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16 Co-Lead Counsel for Plaintiffs

17 UNITED STATES DISTRICT COURT  
 18 NORTHERN DISTRICT OF CALIFORNIA  
 19 SAN JOSE DIVISION

20 THE APPLE IPOD ITUNES ANTI-TRUST )	Lead Case No. C-05-00037-JW(RS)
21 LITIGATION )	
22 _____ )	<u>CLASS ACTION</u>
23 This Document Relates To: )	DECLARATION OF BONNY E. SWEENEY
24 ALL ACTIONS. )	IN SUPPORT OF PLAINTIFFS' REPLY
25 _____ )	MEMORANDUM IN SUPPORT OF
	PLAINTIFFS' MOTION FOR CLASS
	CERTIFICATION AND APPOINTMENT OF
	CLASS COUNSEL

26 JUDGE: Hon. James Ware  
 27 DATE: December 15, 2008  
 28 TIME: 9:00 a.m.  
 CTRM: 8-4th Floor

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I, BONNY E. SWEENEY, declare as follows:

1. I am an attorney duly licensed to practice before all of the courts of the State of California and am a member of the law firm of Coughlin Stoia Geller Rudman & Robbins LLP, one of the counsel of record for Plaintiffs in the above-entitled action. I have personal knowledge of the matters stated herein and, if called upon, I could and would competently testify thereto.

2. I am Co-Lead Counsel on behalf of Melanie Tucker, Mariana Rosen, and Somtai Troy Charoensak (collectively, "Plaintiffs") in the above-entitled action.

3. I submit this declaration in support of Plaintiffs' Reply Memorandum of Points and Authorities in Support of Motion for Class Certification and Appointment of Class Counsel.

4. Attached as Exhibit 1 is a true and correct copy of relevant excerpts of the Deposition Transcript of Roger G. Noll, taken September 19, 2008.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 17th day of November, 2008, at San Diego, California.

\_\_\_\_\_  
s/ BONNY E SWEENEY  
BONNY E SWEENEY

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1 CERTIFICATE OF SERVICE

2 I hereby certify that on November 17, 2008, I electronically filed the foregoing with the  
3 Clerk 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 November 17, 2008.

9 s/ BONNY E SWEENEY  
10 BONNY E SWEENEY

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