL LOZANO, on behalf of himself
and all others similarly situated,

19 Plaintiff,

20 v.

21 AT&T WIRELESS SERVICES, INC.,
et al.,

22 Defendants.

23 HEATHER STERN, on behalf of
herself and all others similarly situated,

24 Plaintiff,

25 v.

26 NEW CINGULAR WIRELESS
SERVICES, INC. f/k/a AT&T
WIRELESS SERVICES, INC., et al.,

28 Defendants.

CASE NO. CV 05-8842 CAS (CTx)

**DEFENDANTS' JOINDER IN
PLAINTIFFS' MOTION FOR FINAL
APPROVAL OF SETTLEMENTS IN
THE STERN I, LOZANO, AND STERN
II CASES**

Hearing Date: November 15, 2010
Time: 12:00 p.m.
Courtroom: 5

Hon. Christina A. Snyder, presiding

CASE NO. CV 02-0090-CAS (AJWx)

CASE NO. SACV 09-1112-CAS (AGRx)

**CONSOLIDATED FOR
COORDINATED SETTLEMENT
APPROVAL PURPOSES ONLY**

Case Nos. CV 05-8842; CV 02-0090; SACV 09-1112

DEFENDANTS' JOINDER IN PLAINTIFFS' MOTION FOR FINAL APPROVAL OF
SETTLEMENTS IN THE STERN I, LOZANO, AND STERN II CASES

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1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE THAT Defendants¹ hereby submit the following
3 joinder in Plaintiffs’ Motion for Final Approval of Settlements in the *Stern I*,
4 *Lozano*, and *Stern II* Cases (“Plaintiffs’ Motion for Final Approval”), and all
5 documents submitted in support thereof, subject to the reservations stated herein and
6 in the accompanying papers.

7 Defendants agree with Plaintiffs that the Settlement Agreements² in *Stern v.*
8 *AT&T Mobility*, Case No. CV 05-8842 CAS (CTx) (“*Stern I*”), *Lozano v. AT&T*
9 *Wireless Services, Inc.*, Case No. CV 02-00090 CAS (AJWx), and *Stern v. New*
10 *Cingular Wireless Services, Inc.*, Case No. SACV 09-01112-CAS (AGRx) (“*Stern*
11 *II*”), including the class benefits, the unified notice, approval, claim, and settlement
12 administration plan, and other settlement terms, are fundamentally fair, adequate
13 and reasonable and should be granted final approval by the Court and that all
14 objections to the settlements should be overruled. By this joinder, however,
15 Defendants do not intend to imply that they agree with all of the factual and legal
16 contentions asserted in Plaintiffs’ Motion for Final Approval with respect to the
17 merits of the underlying claims. The issues in the underlying claims were and are
18 hotly contested, and the settlements reflect a keenly negotiated resolution of the
19 claims.

20 This joinder is based on Defendants’ concurrently filed Memorandum of
21 Points and Authorities in Support of the Motion for Final Approval of Class Action
22

23 ¹ The Defendants include, AT&T Mobility Corporation f/k/a Cingular Wireless
24 Corporation, New Cingular Wireless Services, Inc. f/k/a AT&T Wireless Services,
25 Inc., AT&T Mobility LLC f/k/a Cingular Wireless LLC, AT&T Wireless Services
of California, LLC, and Santa Barbara Cellular Systems, Ltd.

26 ² The term “Settlement Agreements” refers collectively to the *Stern I* Settlement
27 Agreement, attached as Exhibit A to the Declaration of Robert Curtis, dated April
28 14, 2010 (Dkt. No. 269-2) (“Curtis Dec.”), the *Lozano* Settlement Agreement,
attached as Exhibit B to the Curtis Dec. and the UCC Agreement, attached as
Exhibit A to the Declaration of Steven P. Rice, dated April 21, 2010 (Dkt. No. 276).

1 Settlements, Declarations of Steven P. Rice, Jeanne C. Finegan, Christopher
2 Huffstutler, John T. Throckmorton, Pamela Arnold, Jessica Adams, Caroline B.
3 Mahone-Gonzalez, and Jennifer Keough, and such other evidence and argument as
4 may presented at or before the hearing.

5

6 Respectfully submitted,

7

8 DATED: October 15, 2010

CROWELL & MORING LLP

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By: /s/ Kathleen Balderrama
Steven P. Rice
Kathleen Balderrama
Attorneys for Defendants

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