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14 [Additional counsel appear on signature page.]

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

18 THE APPLE IPOD ITUNES	)	Lead Case No. C-05-00037-JW(HRL)
19 ANTI-TRUST LITIGATION	)	
	)	<u>CLASS ACTION</u>
20 _____	)	
21 This Document Relates To:	)	NOTICE OF MOTION AND ADMINISTRATIVE
	)	MOTION TO FILE UNDER SEAL PORTIONS OF
22 ALL ACTIONS.	)	PLAINTIFFS' MOTION REGARDING
_____	)	SCHEDULE FOR CLASS CERTIFICATION AND
	)	DEPOSITIONS AND PORTIONS OF THE
23	)	DECLARATION OF ALEXANDRA S. BERNAY IN
24	)	SUPPORT THEREOF, PURSUANT TO LOCAL
	)	RULE 79-5(c)

25 JUDGE: Hon. James Ware  
 26 DATE: TBD  
 27 TIME: 9:00 a.m.  
 28 CTRM: 8, 4th Floor

1 TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

2 PLEASE TAKE NOTICE that, pursuant to Local Rules 7-11(a) and 79-5(c), on a date to be  
3 determined by the Court, before the Honorable James Ware, at 9:00 a.m., in Courtroom 8, 4th Floor,  
4 direct purchaser plaintiffs Somtai Troy Charoensak, Mariana Rosen, and Melanie Tucker  
5 (collectively "Plaintiffs") will move for permission from the Court to file under seal portions of the  
6 Plaintiffs' Motion Regarding Schedule for Class Certification and Depositions and Portions of the  
7 Declaration of Alexandra S. Bernay in Support Thereof.

8 The reasons supporting Plaintiffs' administrative motion are set forth in the Declaration of  
9 Bonny E. Sweeney in Support of Plaintiffs' Motion to File Under Seal Portions of Plaintiffs' Motion  
10 Regarding Schedule for Class Certification and Depositions and Portions of the Declaration of  
11 Alexandra S. Bernay in Support Thereof Pursuant to Local Rule 79-5(c), filed concurrently herewith.  
12 Plaintiffs have also concurrently lodged a proposed order.

13 DATED: January 7, 2011

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CERTIFICATE OF SERVICE

I hereby certify that on January 7, 2011, 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 January 7, 2011.

s/ Bonny E. Sweeney  
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### **Manual Notice List**

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (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.

- (No manual recipients)