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 APPLE INC.

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

14 IN RE APPLE IPHONE/IPOD WARRANTY
 LITIGATION

Case No. CV 10-01610-RS

CLASS ACTION

**JOINT STIPULATION AND
 [PROPOSED] ORDER
 REGARDING
 CONFIDENTIALITY
 DESIGNATIONS**

Judge Richard Seeborg, Courtroom 3
 Complaint Filed: June 30, 2011
 Trial Date: None Set

1 WHEREAS, in response to plaintiffs' discovery requests, defendant Apple Inc. ("Apple")
2 has produced documents and deposition testimony that it contends have been properly designated
3 for confidential treatment pursuant to the Stipulated Protective Order entered by the Court on
4 November 2, 2010 ("Protective Order");

5 WHEREAS, on November 11, 2011, plaintiffs notified Apple that they objected to the
6 confidentiality designations on certain documents and deposition testimony;

7 WHEREAS, the parties are in the process of conferring informally in an effort to resolve
8 these confidentiality challenges;

9 WHEREAS, plaintiffs' motion for class certification is currently due on January 31, 2012;

10 WHEREAS, the Protective Order provides a specific timeframe within which Apple is
11 required to complete the meet-and-confer process regarding its confidentiality designations;

12 WHEREAS, Apple seeks additional time to complete the meet-and-confer process
13 regarding these confidentiality challenges and seek to resolve these challenges before plaintiffs
14 file in the public record their motion for class certification and any supporting papers;

15 WHEREAS, Apple's deadline to file a motion to uphold the confidentiality for the
16 documents and testimony challenged by plaintiffs is currently December 9, 2011;

17 WHEREAS, in light of Apple's request for additional time and the holidays and
18 scheduling issues, the parties agree that it is unlikely that any motion to uphold Apple's
19 confidentiality designations will be decided before January 31, 2012;

20 WHEREAS, the parties agree to the following procedure to ensure sufficient time to
21 complete the meet-and-confer process and to brief any resulting motion to uphold confidentiality
22 designations, while also avoiding potentially unnecessary motions to seal in connection with
23 plaintiffs' motion for class certification.

24 THEREFORE, the parties hereby stipulate and request that the Court enter an order that:

25 1. The parties will continue the meet-and-confer efforts they have begun regarding
26 Apple's confidentiality designations.

27 2. On or before January 31, 2012, plaintiffs will serve, but not file, their motion for
28 class certification and all supporting documents, as well as a list of documents, exhibits, and/or

1 deposition testimony whose confidential status plaintiffs are challenging. Once plaintiffs have
2 provided this list to Apple, the parties will then meet and confer regarding plaintiffs' challenges
3 and file any necessary briefs pursuant to the procedures set forth in the Protective Order.

4 3. After the Court has ruled on any confidentiality motions resulting from this
5 process, plaintiffs will file their class certification motion and any supporting papers in
6 accordance with those rulings.

7 4. The current deadlines imposed by the Protective Order related to the
8 confidentiality challenges raised by plaintiffs on November 11, 2011 are hereby continued,
9 subject to the procedure set forth above.

10 5. Nothing in this Joint Stipulation alters the briefing schedule for plaintiffs' motion
11 for class certification that is set forth in the Court's October 12, 2011 Order.

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Dated: December 5, 2011

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