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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)
_____	)	<u>CLASS ACTION</u>
This Document Relates To:	)	[PROPOSED] ORDER GRANTING
ALL ACTIONS.	)	PLAINTIFFS' MOTION TO MODIFY
_____	)	INJUNCTIVE RELIEF CLASS DEFINITION
	)	TO INCLUDE iTMS PURCHASERS

1 This matter came before the undersigned Honorable James Ware of the above-entitled Court  
2 upon Plaintiffs' motion to modify the injunctive relief class. The Court having considered the  
3 motion and all other papers filed concerning that motion, and all other pertinent documents and  
4 pleadings filed in this action,

5 NOW, therefore, it is hereby ORDERED and ADJUDGED:

6 Plaintiffs' motion to modify the injunctive relief class is hereby granted and the injunctive  
7 relief class is modified as follows:

8 All persons or entities in the United States (excluding federal, state and local  
9 governmental entities, Apple, its directors, officers and members of their families)  
10 who: (a) purchased an iPod from Apple or (b) purchased audio or video files from  
11 the iTunes since April 28, 2003.

12 IT IS SO ORDERED.

13 DATED: \_\_\_\_\_

\_\_\_\_\_  
14 THE HONORABLE JAMES WARE  
15 UNITED STATES DISTRICT JUDGE

16 Submitted by:

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