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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: )	NOTICE OF MOTION AND
22 ALL ACTIONS. )	ADMINISTRATIVE MOTION TO FILE
23 _____ )	UNDER SEAL PORTIONS OF PLAINTIFFS'
	MOTION TO EXCLUDE THE OPINIONS
	OF DEFENDANT'S EXPERT, DR.
	MICHELLE M. BURTIS, PH.D. AND
	EXHIBIT 1 TO THE DECLARATION OF
	ALEXANDRA S. BERNAY IN SUPPORT
	THEREOF PURSUANT TO LOCAL RULE
	79-5(b)-(c)

26 JUDGE: Hon. James Ware  
 27 DATE: May 2, 2011  
 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(b)-(c), on May 2,  
3 2011, before Honorable James Ware, at 9:00 a.m., in Courtroom 8, 4th Floor, Plaintiffs Melanie  
4 Tucker, Mariana Rosen, and Somtai Troy Charoensak (collectively "Plaintiffs") will move for  
5 permission from the Court to file under seal portions of Plaintiffs' Motion to Exclude the Opinions  
6 of Defendant's Expert, Dr. Michelle M. Burtis, Ph.D. and Exhibit 1 to the Declaration of Alexandra  
7 S. Bernay in Support Thereof Pursuant to Local Rule 79-5(b)-(c).

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 to Exclude the Opinions of Defendant's Expert, Dr. Michelle M. Burtis, Ph.D. and Exhibit 1 to the  
11 Declaration of Alexandra S. Bernay in Support Thereof Pursuant to Local Rule 79-5(b)-(c), filed  
12 concurrently herewith. Plaintiffs have also concurrently lodged a proposed order.

13 DATED: March 28, 2011

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NOM AND ADMIN MOTION TO FUS PORTIONS OF PLTFES' MOTION TO EXCLUDE THE  
OPINIONS OF DEFENDANT'S EXPERT, DR. MICHELLE M. BURTIS, PH.D. - C-05-00037-  
JW(HRL)

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CERTIFICATE OF SERVICE

I hereby certify that on March 28, 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 March 28, 2011.

s/ Bonny E. Sweeney  
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## Manual Notice List

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