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15 Plaintiffs' Interim Lead Counsel

16 UNITED STATES DISTRICT COURT  
 17 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 18 SAN JOSE DIVISION

19 IN RE APPLE & AT&TM ANTITRUST ) Master File No. C 07-05152 JW  
 20 LITIGATION )

21 ) **STIPULATION AND [PROPOSED]**  
 22 ) **SCHEDULING ORDER**

23 ) DATE: Submitted  
 24 ) TIME: Submitted  
 25 ) CRTRM: 8  
 26 ) JUDGE: Hon. James Ware

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 STIPULATION AND [PROPOSED] SCHEDULING ORDER - MASTER FILE NO. C 07-05152 JW

1 AND NOW, this 9th day of April, 2008, upon the agreement of Plaintiffs' Interim Lead  
2 Counsel and counsel for defendants, it is hereby ordered and decreed as follows:

3 1. Plaintiffs shall file and serve their Consolidated Class Action Complaint in this  
4 action on or before May 5, 2008;

5 2. Defendants shall file and serve their answers to the Consolidated Class Action  
6 Complaint, motions to dismiss, or motion to dismiss or stay in favor of arbitration on or before  
7 June 6, 2008;

8 3. If defendants move to dismiss or move to stay in favor of arbitration, plaintiffs shall  
9 file and serve their response to defendants' motions on or before July 16, 2008;

10 4. Defendants shall file and serve any reply briefs in support of their motions to  
11 dismiss or motion to dismiss or stay in favor of arbitration on or before August 5, 2008; and

12 5. Defendants' motions to dismiss, or motion to dismiss or stay in favor of arbitration,  
13 if any, will be heard on September 8, 2008, at 9:00 a.m., or as soon thereafter as counsel may be  
14 heard, in Courtroom 8 of this Court.

15 DATED: April 9, 2008

Respectfully Submitted,

16 WOLF HALDENSTEIN ADLER  
17 FREEMAN & HERZ LLP  
18 FRANCIS M. GREGOREK  
19 BETSY C. MANIFOLD  
20 RACHELE R. RICKERT

21 /s/ Francis M. Gregorek  
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Plaintiffs' Interim Lead Counsel

DATED: April 9, 2008

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Counsel for Defendant Apple, Inc.

DATED: April 9, 2008

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Counsel for Defendant AT&T Mobility, LLC

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: \_\_\_\_\_

HON. JAMES WARE  
UNITED STATES DISTRICT COURT JUDGE

**DECLARATION REGARDING CONCURRENCE**

1  
2 I, Francis M. Gregorek, am the ECF User whose identification and password are being  
3 used to file this STIPULATION AND [PROPOSED] SCHEDULING ORDER. In compliance  
4 with General Order 45.X.B, I hereby attest that Daniel M. Wall and Daniel A. Sasse have  
5 concurred in this filing.

6 DATED: April 9, 2008

WOLF HALDENSTEIN ADLER FREEMAN  
& HERZ LLP

8 /s/ Francis M. Gregorek  
9 FRANCIS M. GREGOREK

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DECLARATION OF SERVICE

I, Maureen Longdo , the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, a citizen of the United States and a resident of the County of San Diego, over the age of 18 years, and not a party to or interested in the within action; that declarant's business address is 750 B Street, Suite 2770, San Diego, California 92101.

2. That on April 9, 2008, declarant served STIPULATION AND [PROPOSED] SCHEDULING ORDER via the CM/ECF System to the parties who are registered participants of the CM/ECF System.

3. That there is regular communication between the parties.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 9th day of April, 2008, at San Diego, California.

  
\_\_\_\_\_  
MAUREEN LONGDO

APPLE:15958.STIP

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