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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   )
)   CLASS ACTION
16 ─────────────────────────────────   )
   This Document Relates To:)   DECLARATION OF BONNY E. SWEENEY
17   )   IN SUPPORT OF PLAINTIFFS'
       ALL ACTIONS.   )   ADMINISTRATIVE MOTION TO FILE
18   )   PLAINTIFFS' MOTION TO STRIKE THE
   ─────────────────────────────────   SUPPLEMENTAL REPORT OF KEVIN M.
19   MURPHY AND ROBERT H. TOPEL,
                                               DATED DECEMBER 20, 2013 UNDER
20   SEAL PURSUANT TO CIVIL L.R. 7-11
                                               AND 79-5(c)
21
                                               DATE: February 18, 2014
22   TIME: 2:00 p.m.
                                               CTRM: 5, 2nd Floor
23   JUDGE: Hon. Yvonne Gonzalez Rogers

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1 I, Bonny E. Sweeney, declare:

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 for the Class and for Plaintiffs Melanie Tucker, Mariana Rosen and Somtai Troy Charoensak

5 (collectively, "plaintiffs") in this action. I have personal knowledge of the matters stated herein, and,

6 if called upon, I could and would competently testify thereto.

7 2. I submit this declaration in support of Plaintiffs' Administrative Motion to File Under

8 Seal Plaintiffs' Motion to Strike the Supplemental Report of Kevin M. Murphy and Robert H. Topel,

9 dated December 20, 2013. The document at issue includes material that has been designated

10 confidential under the Stipulated Protective Order Regarding Confidential Information ("Protective

11 Order"). It is plaintiffs' understanding that Apple wishes the documents to remain confidential.

12 3. Such filing under seal is necessitated by the designation of certain documents that are

13 quoted, paraphrased and referenced in Plaintiffs' Motion to Strike the Supplemental Report of Kevin

14 M. Murphy and Robert H. Topel, dated December 20, 2013, as "Confidential" by Apple.

15 4. Under the terms of the existing Protective Order, plaintiffs are obligated to file

16 Plaintiffs' Motion to Strike the Supplemental Report of Kevin M. Murphy and Robert H. Topel,

17 which reference documents designated as "Confidential" under seal.

18 I declare under penalty of perjury under the laws of the United States of America that the

19 foregoing is true and correct. Executed this 13th day of January, 2014, at San Diego, California.

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21   s/ Bonny E. Sweeney
              BONNY E. SWEENEY

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1   <u>CERTIFICATE OF SERVICE</u>

2   I hereby certify that on January 13, 2014, 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 13, 2014.

9   <u>s/ Bonny E. Sweeney</u>
                                            BONNY E. SWEENEY

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

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Manual Notice List

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- (No manual recipients)