

FILED
2011 AUG 11 A 10:02
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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10 Attorneys for Plaintiffs

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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15 ANTHONY PETRU and MARCUS MATHIS,)
16 Individually and on Behalf of All Others)
17 Similarly Situated,)

18 Plaintiffs,)

19 v.)

20 APPLE INC.; HACHETTE BOOK GROUP,)
INC.; HARPERCOLLINS PUBLISHERS, INC.;)
21 MACMILLAN PUBLISHERS, INC; PENGUIN)
GROUP (USA) INC.; and SIMON &)
22 SCHUSTER, INC.,)

23 Defendants.)

No. C11-03892 EDL

PLAINTIFFS' DECLINATION TO
PROCEED BEFORE A MAGISTRATE
JUDGE AND REQUEST FOR
REASSIGNMENT TO A UNITED
STATES DISTRICT JUDGE

ACTION FILED: August 9, 2011

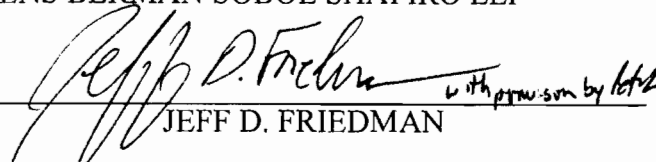


1 REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE:

2 The undersigned parties hereby decline to consent to the assignment of this case to a United
3 States Magistrate Judge for trial and disposition and hereby request the reassignment of this case to
4 a United States District Judge.

5 DATED: August 11, 2011

HAGENS BERMAN SOBOL SHAPIRO LLP

6 By  with permission by lbf
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Attorneys for Plaintiffs

DECLARATION OF SERVICE BY MAIL

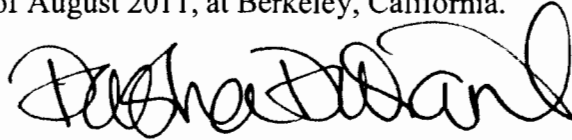
I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, a citizen of the United States and is employed in the city of Berkeley, County of Alameda, California, over the age of 18 years, and not a party to or interested in the within action; that declarant's business address is 715 Hearst Avenue, Suite 202, Berkeley, California 94710.

2. That on August 11, 2011, declarant served the foregoing PLAINTIFFS' DECLINATION TO PROCEED BEFORE A MAGISTRATE JUDGE AND REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE by U.S. Mail by placing a true copy thereof in a sealed envelope addressed to the parties listed on the attached service list.

3. That there is a regular communication by mail between the place of mailing and the places so addressed.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 11th day of August 2011, at Berkeley, California.



PASHA DURANT

Petru v. Apple Inc., et al.
USDC N.D. Cal. Case No. C 11-03892 EDL
SERVICE LIST – AUGUST 11, 2011

Apple Inc. c/o CT Corporation System, registered agent 818 W. Seventh Street Los Angeles, CA 90017	Hachette Book Group, Inc. c/o Corporation Trust Center, registered agent 1209 Orange Street Wilmington, DE 19801
HarperCollins Publishers Inc. c/o Corporation Trust Center, registered agent 1209 Orange Street Wilmington, DE 19801	Macmillan Publishers Inc. c/o United States Corporation Company, registered agent 2711 Centerville Road, Suite 400 Wilmington, DE 19808
Penguin Group (USA) Inc. c/o CSC Lawyers Incorporating Service, registered agent 2730 Gateway Oaks Drive, Suite 100 Sacramento, CA 95833	Simon & Schuster, Inc. c/o CSC Lawyers Incorporating Service, registered agent 2730 Gateway Oaks Drive, Suite 100 Sacramento, CA 95833