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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)	
_____)	<u>CLASS ACTION</u>
19 This Document Relates To:)	
20 ALL ACTIONS.)	DECLARATION OF ALEXANDRA S.
_____)	BERNAY IN SUPPORT OF PLAINTIFFS'
	OPPOSITION TO APPLE'S OBJECTIONS
	TO PLAINTIFFS' EVIDENCE FILED IN
	SUPPORT OF REPLY IN SUPPORT OF
	PLAINTIFFS' RENEWED MOTION FOR
	CLASS CERTIFICATION

JUDGE: Hon. James Ware
 DATE: April 18, 2011
 TIME: 9:00 a.m.
 25 CTRM: 8, 4th Floor

26 **[EXHIBITS 1-30 FILED UNDER SEAL]**

1 I, ALEXANDRA S. BERNAY, 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 an associate at the law firm Robbins Geller Rudman & Dowd LLP, Co-Lead
4 Counsel of record for Plaintiffs Melanie Tucker, Mariana Rosen and Somtai Troy Charoensak
5 (collectively, "Plaintiffs") in this action. I have personal knowledge of the matters stated herein,
6 and, if called upon, I could and would competently testify thereto.

7 2. I submit this Declaration in Support of Plaintiffs' Opposition to Apple's Objections to
8 Plaintiffs' Evidence Filed in Support of Reply in Support of Plaintiffs' Renewed Motion for Class
9 Certification.

10 3. Attached hereto are true and correct copies of the following exhibits:

- 11 Exhibit 1: Email between counsel, dated February 26, 2010
[filed under seal];
- 12 Exhibit 2: Email between counsel, dated October 15, 2009
13 [filed under seal];
- 14 Exhibit 3: Letter between counsel, dated October 13, 2009
[filed under seal];
- 15 Exhibit 4: Letter between counsel, dated October 19, 2009
[filed under seal];
- 16 Exhibit 5: Email between counsel, dated March 18, 2010
17 [filed under seal];
- 18 Exhibit 6: Letter between counsel, dated July 15, 2010
[filed under seal];
- 19 Exhibit 7: Letter between counsel, dated November 11, 2009
[filed under seal];
- 20 Exhibit 8: Email between counsel, dated December 11, 2010
[filed under seal];
- 21 Exhibit 9: Letter between counsel, dated September 20, 2010
22 [filed under seal];
- 23 Exhibit 10: Letter between counsel, dated December 14, 2010
[filed under seal];
- 24 Exhibit 11: Email between counsel, dated December 17, 2010
[filed under seal];
- 25 Exhibit 12: Email between counsel, dated January 6, 2011
26 [filed under seal];
- 27 Exhibit 13: Email between counsel, dated January 4, 2011
[filed under seal];

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- 1 Exhibit 14: Email between counsel, dated January 25, 2011
[filed under seal];
- 2 Exhibit 15: Email between counsel, dated February 9, 2011
[filed under seal];
- 3 Exhibit 16: Email between counsel, dated February 14, 2011
[filed under seal];
- 4 Exhibit 17: Email between counsel, dated February 20, 2011
[filed under seal];
- 5 Exhibit 18: Email between counsel, dated February 25, 2011
[filed under seal];
- 6 Exhibit 19: Email between counsel, dated March 3, 2011
[filed under seal];
- 7 Exhibit 20: Email between counsel, dated March 7, 2011
[filed under seal];
- 8 Exhibit 21: Email between counsel, dated March 10, 2011
[filed under seal];
- 9 Exhibit 22: Email between counsel, dated March 11, 2011
[filed under seal];
- 10 Exhibit 23: Email between counsel, dated March 15, 2011
[filed under seal];
- 11 Exhibit 24: Email between counsel, dated March 16, 2011
[filed under seal];
- 12 Exhibit 25: Email between counsel, dated March 21, 2011
[filed under seal];
- 13 Exhibit 26: Email between counsel, dated March 22, 2011
[filed under seal];
- 14 Exhibit 27: Email between counsel, dated March 23, 2011
[filed under seal];
- 15 Exhibit 28: Email between counsel, dated March 25, 2011
[filed under seal];
- 16 Exhibit 29: Email between counsel, dated March 25, 2011
[filed under seal]; and
- 17 Exhibit 30: Email between counsel, dated March 28, 2011
[filed under seal].

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24 I declare under penalty of perjury under the laws of the United States of America that the
25 foregoing is true and correct. Executed this 11th day of April, 2011, at San Diego, California.

26 s/ Alexandra S. Bernay
27 _____
ALEXANDRA S. BERNAY

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CERTIFICATE OF SERVICE

I hereby certify that on April 11, 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 April 11, 2011.

s/ Alexandra S. Bernay
ALEXANDRA S. BERNAY

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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)