

1 Robert A. Mittelstaedt #60359
 ramittelstaedt@jonesday.com
 2 Craig E. Stewart #129530
 cestewart@jonesday.com
 3 David C. Kiernan #215335
 dkiernan@jonesday.com
 4 JONES DAY
 555 California Street, 26th Floor
 5 San Francisco, CA 94104
 Telephone: (415) 626-3939
 6 Facsimile: (415) 875-5700

7 Attorneys for Defendant
 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]**

**UPDATED JOINT CASE MANAGEMENT
 CONFERENCE STATEMENT**

15
 16 **This Document Relates To:**

17 **ALL ACTIONS**

Judge: Honorable Yvonne Gonzalez Rogers
 Date: February 7, 2014
 Time: 3:30 p.m.
 Place: Courtroom 5

1 Pursuant to this Court's Standing Order in Civil Cases and the Court's April 5, 2013 Order,
2 the parties hereby provide a "joint statement regarding the status of the case and issues to be
3 addressed at the Case Management Conference" scheduled for February 7, 2014:

4 **1. Status of case.**

5 Fact and expert discovery is complete. On November 11, 2013, the Court entered the final
6 scheduling order regarding briefing for summary judgment and to exclude expert testimony.

7 On December 20, 2013, Apple moved for summary judgment and to exclude expert
8 testimony of Dr. Roger Noll. Plaintiffs opposed on January 13, 2014. Apple's reply is due on
9 January 31, 2014.

10 On December 20, 2013, plaintiffs moved to exclude certain opinions of Apple's experts.
11 Apple opposed on January 13, 2014. Plaintiffs' reply is due on January 31, 2014.

12 On January 13, 2014, plaintiffs moved to strike the supplemental report of Apple's experts.
13 Apple opposed on January 27, 2014. Plaintiffs' reply is due on February 3, 2014.

14 On January 29, 2014, the Court vacated the February 18, 2014 hearing set for motions for
15 summary judgment and to exclude experts.

16 **2. Issues to be addressed at the CMC.**

17 Pursuant to the Court's January 29, 2014 Order to Show Cause and Order Setting Pre-
18 Hearing and Case Management Conference, the following issues will be addressed: the order to
19 show cause, pre-filing conference on Apple's motion for summary judgment, and the date(s) of the
20 hearing for Apple's motion for summary judgment, the parties' motions to exclude expert
21 testimony, and Plaintiffs' motion to strike currently on file.
22
23
24
25
26
27
28

1 Dated: January 31, 2014

JONES DAY

2

By: /s/ Robert A. Mittelstaedt

3

Robert A. Mittelstaedt

4

Counsel for Defendant APPLE INC.

5 Dated: January 31, 2014

ROBBINS GELLER RUDMAN
& DOWD LLP

6

By: /s/ Carmen A. Medici

7

Carmen A. Medici

8

Counsel for Plaintiffs

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28