

1 GEORGE A. RILEY (State Bar No. 118304)  
 O'MELVENY & MYERS LLP  
 2 Two Embarcadero Center  
 28th Floor  
 3 San Francisco, California 94111-3828  
 Telephone: (415) 984-8700  
 4 Facsimile: (415) 984-8701  
 E-Mail: griley@omm.com  
 5 Attorneys for Defendant APPLE INC.

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6 JAY W. EISENHOFER (*admitted pro hac vice*)  
 MICHAEL J. BARRY (*admitted pro hac vice*)  
 7 GRANT & EISENHOFER P.A.  
 Chase Manhattan Centre  
 8 1201 N. Market Street  
 Wilmington, Delaware 19801  
 9 Telephone: (302) 622-7000  
 Facsimile: (302) 622-7100  
 10 E-Mail: jeisenhofer@gelaw.com  
 mbarry@gelaw.com  
 11 Attorneys for Lead Plaintiff THE NEW YORK CITY EMPLOYEES'  
 RETIREMENT SYSTEM

12 (Additional Counsel Listed on Signature Page)

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 14 **UNITED STATES DISTRICT COURT**  
 15 **NORTHERN DISTRICT OF CALIFORNIA**  
 16 **SAN JOSE DIVISION**

17 IN RE APPLE INC. SECURITIES  
 LITIGATION  
 18  
 19 THIS DOCUMENT RELATES TO:  
 20 ALL ACTIONS  
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Case No. C06-05208-JF  
CLASS ACTION  
**STIPULATION AND [PROPOSED]  
 ORDER REGARDING SCHEDULING  
 MATTERS**  
 Department: Ctrm. 3, 5th Floor  
 Judge: Honorable Jeremy Fogel

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1           WHEREAS, on August 24, 2006, plaintiffs Vogel and Mahoney filed a class action  
2 complaint in this Court alleging that certain defendants violated the Securities Exchange Act of  
3 1934 (the “Exchange Act”), including § 10(b) and Rule 10b-5 thereunder, and § 20(a) (“*Vogel*  
4 *I*”);

5           WHEREAS, on June 27, 2008, plaintiffs Vogel and Mahoney filed a new class action  
6 complaint in this Court alleging that certain defendants violated the Exchange Act, including  
7 § 10(b) and Rule 10b-5 thereunder, and § 20(a) (“*Vogel II*”);

8           WHEREAS, on April 8, 2010, this Court entered an order consolidating *Vogel I* and *Vogel*  
9 *II*, extending defendants’ time to respond to the complaint to June 25, 2010, and setting a briefing  
10 schedule in the event that defendants respond to the complaint by filing motions;

11           WHEREAS, on May 14, 2010, plaintiffs filed a [Corrected] First Amended Consolidated  
12 Class Action Complaint (“Complaint”);

13           WHEREAS, on August 31, 2010, the Court entered an order continuing a Case  
14 Management Conference scheduled for September 3, 2010, at 10:30 a.m., to September 24, 2010,  
15 at 10:30 a.m., and extending defendants’ time to respond to the Complaint to October 1, 2010;

16           WHEREAS, September 20, 2010, the Clerk of the Court issued a Clerk’s Notice  
17 continuing the Case Management Conference set for September 24, 2010, to October 1, 2010, at  
18 10:30 a.m.;

19           WHEREAS, on September 28, 2010, the parties filed a Stipulation and Agreement of  
20 Settlement and requested entry of an order preliminarily approving the settlement, directing  
21 notice of the settlement, and scheduling a settlement fairness hearing;

22           WHEREAS, on September 29, 2010, the Court entered an order setting the hearing on  
23 plaintiffs’ unopposed motion for preliminary approval of the settlement for October 7, 2010, at  
24 10:00 a.m., and continued the Case Management Conference set for October 1, 2010, to October  
25 7, 2010, to be heard with the motion;

26           NOW, THEREFORE, counsel for plaintiffs, counsel for Apple Inc., and counsel for  
27 individual defendants Fred D. Anderson, William V. Campbell, Millard S. Drexler, Nancy R.  
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