

3. I am employed in the role of Director, Handset & Device Support Customer Service at ZTE (USA) Inc. ("ZTA"). My job responsibilities have included oversight of customer service for ZTA since late 2011.
4. Prior to 2015, ZTA's telephonic customer support for U.S. customers was handled by a call center located in India. Toll-free calls from the U.S. were answered by call center representatives located in India.
5. By 2015, ZTA had decided to provide customer service support with representatives based in the United States. ZTA further concluded domestic customer service would best be provided through the use of a third-party call center company. Outsourcing customer support is a common practice among electronic device manufacturers and carriers.
6. In 2015, ZTA sent an RFP ("Request For Proposal") to a number of third-party call center companies with service representatives located within the United States. ZTA did not require that the bidding companies have a presence in any particular location. ZTA entertained proposals from companies with facilities located within the Dallas-Fort Worth ("DFW") Metro area, throughout Texas, and throughout the United States. The contract was awarded to iQor, a global customer service company with call center facilities all over the world.
7. At the time iQor was awarded the contract, ZTA understood that iQor had a single call-center in the DFW Metro area, in Richardson, Texas. Subsequent to being awarded the ZTA contract, iQor decided to open a second facility in the DFW Metro area that would handle calls for ZTE USA, as well as other companies. iQor independently chose Plano, Texas as the location for its new iQor facility. ZTA did not dictate, request or influence iQor's selection of the location for its call-center facility. From ZTA's perspective, it did not matter whether the customer support representatives were located in iQor's Richardson facility or another convenient location within the DFW Metro area.
8. ZTA began to use the iQor call center in 2015 and has also continued to make use of its longstanding call center in India. Both call centers handle calls from consumers who have questions about ZTA products.
9. Two toll-free numbers are provided on ZTA website for customer support. Customers that dial ZTA's general toll-free customer support number are asked by an automated voice recording to select a number corresponding to his or her carrier (e.g., "for AT&T, press 4"). Depending on the

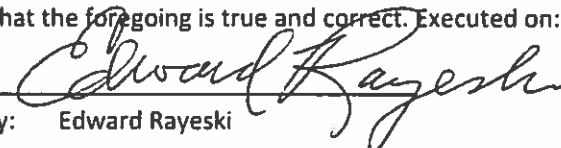
Capital One (credit cards), Asurion (warranties for electronics), TytoCare (medical), AliveCor (medical), and ZTA. Capital One is by far the largest iQor customer serviced in Plano.

11. There is no ZTA signage at the iQor call center. The building housing the call center displays the iQor logo.
12. iQor is responsible for hiring all customer service representatives that work in its Plano call center. iQor advertises for job applicants, receives and reviews their application forms, interviews them, and makes the hiring decisions. ZTA has no role in the hiring of customer service representatives that work in the Plano call center.
13. iQor decides how much to pay the customer service representatives that work in its Plano call center, sets their work schedules, determines their specific assignments, reviews their performance, and determines their benefits, raises and promotions. iQor issues their paychecks. ZTA has no role in any of these activities.
14. iQor trains the customer service representatives for the Plano call center. ZTA provides iQor with materials that explain the operation of, or changes to, ZTA products. iQor uses this information to create its own training materials, and trains its customer service representatives.
15. ZTA has no role in determining a dress code for customer service representatives in its Plano call center. No customer service representative is required to wear any clothing or accessory bearing ZTA's name or logo. It is not typical for call center representatives to wear apparel with the ZTE logo.
16. No ZTA employee maintains an office at the iQor facility in Plano. ZTA employees may visit the call center at times, but work from a cubicle set aside for visitors.

I declare under penalty of perjury that the foregoing is true and correct. Executed on:

11-20-17

Date



By:

Edward Rayeski  
Director, Handset & Device Support Customer Service  
ZTE (USA) Inc.