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May 28, 2008

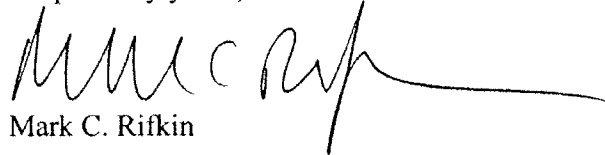
Honorable James Ware  
Courtroom 8, 4<sup>th</sup> Floor  
450 Golden Gate Avenue  
San Francisco, California 94102**Re: *In Re Apple & AT&TMM Antitrust Litigation***  
**Master File No. C 07-5152 JW**

Dear Judge Ware:

We are interim lead counsel for Plaintiffs in the above action. We write to request a conference with Your Honor to set a discovery schedule. We have met and conferred with Defendants' counsel but have been unable to reach an agreement on a proposed discovery schedule. Defendants insist that discovery is stayed and should continue to be stayed until the Court rules upon their motions to dismiss or to stay in favor of arbitration, which are due to be filed on June 6, 2008.

Thank you for Your Honor's continuing consideration.

Respectfully yours,

  
Mark C. Rifkin

MCR/mns/16068

cc: All Counsel of Record  
(See attached Declaration of Service)

DECLARATION OF SERVICE

I, Maureen Longdo , the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, a citizen of the United States and a resident of the County of San Diego, over the age of 18 years, and not a party to or interested in the within action; that declarant's business address is 750 B Street, Suite 2770, San Diego, California 92101.

2. That on May 28, 2008, declarant served Letter to the Honorable James Ware via the CM/ECF System to the parties who are registered participants of the CM/ECF System, and via U.S. Mail to the parties who are not registered participants of the CM/ECF System as indicated on the attached service list.

3. That there is regular communication between the parties.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 28th day of May 2008, at San Diego, California.

  
\_\_\_\_\_  
MAUREEN LONGDO

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