Tomczak v. Apple	Computer, Inc.	Doc.	39
1			
2			
3			
4			
5	*E-FILED - 12/23/09*		
6			
7			
8	UNITED STATES DISTRICT COURT		
9	NORTHERN DISTRICT OF CALIFORNIA		
10	SAN JOSE DIVISION		
11	In re:) MDL Docket No. M:06-cv-01754-) RMW		
12	Apple iPod Nano Litigation		
13) ORDER RE		
14	() [] ORDER RE () DISMISSAL OF ACTIONS () WITHOUT PREJUDICE		
15			
16			
17			
18			
19			
20 21			
22			
23			
24			
25			
26			
27			
28			
	[] ORDER RE DISMISSAL OF ACTIONS WITHOUT PREJUDICE Dockets.Jus	stia c	nm
	D contained		(

* * ORDER * *

IT IS HEREBY ORDERED THAT *In re Apple iPod nano Products Liability Litigation*, United States District Court for the Northern District of California, Case No. M-06-1754-RMW, MDL No. 1754, is dismissed without prejudice, including without limitation the following actions:

- Moschella, et al. v. Apple Computer, Inc., Case No. C-05-04372-RMW (United States District Court for the Northern District of California, San Jose Division, complaint filed October 26, 2005);
- *Kahan, et al., v. Apple Computer, Inc.*, Case No. 05-CV-9251-JES (United States District Court for the Southern District of New York, complaint filed October 31, 2005); and
- Jennings, et al, v. Apple Computer, Inc., Case No. C-05-04520-RMW (United States District Court for the Northern District of California, San Jose Division, complaint filed November 4, 2005).

DATED:__12/23/09_____

Konald M. Whyte
THE HONORABLE RONALI M. WHYTE

1	Respectfully Submitted By,	
2		
3	DATED: December 11, 2009	HAGENS BERMAN SOBOL SHAPIRO LLP
4		
5		By /s/ Lee M. Gordon
6		LEE M. GORDON
7		ELAINE T. BYSZEWSKI 700 South Flower St., Suite 2940
8		Los Angeles, CA 90017-4101 Telephone: (213) 330-7150 Facsimile: (213) 330-7152
10		REED R. KATHREIN HAGENS BERMAN SOBOL SHAPIRO LLP
11		715 Hearst Avenue, Suite 202
12		Berkeley, CA 94710 Telephone: (510) 725-3000 Facsimile: (510) 725-3001
13 14		STEVE W. BERMAN HAGENS BERMAN SOBOL SHAPIRO LLP
15		1301 Fifth Avenue, Suite 2900
16		Seattle, WA 98101 Telephone: (206) 623-7292 Facsimile: (206) 623-0594
17		DAVID P. MEYER
18		DAVID P. MEYER & ASSOCIATES CO., LPA
19		401 North Front Street, Suite 350 Columbus, OH 43215
20		Telephone: (614) 224-6000 Facsimile: (615) 224-6066
21		Attorneys for Plaintiffs
22		, J
23		
24		
25		
26		
27		
28		

CERTIFICATE OF SERVICE I, Lee M. Gordon, hereby certify that on December 11, 2009, I electronically filed 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 registered, as denoted on the attached Electronic Mail Notice List, and I hereby certify that I have 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. /s/ Lee M. Gordon LEE M. GORDON