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 8 APPLE INC.

9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN FRANCISCO DIVISION

13 JACOB MEDWAY, Individually and on Behalf  
 14 of All Other Persons Similarly Situated,

15 Plaintiff,

16 v.

17 APPLE, INC., a California Corporation,

18 Defendants.

Case No. C 09-00330 JSW

**ADR CERTIFICATION BY  
 PARTIES AND COUNSEL**

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**ADR CERTIFICATION FOR APPLE INC.**

Pursuant to Civil Local Rule 16-8(b) and ADR Local Rule 3-5(b), each of the undersigned certifies that he or she has read the handbook entitled “Dispute Resolution Procedures in the Northern District of California” on the ADR Internet site ([www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov)), discussed the available dispute resolution options provided by the Court and private entities, and considered whether this case might benefit from any of the available dispute resolution options.

Dated: February 26, 2009

FOR APPLE INC.

By: /s/ Lynn Miller  
Lynn Miller  
Senior Litigation Counsel  
APPLE INC.

Dated: February 26, 2009

MORRISON & FOERSTER LLP

By: /s/ Penelope A. Preovolos  
Penelope A. Preovolos  
Attorneys for Defendant  
APPLE INC.

I, Penelope A. Preovolos, am the ECF User whose ID and password are being used to file this Declaration. In compliance with General Order 45, section X.B., I hereby attest that I have on file the concurrences for any signatures indicated by a “conformed” signature (/s/) within this efiled document.

By: /s/ Penelope A. Preovolos  
Penelope A. Preovolos