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12 *Attorneys for Defendants*
AT&T SERVICES, INC. and AT&T MOBILITY,
13 LLC

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION

17 KATHERINE SCOTT, CAROLYN JEWEL, and
18 GEORGE PONTIS, individually and on behalf of
all others similarly situated,

19 Plaintiffs,

20 vs.

21 AT&T INC.; AT&T SERVICES, INC.; AT&T
22 MOBILITY, LLC; TECHNOCOM CORP.; and
23 ZUMIGO, INC.,

24 Defendants.

Case No. 19-cv-4063-SK

**DECLARATION OF TAD REYNES ISO
DEFENDANTS' 12(B)(1) MOTION TO
DISMISS PURSUANT TO ORDER
REQUIRING FURTHER BRIEFING (DKT.
122)**

Location: Ctrm C, 15th Floor (San Francisco)
Judge: Hon. Sallie Kim

1 I, Tad Reynes, declare as follow:

2 1. The following facts are of my own personal knowledge, and if called as a witness I
3 could and would testify competently as to their truth. I submit this declaration in support of
4 Defendants' AT&T Services, Inc. and AT&T Mobility, LLC's motion to dismiss as ordered by the
5 Court on November 10, 2020. *See* Order Requiring Further Briefing, Dkt. 122.

6 2. I am employed by AT&T Mobility Services LLC as Senior Application Sales Director
7 IoT. By virtue of this role, I am familiar with the method and manner in which AT&T Services, Inc.
8 and AT&T Mobility, LLC (collectively, "AT&T") use and share geolocation information associated
9 with certain devices that are not mobile phones (typically referred to as internet of things or "IoT").
10

11 3. On March 29, 2019, AT&T stopped providing geolocation information to data
12 aggregators and third-party location-based service providers, which received the geolocation
13 information through an aggregator. This process provided a one-time lookup of an AT&T mobile
14 customer's geolocation information.
15

16 4. Since March 29, 2019, AT&T continues to provide geolocation information to four
17 life-critical Internet-of-Things ("IoT") customers. The geolocation information flowing to the IoT
18 customers is not AT&T customers' mobile phone geolocation information. The IoT customers offer
19 a mobile personal emergency response service ("mPERS") that operates using pendants or similar
20 devices containing dedicated IoT SIMs. AT&T provides cellular location data for the IoT SIMs
21 contained in the mPERS pendants to these IoT companies. AT&T's customers are the IoT companies
22 themselves and not the users of the mPERS pendants (those are the IoT companies' customers).
23 AT&T does not know the identity of any user of the mPERS devices. Therefore, the geolocation
24 information regarding the mPERS pendants are not AT&T customers' geolocation information.
25

26 5. The mPERS pendants contain both GPS functionality (that does not utilize AT&T's
27 network location information) and an IoT SIM card associated with AT&T's network. The reason
28

1 why the pendant uses both a SIM card (which utilizes AT&T network data) and GPS functionality
2 (which does not) is one of redundancy, to ensure that location data is provided in the event of an
3 emergency. When a user of the life alert company is in medical distress, the individual activates the
4 pendant. AT&T then sends the IoT customer information concerning the location of the IoT SIM card,
5 and the IoT customer in turn dispatches emergency medical personnel to the location. AT&T does
6 not send any location information via the GPS functionality on the pendants, nor does it have access
7 to that information. AT&T also only sends the cellular location of the mPERS device and does not
8 have any information that could identify the person who may have activated the device.
9

10 6. Some of the IoT entities also have mobile apps. However, AT&T does not provide any
11 location information about customers' mobile phones to these apps. AT&T only provides cellular
12 network geolocation information for the mPERS pendants utilizing the IoT SIM card in the pendants.
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I declare under penalty of perjury under the laws the United States that the foregoing is true and correct.

Executed on this 24th day of November, 2020 at 7:45 PM.



Tad Reynes