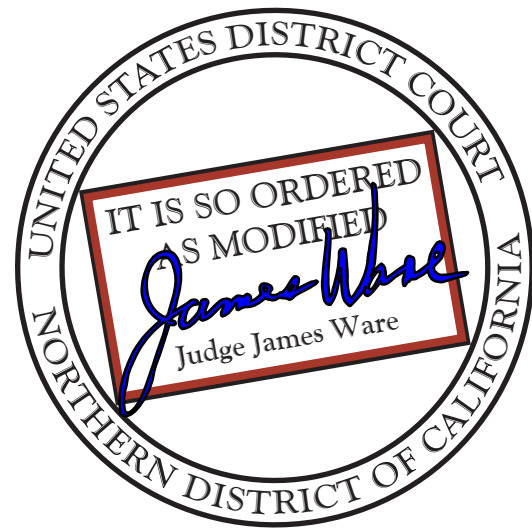


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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

THE APPLE IPOD ITUNES ANTI-TRUST)
LITIGATION)

Lead Case No. C-05-00037-JW(RS)

_____)

CLASS ACTION

This Document Relates To:)
ALL ACTIONS.)

[Proposed] ORDER MODIFYING CLASS)
CERTIFICATION BRIEFING SCHEDULE)

STACIE SOMERS, On Behalf Of Herself And)
All Others Similarly Situated,)

Case No. C 07-6507 JW

CLASS ACTION

Plaintiff,)

vs.)

APPLE, INC., a California corporation,)
Defendant.)

_____)

1 Good cause appearing, therefore, and pursuant to the stipulation of the parties, IT IS
2 HEREBY ORDERED that the following pretrial schedule is adopted:

3 Interim Case Management Conference:	October 6, 2008 at 10 a.m.
4 Last day to file Defendant's submission in 5 opposition to class certification (Direct Case):	October 17, 2008
6 Last day to file Plaintiffs' reply submission 7 in support of class certification (Direct Case):	November 17, 2008
8 Hearing on Plaintiffs' Motion for Class 9 Certification (Direct Case):	December 15, 2008 at 9 a.m.
10 Last day to file Plaintiff's Motion for Class 11 Certification (Indirect Case):	December 1, 2008
12 Last day to file Defendant's submission in 13 opposition to class certification (Indirect Case):	February 12, 2009
14 Last day to file Plaintiff's reply submission in 15 support of class certification (Indirect Case):	March 30, 2009
16 Hearing on Plaintiffs' Motion for Class 17 Certification (Indirect Case):	April 20, 2009 at 9 a.m.

18 The Court has granted the parties' stipulation regarding the briefing and hearing
19 schedule for the Class Certification motions. In light of the age of the Direct case, the Court
20 encourages the parties to continue in good faith to engage in further mediation. However,
21 the schedule as modified by the Court above shall stay in effect and shall not be further
22 modified by Stipulation.

23 On or before **September 26, 2008**, the parties from both the Direct and Indirect cases
24 shall file a Joint Case Management Statement. The Statement shall, among other things,
25 inform the Court of the parties' mediation efforts. The Court notes that the parties had failed
26 to timely file their Joint Statement for the August 25, 2008 conference, even after they were
27 given an extension. It is imperative for the parties to meet the Court's deadlines and not
28 simply ignore them without proper communication with the Court.

Dated: August 20, 2008



JAMES WARE
United States District Judge