

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

NO. C 07-05152 JW

In re Apple & AT&TM Antitrust Litigation

**ORDER FOLLOWING CASE
MANAGEMENT CONFERENCE**

The Court conducted a Case Management Conference on June 23, 2008. Counsel for the respective parties were present. In light of the representations of the parties at the Case Management Conference, the Court orders as follows:

- (1) The Court specially sets a hearing on **September 12, 2008 at 1 p.m.** for Defendants' anticipated motions to dismiss and to compel arbitration. Discovery shall be stayed on all antitrust claims and claims potentially subject to the arbitration clause pending the Court's resolution of Defendants' motions.¹
- (2) However, the Court refers the parties to Magistrate Judge Richard Seeborg to set up a discovery plan which may be implemented as soon as the Court resolves Defendants' motions. Plaintiffs may move Judge Seeborg to permit early discovery of any claims not related to antitrust or potentially subject to the arbitration clause.

Dated: June 26, 2008



JAMES WARE
United States District Judge

¹ Accordingly, AT&TM's motion to stay pending resolution of its motion to compel arbitration is GRANTED. (Docket Item No. 104.)

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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17 **Dated: June 26, 2008**

Richard W. Wieking, Clerk

By: /s/ JW Chambers

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