

FILED

UNITED STATES COURT OF APPEALS

MAR 13 2012

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

<p>MELANIE TUCKER; et al.,</p> <p>Plaintiffs - Respondents,</p> <p>v.</p> <p>APPLE INC.,</p> <p>Defendant - Petitioner.</p>

No. 11-80293

D.C. No. 5:05-cv-00037-JW
Northern District of California,
San Jose

ORDER

Before: GRABER and N.R. SMITH, Circuit Judges.

The parties' motions to file appendices under seal are granted.

Petitioner's opposed motion for leave to file a reply brief in support of this petition for permission to appeal is granted.

The court, in its discretion, denies the petition for permission to appeal the district court's November 22, 2011 order granting class action certification. *See* Fed. R. Civ. P. 23(f); *Chamberlan v. Ford Motor Co.*, 402 F.3d 952 (9th Cir. 2005) (per curiam).

AS/MOATT