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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

GIORGIO GOMELSKY,
on behalf of himself and
all others similarly situated,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. C-08-04969 JF

**[PROPOSED] ORDER
GRANTING APPLE INC.'S
MOTION TO DISMISS**

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ORDER

Having considered the papers filed by the parties in connection with Apple Inc.'s motion and the parties' arguments at the hearing on this matter, and for good cause shown, the Court hereby GRANTS Apple's motion and dismisses plaintiff's Complaint with prejudice.

IT IS SO ORDERED.

DATED: _____

Hon. Jeremy Fogel
United States District Judge