

1 PENELOPE A. PREOVOLOS (CA SBN 87607)  
 PPreovolos@mofo.com  
 2 ANDREW D. MUHLBACH (CA SBN 175694)  
 AMuhlbach@mofo.com  
 3 HEATHER A. MOSER (CA SBN 212686)  
 HMoser@mofo.com  
 4 SAMUEL J. BOONE LUNIER (CA SBN 252732)  
 slunier@mofo.com  
 5 MORRISON & FOERSTER LLP  
 425 Market Street  
 6 San Francisco, California 94105-2482  
 Telephone: 415.268.7000  
 7 Facsimile: 415.268.7522

8 Attorneys for Defendant  
 APPLE INC.

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

14 CHARLENE GALLION, on behalf of herself and  
 all others similarly situated,  
 15  
 Plaintiff,  
 16  
 v.  
 17  
 APPLE INC., a California corporation, and DOES  
 18 1-100, inclusive,  
 19 Defendants.

Case No. CV 10-01610-RS

**CLASS ACTION**

**ADMINISTRATIVE MOTION TO  
 CONSIDER WHETHER CASES  
 SHOULD BE RELATED**

**[L.R. 3-12]**

Judge Richard Seeborg, Courtroom 3  
 Complaint Filed: April 15, 2010  
 Trial Date: None Set

1 Pursuant to a joint stipulation filed herewith, defendant Apple Inc. (“Apple”) hereby  
2 moves pursuant to Local Rule 3-12 for a determination that this first-filed action, *Charlene*  
3 *Gallion v. Apple Inc.*, Northern District of California, San Francisco Division, Case No. CV 10-  
4 01610-RS (“*Gallion*”), is “related” to a later-filed action, *Christopher Corsi v. Apple Inc. et al.*,  
5 Northern District of California, San Jose Division, Case No. CV 10-03316 PVT (filed July 28,  
6 2010) (“*Corsi*”).

7 The nature of the relationship between this first-filed action and the subsequently-filed  
8 *Corsi* action is that: (1) the cases both assert substantially similar claims against the same  
9 defendant, Apple; (2) the putative classes in both actions substantially overlap; and (3) both cases  
10 require determination of the same or substantially similar questions of fact and law. Specifically,  
11 each action focuses on (i) whether the Liquid Contact Indicators (“LCIs”) in Apple’s iPhone and  
12 iPod products are a reliable indicator of liquid damage; and (ii) whether Apple’s warranty policies  
13 concerning the LCIs are reasonable or appropriate.<sup>1</sup> Indeed, substantial portions of the *Corsi*  
14 complaint appear to be identical to the *Gallion* complaint.

15 Due to their similarity, if not treated as related, these cases are likely to require substantial  
16 duplication of labor and expense and present a potential danger of inconsistent rulings regarding  
17 the same issues of law. Given the closely related nature of each of these cases, the treatment of  
18 these actions as related would serve the interests of judicial economy and avoid the potential for  
19 conflicting rulings.

20 Accordingly, Apple asks this Court to enter an order relating the later-filed *Corsi* action to  
21 this first-filed action.

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27 <sup>1</sup> Apple does not concede the truth any of these factual allegations or that certification of  
28 the putative classes is proper under Federal Rule of Civil Procedure 23.

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Dated: August 6, 2010

PENELOPE A. PREVOLOS  
ANDREW D. MUHLBACH  
HEATHER A. MOSER  
SAMUEL J. BOONE LUNIER  
MORRISON & FOERSTER LLP

By: /s/ Andrew D. Muhlbach  
ANDREW D. MUHLBACH

Attorneys for Defendant  
APPLE INC.