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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION**

JAMES R. PITTMAN, Individually and on  
Behalf of All Others Similarly Situated,

) Case No. C 08-05375 JW

\_\_\_\_\_  
HAIG ASHIKIAN, etc., et al.,

) Case No. C 08-05810 JW

\_\_\_\_\_  
PETER KELLER, etc., et al.,

) Case No. C 09-00121 JW

\_\_\_\_\_  
WILLIAM GILLIS, etc., et al.,

) Case No. C 09-00122 JW

\_\_\_\_\_  
AARON WALTERS, etc., et al.,

) Case No. C 09-00187 JW

\_\_\_\_\_  
JACOB MEDWAY, etc., et al.,

) Case No. C 09-00330 JW

\_\_\_\_\_  
EULARDI TANSECO, etc., et al.,

) Case No. C 09-00275 JW

\_\_\_\_\_  
JESSICA ALENA SMITH, et al.,

) Case No. C 09-01028 RS

Plaintiffs,

) CLASS ACTION

v.

) **[PROPOSED] ORDER APPROVING  
PLAINTIFFS’ INTERIM CLASS  
COUNSEL STRUCTURE**

APPLE INC.,

Defendant.

1 The Court has found the following actions are related:

- 2 • *Pittman v. Apple Inc.*, No. C 08-05375 JW
- 3 • *Ashikian v. Apple Inc., et al.*, No. C 08-05810 JW
- 4 • *Keller v. Apple Inc.*, No. C 09-00121 JW
- 5 • *Gillis v. Apple Computer, Inc.*, No. C 09-00122 JW
- 6 • *Walters v. Apple Inc.*, No. C 09-00187 JW
- 7 • *Tanseco v. Apple Inc.*, No. C 09-00275 JW
- 8 • *Medway v. Apple Inc.*, No. C 09-00330 JW
- 9 • *Smith v. Apple Inc.*, No. C 09-01028 RS

10 The Court also has found the above actions meet the prerequisites for consolidation under  
11 Federal Rule of Civil Procedure 42(a), and has entered an Order consolidating the above actions  
12 and calling for the appointment of Plaintiffs' class counsel ("Consolidation and Scheduling  
13 Order").

14 To ensure the prompt and efficient prosecution of these actions, as all plaintiffs in these  
15 eight related actions join in this request and Apple does not oppose the entry of such an Order  
16 consistent with the terms of the Consolidation and Scheduling Order, as the Court finds the  
17 proposed structure and the counsel who are part of that structure satisfy the requirements of  
18 Federal Rule of Civil Procedure 23(g),

19 **IT IS HEREBY ORDERED AS FOLLOWS:**

20 1. To ensure the orderly and efficient prosecution of the above-listed consolidated  
21 actions, the Court hereby appoints the following attorneys as Plaintiffs' Lead Interim Class  
22 Counsel and members of Plaintiffs' Executive Committee:

23 a. Lead Counsel in the consolidated actions is:

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1                   b.       Plaintiffs' Executive Committee in the consolidated actions is comprised of  
2 the following counsel:

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19 For the *Walters* Action

20  
21 2. Lead Counsel, or its designees, has exclusive authority to speak for, and enter into  
22 agreements on behalf of, plaintiffs in all matters regarding pretrial procedures, discovery, and  
23 settlement negotiations. Lead Counsel, in consultation with the Plaintiffs' Executive Committee,  
24 shall manage the prosecution of this litigation to avoid duplicative or unproductive activities.  
25 Lead Counsel shall be responsible for coordination of all activities and appearances on behalf of  
26 plaintiffs and for dissemination of notices and orders. Lead Counsel, working with liaison  
27 counsel, shall be responsible for communications with the Court and shall maintain a master  
28 service list of all parties and counsel.

3. Defendants' counsel may rely upon agreements made with Lead Counsel. Such agreements shall be binding on all plaintiffs in these related actions.

IT IS SO ORDERED.

Dated: April \_\_\_\_\_, 2009

\_\_\_\_\_  
JAMES WARE  
United States District Judge

1 SUBMITTED BY:

2 DATED: March 20, 2009

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