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

14

15 IN RE APPLE IPHONE/IPOD WARRANTY
 LITIGATION

No. CV 10-01610-RS

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**NOTICE OF ADOPTION BY
 NON-PARTY 3M COMPANY
 OF TERMS OF STIPULATED
 PROTECTIVE ORDER FILED
 NOVEMBER 2, 2010, AS
 MODIFIED; STIPULATION
 AND [PROPOSED] ORDER**

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This Document Relates To:

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ALL ACTIONS

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1 Pursuant to paragraph 34 of the Stipulated Protective Order filed on November 2,
2 2010 (Dock. No. 29), 3M Company, a non-party who has been served with a subpoena in
3 these proceedings, hereby adopts the provisions of the Stipulated Protective Order, as
4 modified herein.

5 By and through their counsel, the parties and 3M Company agree that the
6 language set forth below shall be deemed added to paragraphs 28, 32 and 37 of the
7 Stipulated Protective Order for purposes of 3M's production only (new language
8 underscored):

9 28. Without written permission from the Designating Party or a court order
10 secured after appropriate notice to all interested persons, a Party may not
11 file in the public record in this action any Protected Material. A Party that
12 seeks to file under seal any Protected Material must comply with Civil
13 Local Rule 79-5. Protected Material may only be filed under seal pursuant
14 to a court order authorizing the sealing of the specific Protected Material
15 at issue. Pursuant to Civil Local Rule 79-5, a sealing order will issue only
16 upon a request establishing that the Protected Material at issue is
17 privileged, protectable as a trade secret, or otherwise entitled to protection
18 under the law. If a Receiving Party's request to file Protected Material
19 under seal pursuant to Civil Local Rule 79-5(d) is denied by the court,
20 then the Receiving Party may file the information in the public record
21 pursuant to Civil Local Rule 79-5(e) unless otherwise instructed by the
22 court. If, pursuant to Civil Local Rule 79-5, a Receiving Party files an
23 Administrative Motion to File Under Seal that seeks an order sealing any
24 Protected Material produced by non-party 3M Company, that Receiving
25 Party shall serve that Motion on counsel for 3M Company.

26 32. This Protective Order is not intended to govern the use of Protected
27 Material at evidentiary hearings or at the trial of this action. Procedures
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1 governing the use of Protected Material at evidentiary hearings and at trial,
2 if necessary, will be established by separate order. If an evidentiary
3 hearing or trial has been scheduled at which Protected Material produced
4 by non-party 3M Company might potentially be used by a Receiving
5 Party, that Receiving Party shall notify 3M's counsel of the originally-
6 scheduled date of that evidentiary hearing or trial. For evidentiary
7 hearings, if the hearing date was scheduled by noticed motion (either on
8 regular notice under the applicable Rules or otherwise as the Court may
9 order), then such notice shall be provided to 3M's counsel simultaneously
10 with the original notice, if the Receiving Party is the moving party, or
11 simultaneously with the opposition papers, if the Receiving Party is the
12 opposing party. For all other evidentiary hearings, the Receiving Party
13 shall notify 3M's counsel as soon as practicable after the hearing date is
14 originally scheduled by the Court. For trial, such notice shall be provided
15 within 30 days of the originally-scheduled trial date.

16 37. No restriction imposed by this Protective Order may be terminated, except
17 by a written stipulation executed by counsel of record for all parties, or by
18 an order of this Court for good cause shown. The termination of this action
19 shall not terminate the obligations specified in this Protective Order. All
20 Protected Material produced by non-party 3M Company shall be
21 destroyed within 180 days following the conclusion of all Related Cases.
22 For purposes of this paragraph, "conclusion" means the last day to file a
23 petition for a writ of certiorari with the United States Supreme Court
24 challenging the last order entered by any lower court in any of the Related
25 Cases, or the date on which such a petition is denied.

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IT IS SO STIPULATED.

Dated: May 27, 2011

3M COMPANY

By /s/ Alpha Khaldi
Alpha Khaldi
Counsel for Non-Party 3M Company

Dated: May 27, 2011

FAZIO | MICHELETTI LLP

By /s/ Jeffrey L. Fazio
Jeffrey L. Fazio
Interim Co-Lead Class Counsel

Dated: May 27, 2011

CHIMICLES & TIKELLIS LLP

By /s/ Steven A. Schwartz
Steven A. Schwartz
Interim Co-Lead Class Counsel

Dated: May 27, 2011

MORRISON FOERSTER LLP

By /s/Andrew D. Muhlbach
Andrew D. Muhlbach
Attorneys for Defendant Apple, Inc.

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ATTESTATION OF FILER

I, Kimberly A. Kralowec, hereby attest that concurrence in the filing of this document has been obtained from each of the other signatories. See N.D. Cal. Gen. Order No. 45, para. X(B).

Dated: May 27, 2011

By: /s/ Kimberly A. Kralowec
Kimberly A. Kralowec
THE KRALOWEC LAW GROUP

ORDER

IT IS SO ORDERED.

Dated: May ____, 2011

Hon Richard Seeborg
Judge of the District Court