

Susman Godfrey Wins Appellate Victory; Tenth Circuit affirms \$16 Million Verdict for AT&T Customers

The Tenth Circuit Court of Appeals has upheld a judgment awarding \$16 million plus interest to a class of residential customers in California.

The case, *In re Universal Service Fund Telephone Billing Practice Litig.*, No. 09-3059 (10th Cir. Sept. 20, 2010), arose from AT&T's charging customers more than the company paid into the federal Universal Service Fund. In November 2008, a federal jury in Kansas City, Kansas, found that AT&T breached its Consumer Services Agreement with California wireline customers and awarded class-wide damages.

U.S. District Judge John W. Lungstrum entered judgment on the verdict.

A nationwide class of residential customers previously settled claims against Sprint for \$25 million in the case.

Susman Godfrey partners Marc Seltzer and David Orozco, in the firm's Los Angeles office, and Barry Barnett and Warren Burns, in Dallas, led the trial team that secured the verdict. Joe Goldberg, name partner in Freedman Boyd Daniels Goldberg & Cline of Albuquerque, played a major role in the trial. Isaac Diel, of Sharp McQueen in Overland Park, Kansas, acted as local counsel. Stanley & Iola of Dallas and Heins Mills & Olson of Minneapolis served as co-lead counsel with Susman Godfrey.

Mr. Barnett argued for the California class before the Tenth Circuit panel in January 2010.