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13 AT&T CORP. and AT&T INC.

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

17
18 TASH HEPTING, GREGORY HICKS,
CAROLYN JEWEL and ERIK KNUTZEN
19 on Behalf of Themselves and All Others Simi-
larly Situated,

20 Plaintiffs,

21 vs.

22 AT&T CORP., AT&T INC. and DOES 1-20,
23 inclusive,

24 Defendants.

No. C-06-0672-VRW

**DECLARATION OF JOSEPH P.
TOCCO IN SUPPORT OF MOTION
OF DEFENDANT AT&T INC. TO
DISMISS PLAINTIFFS' AMENDED
COMPLAINT**

Date: June 23, 2006
Time: 9:30 a.m.
Courtroom: 6, 17th Floor
Judge: Hon. Vaughn R. Walker

- Filed concurrently:
1. AT&T Inc.'s Reply in Support of Motion to Dismiss.
 2. Reply Decl. of Starlene Meyerkord
 3. Request for Judicial Notice.

1 I, **JOSEPH P. TOCCO**, declare as follows:

2 1. I am Registered In-House Counsel with SBC California, now AT&T
3 California, which is the d/b/a of Pacific Bell Telephone Company, an indirect subsidiary of
4 AT&T Inc. I make this declaration in support of the motion of defendant **AT&T INC.** to
5 dismiss plaintiffs' Amended Complaint for lack of jurisdiction. The facts stated in this
6 declaration are based upon my own personal knowledge, or upon corporate business
7 records, or, where so indicated, upon my information and belief. If called as a witness, I
8 could and would competently testify.

9 2. I have reviewed a copy of Plaintiffs' Opposition to Defendant AT&T Inc.'s
10 Motion to Dismiss Amended Complaint and the Declaration of James S. Tyre filed in
11 support ("Tyre Declaration").

12 3. I am the attorney who verified the Lobbyist Employer Registration
13 Statement, Lobbying Firm Activity Authorization, and the two Reports of Lobbyist
14 Employer, attached as Exhibits B-E to the Tyre Declaration.

15 4. Various subsidiaries and affiliates of AT&T Inc. employ lobbyists in
16 California. The subsidiaries and affiliates therefore qualify as "lobbyist employers" within
17 the meaning of California Government Code sections 82039.5 and 86105, and are required
18 to register under the Political Reform Act of 1974, as amended (Gov't Code § 81000 et
19 seq.).

20 5. The California Fair Political Practices Commission ("FPPC") Lobbying
21 Disclosure Information Manual ("Manual") requires that lobbying subsidiaries be identified
22 "along with the corporate parent's name." *Id.* at pp. 3-1. Accordingly, when subsidiaries
23 and affiliates of AT&T Inc. file disclosure statements required by the FPPC, they are filed
24 in the name of "AT&T Inc. and Its Affiliates" to ensure compliance with the Manual. The
25 disclosure statements attached as Exhibits B-E to the Tyre Declaration conform to this
26 practice.

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