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19 [Additional counsel appear on signature page.]

20 UNITED STATES DISTRICT COURT
 21
 22 NORTHERN DISTRICT OF CALIFORNIA
 23
 24 SAN JOSE DIVISION

25 THE APPLE IPOD ITUNES ANTI-TRUST)	Lead Case No. C-05-00037-JW
26 LITIGATION)	
27 _____)	<u>CLASS ACTION</u>
28 This Document Relates To:)	AMENDED [PROPOSED] ORDER
29 ALL ACTIONS.)	COMPELLING DEFENDANT APPLE,
_____)	INC.'S PRODUCTION OF DOCUMENTS
	RELATING TO CLASS CERTIFICATION

30 DATE: January 16, 2008
 31 TIME: 9:30 a.m.
 32 COURTROOM: 4, 5th Floor
 33 JUDGE: Magistrate Judge Richard Seeborg

1 Plaintiffs have moved this Court for an Order compelling Apple, Inc. to produce the
2 following documents:

3 Request No. 10: Full copies of the spreadsheets for which excerpts were produced to
4 Somtai Troy Charoensak and marked APPLE CHAR 00059 through APPLE CHAR
5 00066 and all Documents used in the production of these Documents, including but
6 not limited to all Profit and Loss Statements for all iPod models.

7 Request No. 19: All Documents necessary to allow the calculation for each quarter
8 since the introduction of the iPod for each model that Apple has sold, the number of
9 iPods that have been purchased, Apple's total revenue from the sale of each iPod
10 model and Apple's Cost of Manufacturing and cost of sale for each iPod model.

11 This matter came on for hearing on January 16, 2008. Based on the supporting and opposing
12 memoranda and other related documents filed with the Court in connection with this motion, the
13 papers and records on file in this action, and other matters of which the Court may properly take
14 judicial notice, Plaintiffs' motion to compel is granted.

15 FOR GOOD CAUSE SHOWN, the Court hereby GRANTS Plaintiffs' motion to compel
16 production of all documents sought from Apple, Inc.

17 * * *

18 **ORDER**

19 IT IS SO ORDERED.

20 DATED: _____

21 _____
22 THE MAGISTRATE JUDGE RICHARD
23 SEEBORG
24 UNITED STATES DISTRICT JUDGE

25 Submitted by:

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1 CERTIFICATE OF SERVICE

2 I hereby certify that on December 7, 2007, I electronically filed the foregoing with the Clerk
3 of the Court using the CM/ECF system which will send notification of such filing to the e-mail
4 addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have
5 mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF
6 participants indicated on the attached Manual Notice List.

7 I certify under penalty of perjury under the laws of the United States of America that the
8 foregoing is true and correct. Executed on December 7, 2007.

9 s/ BONNY E. SWEENEY
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