

1 ZELDES & HAEGGQUIST, LLP
HELEN I. ZELDES (220051)
2 ALREEN HAEGGQUIST (221858)
655 West Broadway, Suite 1410
3 San Diego, CA 92101
Telephone: 619/955-8218
4 Fax: 619/342-7878
helenz@zhlaw.com
5 alreenh@zhlaw.com

6 MEHRI & SKALET, PLLC
STEVEN A. SKALET (admitted *pro hac vice*)
7 CRAIG L. BRISKIN (admitted *pro hac vice*)
1250 Connecticut Ave NW, Suite 300
8 Washington, DC 20036
Telephone: 202/822-5100
9 Fax: 202/822-4997
sskalet@findjustice.com
10 cbriskin@findjustice.com

11 Attorneys for Plaintiff Stacie Somers

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN JOSE DIVISION
15

16 THE APPLE IPOD ITUNES ANTI-TRUST) Case No. C 07-6507 JW
LITIGATION,)
17) DECLARATION OF ALREEN
This Document Relates To:) HAEGGQUIST IN SUPPORT OF
18) PLAINTIFF'S MOTION FOR CLASS
Somers v. Apple, Inc., Case No. C 07-6507 JW,) CERTIFICATION AND APPOINTMENT OF
19) CLASS COUNSEL
20)
_____)

21
22 [REDACTED VERSION]
23
24
25
26
27
28

1 I, ALREEN HAEGGQUIST, declare as follows:

2 1. I am an attorney duly licensed to practice before this court. I am a partner with the
3 law firm of Zeldes & Haeggquist, LLP, one of the lead counsels for Plaintiff Stacie Somers
4 (“Plaintiff”) in the above-entitled action. I have personal knowledge of the matters stated herein and,
5 if called upon, I could and would competently testify thereto.

6 2. I submit this declaration in support of Plaintiff’s Motion for Class Certification and
7 Appointment of Class Counsel.

8 3. Since the initiation of this action, Plaintiff’s counsel has invested a considerable
9 amount of time gathering evidence, formulating legal theories, reviewing documents, and working
10 with an economic expert.

11 4. Plaintiff was deposed on June 17, 2008 by Apple’s counsel, Bob Mittlestaedt and
12 submitted herself to considerable deposition testimony.

13 5. Plaintiff has also provided substantial discovery, including, copies of all music files
14 stored on her iPod, copies of all music files stored on both of her personal computers, copies of her
15 iTunes Store purchase history, and iTunes Store account names and passwords.

16 6. Attached hereto are true and correct copies of the following exhibits:

17 Exhibit 1: Affidavit of Gary L. French, Ph.D., dated February 23, 2009;

18 Exhibit 2: Relevant Excerpts of Apple Inc.’s Annual Report (Form 10-K) (Sept. 24,
19 2005);

20 Exhibit 3: Zeldes & Haeggquist, LLP Firm Resume;

21 Exhibit 4: Mehri & Skalet PLLC Firm Resume; and

22 Exhibit 5: S. Jobs, *Thoughts on Music*, Feb. 6, 2007, available at
23 www.apple.com/hotnews/thoughtsonmusic.

24 I declare under penalty of perjury under the laws of the State of California that the foregoing
25 is true and correct. Executed this 23rd day of February, 2009, at San Diego, California.

26
27 s/ Alreen Haeggquist
ALREEN HAEGGQUIST

28

1 CERTIFICATE OF SERVICE

2 I hereby certify that on February 23, 2009, 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 February 23, 2009.

9 s/ Helen I. Zeldes

10 HELEN I. ZELDES

11 ZELDES & HAEGGQUIST, LLP
12 HELEN I. ZELDES
13 ALREEN HAEGGQUIST
14 655 West Broadway, Suite 1410
San Diego, CA 92101
Telephone: 619/955-8218
Fax: 619/342-7878

15 Email Addresses: helenz@zhlaw.com
16 alreenh@zhlaw.com

1 **Manual Notice List**

2 The following is the list of attorneys who are not on the list to receive e-mail notices for this case
3 (who therefore require manual noticing). You may wish to use your mouse to select and copy this
list into your word processing program in order to create notices or labels for these recipients.

4 Todd David Carpenter
5 Bonnett, Fairbourn, Friedman, & Balint
6 2901 N. Central Avenue
Suite 1000
Phoenix, AZ 85012

7 Elaine A. Ryan
8 Bonnett Fairbourn Friedman & Balint, P.C
9 2901 N. Central Avenue
Suite 1000
Phoenix, AZ 85012

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28