

1 ROBBINS GELLER RUDMAN
 & DOWD LLP
 2 JOHN J. STOIA, JR. (141757)
 BONNY E. SWEENEY (176174)
 3 THOMAS R. MERRICK (177987)
 ALEXANDRA S. BERNAY (211068)
 4 CARMEN A. MEDICI (248417)
 655 West Broadway, Suite 1900
 5 San Diego, CA 92101
 Telephone: 619/231-1058
 6 619/231-7423 (fax)
 johns@rgrdlaw.com
 7 bonnys@rgrdlaw.com
 tmerrick@rgrdlaw.com
 8 xanb@rgrdlaw.com
 cmedici@rgrdlaw.com

9 Class Counsel for Plaintiffs

10 [Additional counsel appear on signature page.]

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA
 13 SAN FRANCISCO DIVISION

14 THE APPLE IPOD ITUNES ANTI-TRUST)	Lead Case No. C-05-00037-JW
15 LITIGATION)	
16 _____)	<u>CLASS ACTION</u>
17 This Document Relates To:)	DECLARATION OF ALEXANDRA S.
18 ALL ACTIONS.)	BERNAY IN SUPPORT OF JOINT
_____)	PROPOSAL REGARDING NOTICE PLAN

19
 20
 21
 22
 23
 24
 25
 26
 27
 28

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 a member of the law firm of Robbins Geller Rudman & Dowd LLP, Class Counsel
4 of record for Plaintiffs Melanie Tucker, Mariana Rosen and Somtai Troy Charoensak (“Plaintiffs”)
5 in the above-entitled 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 the parties’ Joint Proposal Regarding Notice
8 Plan.

9 3. Attached hereto are true and correct copies of the following documents:

- 10 Exhibit 1: Proposed Summary Notice for Publication;
11 Exhibit 2: Proposed Notice of Pendency of Class Action to be emailed;
12 Exhibit 3: Proposed Long-Form Notice to be published on a website;
13 Exhibit 4: *In re Apple & ATTM Antitrust Litig.*, No. 5:07-cv-05152-JW, slip. op.
14 (N.D. Cal. Sept. 15, 2010);
15 Exhibit 5: *In re Classmates.com Consol. Litig.*, No. C 09-45 RAJ, slip. op. (W.D. Wash.
16 Apr. 19, 2010);
17 Exhibit 6: *Cho v. Seagate Tech. (US) Holdings, Inc.*, No. CGC 06-453195, slip. op.
18 (San Francisco Super. Ct. Mar. 1, 2010); and
19 Exhibit 7: *Barker v. Skype, Inc.*, No. 2:09-cv-01364-RSM, slip. op. (W.D. Wash. Nov.
20 17, 2009).

21 I declare under penalty of perjury under the laws of the United States of America that the
22 foregoing is true and correct. Executed this 9th day of January, 2012, at San Diego, California.

23
24
25
26
27
28

s/ Alexandra S. Bernay
ALEXANDRA S. BERNAY

1 CERTIFICATE OF SERVICE

2 I hereby certify that on January 9, 2012, I authorized the electronic filing of the foregoing
3 with the Clerk of the Court using the CM/ECF system which will send notification of such filing to
4 the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I
5 caused to be mailed the foregoing document or paper via the United States Postal Service to the non-
6 CM/ECF participants indicated on the attached Manual Notice List.

7 I certify under penalty of perjury under the laws of the United States of America that the
8 foregoing is true and correct. Executed on January 9, 2012.

9 s/ Alexandra S. Bernay
10 ALEXANDRA S. BERNAY

11 ROBBINS GELLER RUDMAN
12 & DOWD LLP
13 655 West Broadway, Suite 1900
14 San Diego, CA 92101-3301
15 Telephone: 619/231-1058
16 619/231-7423 (fax)

17 E-mail: xanb@rgrdlaw.com
18
19
20
21
22
23
24
25
26
27
28

Mailing Information for a Case 5:05-cv-00037-JW

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Francis Joseph Balint , Jr**
fbalint@bffb.com
- **Alexandra Senya Bernay**
xanb@rgrdlaw.com
- **Michael D Braun**
service@braunlawgroup.com
- **Michael D. Braun**
service@braunlawgroup.com,clc@braunlawgroup.com
- **Todd David Carpenter**
tcarpenter@bffb.com,pjohnson@bffb.com,rcreech@bffb.com
- **Andrew S. Friedman**
khonecker@bffb.com,rcreech@bffb.com,afriedman@bffb.com
- **Alreen Haeggquist**
alreenh@zhlaw.com,judyj@zhlaw.com,winkyc@zhlaw.com
- **Roy Arie Katriel**
rak@katriellaw.com,rk618@aol.com
- **Thomas J. Kennedy**
tkennedy@murrayfrank.com
- **David Craig Kiernan**
dkiernan@jonesday.com,lwong@jonesday.com
- **Carmen Anthony Medici**
cmedici@rgrdlaw.com,slandry@rgrdlaw.com
- **Thomas Robert Merrick**
tmerrick@rgrdlaw.com,e_file_sd@rgrdlaw.com,e_file_sf@rgrdlaw.com
- **Caroline Nason Mitchell**
cnmitchell@jonesday.com,mlandsborough@jonesday.com
- **Robert Allan Mittelstaedt**
ramittelstaedt@jonesday.com,mlandsborough@jonesday.com
- **Brian P. Murray**
bmurray@murrayfrank.com
- **George A. Riley**
griley@omm.com,lperez@omm.com,cchiu@omm.com
- **Elaine A. Ryan**

eryan@bffb.com,nserden@bffb.com

- **Jacqueline Sailer**
jsailer@murrayfrank.com
- **Michael Tedder Scott**
mike.scott@dlapiper.com,carolyn.ernser@dlapiper.com
- **Craig Ellsworth Stewart**
cestewart@jonesday.com,mlandsborough@jonesday.com
- **John J. Stoia , Jr**
jstoia@rgrdlaw.com
- **Bonny E. Sweeney**
bonnys@rgrdlaw.com,christinas@rgrdlaw.com,E_file_sd@rgrdlaw.com
- **Helen I. Zeldes**
helenz@zhlaw.com

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)