

## **Case Status**

A class action lawsuit was filed on May 5, 2003 in Sacramento Superior Court on behalf of all sales employees of AT&T Wireless in California between May 5, 1999 and the present time.

The complaint alleges that AT&T Wireless improperly charged back earned commissions from sales where the subscribers canceled, and that such deductions from wages are improper under California law. The employees are seeking reimbursement of all earned commissions.

### **ATTENTION**

AT&T Wireless has hired attorneys to defend the corporation. The corporation's attorneys may contact you to discuss your observations and experience as a sales employee. Further, the corporation's attorneys may try to obtain written statements from current and former store employees. If you choose to speak with the corporation's attorneys, please remember that they do not represent your interests as a potential class member. Rather, they have a fiduciary obligation to defend their corporate client by defeating and/or reducing the value of the employees' claims. Anything you say to those attorneys could be used against you in court to defeat and/or minimize the value of any claim.

Attorneys at Cohelan & Khoury have a fiduciary obligation to represent the best interests of the employee class members by obtaining all the wage entitlements owed to the class members under law. If you are contacted by the corporation's attorneys -- and if you are inclined to give them a statement -- then we ask that you please first contact Cohelan & Khoury for advice on how to proceed. If you have already given the corporation, or its attorneys, a statement concerning commission pay issues, then please contact us as well.

We would like to speak with you about charge backs of your commissions. If you haven't spoken to us already, then please take a moment to call us at 619-595-3001. You may also email us at [msinger@californiaclassactions.com](mailto:msinger@californiaclassactions.com). Your participation at this stage will further enhance the likelihood that the court will certify this case as a class action.

### **CASE UPDATE**

The case was filed in San Diego Superior Court. A similar case was filed in Santa Clara Superior Court, and the two cases are being coordinated for litigation in Santa Clara. Over the next several months, the parties will complete discovery in preparation for a class certification hearing. We are confident the case will be certified as a class action. After the class certification hearing, another notice will go out further informing you of your rights and what you need to do to make a claim for commission charge backs.

Finally, if you would like to receive periodic updates in the mail concerning this case, then please call us so we can add you to our mailing list.

COHELAN & KHOURY

Michael D. Singer, Esq.  
Phone: 619-595-3001  
Email: [msinger@californiaclassactions.com](mailto:msinger@californiaclassactions.com)

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