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APPLE INC.

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN JOSE DIVISION

14 IN RE APPLE & AT&TM ANTI-TRUST
15 LITIGATION

CASE NO. C 07-05152 JW

**[PROPOSED] ORDER GRANTING
DEFENDANT APPLE'S MOTION TO
DISMISS REVISED CONSOLIDATED
16 AMENDED CLASS ACTION COMPLAINT**

17
18 Date: September 12, 2008
Time: 1:00 p.m.
19 Place: Courtroom 8, 4th Floor
Judge: Honorable James Ware

20
21 Defendant Apple Inc.'s Motion to Dismiss ("Motion") came on regularly for
22 hearing on September 12, 2008. Having considered the papers filed in support of and in
23 opposition to the Motion and the arguments of counsel, and good cause being shown,

24 **IT IS HEREBY ORDERED** that the Motion be GRANTED in its entirety.

25 Dated: _____
26

27 _____
THE HONORABLE JAMES WARE
United States District Judge

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