

1 Sara B. Brody (SBN 130222)
sbrody@sidley.com
2 Stephen Chang (SBN 312580)
stephen.chang@sidley.com
3 SIDLEY AUSTIN LLP
555 California Street, Suite 2000
4 San Francisco, California 94104
Telephone: +1 (415) 772-1200
5 Facsimile: +1 (415) 772-7400

6 Angela C. Zambrano (*Pro Hac Vice*)
angela.zambrano@sidley.com
7 Robert S. Velevis (*Pro Hac Vice*)
rvelevis@sidley.com
8 Mehzabin Lora Chowdhury (*Pro Hac Vice*)
lchowdhury@sidley.com
9 SIDLEY AUSTIN LLP
2021 McKinney Avenue, Suite 2000
10 Dallas, TX 75201
Telephone: +1 (214) 981-3300
11 Facsimile: +1 (214) 981-3400

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

**FURTHER DECLARATION OF GREG
HILL 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

25
26
27
28 **FURTHER DECL. OF GREG HILL ISO DEFENDANTS' 12(B)(1) MOTION TO DISMISS
PURSUANT TO ORDER REQUIRING FURTHER BRIEFING (DKT. 122)**
19-cv-4063-SK

1 I, Greg Hill, 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 further 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 currently am employed by AT&T Corp. as Assistant Vice President of AT&T
7 Cybersecurity. By virtue of this role, I am familiar with the method and manner in which AT&T
8 Services, Inc. and AT&T Mobility, LLC (collectively, "AT&T") previously used and shared AT&T
9 mobile customers' geolocation information.

10 3. As I previously declared, AT&T stopped providing its mobile customers' geolocation
11 information to data aggregators as of March 29, 2019. Hill Decl. ¶ 3, Dkt. 73-1. Up until March 29,
12 2019, AT&T provided two aggregators (LocationSmart and Zumigo) with access to geolocation
13 information via one-time lookups of the mobile phone location. The aggregators in turn could provide
14 that information to third party location-based service providers, such as AAA. In most situations, the
15 aggregators had direct contractual relationships with the location-based service providers. In five
16 situations, AT&T had a direct contractual relationship with the location-based service provider.

17 However, in every case, the cellular network geolocation information flowed first through the
18 aggregator and then to the location-based service provider on a one-time lookup (non-continuous)
19 basis.

20 4. When AT&T terminated access to location aggregators (which termination was
21 completed by March 29, 2019), no location-based services providers were able to access cellular
22 network geolocation data, whether they contracted directly with AT&T or directly with an aggregator.
23 As a result, as of March 29, 2019, no non-governmental third parties had the ability to lookup
24 geolocation information from AT&T's cellular network for any AT&T mobile phone customer. Other

1 than the call routing described in the Declaration of Kris Weterrings, I am aware of no other non-
2 governmental third party (excluding AT&T's vendors for AT&T's internal uses) that is provided the
3 ability to access cellular network geolocation data of any AT&T mobile phone customer.

4
5 5. Exhibit B to the Declaration of Abbye Ognibene in Support of Plaintiffs' Opposition
6 to Defendants AT&T Services, Inc. and AT&T Mobility, LLC's Motion to Dismiss is the Aggregator
7 Location Transactions report from March 27, 2019 to April 3, 2019. Dkt. 105-6 (under seal). On the
8 report, the codes that begin with TECNO and ZMIGO represent the aggregators TechnoCom
9 (LocationSmart) and Zumigo, respectively. Exhibit B shows that after March 29, 2019, data that
10 flowed through the aggregators LocationSmart and Zumigo all dropped to zero beginning on March
11 30, 2019. Cellular network geolocation information that flowed to location-based service providers
12 through an aggregator, including any lookup data related to the five location-based providers AT&T
13 directly contracted with, would have been reflected by these codes.

14
15 6. Exhibit B shows that four life-critical Internet-of-Things ("IoT") customers received
16 cellular network geolocation information from AT&T after March 29, 2019. These four IoT customers
17 are represented on the report by the first four codes on the key, which are defined in the Data
18 Dictionary for the No Activity Reports filed under seal. See Data Dictionary for the No Activity
19 Reports, Dkt. 117-3 (filed under seal).

20
21 7. There are other enterprise (business) uses of location, but I am not aware of any such
22 uses involving an AT&T consumer's mobile phone cellular location data.

23 I declare under penalty of perjury under the laws the United States that the foregoing is true
24 and correct.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Executed on this 21 day of November, 2020 at West Dover, Vermont, ~~Texas~~.



Greg Hill

FURTHER DECL. OF GREG HILL ISO DEFENDANTS' 12(B)(1) MOTION TO DISMISS
PURSUANT TO ORDER REQUIRING FURTHER BRIEFING (DKT. 122)

19-cv-4063-SK