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8 Attorneys for Defendant
APPLE INC.

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

14 THE APPLE IPOD iTUNES ANTI-TRUST
LITIGATION

16 _____
17 This Document Relates To:
18 ALL ACTIONS

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

CLASS ACTION

**DECLARATION OF ROBERT A.
MITTELSTAEDT IN SUPPORT OF
APPLE INC.'S OPPOSITION TO
MOTION RE SCHEDULING AND
CROSS-MOTION TO EXTEND TIME
FOR RENEWED RULE 56 MOTION**

Judge: Honorable James Ware
Date: TBD
Time: 9:00 a.m.
Place: Courtroom 8, 4th Floor

23 1. I am counsel of record for defendant Apple, Inc., (Apple) and make this
24 declaration with respect to Apple's opposition to Plaintiffs' motion re scheduling and Apple's
25 cross motion to extend time for its renewed Rule 56 motion. The facts stated in this declaration
26 are true and based upon my own personal knowledge and, if called to testify to them, I would
27 competently do so.
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