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13 Co-Lead Counsel for Plaintiffs

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

17 THE APPLE IPOD ITUNES ANTI-TRUST) Lead Case No. C-05-00037-JW(HRL)
 18 LITIGATION)
) CLASS ACTION

19 This Document Relates To:)
 20 ALL ACTIONS.)
 21)
 22)
 23)
 24)
 25)
 26)
 27)
 28)

DECLARATION OF BONNY E. SWEENEY
 IN SUPPORT OF PLAINTIFFS'
 ADMINISTRATIVE MOTION TO FILE
 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)

JUDGE: Hon. James Ware
 DATE: May 2, 2011
 TIME: 9:00 a.m.
 CTRM; 8, 4th Floor

1 I, BONNY E. SWEENEY, hereby declare as follows:

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

7 2. I submit this declaration in support of Plaintiffs’ Administrative Motion to File Under
8 Seal Portions of Plaintiffs’ Motion to Exclude the Opinions of Defendant’s Expert, Dr. Michelle M.
9 Burtis, Ph.D. (“Motion”) and Exhibit 1 to the Declaration of Alexandra S. Bernay in Support
10 Thereof (“Bernay Exhibit”) Pursuant to Local Rule 79-5(b)-(c).

11 3. Apple has designated these documents and information as “Confidential – Attorneys’
12 Eyes Only” under the Protective Order as containing commercially sensitive business information.
13 This motion is intended to satisfy Plaintiffs’ obligations under the Protective Order. In accordance
14 with the Protective Order, the confidential information in the Motion have been redacted to allow
15 public access to the redacted Motion. The redacted Motion is marked “Redacted.” The Bernay
16 Exhibit has been filed under seal.

17 I declare under penalty of perjury under the laws of the United States of America that the
18 foregoing is true and correct. Executed this 28th day of March, 2011, at San Diego, California.

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20 s/ Bonny E. Sweeney
BONNY E. SWEENEY

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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
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)