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

In re Apple & AT&TM Antitrust Litigation NO. C 07-05152 JW


**ORDER VACATING CASE
MANAGEMENT CONFERENCE;
ADOPTING THE PARTIES' PROPOSED
SCHEDULE FOR CLASS DISCOVERY
AND CERTIFICATION**

_____ /

On January 12, 2009, the parties are scheduled to appear for a Case Management Conference. The parties timely submitted a Joint Case Management Statement. (See Docket Item No. 170.) Based on the representations in the parties' Joint Statement, the Court finds that a Case Management Conference is unnecessary at this time. Accordingly, the Court VACATES the January 12 Case Management Conference and ORDERS as follows:

- (1) The Court adopts the parties' proposed schedule for class discovery and certification, as contained in their Joint Statement. Pursuant to the Court's December 12, 2008 Order, discovery shall be limited to class certification issues at this time. (See Docket Item No. 164.) The parties may not modify the schedule without a further order of the Court. All discovery disputes are referred to the assigned Magistrate Judge.
- (2) The Court sets **December 7, 2009 at 9:00 a.m.** as a hearing date for Plaintiffs' anticipated Motion for Class Certification.

Dated: January 6, 2009



 JAMES WARE
 United States District Judge

United States District Court
For the Northern District of California

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

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Dated: January 6, 2009

Richard W. Wieking, Clerk

By: /s/ JW Chambers
Elizabeth Garcia
Courtroom Deputy