

2 **If you have or had an AT&T unlimited data plan**  
3 **YOU MAY BE ENTITLED TO A CASH PAYMENT**  
4 **by check or bill credit from a class action settlement.**

5 *A federal court authorized this notice. It is not a solicitation from a lawyer.*

6 *You are not being sued. Please do not contact the Court.*

7 *Your legal rights are affected whether you act or don't act.*

8 *Read this notice carefully.*

9 **Overview**

- 10 • California AT&T customers claimed in a class action lawsuit that AT&T advertised  
11 wireless data plans as “unlimited” but then slowed data speeds after customers exceeded  
12 certain data usage levels. AT&T denies that it did anything wrong. The customers and  
13 AT&T have reached a proposed settlement to resolve the lawsuit on a class action basis,  
14 as described below.
- 15 • If you received a notice about this settlement by email, mail, or text message, you are part  
16 of the settlement according to AT&T’s records, and you are eligible for a cash payment  
17 from the settlement.
- 18 • **IMPORTANT: You may need to file a claim by AUGUST 13, 2021, to get a payment**  
19 **from the settlement or to get the full payment you are eligible for.** (Read below or see  
20 Questions 6-7 for more details)
- 21 • If your Personal ID # begins with “B” you must file a claim by AUGUST 13, 2021  
22 to get a payment.
  - 23 • If your Personal ID # begins with “C” you must file a claim by AUGUST 13, 2021  
24 to get the full payment you are eligible for. If you don’t file a claim you will get a  
25 smaller payment.
  - 26 • If your Personal ID # begins with “A” you do not need to file a claim to get the full  
27 payment you are eligible for.
- 28 • Your Personal ID # is located on the notice you received about the settlement by email or  
postcard. If you did not receive an email or postcard notice or you no longer have the  
notice, or you are unsure whether you need to file a claim, you can file a claim without  
entering a Personal ID # and the Settlement Administrator will verify your claim, or you  
can email the Settlement Administrator at: [Info@ATTUnlimitedDataSettlement.com](mailto:Info@ATTUnlimitedDataSettlement.com) to  
get your Personal ID. See FAQs [6-7](#)
- Questions? Read below, or visit [www.ATTUnlimitedDataSettlement.com](http://www.ATTUnlimitedDataSettlement.com) or call (833)  
789-0702, for more information.

1 **Your Legal Rights and Options in this Lawsuit**

2 Your legal rights are affected, and you have a choice to make. Your options are explained here.  
3 Find your Personal ID # on the notice you received to determine whether you need to file a  
4 claim to get a payment. (See Questions 6-7).

<b>Options</b>	If your Personal ID # begins with "B"	If your Personal ID # begins with "C"	If your Personal ID # begins with "A"
<b>File a claim</b>	File a claim by <b>AUGUST 13, 2021</b> to receive a payment. See Questions 6-7.	File a claim by <b>AUGUST 13, 2021</b> to receive the full payment you are eligible for. Do nothing and receive smaller payment. See Questions 6-7.	Not applicable. If your Personal ID # begins with "A" you do not need to file a claim to receive a payment.
<b>Do Nothing</b>	Receive no payment and give up the right to sue AT&T for the issues in this lawsuit.	Receive a smaller payment than you are eligible for and give up the right to sue AT&T for the issues in this lawsuit.	Receive a payment and give up the right to sue AT&T for the issues in this lawsuit.
<b>Opt out, receive no payment, and retain right to sue</b>	To opt-out, you must mail or email a request for exclusion by <b>JULY 14, 2021</b> . See Question 12 for details.		
<b>Object or comment on the settlement</b>	Object or comment on the settlement by <b>JULY 14, 2021</b> . See Question 13 for details. If you object or comment, you can still file a claim and receive a payment.		

20  
21 **Information about the Lawsuit and Class**

22 **1. What is this lawsuit about?**

23 The lawsuit concerns AT&T customers in California who purchased AT&T unlimited  
24 wireless data plans. Plaintiffs alleged, generally, that AT&T advertised wireless data plans as  
25 providing unlimited wireless data, but applied undisclosed or inadequately disclosed limitations  
26 on the data service for such plans, after which the customers' data usage is subjected to throttling  
27 or suspension. Plaintiffs Marcus A. Roberts, Kenneth A. Chewey, and Ashley M. Chewey filed  
28 a class action lawsuit against AT&T about these issues. The complaint in this case is available at  
[www.ATTUnlimitedDataSettlement.com](http://www.ATTUnlimitedDataSettlement.com). AT&T denies that it did anything wrong.

Plaintiffs and AT&T have now agreed to a settlement to resolve this lawsuit, as described below. The Court has not decided whether Plaintiffs or AT&T are correct. By agreeing to the

1 settlement, neither AT&T nor Plaintiffs make any admissions regarding the merits of the  
2 allegations, claims, or defenses in this case.

3 The United States District Court for the Northern District of California is overseeing this  
4 lawsuit. The lawsuit is known as *Roberts v. AT&T*, Case No. 3:15-cv-03418-EMC.

## 5 **2. Why is this a class action?**

6 In a class action, one or more people sue on behalf of themselves and other people with  
7 similar claims. All of these people together make up the Settlement Class and are Settlement  
8 Class Members. One court resolves the issues for all Settlement Class Members, except for those  
9 who exclude themselves from the Settlement Class.

## 10 **3. Who is in the Settlement Class?**

11 The “Settlement Class” in this case is defined as:

12 All consumers residing in California (based on the accountholder’s last known billing  
13 address) who purchased an unlimited data plan from AT&T Mobility LLC and who, on or before  
14 March 31, 2021, exceeded AT&T’s applicable data usage threshold for any user on the account  
15 for one or more monthly billing cycles such that the user would have been eligible for data usage  
16 slowing or deprioritization by AT&T in those billing cycles under AT&T’s network management  
17 policies. Excluded from the Settlement Class are any Judge presiding over this Action, any  
18 members of their families, and AT&T and affiliated entities and their respective officers and  
19 directors.

20 If you received a notice of this settlement by mail, email, or text message, AT&T’s  
21 records indicate that you are in the Settlement Class.

22 People in the Settlement Class are called “Settlement Class Members.”

# 23 **Information about the Settlement and 24 About Filing a Claim for a Payment**

## 25 **4. What are the terms of the proposed settlement?**

26 The complete terms of the proposed settlement are set forth in the Settlement Agreement,  
27 which is available at [www.ATTUnlimitedDataSettlement.com](http://www.ATTUnlimitedDataSettlement.com). This notice provides only a  
28 summary of the terms of the settlement. The settlement benefits and other terms are summarized  
below.

## 29 **5. What are the benefits of the proposed settlement?**

30 If the settlement is approved and becomes final, AT&T will pay twelve million dollars  
31 (\$12,000,000.00) into a Settlement Fund. This money will be used to: (1) make settlement  
32 payments to Settlement Class Members, as described at Questions 6-9 below; (2) pay the costs of  
33 distributing notice and settlement payment checks to Settlement Class Members and other costs  
34 of administering the settlement; and (3) pay court-awarded attorneys’ fees and expenses of the  
35 attorneys appointed by the Court to represent the Class (“Settlement Class Counsel”) and any  
36 service awards granted to the Plaintiffs.

1 **6. How do I get a payment?**

2 **You may need to file a claim by AUGUST 13, 2021, to receive a payment or to**  
3 **receive the full payment amount you are eligible for.** Whether you need to file a claim  
4 depends on your Personal ID #. You can find your Personal ID # on the notice you received:

5 **LEGAL NOTICE BY ORDER OF THE**  
6 **UNITED STATES DISTRICT COURT**  
7 **FOR THE NORTHERN DISTRICT OF**  
8 **CALIFORNIA**

9 *A federal court authorized this notice. This is not*  
10 *a solicitation from a lawyer.*

11 **\*\*YOU MAY BE ENTITLED TO A \$23.00**  
12 **CASH PAYMENT BY CHECK OR BILL**  
13 **CREDIT IF YOU FILE A CLAIM\*\***

14 **\*You must file a claim by AUGUST 13, 2021,**  
15 **to receive all payments you qualify for\***

16 **To file a claim or to get more information, visit**  
17 **www.ATTUnlimitedDataSettlement.com**

18 **www.ATTUnlimitedDataSettlement.com**

19 **Questions? Call (833) 789-0702**

20 *Para ver este aviso en español, visite*  
21 *www.ATTUnlimitedDataSettlement.com*

22 **PERSONAL ID: <PERSONAL ID>**  
23 **PIN: <PIN>**

24 AT&T Unlimited Data Settlement  
25 c/o Settlement Administrator  
26 1650 Arch Street, Suite 2210  
27 Philadelphia, PA 19103

28 PRESORTED  
FIRST CLASS MAIL  
US POSTAGE PAID  
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Electronic Service  
Requested



NUMERIC EQUIVALENT

Postal Service: Please Do Not Mark Barcode

Personal ID: <<Personal ID>>  
PIN: <<PIN>>

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PIN: ####

**\*\*YOU MAY BE ENTITLED TO A \$23.00 CASH PAYMENT  
BY CHECK OR BILL CREDIT IF YOU FILE A CLAIM\*\***

**LEGAL NOTICE BY ORDER OF THE UNITED STATES  
DISTRICT COURT FOR THE NORTHERN DISTRICT OF  
CALIFORNIA**

*A federal court authorized this notice. This is **not** a  
solicitation from a lawyer. You are not being sued.*

- If your Personal ID # starts with “B” you must file a claim to get a payment.
- If your Personal ID # starts with “C” you must file a claim to get the full payment you are eligible for. If you do not file a claim, you will get a smaller payment.
- If your Personal ID # starts with “A” you do not need to file a claim to get the full payment you are eligible for.

If you no longer have the notice you received, and need your Personal ID #, email the Settlement Administrator at: [INFO@ATTUNLIMITEDDATASETTLEMENT.COM](mailto:INFO@ATTUNLIMITEDDATASETTLEMENT.COM). If you are unsure about whether you need to file a claim, you can file a claim and the Settlement Administrator will determine your eligibility.

**7. How do I file a claim for a payment?**

File Online: To file a claim online, go to [www.ATTUnlimitedDataSettlement.com](http://www.ATTUnlimitedDataSettlement.com)

File By Mail: If you prefer, you can also print a paper claim form, available on the settlement website [www.ATTUnlimitedDataSettlement.com](http://www.ATTUnlimitedDataSettlement.com). Fill it out, and mail it to the address listed on the form or, if you received notice of this settlement by mail you can fill out the claim form that is attached to that notice, fill it out, and mail it to the address listed on the form.

**The deadline to file a claim online or by mail is AUGUST 13, 2021.** The Settlement Administrator will review all claims and determine eligibility.

**8. How much will the payments be?**

The settlement payment amounts will be broken down by the two Groups. There will be a Group A payment amount and a Group B payment amount. The payment amounts for each

1 Group will depend on multiple factors including how many valid claims are filed. It is currently  
2 estimated that the Group A payment amount will be approximately \$10.00 and the Group B  
payment amount will be approximately \$13.00, but the actual amounts may be higher or lower.

3 If your account is in Group A only (your Personal ID # starts with “A”) you will get the  
4 Group A payment amount (currently estimated to be \$10.00) if the settlement is approved and  
becomes final.

5 If your account is in Group B only (your Personal ID # starts with “B”) and you file a claim  
6 by AUGUST 13, 2021, you will get the Group B payment amount (currently estimated to be  
7 \$13.00) if the settlement is approved and becomes final. If you do not file a claim by AUGUST  
13, 2021, you will not get a payment.

8 If your account is in both Groups (your Personal ID # starts with “C”) and you file a claim  
9 by AUGUST 13, 2021, you will get both the Group A and Group B payment amounts (currently  
10 estimated to be \$23.00, total) if the settlement is approved and becomes final. If you do not file a  
claim by AUGUST 13, 2021, you will only get the Group A payment amount (currently estimated  
to be \$10.00).

11 For more information, read the Settlement Agreement, which is available on the  
12 settlement website [www.ATTUnlimitedDataSettlement.com](http://www.ATTUnlimitedDataSettlement.com), or see Question 10 regarding how  
the payment Groups were determined.

13 Some Settlement Class Members previously received payments, in 2020, related to data  
14 slowing for their AT&T unlimited plans, as part of a related case called *Federal Trade  
Commission v. AT&T Mobility LLC*, N.D. Cal. Case No. 14-cv-04785-EMC. Payments from that  
15 case will not affect your eligibility for a settlement payment, or your settlement payment amount,  
16 from this class action settlement. In other words, you can get a payment from this settlement  
even if you received a payment from the other case.

## 17 **9. How and when will payments be sent?**

18 Settlement payments will be issued to eligible Settlement Class Member accounts, after  
19 the settlement is approved and becomes final, by account credit (for current AT&T customers) or  
20 mailed check (for former AT&T customers).

21 For any settlement payment checks that are uncashed or deemed undeliverable by the  
22 Settlement Administrator, those amounts will be treated as unclaimed property of the  
23 corresponding Settlement Class Member, subject to applicable state unclaimed property  
procedures (the additional administrative costs of such unclaimed property process will be  
deducted from the unclaimed property amounts on a *pro rata* basis).

## 24 **10. How were the payment Groups determined?**

25 The payment Groups were determined based on when each Settlement Class Member  
26 account exceeded AT&T’s data usage threshold, according to AT&T’s records. Specifically:

27 Settlement Class Member accounts where, according to AT&T’s records, one or more  
28 user on the account exceeded AT&T’s applicable data usage threshold for one or more monthly  
billing cycles prior to AT&T’s adoption of “congestion aware throttling” on June 25, 2014 (for

1 UMTS users) or May 6, 2015 (for LTE users) are “Group A” Accounts.

2 Settlement Class Member accounts where, according to AT&T’s records, one or more  
3 user on the account exceeded AT&T’s applicable data usage threshold for one or more monthly  
4 billing cycles after AT&T’s adoption of “congestion aware throttling” on June 25, 2014 (for  
5 UMTS users) or May 6, 2015 (for LTE users) are “Group B” Accounts.

6 Settlement Class Member accounts that exceeded AT&T’s data usage threshold during  
7 both time periods are in both “Group A” and “Group B.”

## 8 **Your other rights and options**

### 9 **11. What happens if I do nothing?**

10 By doing nothing, you are staying in the Settlement Class but you may not receive any  
11 payment or the full payment you are eligible for.

12 If your Personal ID # starts with “B” and you do nothing, you will not receive any  
13 settlement payment. **You must file a claim by AUGUST 13, 2021, to receive a payment.**

14 If your Personal ID # starts with “C” and you do nothing, you will not receive the full  
15 payment amount you are eligible for, and will only receive a smaller payment if the settlement is  
16 approved and becomes final. **You must file a claim by AUGUST 13, 2021, to receive the full  
17 payment you are eligible for.**

18 If your Personal ID # starts with “A” and you do nothing, you will be issued a payment  
19 automatically if the settlement is approved and becomes final.

20 See Question 6 for how to find your Personal ID #. No matter what your Personal ID # is, if you  
21 do nothing you will give up any right to sue AT&T about the issues in this lawsuit. You will also  
22 be legally bound by all of the orders that the Court issues and judgments the Court makes in this  
23 class action.

### 24 **12. How do I exclude myself (opt out) from the Settlement Class?**

25 To exclude yourself from the Settlement Class, you must mail or email a request for  
26 exclusion to: AT&T UNLIMITED DATA SETTLEMENT, ATTN: EXCLUSION REQUESTS,  
27 1650 ARCH STREET, SUITE 2210, PHILADELPHIA, PA 19103, OR  
28 [INFO@ATTUNLIMITEDDATASETTLEMENT.COM](mailto:INFO@ATTUNLIMITEDDATASETTLEMENT.COM)

To be effective, your request for exclusion must be postmarked or emailed no later than  
**JULY 14, 2021**, and must include the following information:

- (a) your full name, telephone number, mailing address, and email address;
- (b) a clear statement that you wish to be excluded from the Settlement Class;
- (c) the name of this lawsuit: “Roberts v. AT&T Mobility, LLC”; and
- (d) for requests for exclusion sent by mail, your signature or the signature of an individual authorized to act on your behalf. No signature is required for emailed requests for exclusion.

1 Requests for exclusion must be specific to individual Settlement Class Members, and  
2 Settlement Class Members cannot request exclusion as a class or group. Any request for  
3 exclusion from a Settlement Class Member that is a co-account holder on an account in the  
4 Settlement Class must be signed by all co-account holders on that account, otherwise the request  
5 for exclusion is invalid for that account.

6 **13. How do I object or comment?**

7 If you are a Settlement Class Member, and have not excluded yourself from the  
8 Settlement Class, you can comment on or object to the settlement, Settlement Class Counsel's  
9 request for attorneys' fees and litigation expenses, and/or the request for service awards for the  
10 Plaintiffs who brought this lawsuit. To object or comment, you must send a written  
11 objection/comment including the following:

- 12 (a) the name of this lawsuit: "Roberts v. AT&T Mobility LLC";
- 13 (b) your full name, mailing address, telephone number, and email address;
- 14 (c) your signature or the signature of an individual authorized to act on your behalf;
- 15 (d) a description of the specific reasons for your objection;
- 16 (e) the name, address, bar number and telephone number of your attorney if you are  
17 represented by an attorney; and
- 18 (f) a statement about whether or not you intend to appear at the Final Approval Hearing either  
19 in person or through an attorney.

20 To be considered by the Court, your comment or objection must be filed or mailed to the  
21 Clerk of Court, and mailed to the Settlement Administrator, filed/postmarked no later than **JULY**  
22 **14, 2021**, at the following addresses:

THE COURT	SETTLEMENT ADMINISTRATOR
Office of the Clerk USDC for the Northern District of California 450 Golden Gate Avenue San Francisco, CA 94102-3489	AT&T Unlimited Data Settlement Attn: Objections 1650 Arch Street, Suite 2210 Philadelphia, PA 19103

23 Note that you can ask the Court to deny approval of the settlement by filing an objection,  
24 but you can't ask the Court to order a different settlement; the Court can only approve or reject  
25 the settlement. If the Court denies approval, no settlement payments will be sent out and the  
26 lawsuit will continue. If that is what you want to happen, you must object. You have the right to  
27 consult with your own attorney, at your own expense, before deciding how best to proceed.

28 **14. What claims will be released by this Settlement?**

If you are in the Settlement Class definition and do not exclude yourself from the  
Settlement Class, and the settlement is approved and becomes final, the settlement will be legally  
binding on you and you will be bound by all judgments entered in the case. In exchange for the  
settlement benefits, you will release all claims against AT&T and its affiliates listed in the  
Settlement Agreement about the issues in this lawsuit. The Settlement Agreement, available on  
the settlement website [www.ATTUnlimitedDataSettlement.com](http://www.ATTUnlimitedDataSettlement.com), describes the claims you are



1 releasing (giving up) by staying in the Settlement Class (called “Released Claims”).

2 **15. Do I have a lawyer in this class action?**

3 Yes. The Court has appointed the following attorneys and law firms to represent the  
4 Settlement Class Members. Together, these lawyers are called “Settlement Class Counsel”:

5 Roger N. Heller  
6 Michael W. Sobol  
7 Lieff Cabraser Heimann & Bernstein LLP  
8 275 Battery Street, 29<sup>th</sup> Floor  
9 San Francisco, CA 94111  
10 (415) 956-1000

11 Daniel M. Hattis  
12 HATTIS LAW  
13 Post Office Box 1645  
14 Bellevue, Washington 98009-1645  
15 (650) 980-1990

16 John A. Yanchunis  
17 Jean Sutton Martin  
18 MORGAN & MORGAN  
19 201 North Franklin Street  
20 7th Floor  
21 Tampa, Florida 33602  
22 (813) 275-5272

23 Alexander H. Schmidt  
24 Fairways Professional Plaza  
25 5 Professional Circle, Ste. 204  
26 Colts Neck, New Jersey 07722  
27 (732) 226-0004

28 D. Anthony Mastando  
Eric J. Artrip  
MASTANDO & ARTRIP, LLC  
301 Washington St., Suite 302  
Huntsville, AL 35801  
(256) 532-2222

You do not have to pay Settlement Class Counsel for their time or expenses incurred in this case out of your pocket. Instead, Settlement Class Counsel will petition the Court for an award of their fees and expenses; any amount awarded will be paid from the Settlement Fund.

The Court has also appointed Plaintiffs Marcus A. Roberts, Kenneth A. Chewey, and Ashley M. Chewey as class representative to represent the Settlement Class.

1 **16. How will the lawyers be paid?**

2 Settlement Class Counsel (see Question 15) will file a motion on or before May 30, 2021,  
3 asking the Court to award them attorneys' fees and reimbursement of litigation expenses up to a  
4 total of \$3 million (which is 25% of the \$12 million Settlement Fund). The attorneys' fees and  
5 expenses awarded by the Court will be the only payment to Settlement Class Counsel for their  
6 efforts in achieving the settlement and for their risk in undertaking this representation on a wholly  
7 contingent basis. In addition, Settlement Class Counsel will ask the Court on or before MAY 30,  
8 2021, to award each of the Plaintiffs representing the Settlement Class a service award of \$2,500  
9 to compensate them for their efforts and commitment on behalf of the Settlement Class in this  
10 lawsuit.

11 The Court will determine the amount of attorneys' fees, expenses, and service awards to  
12 award. Settlement Class Counsel's application for attorneys' fees, expenses, and service awards  
13 will be available on this website when it is filed.

14 **17. Should I hire my own lawyer for this case?**

15 You do not need to hire your own lawyer because Settlement Class Counsel represents  
16 you and the other members of the Settlement Class already. However, you have the right to hire  
17 your own lawyer. If you want your own lawyer separate from Settlement Class Counsel, you will  
18 have to pay that lawyer.

## 19 **The Court's Fairness Hearing**

20 **18. When and where will the Court decide whether to approve the settlement?**

21 The Court will hold a Fairness Hearing at 1:30 p.m. on AUGUST 19, 2021, in the United  
22 States District Court for the Northern District of California, Courtroom 5, 450 Golden Gate  
23 Avenue, San Francisco, CA, 94102. The hearing may be moved to a different date or time  
24 without additional notice and/or may be held remotely or telephonically. Please check this  
25 website for updates or changes.

26 At the Fairness Hearing, the Court will consider whether the settlement should be  
27 approved as fair, reasonable and adequate. The Court will also consider Settlement Class  
28 Counsel's application for attorneys' fees, expenses, and service awards. If there are objections,  
the Court will consider them. After the hearing, the Court will decide whether to approve the  
settlement. We do not know how long these decisions will take.

**19. Do I have to come to the hearing?**

No. Settlement Class Counsel will answer questions the Court may have. But, you are  
welcome to come at your own expense. If you submit an objection, you do not have to come to  
the Court to talk about it. So long as you submitted your written objection on time, the Court will  
consider it. You may also pay your own lawyer to attend, but it is not necessary.

**20. May I speak at the hearing?**

You may ask the Court for permission to speak at the Fairness Hearing. You cannot speak

1 at the hearing if you exclude yourself from the Settlement Class.

## 2 **Getting more information**

### 3 **21. Where can I get more information?**

4 More information can be found on the settlement website  
5 [www.ATTUnlimitedDataSettlement.com](http://www.ATTUnlimitedDataSettlement.com) including important case deadlines, links to case  
6 documents including the full Settlement Agreement and the complaint in this lawsuit, and other  
7 information about the lawsuit and the settlement. You can also get more information by calling  
(833) 789-0702, or by calling Settlement Class Counsel at (800) 546-4021.

8 You can also get additional information by accessing the Court docket in this case, for a  
9 fee, through the Court's Public Access to Court Electronic Records (PACER) system at  
10 <https://ecf.cand.uscourts.gov>, or by visiting the office of the Clerk of the Court for the United  
11 States District Court for the Northern District of California, 450 Golden Gate Ave., 16th Floor,  
12 San Francisco, CA 94102, between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding  
Court holidays. Please note, however, that physical access to the office of the Clerk of the Court  
may be limited or prohibited at times as a result of the COVID-19 pandemic. Please check the  
Court's website, <https://www.cand.uscourts.gov>, for updates.

13 **PLEASE DO NOT CONTACT THE COURT**