

1 LYNNE C. HERMLE (STATE BAR NO. 99779)
 JOSEPH C. LIBURT (STATE BAR NO. 155507)
 2 JESSICA R. PERRY (STATE BAR NO. 209321)
 ALLISON E. PITIGOI (STATE BAR NO. 242211)
 3 SITTHIKIT CHARİYASATIT (STATE BAR NO. 252028)
 ORRICK, HERRINGTON & SUTCLIFFE LLP
 4 1000 Marsh Road
 Menlo Park, CA 94025
 5 Telephone: 650-614-7400
 Facsimile: 650-614-7401
 6 lchermle@orrick.com
 jliburt@orrick.com
 7 jperry@orrick.com
 apitigoi@orrick.com
 8 schariyasatit@orrick.com

9 Attorneys for Defendant
 APPLE INC.

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA

14 DAVID WALSH, an individual, on behalf of
 himself, and on behalf of all persons similarly
 15 situated,
 16 Plaintiff,
 17 v.
 18 APPLE INC.; and DOES 1-10,
 19 Defendants.

CASE NO. C 08-04918 JF

**DECLARATION OF JOSEPH C.
 LIBURT IN SUPPORT OF
 STIPULATION AND [PROPOSED]
 ORDER SELECTING ADR PROCESS**

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I, Joseph C. Liburt, hereby declare:

1. I am a member of the State Bar of California and am authorized to practice before this Court. I am a partner in the law firm of Orrick, Herrington & Sutcliffe LLP, attorneys of record for defendant Apple Inc. (“Apple” or “Defendant”) in this action. I make this declaration in support of the Stipulation and [Proposed] Order Selecting ADR Process (“Stipulation”), filed concurrently herewith. The facts set forth in this declaration I know to be true of my own personal knowledge, except where such facts are stated to be based on information and belief, and those facts I believe to be true. If called as a witness I could and would testify competently to the matters set forth in this declaration.

1. Pursuant to General Order No. 45, I attest that concurrence in the filing of the Stipulation has been obtained from the other signatories which shall serve in lieu of their signatures on the document.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed in Menlo Park, California on March 27, 2009.

/s/
Joseph C. Liburt