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 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

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

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

1 WHEREAS, the action *Calix v. Apple Inc.*, Northern District of California, Oakland
2 Division, Case No. CV 10-05895-DMR (“*Calix*”) was transferred from the Middle District of
3 Louisiana on December 27, 2010; and

4 WHEREAS, the *Calix* action asserts claims against defendant Apple Inc. (“Apple”) that
5 are substantially similar to the claims asserted in *Charlene Gallion v. Apple Inc.*, Northern
6 District of California, San Francisco Division, Case No. CV 10-01610-RS (“*Gallion*”); and

7 WHEREAS, with respect to a similar class action, *Christopher Corsi v. Apple, Inc.*,
8 Northern District of California, San Francisco Division, Case No. CV 10-03316-RS, the parties’
9 motion to relate *Corsi* to *Gallion* was granted by Order dated August 13, 2010 (*Corsi* Docket
10 Number 6);

11 WHEREAS, the putative classes in the *Gallion*, *Corsi* and *Calix* actions substantially
12 overlap; and

13 WHEREAS, the parties believe that the *Calix* action involves substantially similar
14 questions of law and fact¹ as the *Gallion* and *Corsi* actions; and

15 WHEREAS, the parties believe the *Calix* action is a “related case” within the meaning of
16 Local Rule 3-12; and

17 WHEREAS, the parties believe that treatment of the *Calix* action as related would serve
18 the interests of judicial economy and avoid the potential for conflicting rulings; and

19 WHEREAS, the Court granted Plaintiffs’ Stipulation and Proposed Order Appointing
20 *Gallion* Counsel Fazio | Micheletti LLP and *Corsi* Counsel Chimicles & Tikellis LLP as Interim
21 Co-Lead Class Counsel on December 30, 2010 (jointly filed by counsel for plaintiffs *Gallion*,
22 *Corsi* and *Calix*) (*see Gallion* Docket Number 33);

23 IT IS HEREBY STIPULATED AND AGREED that *Calix v. Apple Inc.*, Northern District
24 of California, Oakland Division, Case No. CV 10-05895 DMR should be related to *Charlene*
25

26 ¹ Apple does not by this Stipulation concede any of the factual allegations of the cases or
27 that certification of the putative classes is proper under Rule 23 of the Federal Rules of Civil
28 Procedure.

1 *Gallion v. Apple Inc.*, Northern District of California, San Francisco Division, Case No. CV 10-
2 01610-RS.

3 SO STIPULATED.
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Dated: January 12, 2011

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