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 APPLE INC.

8
 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 OAKLAND DIVISION

13 **THE APPLE IPOD iTUNES ANTI-
 14 TRUST LITIGATION**

**Lead Case No. C 05-00037 YGR
 [CLASS ACTION]**

**DECLINATION TO PROCEED BEFORE A
 MAGISTRATE JUDGE FOR ALL
 PROCEEDINGS INCLUDING TRIAL**

15 _____
 16 **This Document Relates To:**
 17 **ALL ACTIONS**

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Pursuant to the Court’s September 6, 2012 Order (Dkt. No. 718), the parties have discussed with their clients the option of proceeding before a magistrate judge for all proceedings including trial. The parties decline to proceed before a magistrate judge for all proceedings including trial.

Dated: September 17, 2012

JONES DAY

By: /s/ David C. Kiernan
David C. Kiernan

Counsel for Defendant APPLE INC.

Dated: September 17, 2012

JONES DAY

By: /s/ Alexandra Bernay
Alexandra Bernay

Counsel for Plaintiffs