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13 Co-Lead Counsel for Plaintiffs

14
 15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA
 17 SAN JOSE DIVISION

18 THE APPLE IPOD ITUNES ANTI-TRUST)	Lead Case No. C-05-00037-JW(HRL)
19 LITIGATION)	
20 _____)	<u>CLASS ACTION</u>
21 This Document Relates To:)	DECLARATION OF PAULA M. ROACH IN
22 ALL ACTIONS.)	SUPPORT OF PLAINTIFFS' OPPOSITION
23 _____)	TO DEFENDANT'S ADMINISTRATIVE
	MOTION TO SHORTEN TIME FOR
	BRIEFING AND HEARING
	DEFENDANT'S MOTION TO COMPEL

1 I, Paula M. Roach, hereby declare as follows:

2 1. I am an attorney duly licensed to practice before all the courts of the state of
3 California. I am associated with the law firm of Robbins Geller Rudman & Dowd LLP, Co-Lead
4 Class Counsel of record for Plaintiffs Melanie Tucker, Mariana Rosen, and Somtai Troy Charoensak
5 in this action. I have personal knowledge of the matters stated herein, and, if called upon, I could
6 and would competently testify thereto.

7 2. On October 27, 2010, Defendant Apple Inc. (“Apple”) served 19 broad contention
8 interrogatories and six accompanying requests for production of documents on each plaintiff. All of
9 these requests require analysis of the facts and data produced by Apple.

10 3. As of October 27, in the three years of ongoing discovery, Apple had produced
11 97,316 pages of documents and little to no data requested by Plaintiffs’ experts. Beginning on
12 November 15, 2010, Apple began producing documents in massive quantities. Between November
13 15, 2010 and December 20, 2010, the last day for fact discovery, Apple produced 1,606,951 pages of
14 documents plus data needed by Plaintiffs’ experts. Over the last month, Plaintiffs also took the
15 deposition of six fact witnesses. Plaintiffs responded to the interrogatories and document requests on
16 December 20, 2010.

17 4. On December 21, Alexandra S. Bernay, an associate at my firm, sent Apple’s counsel
18 a letter informing him that Plaintiffs could not respond to the contention requests because Apple had
19 produced massive quantities of documents over the last four weeks and the materials necessary for
20 expert analysis were received by counsel the night before. Ms. Bernay stated that Plaintiffs were
21 reviewing and analyzing Apple’s large production and would provide responses to the contention
22 requests in time for Apple to use them, if desired, in its reply in support of its upcoming motion for
23 summary judgment.

24 5. On December 23, Ms. Bernay once again informed Apple’s counsel that Plaintiffs
25 were not refusing to respond to the contention discovery and would do so once review and analysis
26 of Apple’s production was completed.

27 6. On December 27, 2010, Apple filed a Motion to Compel Interrogatory Responses and
28 Requests for Production along with a motion to shorten time for briefing and hearing on that motion.

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CERTIFICATE OF SERVICE

I hereby certify that on December 30, 2010, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on December 30, 2010.

s/ Paula M. Roach
PAULA M. ROACH

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Manual Notice List

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- (No manual recipients)