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9 Attorneys for Plaintiff, Charlene Gallion and
10 Christoper Corsi, on behalf of themselves
and all others similarly situated

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**

13 CHARLENE GALLION, on behalf of herself
and all others similarly situated,

14 Plaintiff,

15 v.

16 APPLE, INC., a California corporation, and
DOES 1-100, inclusive,

17 Defendants.

No. CV 10-01610-RS

**STIPULATION AND PROPOSED
ORDER REGARDING SCHEDULE
GOVERNING MOTION FOR CLASS
CERTIFICATION**

18 CHRISTOPHER CORSI, on behalf of himself
19 and all others similarly situated,

20 Plaintiff,

21 v.

22 APPLE INC.,

23 Defendant.

No. CV 10-03316-RS

24 DANIEL CALIX, on behalf of himself and all
others similarly situated,

25 Plaintiff,

26 v.

27 APPLE INC.,

28 Defendant.

No. CV 10-05895-RS

Hon. Richard Seeborg

1 Pursuant to the Court's instructions, the parties have met and conferred to establish a
2 class-certification briefing schedule. Having done so, the parties hereby stipulate as follows:

3
4 1. Plaintiffs Gallion, Corsi, and Calix (collectively, "Plaintiffs") will file their
5 motion for class certification on or before October 21, 2011.

6
7 2. In the event Plaintiffs submit testimony in support of their opening brief,
8 Defendant Apple, Inc. ("Apple") shall file its opposition to the motion for class certification on
9 December 23, 2011, so as to provide Apple with sufficient opportunity to depose Plaintiffs'
10 declarants about the matters set forth in their declarations, to the extent those declarants have not
11 already been deposed about those matters. If Plaintiffs do not submit testimony in support of
12 their opening brief, Apple's opposition papers shall be due November 23, 2011.

13
14 3. In the event Apple submits testimony in support of its opposition brief and
15 Plaintiffs have submitted testimony in support of their opening brief, Plaintiffs' reply papers
16 shall be filed on February 24, 2012, so as to provide Plaintiffs with sufficient opportunity to
17 depose Apple's declarants about the matters set forth in their declarations, to the extent those
18 declarants have not already been deposed about those matters. If Apple submits testimony in
19 support of its opposition brief, but Plaintiffs have not submitted testimony in support of their
20 opening brief, Plaintiffs' reply brief shall be due January 24, 2012. If Apple does not submit
21 testimony in support of its opposition brief, but Plaintiffs have submitted testimony in support of
22 their opening brief, Plaintiffs' reply brief shall be due January 24, 2012. If neither party submits
23 testimony in support of the opening and opposition briefs, Plaintiffs' reply brief shall be due
24 December 23, 2011.

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26 4. Plaintiffs shall have the opportunity to submit expert rebuttal testimony in support
27 of their reply brief.

28

1 5. The hearing date for Plaintiffs' class-certification motion shall be set on or about
2 the time Plaintiffs file their reply brief.

3
4 The current schedule is based on the parties' understanding that Apple will complete its
5 initial document production by the end of June, 2011; that no substantial follow-up discovery or
6 modifications to the key-word searches that informed Apple's discovery efforts will be necessary
7 in order to draft Plaintiffs' class-certification brief; that the schedules of counsel and various
8 witnesses will allow for the taking of depositions following the completion of Apple's initial
9 document production; and that Plaintiffs will be able to obtain necessary third-party discovery
10 prior to the filing of their motion for class certification. In the event circumstances warrant it,
11 this schedule is subject to modification.

12 Respectfully submitted,

13 DATED: March 29, 2011

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23 DATED: March 29, 2011

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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: _____

The Honorable Richard Seeborg
United States District Judge