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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

14 THE APPLE IPOD iTUNES ANTI-TRUST
LITIGATION

Lead Case No. C 05-00037 JW (HRL)

[CLASS ACTION]

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17 This Document Relates To:
18 ALL ACTIONS

**DEFENDANT'S NON-OPPOSITION
TO PLAINTIFFS' MOTION TO
SHORTEN TIME, AND CROSS –
MOTION TO SHORTEN TIME FOR
ITS SCHEDULING MOTION**

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20 Last Friday, Plaintiffs moved to extend two aspects of the current schedule (depositions
21 and class certification motion), and Apple has moved today to extend a third aspect (renewed
22 Rule 56 motion). Today, Plaintiffs moved to shorten time for its motion regarding scheduling.
23 Apple does not object to shortening time, and has filed its opposition to the underlying motion
24 today. By this motion, Apple seeks to shorten time for its cross-motion on scheduling.

25 Because both of these motions pertain to deadlines set for January 17, and because Apple
26 has already responded to Plaintiffs' motion on the merits, Apple proposes that Plaintiffs file any
27 further brief tomorrow with Apple's reply in support of its cross-scheduling motion to be filed
28 Wednesday.

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With this proposed briefing schedule, both parties' motions to extend time will be fully briefed by Wednesday so that the Court may consider them before the Monday, January 17 deadline for class certification and Rule 56 motions. Apple does not believe that oral argument is needed on either motion.

A proposed form of order is filed herewith.

Dated: January 10, 2011

Jones Day

By: /s/Robert A. Mittelstaedt
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