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8 Attorneys for Defendant  
APPLE INC.

9 [Additional Counsel Appear on Signature Page]

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

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

CASE NO. C 07-5152 JW (RS)

16 **STIPULATION WITHDRAWING**  
 17 **PLAINTIFFS' MOTION FOR AN ORDER**  
 18 **COMPELLING APPLE TO PRODUCE**  
**DOCUMENTS, INCLUDING IPHONE**  
**SOURCE CODE; ~~PROPOSED~~ ORDER**

19  
 20 WHEREAS, pursuant to the Court's November 20, 2009 Order the parties have  
 21 continued to meet and confer as to the issues raised in the papers filed in support of and  
 22 opposition to Plaintiffs' Motion for an Order Compelling Apple to Produce Documents, Including  
 23 iPhone Source Code; and

24 WHEREAS, pursuant to stipulation, the parties have reached resolution of said  
 25 issues, with each reserving the right to bring such matters before the Court as necessary in the  
 26 future, on an agreed-upon expedited basis;

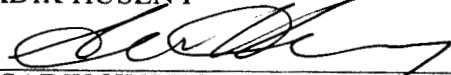
27 NOW, THEREFORE, the parties hereby stipulate to the withdrawal of plaintiffs'  
 28 motion to compel and, there being no instant dispute, respectfully request that the Court take the

1 hearing on the matter, currently scheduled for December 14, 2009, off calendar.

2 **IT IS SO STIPULATED AND AGREED.**

3  
4 DATED: December 11, 2009

LATHAM WATKINS, LLP  
DANIEL M. WALL  
ALFRED C. PFEIFFER, JR.  
CHRISTOPHER S. YATES  
SADIK HUSENY

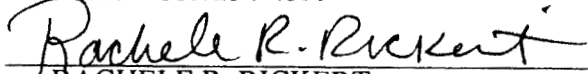
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10 Attorneys for Defendant Apple, Inc.

11 DATED: December 11, 2009

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Plaintiffs' Interim Lead Counsel

24 **IT IS SO ORDERED:**

25 12/14/09

26   
27 \_\_\_\_\_

RICHARD SEEBORG  
UNITED STATES MAGISTRATE JUDGE

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