

# **EXHIBIT 1**

Travis Pittman <jtpittman@hphattorneys.com>

---

## Re: VoIP-PAL litigation

1 message

---

Travis Pittman <jtpittman@hphattorneys.com>  
To: "Milici, Jennifer" <Jennifer.Milici@wilmerhale.com>

Mon, Dec 8, 2025 at 3:44 PM

Dear Ms. Milici,

Thank you for giving us time to review your memo. Plaintiffs have asked me to send the following:

Plaintiffs remain hesitant to move the deadline. After reviewing the additional information you provided, Plaintiffs remain unconvinced for the need to wait for the Court's decision on pending motions in the related cases against Verizon, AT&T, and T-Mobile. While these cases have been designated as related because of common issues of liability, there are significant factual distinctions between the conduct of Verizon, AT&T, and T-Mobile in the carrier cases and the conduct of Apple, Google, and Samsung. Plaintiffs don't agree there will be substantive overlap in the arguments that might be raised in a motion to dismiss.

One example is the issue you recognized as the "two tiers" to the conspiracy and alleging similar theories of liability." The complaints expressly allege two different conspiracies for a reason, because there are two different sets of defendants engaged in two different types of conduct. (VoIP-Pal's First Amended Complaint ("FAC") ¶¶ 2, 3, and 11). VoIP-Pal's FAC names Apple, Google, and Samsung as liable, for example, under Section 2 of the Sherman Act for their technical coercion through operating system code and firmware. This conduct is categorically different from the allegations made against the carriers, albeit under the same or similar antitrust provisions.

Another example remains the issue of arbitration we previously identified. That issue was raised by the defendants in their motion to stay *Inza, et al. v. AT&T, et al.*, case no. –03054, but Plaintiffs are not convinced similar factual arguments could be raised in *Inza, et al. v. Apple, et al.*, case no. –01970. Even if the Samsung arbitration provision is available in this case, the example you cite is directed to arbitration of issues of product liability and it's not clear to us how that case is relevant to the current claims.

Finally, in light of the Court's previous order in the Carrier cases expressing its interest in knowing the parties' views on consolidation of all four cases going forward, Plaintiffs believe the Court may very well be waiting to have the responsive pleadings from Apple, Google, and Samsung. In any event, Plaintiffs don't see how further delay to the responsive pleadings is in the best interest of the cases.

Travis Pittman

On Mon, Dec 8, 2025 at 2:56 PM Milici, Jennifer <Jennifer.Milici@wilmerhale.com> wrote:

Hi Travis – following up on the below.

We'd like to get a motion on file ASAP.

**Jennifer Milici | WilmerHale**  
2100 Pennsylvania Avenue NW  
Washington, DC 20037 USA  
+1 202 663 6006 (t)  
+1 202 663 6363 (f)  
[jennifer.milici@wilmerhale.com](mailto:jennifer.milici@wilmerhale.com)



**One Firm. One Legacy.**

---

This email message and any attachments are being sent by Wilmer Cutler Pickering Hale and Dorr LLP, are confidential, and may be privileged. If you are not the intended recipient, please notify us immediately—by replying to this message or by sending an email to [postmaster@wilmerhale.com](mailto:postmaster@wilmerhale.com)—and destroy all copies of this message and any attachments. Thank you.

For more information about WilmerHale, please visit us at <https://www.wilmerhale.com>.

---

**From:** Milici, Jennifer  
**Sent:** Friday, December 5, 2025 5:55 PM  
**To:** Travis Pittman <[jtpittman@hphattorneys.com](mailto:jtpittman@hphattorneys.com)>  
**Subject:** RE: VoIP-PAL litigation

Thanks Travis.

If you could get back to us on Monday, that would be great. We need to get a motion on file given the upcoming holidays.

Have a great weekend,

**Jennifer Milici | WilmerHale**  
2100 Pennsylvania Avenue NW  
Washington, DC 20037 USA  
+1 202 663 6006 (t)  
+1 202 663 6363 (f)  
[jennifer.milici@wilmerhale.com](mailto:jennifer.milici@wilmerhale.com)



**One Firm. One Legacy.**

---

This email message and any attachments are being sent by Wilmer Cutler Pickering Hale and Dorr LLP, are confidential, and may be privileged. If you are not the intended recipient, please notify us immediately—by replying to this message or by sending an email to [postmaster@wilmerhale.com](mailto:postmaster@wilmerhale.com)—and destroy all copies of this message and any attachments. Thank you.

For more information about WilmerHale, please visit us at <https://www.wilmerhale.com>.

---

**From:** Travis Pittman <[jtpittman@hphattorneys.com](mailto:jtpittman@hphattorneys.com)>  
**Sent:** Friday, December 5, 2025 5:51 PM  
**To:** Milici, Jennifer <[Jennifer.Milici@wilmerhale.com](mailto:Jennifer.Milici@wilmerhale.com)>  
**Subject:** Re: VoIP-PAL litigation

**EXTERNAL SENDER**

Dear Ms. Milici,

Thank you for providing this additional information. I have forwarded it to the Plaintiffs. They will review and discuss, and I will get back to you early next week.

Travis

On Thu, Dec 4, 2025 at 8:39 PM Milici, Jennifer <[Jennifer.Milici@wilmerhale.com](mailto:Jennifer.Milici@wilmerhale.com)> wrote:

Thanks Travis. Please see the below.

- Plaintiffs allege that there is a “unified” theory of liability across the complaints, including that there are “two tiers” to the conspiracy and alleging similar theories under Section 2. See Inza Compl. ¶¶ 34, 121, 123.
- The amended complaints against Apple, Samsung, and Google allege a number of antitrust and RICO claims that closely mirror the claims alleged against the carrier defendants. For example:
  - Both complaints allege that defendants improperly tie Wi-Fi calling services to carrier services. See, e.g., Carrier Compl. ¶¶ 236, 540, 552; VoIP-Pal Compl. ¶ 175; Inza Compl. ¶ 171.
  - Both complaints allege that defendants violated Section 2 of the Sherman Act on a theory that the defendants jointly monopolize the relevant markets, despite not sufficiently describing what the relevant market is. See, e.g., Carrier Compl. ¶¶ 166, 423, 528; VoIP-Pal Compl. ¶ 35.
  - Both complaints allege the defendants violated Section 1 of the Sherman Act but fail to properly allege any agreement in restraint of trade. See, e.g., Carrier Compl. ¶¶ 287; VoIP-Pal Compl. ¶¶ 22, 147-48.
  - Both complaints allege that defendants violated Section 3 of the Clayton Act, but that statute only applies to commodities, not services like those at issue in both complaints. See, e.g., Carrier Compl. ¶¶ 588-600; VoIP-Pal Compl. ¶ 154.
  - Both complaints allege violations of Section 7 of the Clayton Act through “tacit collusion” or other types of agreements, not any actual acquisitions that substantially lessened competition. See, e.g., Carrier Compl. ¶¶ 601-06; VoIP-Pal Compl. ¶¶ 194-95.
  - Both complaints allege that the defendants violated RICO, including violations premised in fraud, by making allegedly false statements about the pricing of Wi-Fi calling services. See, e.g., Carrier Compl. ¶¶ 153-161, 609; VoIP-Pal Compl. ¶¶ 131; Inza Compl. ¶ 125.
- The carrier defendants moved to dismiss all these claims and others, and defendants Apple, Google, and Samsung intend to move for dismissal on the same or similar grounds. For example, with respect to antitrust, plaintiffs fail to adequately plead a relevant market or monopoly power, any actionable tie or exclusionary conduct, or any acquisition that would violate Section 7. On RICO, plaintiffs fail to allege any enterprise or racketeering activity, as required to state a claim.
- With respect to arbitration, Plaintiff Richard Inza purchased three Samsung phones and users of those phones agree to arbitrate their disputes. <https://www.samsung.com/us/support/legal/LGL10000282/>. See generally *Weathington v. Samsung Elecs. Am., Inc.*, No. CV 25-8752 PA (MBKX), 2025 WL 3097914, at \*1 (C.D. Cal. Nov. 5, 2025) (describing ways in which users of Samsung phones consent to arbitrate disputes).



**Jennifer Milici | WilmerHale**  
2100 Pennsylvania Avenue NW  
Washington, DC 20037 USA  
+1 202 663 6006 (t)  
+1 202 663 6363 (f)  
[jennifer.milici@wilmerhale.com](mailto:jennifer.milici@wilmerhale.com)



**One Firm. One Legacy.**

---

This email message and any attachments are being sent by Wilmer Cutler Pickering Hale and Dorr LLP, are confidential, and may be privileged. If you are not the intended recipient, please notify us immediately—by replying to this message or by sending an email to [postmaster@wilmerhale.com](mailto:postmaster@wilmerhale.com)—and destroy all copies of this message and any attachments. Thank you.

For more information about WilmerHale, please visit us at <https://www.wilmerhale.com>.

---

**From:** Travis Pittman <[jtppittman@hphattorneys.com](mailto:jtppittman@hphattorneys.com)>  
**Sent:** Thursday, December 4, 2025 2:02 PM  
**To:** Milici, Jennifer <[Jennifer.Milici@wilmerhale.com](mailto:Jennifer.Milici@wilmerhale.com)>  
**Subject:** Re: VoIP-PAL litigation

**EXTERNAL SENDER**

Dear Ms. Milici,

Thank you for checking in about the Defendants' responsive pleading deadline. Plaintiffs have asked me to send the following:

Plaintiffs understand the concern about the holidays and are open to an extension of the January 15, 2026 deadline. But they would like to keep these cases moving, and would be hesitant to move the deadline much further than January 31, 2026.

Plaintiffs do not understand the need to wait for the Court's decision on pending motions in the related cases against Verizon, AT&T, and T-Mobile. The cases have been designated as related because of common issues of liability, but it is not clear that there is overlap between the arguments that might be raised in responsive pleadings.

One example is the issue of arbitration that has been raised by the defendants in their motion to stay *Inza, et al. v. AT&T, et al.*, case no. --03054. That responsive pleading relies on arbitration provisions in monthly service contracts between the carriers and named Plaintiffs. On the other hand, Plaintiffs are not aware of any such arguments that could be raised in *Inza, et al. v. Apple, et al.*, case no. --01970.

That said, Plaintiffs are open to a further extension past January 31, 2026 if they can understand better how the Court's pending decisions might be dispositive on the upcoming responsive pleadings.

If the Defendants would please provide a brief statement of their view of how the Court's pending decision might overlap with the arguments they might raise in their responsive pleading, that would be a helpful context for this discussion.

Travis Pittman

On Wed, Dec 3, 2025 at 1:12 PM Milici, Jennifer <[Jennifer.Milici@wilmerhale.com](mailto:Jennifer.Milici@wilmerhale.com)> wrote:

Hi Travis – just following up on the scheduling discussion.

**Jennifer Milici | WilmerHale**  
2100 Pennsylvania Avenue NW  
Washington, DC 20037 USA  
+1 202 663 6006 (t)  
+1 202 663 6363 (f)  
[jennifer.milici@wilmerhale.com](mailto:jennifer.milici@wilmerhale.com)



**One Firm. One Legacy.**

---

This email message and any attachments are being sent by Wilmer Cutler Pickering Hale and Dorr LLP, are confidential, and may be privileged. If you are not the intended recipient, please notify us immediately—by replying to this message or by sending an email to [postmaster@wilmerhale.com](mailto:postmaster@wilmerhale.com)—and destroy all copies of this message and any attachments. Thank you.

For more information about WilmerHale, please visit us at <https://www.wilmerhale.com>.

---

**From:** Milici, Jennifer  
**Sent:** Monday, December 1, 2025 2:00 PM  
**To:** Travis Pittman <[jpittman@hphattorneys.com](mailto:jpittman@hphattorneys.com)>  
**Subject:** VoIP-PAL litigation

Hi Travis -

Hope you had a great holiday.

Following up on my voicemail, is there a good time to chat?

Get [Outlook for iOS](#)

--

Travis Pittman

Holmes Pittman & Haraguchi, LLP

[jtpittman@hphattorneys.com](mailto:jtpittman@hphattorneys.com)

(202) 329-3558

--

Travis Pittman

Holmes Pittman & Haraguchi, LLP

[jtpittman@hphattorneys.com](mailto:jtpittman@hphattorneys.com)

(202) 329-3558

--

Travis Pittman

Holmes Pittman & Haraguchi, LLP

[jtpittman@hphattorneys.com](mailto:jtpittman@hphattorneys.com)

(202) 329-3558