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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

15 )  
 16 )  
 17 ) THE APPLE IPOD ITUNES ANTI-TRUST  
 18 ) LITIGATION

) CASE NO. C 05-00037-JW  
 ) STIPULATION REGARDING PLAINTIFF  
 ) STACIE SOMERS' ADMINISTRATIVE  
 ) MOTION TO CONSIDER WHETHER  
 ) CASES SHOULD BE RELATED

19 )  
 20 )  
 21 ) This Document Relates To:

) [Civ. LR 3-12]  
 ) The Honorable Judge James Ware

22 ) *STACIE SOMERS V. APPLE, INC.*,  
 23 ) Case No. 5:07-cv-060507-HRL  
 24 )  
 25 )  
 26 )  
 27 )  
 28 )

1 WHEREAS, Plaintiff Thomas William Slattery filed suit against Apple Computer, Inc.  
2 (“Apple”), in the District Court of the Northern District of California. *Slattery v. Apple*  
3 *Computer, Inc.*, No. C 05-00037-JW (N.D. Cal. Filed Jan. 3, 2005)(“the *Slattery* action”);

4 WHEREAS, Plaintiff Melanie Tucker filed suit against Apple in the District Court of the  
5 Northern District of California. *Tucker v. Apple Computer, Inc.*, No. 5:06-cv-04457-JW (N.D.  
6 Cal. Filed July 21, 2006)(“the *Tucker* action”);

7  
8 WHEREAS, the *Slattery* and *Tucker* cases were consolidated on March 21, 2007 and are  
9 now titled “*The Apple iPod iTunes Anti-Trust Litigation*,” Case No. C 05-00037 JW;

10 WHEREAS, Plaintiff Stacie Somers filed suit against Apple in the District Court of the  
11 Northern District of California. *Somers v. Apple, Inc.*, No. 5:07-cv-060507-HRL (N.D. Cal.  
12 Filed December 31, 2007) (“the *Somers* action”); and

13  
14 WHEREAS, Northern District of California Civil L.R. 3-12 provides that an action is  
15 related to another when they “concern substantially the same parties, property, transaction or  
16 event; and [i]t appears likely that there will be an unduly burdensome duplication of labor and  
17 expense or conflicting results if the cases are conducted before different Judges;”

18 IT IS HEREBY STIPULATED, by and between the undersigned, subject to the approval  
19 of the Court, that the *Somers* and *Apple iPod iTunes Anti-Trust Litigation* actions are related as  
20 defined by Northern District of California Civil L.R. 3-12.

21  
22 DATED: January 29, 2008

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24 By: /s/ Helen I. Zeldes  
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Attorneys for Plaintiff Stacie Somers

1 DATED: January 29, 2008

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12 DATED: January \_\_, 2008

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CERTIFICATE OF SERVICE

I hereby certify that on January 29, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have caused the foregoing document or paper to be mailed via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List and Service List.

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# 1 Mailing Information for a Case 5:05-cv-00037-JW

## 2 Electronic Mail Notice List

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## 25 Manual Notice List

26 The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case  
27 (who therefore require manual noticing). You may wish to use your mouse to select and copy  
28 this list into your word processing program in order to create notices or labels for these recipients.

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## **Mailing Information for a Case 5:07-cv-060507-HRL**

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- No manual recipients