



Astor Henry Lloyd Heaven
(202) 624-2599
aheaven@crowell.com

March 13, 2018

VIA ECF

Magistrate Judge Donna M. Ryu
United States District Court for the Northern District of California
Oakland Courthouse, Courtroom 4 - 3rd Floor
1301 Clay Street, Oakland, CA 94612

Re: *Ward v. Apple Inc.*, No. 4:12-cv-05404

Dear Judge Ryu:

We write to supplement the Joint Discovery Letter (Dkt. 205) filed by Plaintiffs in *Ward v. Apple Inc.*, No. 4:12-cv-05404, and third parties AT&T Mobility LLC (“ATTM”), Glenn Lurie, and Ralph De La Vega.

On March 8, 2018, Plaintiffs served a document subpoena (the “March 8 Subpoena”) on ATTM that included 9 additional requests for production. ATTM served objections to the document subpoena on March 12, 2018. Because ATTM had yet to serve objections to the March 8 Subpoena at the time the parties filed the Joint Discovery Letter, ATTM only requested that the Court quash the first five subpoenas served on ATTM, its employees, and former officers, and not the March 8 Subpoena.

The parties now dispute ATTM’s discovery obligations in response to the March 8 Subpoena, given the current status of the case. Plaintiffs argue that they need the requested discovery from ATTM given ATTM’s role in the provision of iPhone voice and data service, and ATTM argues that the additional requests (which, together with the previous document subpoena, now total 89 pending requests) are not proportional to the needs of the case. The parties’ current positions mirror the positions articulated in the Joint Discovery Letter. Because any ruling on the Joint Discovery Letter would likely pertain to all of the subpoenas, the parties respectfully request that Your Honor also include the March 8 Subpoena in its assessment of the parties’ discovery dispute.

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Very truly yours,

/s/ _____

Katie Yablonka
Astor H.L. Heaven (pro hac vice)

/s/ _____

Rachele R. Rickert

cc: Mark C. Rifkin (by email)
Michael Liskow (by email)