

1 LATHAM & WATKINS LLP
 Daniel M. Wall (Bar No. 102580)
 2 Alfred C. Pfeiffer, Jr. (Bar No. 120965)
 Christopher S. Yates (Bar No. 161273)
 3 Adrian F. Davis (Bar No. 215827)
 505 Montgomery Street, Suite 2000
 4 San Francisco, California 94111-6538
 Telephone: (415) 391-0600
 5 Facsimile: (415) 395-8095
 Email: Dan.Wall@lw.com
 6 Email: Al.Pfeiffer@lw.com
 Email: Chris.Yates@lw.com
 7 Email: Adrian.Davis@lw.com

8 Attorneys for Defendant
 APPLE INC.

9

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

13 PAUL HOLMAN and LUCY RIVELLO,
 14 individually and on behalf of all others
 similarly situated,

15 Plaintiffs,

16 v.

17 APPLE INC., AT&T MOBILITY, LLC, and
 18 DOES 1 through 50, inclusive,

19 Defendants.

20

21

22

23

24

25

26

27

28

CASE NO. C 07-05152 JW

CERTIFICATE OF SERVICE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I am employed in the County of San Francisco, State of California. I am over the age of 18 years and not a party to this action. My business address is Latham & Watkins LLP, 505 Montgomery Street, Suite 2000, San Francisco, CA 94111-6538.

On **November 12, 2007**, I served the following document(s) described as:

- **DEFENDANT APPLE INC.’S ADMINISTRATIVE MOTION TO CONSIDER WHETHER CASES SHOULD BE RELATED [FILED IN *HOLMAN v APPLE ACTION*, Case No. C 07 5152 JW]; and**
- **[PROPOSED] ORDER GRANTING DEFENDANT APPLE INC.’S ADMINISTRATIVE MOTION TO RELATE CASES [FILED IN *HOLMAN v APPLE ACTION*, Case No. C 07 5152 JW].**

to the party listed below by **Electronic Mail**:

- | | |
|---------------------------|--------------------------|
| ➤ Adrian Frank Davis | adrian.davis@lw.com |
| ➤ Donald M. Falk | dfalk@mayerbrown.com |
| ➤ Max Folkenflik | max@fmlaw.net |
| ➤ H. Tim Hoffman | hth@hoffmanandlazear.com |
| ➤ Arthur W. Lazear | awl@hoffmanandlazear.com |
| ➤ Morgan M. Mack | mmm@hoffmanandlazear.com |
| ➤ Alfred C. Pfeiffer, Jr. | al.pfeiffer@lw.com |
| ➤ Daniel A. Sasse | dsasse@crowell.com |
| ➤ Daniel M. Wall | dan.wall@lw.com |
| ➤ Christopher S. Yates | chris.yates@lw.com |

by serving true copies of the above-described document(s) in the following manner:

BY ELECTRONIC SERVICE

I caused the above-referenced document(s) to be transmitted by electronic mail transmission to the interested parties at the appropriate electronic mail addresses as set forth below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful:

- | | |
|---------------------------------------|--|
| M. Van Smith, Esq. | Joseph Antonelli, Esq. |
| Damian R. Fernandez, Esq. | Janelle C. Carney, Esq. |
| LAW OFFICE OF DAMIAN R. FERNANDEZ | LAW OFFICE OF JOSEPH ANTONELLI |
| 14510 Big Basin Way, Suite A, PMB 285 | 1000 Lakes Drive, Suite 450 |
| Saratoga, CA 95070-6091 | West Covina, CA 91790 |
| Telephone: (408) 355-3021 | Telephone: (626) 917-6228 |
| Facsimile: (408) 904-7391 | Facsimile: (626) 917-7686 |
| <u>Email</u> : mvsmith@sbcglobal.net | <u>Email</u> : Jantonelli@antonellilaw.com |
| damianfernandez@gmail.com | Jcarney@antonellilaw.com |

1 Kevin T. Barnes, Esq.
 2 Gregg Lander, Esq.
 3 LAW OFFICES OF KEVIN T. BARNES
 4 5670 Wilshire Boulevard, Suite 1460
 5 Los Angeles, CA 90036
 6 Telephone: (323) 549-9100
 7 Facsimile: (323) 549-0101
 8 Email: barnes@kbarnes.com
 9 lander@kbarnes.com

10 I am employed in the County of San Francisco, State of California. I am over the
 11 age of 18 years and not a party to this action. My business address is Latham & Watkins LLP,
 12 505 Montgomery Street, Suite 1900, San Francisco, CA 94111-2562.

13 Executed on **November 12, 2007**, at San Francisco, California.

14 _____
 15 /s/ Adrian F. Davis
 16 ADRIAN F. DAVIS

17 **BY OVERNIGHT MAIL DELIVERY**

18 I am familiar with the office practice of Latham & Watkins LLP for collecting
 19 and processing documents for overnight mail delivery by Express Mail or other express service
 20 carrier. Under that practice, documents are deposited with the Latham & Watkins LLP personnel
 21 responsible for depositing documents in a post office, mailbox, subpost office, substation, mail
 22 chute, or other like facility regularly maintained for receipt of overnight mail by Express Mail or
 23 other express service carrier; such documents are delivered for overnight mail delivery by
 24 Express Mail or other express service carrier on that same day in the ordinary course of business,
 25 with delivery fees thereon fully prepaid and/or provided for. I deposited in Latham & Watkins
 26 LLP' interoffice mail a sealed envelope or package containing the above-described document
 27 and addressed as set forth below in accordance with the office practice of Latham & Watkins
 28 LLP for collecting and processing documents for overnight mail delivery by Express Mail or
 other express service carrier:

21 M. Van Smith, Esq.
 22 Damian R. Fernandez, Esq.
 23 LAW OFFICE OF DAMIAN R. FERNANDEZ
 24 14510 Big Basin Way, Suite A, PMB 285
 25 Saratoga, CA 95070-6091
 26 Telephone: (408) 355-3021
 27 Facsimile: (408) 904-7391
 28 Email: mvsmith@sbcglobal.net
 damianfernandez@gmail.com

Joseph Antonelli, Esq.
 Janelle C. Carney, Esq.
 LAW OFFICE OF JOSEPH ANTONELLI
 1000 Lakes Drive, Suite 450
 West Covina, CA 91790
 Telephone: (626) 917-6228
 Facsimile: (626) 917-7686
Email: Jantonelli@antonellilaw.com
 Jcarney@antonellilaw.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Kevin T. Barnes, Esq.
Gregg Lander, Esq.
LAW OFFICES OF KEVIN T. BARNES
5670 Wilshire Boulevard, Suite 1460
Los Angeles, CA 90036
Telephone: (323) 549-9100
Facsimile: (323) 549-0101
Email: barnes@kbarnes.com
lander@kbarnes.com

Jeffrey H. Howard, Esq.
Christopher E. Ondeck, Esq.
Wm. Randolph Smith, Esq.
CROWELL & MORING
1001 Pennsylvania Ave., N.W.
Washington, DC 20004
Telephone: (202) 624-2909
Facsimile: (202) 628-5116
Email: jhoward@crowell.com
condeck@crowell.com
wrsmith@crowell.com

Archis Parasharami, Esq.
MAYER BROWN LLP
1909 K. Street NW
Washington, DC 20006
Telephone: (202) 263-3328
Facsimile: (202) 263-5328
Email: aparasharami@mayerbrown.com

Margaret McGerity, Esq.
FOLKENFLIK & MCGERITY
1500 Broadway, 21st Floor
New York, NY 10036
Telephone: (212) 757-0400
Facsimile: (212) 757-2010
Email: mmcgerity@fmlaw.net

I declare that I am employed in the office of a member of the Bar of, or permitted to practice before, this Court at whose direction the service was made and declare under penalty of perjury that the foregoing is true and correct.

Executed on **November 12, 2007**, at San Francisco, California.



Linda C. Tam

SF633591