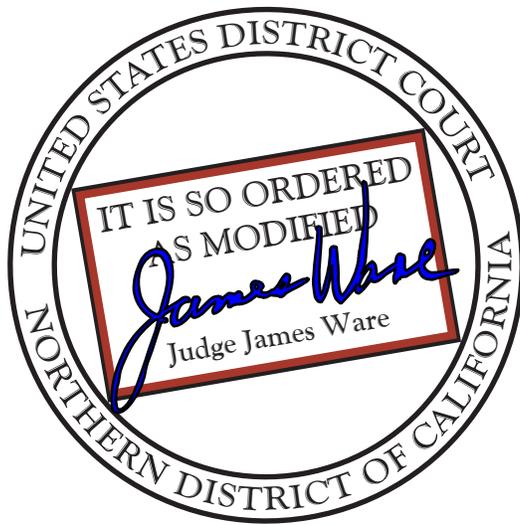


1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

**THE APPLE IPOD iTUNES ANTI-TRUST LITIGATION**  
**This Document Relates To All Matters**

Case No. C-05-00037-JW (HRL)  
C-06-04457 JW (HRL)  
**STIPULATION AND PROPOSED ORDER RE SCHEDULING DIRECT PLAINTIFFS' MOTION FOR CLASS CERTIFICATION AND DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

WHEREAS, on July 22, 2010, the Court set the date for the completion of briefing on Defendant's renewed Rule 56 motion and Direct Purchaser Plaintiffs' renewed motion for class certification for November 22, 2010; and set the date for the completion of fact discovery for December 20, 2010;

WHEREAS, the parties have conferred on a briefing and hearing schedule for their respective motions so the motions may be filed after the close of fact discovery in the most efficient manner;

**IT IS HEREBY STIPULATED , MODIFIED by the Court as follows:**

///

Stipulated Scheduling Order  
C-05-0037-JW (HRL); C-06-04457 JW (HRL)

1 In light of the age of this case, the Court does not find good cause to extend further Motion  
2 practice into August of 2011, thus, the Court sets the following briefing and hearing schedule for  
3 both Defendant's Renewed Motion for Summary Judgment and Plaintiffs' Renewed Motion for  
4 Class Certification:

- 5 (1) Opening Briefs for both Motions shall be filed on or before **January 17, 2011**;  
6  
7 (2) Opposition Briefs for both Motions shall be filed on or before **February 28, 2011**;  
8  
9 (3) Reply Briefs for both Motions shall be filed on or before **March 28, 2011**;  
10  
11 (4) The Court will conduct a hearing on both Motions on **April 18, 2011 at 9 a.m.**

12 In light of the liberal schedule set forth above, providing the parties with ample time  
13 between now and the due date for the Opening Briefs for both Motions, the parties may not  
14 stipulate to a different briefing schedule.

15 Dated: October 28, 2010

16   
17 JAMES WARE  
18 United States District Judge  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28