

1 ROBBINS GELLER RUDMAN
 & DOWD LLP
 2 BONNY E. SWEENEY (176174)
 THOMAS R. MERRICK (177987)
 3 ALEXANDRA S. BERNAY (211068)
 CARMEN A. MEDICI (248417)
 4 JENNIFER N. CARINGAL (286197)
 655 West Broadway, Suite 1900
 5 San Diego, CA 92101
 Telephone: 619/231-1058
 6 619/231-7423 (fax)
 bonnys@rgrdlaw.com
 7 tomm@rgrdlaw.com
 xanb@rgrdlaw.com
 8 cmedici@rgrdlaw.com
 jcaringal@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 OAKLAND DIVISION

14 THE APPLE IPOD ITUNES ANTI-TRUST)	Lead Case No. C-05-00037-YGR
15 LITIGATION)	
_____)	<u>CLASS ACTION</u>
16 This Document Relates To:)	
17 ALL ACTIONS.)	PLAINTIFFS' ADMINISTRATIVE
_____)	MOTION TO FILE PLAINTIFFS' MOTION
	TO STRIKE THE SUPPLEMENTAL
	REPORT OF KEVIN M. MURPHY AND
	ROBERT H. TOPEL, DATED DECEMBER
	20, 2013 UNDER SEAL PURSUANT TO
	CIVIL L.R. 7-11 AND 79-5(c)

19 DATE: February 18, 2014
 20 TIME: 2:00 p.m.
 21 CTRM: 5, 2nd Floor
 22 JUDGE: Hon. Yvonne Gonzalez Rogers

1 Plaintiffs’ Melanie Tucker, Somtai Troy Charoensak and Mariana Rosen (collectively,
2 “plaintiffs”) respectfully submit this Administrative Motion for leave to file under seal Plaintiffs’
3 Motion to Strike the Supplemental Report of Kevin M. Murphy and Robert H. Topel, dated
4 December 20, 2013. Plaintiffs bring this motion pursuant to Civil Local Rules 7-11 and 79-5(c) and
5 the June 13, 2007 Stipulated Protective Regarding Confidential Information (“Protective Order”).

6 Plaintiffs’ Motion to Strike the Supplemental Report of Kevin M. Murphy and Robert H.
7 Topel is being lodged with the Court. The document refers to information and quotes documents
8 produced and designated “Confidential” in this action by defendant Apple Inc. (“Apple”).

9 The Protective Order requires that the parties file a request to seal any discovery they submit
10 to the Court that is designated “Confidential.” Protective Order, ¶7. Although plaintiffs do not
11 necessarily believe it is critical to seal the designated documents and information from the public
12 record, especially in light of the “compelling reasons” test set forth by the Ninth Circuit in
13 *Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006), plaintiffs have filed the
14 instant motion so as to comply with the Protective Order.

15 Consistent with Rule 79-5(e), within four days of the filing of plaintiffs’ Administrative
16 Motion to File Under Seal, the designating party must file with the Court and serve declarations
17 supporting the request to seal the protected material and must lodge and serve a narrowly tailored
18 proposed sealing order, or the information at issue will be made part of the public record.

19
20
21
22
23
24
25
26
27
28

1 For the foregoing reasons, plaintiffs respectfully request that the Court grant plaintiffs'
2 Administrative Motion to File Under Seal and issue an order sealing Plaintiffs' Motion to Strike the
3 Supplemental Report of Kevin M. Murphy and Robert H. Topel.

4 DATED: January 13, 2014

Respectfully submitted,

5 ROBBINS GELLER RUDMAN
6 & DOWD LLP
7 BONNY E. SWEENEY
8 THOMAS R. MERRICK
9 ALEXANDRA S. BERNAY
10 CARMEN A. MEDICI
11 JENNIFER N. CARINGAL

12 s/ Bonny E. Sweeney
13 _____
14 BONNY E. SWEENEY

15 655 West Broadway, Suite 1900
16 San Diego, CA 92101
17 Telephone: 619/231-1058
18 619/231-7423 (fax)

19 Class Counsel for Plaintiffs

20 THE KATRIEL LAW FIRM
21 ROY A. KATRIEL
22 1101 30th Street, N.W., Suite 500
23 Washington, DC 20007
24 Telephone: 202/625-4342
25 202/330-5593 (fax)

26 BONNETT, FAIRBOURN, FRIEDMAN
27 & BALINT, P.C.
28 ANDREW S. FRIEDMAN
FRANCIS J. BALINT, JR.
ELAINE A. RYAN
2325 E. Camelback Road, Suite 300
Phoenix, AZ 85016
Telephone: 602/274-1100
602/274-1199 (fax)

BRAUN LAW GROUP, P.C.
MICHAEL D. BRAUN
10680 West Pico Blvd., Suite 280
Los Angeles, CA 90064
Telephone: 310/836-6000
310/836-6010 (fax)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

GLANCY BINKOW & GOLDBERG LLP
BRIAN P. MURRAY
122 East 42nd Street, Suite 2920
New York, NY 10168
Telephone: 212/382-2221
212/382-3944 (fax)

GLANCY BINKOW & GOLDBERG LLP
MICHAEL GOLDBERG
1925 Century Park East, Suite 2100
Los Angeles, CA 90067
Telephone: 310/201-9150
310/201-9160 (fax)

Additional Counsel for Plaintiffs

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that on January 13, 2014, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on January 13, 2014.

s/ Bonny E. Sweeney
BONNY E. SWEENEY

ROBBINS GELLER RUDMAN
& DOWD LLP
655 West Broadway, Suite 1900
San Diego, CA 92101-3301
Telephone: 619/231-1058
619/231-7423 (fax)
E-mail: bonnys@rgrdlaw.com

Mailing Information for a Case 4:05-cv-00037-YGR "The Apple iPod iTunes Anti-Trust Litigation"

Electronic Mail Notice List

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

- **Amir Q Amiri**
aamiri@jonesday.com, ttualaulelei@jonesday.com
- **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
- **Jennifer N. Caringal**
JCaringal@rgrdlaw.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,pwalter@jonesday.com
- **Brian P. Murray**
bmurray@glancylaw.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
- **Craig Ellsworth Stewart**
cestewart@jonesday.com,mlandsborough@jonesday.com
- **Bonny E. Sweeney**
bonnys@rgrdlaw.com,slandry@rgrdlaw.com,E_file_sd@rgrdlaw.com,ckopko@rgrdlaw.com
- **Helen I. Zeldes**
helenz@zhlaw.com,winkyc@zhlaw.com,aarono@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)