

1 ELECTRONIC FRONTIER FOUNDATION  
 2 CINDY COHN (145997)  
 3 cindy@eff.org  
 4 LEE TIEN (148216)  
 5 tien@eff.org  
 6 KURT OPSAHL (191303)  
 7 kurt@eff.org  
 8 KEVIN S. BANKSTON (217026)  
 9 bankston@eff.org  
 10 CORYNNE MCSHERRY (221504)  
 11 corynne@eff.org  
 12 JAMES S. TYRE (083117)  
 13 jstyre@eff.org  
 14 454 Shotwell Street  
 15 San Francisco, CA 94110  
 16 Telephone: 415/436-9333  
 17 415/436-9993 (fax)

TRABER & VOORHEES  
 BERT VOORHEES (137623)  
 bv@tvlegal.com  
 THERESA M. TRABER (116305)  
 tmt@tvlegal.com  
 128 North Fair Oaks Avenue, Suite 204  
 Pasadena, CA 91103  
 Telephone: 626/585-9611  
 626/ 577-7079 (fax)

10 Attorneys for Plaintiffs

11 UNITED STATES DISTRICT COURT

12 NORTHERN DISTRICT OF CALIFORNIA

13 TASH HEPTING, GREGORY HICKS, )  
 14 CAROLYN JEWEL and ERIK KNUTZEN, on )  
 15 Behalf of Themselves and All Others Similarly )  
 16 Situated, )  
 17 Plaintiffs, )  
 18 vs. )  
 19 AT&T CORP., et al. )  
 20 Defendants. )

No. C-06-00672-VRW

CLASS ACTION

DECLARATION OF ADAM L. RUBINGER  
 IN SUPPORT OF PLAINTIFFS'  
 OPPOSITION TO DEFENDANT AT&T  
 INC.'S MOTION TO DISMISS AMENDED  
 COMPLAINT

DATE: June 23, 2006  
 TIME: 9:30 a.m.  
 COURTROOM: Hon. Vaughn Walker

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1 I, Adam L. Rubinger, hereby declare:

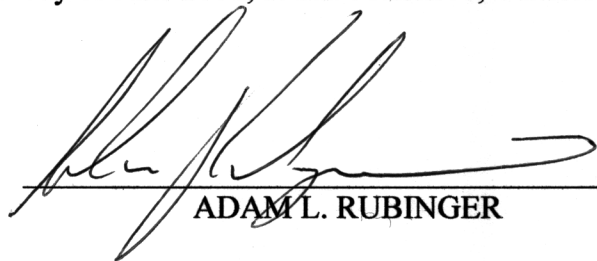
2 1. I am not a party to this action. I am of legal age and am a resident of California. I  
3 have personal knowledge of the matters stated in this declaration and if called upon to do so, I could  
4 and would competently testify thereto.

5 2. Attached hereto as Exhibit A is a true and correct copy of a web session I completed  
6 online, via a web browser, on May 12, 2006. I was in San Francisco, California when I conducted  
7 this web session. Exhibit A is the record of a successful attempt to place an order for AT&T  
8 residential DSL service.

9 3. My personal information has been redacted from the filed version of Exhibit A for  
10 privacy reasons. The Electronic Frontier Foundation has the unredacted version, and I may be  
11 reached through them.

12 4. I received no other information or communication from AT&T in the pursuit of  
13 placing this order for residential service.

14 I declare under penalty of perjury under the laws of the United States of America that the  
15 foregoing is true and correct. Executed this 5th day of June 2006, at San Francisco, California.

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19 ADAM L. RUBINGER

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CERTIFICATE OF SERVICE

I hereby certify that on June 6, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

\_\_\_\_\_  
/s/  
MARIA V. MORRIS  
  
LERACH COUGHLIN STOIA GELLER  
RUDMAN & ROBBINS LLP  
100 Pine, Suite 2600  
San Francisco, CA 94111  
Telephone: 415/288-4545  
415/288-4534 (fax)  
E-mail: [mariam@lerachlaw.com](mailto:mariam@lerachlaw.com)

I, Maria V. Morris, am the ECF User whose ID and password are being used to file this DECLARATION OF ADAM L. RUBINGER IN SUPPORT OF PLAINTIFFS' OPPOSITION TO DEFENDANT AT&T INC.'S MOTION TO DISMISS AMENDED COMPLAINT. In compliance with General Order 45, X.B., I hereby attest that Adam L. Rubinger has concurred in this filing.

DATED: June 6, 2006

\_\_\_\_\_  
/s/  
MARIA V. MORRIS

**Electronic Mail Notice List**

The following are those who are currently on the list to receive e-mail notices for this case.

- **Timothy L. Alger**  
timalger@quinnemanuel.com albertvillamil@quinnemanuel.com
- **Kevin Stuart Bankston**  
bankston@eff.org
- **Bradford Allan Berenson**  
bberenson@sidley.com vshort@sidley.com
- **James J. Brosnahan**  
jbroshahan@mofo.com bkeaton@mofo.com
- **Cindy Ann Cohn**  
cindy@eff.org wendy@eff.org;barak@eff.org
- **Anthony Joseph Coppolino**  
tony.coppolino@usdoj.gov
- **Bruce A. Ericson**  
bruce.ericson@pillsburylaw.com
- **Jeff D Friedman**  
JFriedman@lerachlaw.com RebeccaG@lerachlaw.com
- **Barry R. Himmelstein**  
bhimmelstein@lchb.com
- **Eric A. Isaacson**  
erici@lerachlaw.com
- **Reed R. Kathrein**  
reedk@lerachlaw.com e\_file\_sd@lerachlaw.com;e\_file\_sf@lerachlaw.com
- **Michael M. Markman**  
mmarkman@hewm.com
- **Brian Martinez**  
brianmartinez@mofo.com
- **Edward Robert McNicholas**  
emcnicholas@sidley.com vshort@sidley.com
- **Corynne McSherry**  
corynne@eff.org
- **Maria V. Morris**  
mariam@lerachlaw.com e\_file\_sf@lerachlaw.com
- **Karl Olson**  
ko@lrolaw.com amw@lrolaw.com,slighthill@gmail.com

- **Renee Sharon Orleans**  
renee.orleans@usdoj.gov
- **Shana Eve Scarlett**  
shanas@lerachlaw.com e\_file\_sd@lerachlaw.com;e\_file\_sf@lerachlaw.com
- **Jacob R. Sorensen**  
jake.sorensen@pillsburylaw.com
- **Andrew H Tannenbaum**  
andrew.tannenbaum@usdoj.gov
- **Tze Lee Tien**  
tien@eff.org aram@eff.org
- **Theresa M. Traber, Esq**  
tmt@tvlegal.com
- **James Samuel Tyre**  
jstyre@jstyre.com jstyre@eff.org
- **Marc Van Der Hout**  
ndca@vblaw.com
- **Bert Voorhees**  
bv@tvlegal.com
- **Richard Roy Wiebe**  
wiebe@pacbell.net

## Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

**David W. Carpenter**  
Sidley Austin Brown & Wood LLP  
Bank One Plaza  
10 South Dearborn Street  
Chicago, IL 60600

**David L. Lawson**  
Sidley Austin Brown & Wood  
172 Eye Street, N.W.  
Washington, DC 20006