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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

THE APPLE IPOD ITUNES ANTI-TRUST LITIGATION)	Lead Case No. C-05-00037-JW(HRL)
)	
)	<u>CLASS ACTION</u>
This Document Relates To:)	
ALL ACTIONS.)	DECLARATION OF CARMEN A. MEDICI IN SUPPORT OF PLAINTIFFS' MOTION TO EXTEND TIME TO FILE SUPPLEMENTAL DECLARATION AND SUBMIT PROPOSED SCHEDULE FOR SUPPLEMENTAL EXPERT REPORTS

1 I, CARMEN A. MEDICI, 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 associated with the law firm of Robbins Geller Rudman & Dowd LLP, Co-Lead
4 Class 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’ Motion to Extend Time to File
8 Supplemental Declaration and Submit Proposed Schedule for Supplemental Expert Reports.

9 3. Attached as Exhibit 1 is a true and correct copy of an e-mail thread dated June 28,
10 2011 between myself and counsel for Apple.

11 4. Plaintiffs met and conferred with Apple regarding the date to submit a proposed
12 schedule for supplemental expert reports but were unable to come to agreement. This discussion is
13 outlined in Exhibit 1.

14 5. Plaintiffs’ expert, Professor Roger G. Noll, has two expert reports due in other cases
15 on July 6, 2011 and cannot complete his Supplemental Declaration before the July 5, 2011 date as
16 set forth in the Court’s June 27, 2011 Order (Dkt. No. 650).

17 6. If the Court does not change the time, Plaintiffs will suffer substantial harm because
18 Professor Noll will not be able to devote the customary amount of time he spends preparing a
19 declaration filed with a court.

20 7. Since the Court’s Order of October 28, 2010 (Dkt. No. 392) setting the schedule for
21 briefing and argument of class certification and summary judgment, I am aware of no time
22 modifications in this case relating to summary judgment or class certification.

23 8. This extension of time would not materially affect the schedule for the case or
24 otherwise cause any delay in the proceedings. Plaintiffs wish to appropriately resolve this case as
25 soon as possible.

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

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4 s/ Carmen A. Medici
CARMEN A. MEDICI

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I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on June 28, 2011.

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- (No manual recipients)