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UNITED STATES DISTRICT COURT

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NORTHERN DISTRICT OF CALIFORNIA

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SAN JOSE DIVISION

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17 DAVID WALSH, an individual, DAVID
18 KALUA, an individual, on behalf of
themselves, and on behalf of all persons
similarly situated,

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Plaintiffs,

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vs.

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APPLE, INC.,

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Defendants.

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CASE NO. **05:08-cv-04918 JF**
(Class Action)

PROOF OF SERVICE

Judge: Hon. Jeremy Fogel
Court: Dept. 3

Hearing Date: February 26, 2010
Hearing Time: 9:00 a.m.

Action Filed: August 4, 2008

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CERTIFICATE OF SERVICE [F.R.C.P. §5]

I am a citizen of the United States and a resident of the State of California. I am employed in the County of San Diego, State of California. I am over the age of 18 and not a party to the within action. My business address is 2255 Calle Clara, La Jolla, California 92037. On January 21, 2010, I served the document(s) described as below in the manner set forth below:

- (1) NOTICE OF MOTION AND MOTION FOR PRELIMINARY APPROVAL OF CLASS SETTLEMENT
- (2) DECLARATION OF NORMAN B. BLUMENTHAL IN SUPPORT OF MOTION FOR PRELIMINARY APPROVAL OF CLASS SETTLEMENT
- (3) MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR PRELIMINARY APPROVAL OF CLASS SETTLEMENT
- (4) PROPOSED ORDER GRANTING MOTION FOR PRELIMINARY APPROVAL

XX (BY ELECTRONIC SERVICE): I caused the listed documents to be electronically filed through the CM/ECF system at the United States District Court for the Southern District of California which generates a Notice of Electronic Filing to all parties and constitutes service of the electronically filed documents on all parties for purposes of the Federal Rules of Civil Procedure.

XX (Federal): I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made, and that the foregoing is true and correct under penalty of perjury.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on January 21, 2010 at San Diego County, California.

By: /s/ Norman B. Blumenthal
Norman B. Blumenthal