EXHIBIT 1

08:59:01

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

---000---

MELANIE TUCKER, On Behalf of Herself and All Others Similarly) Situated,

Plaintiff,) Case No. C 06) 4457 HRL

vs.

APPLE COMPUTER, INC., a California Corporation,

Defendant.

---000---

FRIDAY, OCTOBER 26, 2007

VIDEOTAPE DEPOSITION OF MELANIE TUCKER

---000---

REPORTED BY: BALINDA DUNLAP, CSR 10710, RPR, CRR, RMR

			Page 12
09:18:33	1	Q.	BY MR. MITTELSTAEDT: You made the decision to buy
09:18:35	2	the iPod	at the price that it was offered?
09:18:38	3	Α.	Yes.
09:18:38	4	Q.	And you thought it was worth it?
09:18:42	5		MR. CARPENTER: Objection.
09:18:43	6	Q.	BY MR. MITTELSTAEDT: At the time you bought it?
09:18:44	7		MR. CARPENTER: Pardon me. Objection to form.
09:18:47	8		THE WITNESS: I was hoping it would be worth it.
09:18:51	9	Q.	BY MR. MITTELSTAEDT: At the time you bought the
09:19:02	10	first i	Pod, had you heard anything about Apple's online music
09:19:07	11	store?	
09:19:08	12	Α.	Not that I recall.
09:19:10	13	Q.	Had either of those friends, Travis or Sean, said
09:19:14	14	anything	g about the Apple's iTunes music store?
09:19:22	. 15	Α.	I don't recall them mentioning the iPod's store.
09:19:26	16	Q.	At the time you bought your first iPod, did you have
09:19:30	17	any info	ormation as to what music those two friends put on
09:19:34	18	their i	Pod?
09:19:35	19	Α.	No.
09:19:40	20	Q.	Other than that first iPod that you bought in April
09:19:42	21	of 2005	, how many other iPods have you bought?
09:19:46	22	Α.	One.
09:19:47	23	Q.	When did you buy that?
09:19:49	24	Α.	December of 2006.
09:20:00	25	Q.	And why did you buy that one?
I			