

United States District Court  
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

The Apple iPod iTunes Antitrust Litigation      NO. C 05-00037 JW

**ORDER GRANTING MOTION TO  
EXTEND TIME**

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Presently before the Court is Plaintiffs’ Motion to Extend Time.<sup>1</sup> On June 27, 2011, the Court ordered Plaintiffs to file a Supplemental Declaration by their expert, Roger G. Noll, on or before July 5, 2011, and ordered Defendant to file its Response to the Supplemental Declaration, if any, on or before July 8, 2011. (See Docket Item No. 650.) In addition, the Court ordered the parties to meet and confer and suggest to the Court a suitable schedule for the parties to submit Supplemental Expert Reports, and ordered that the parties submit a Stipulation on that schedule on or before July 8, 2011. (*Id.* at 1 n.1.)

In their Motion, Plaintiffs move that the Court modify its June 27 Order and extend by one week the deadlines for the filing of their Supplemental Declaration and Defendant’s Response. (Motion at 1.) Plaintiffs further move the Court to extend time for the parties to file a Stipulation regarding the submission of Supplemental Expert Reports until July 15, 2011. (*Id.*) To date, Defendant has not filed an Opposition to Plaintiffs’ Motion to Extend Time.<sup>2</sup> However, because any

\_\_\_\_\_ <sup>1</sup> (Plaintiffs’ Motion to Extend Time to File Supplemental Declaration and Submit Proposed Schedule for Supplemental Expert Reports, hereafter, “Motion,” Docket Item No. 652.)

<sup>2</sup> However, Plaintiffs contend that Defendant “does not oppose” extending the deadlines for the Supplemental Declaration and Response, but Defendant “does not agree” to extending time for the parties to file a Stipulation as to the submission of Supplemental Expert Reports. (Motion at 1.)

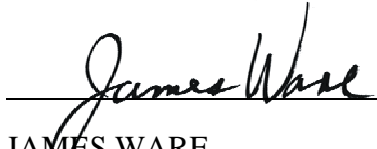
1 modification would not prejudice Defendant, the Court finds that it can address this administrative  
2 Motion without a formal Opposition from Defendant.

3 The Civil Local Rules provide: “After receiving a motion to enlarge or shorten time and any  
4 opposition, the Judge may grant, deny, modify the requested time change or schedule the matter for  
5 additional briefing or a hearing.” See Civ. L.R. 6-3(d).

6 Upon review, the Court finds good cause to GRANT Plaintiffs’ Motion to Extend Time and  
7 ORDERS as follows:

- 8 (1) On or before **July 18, 2011**, Plaintiffs shall file the Supplemental Declaration from  
9 their expert, Roger G. Noll, as set forth in the Court’s June 27 Order.
- 10 (2) On or before **July 22, 2011**, Defendant shall file its Response to the Supplemental  
11 Declaration, if any.
- 12 (3) On or before **July 22, 2011**, the parties shall file their Stipulation on a schedule for  
13 submitting Supplemental Expert Reports, as set forth in the Court’s June 27 Order.

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16 Dated: June 29, 2011

  
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JAMES WARE  
United States District Chief Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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**Dated: June 29, 2011**

**Richard W. Wieking, Clerk**

By:           /s/ JW Chambers            
**Susan Imbriani**  
**Courtroom Deputy**