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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

REUBEN BERENBLAT, ANDREW
PERSONETTE, EARL C. SIMPSON, LAURA
MILLER, On behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

APPLE INC.,

Defendant.

THOMAS WAGNER, SCOTT MEYERS, On
behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

APPLE INC.,

Defendant.

Case No. C-08-04969 JF
Case No. C-09-01649 JF

**[PROPOSED] ORDER
GRANTING APPLE INC.'S
MOTION TO DISMISS THE
THIRD AMENDED COMPLAINT**

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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 Plaintiffs' Third Amended Complaint with prejudice.

IT IS SO ORDERED.

DATED: _____

Hon. Jeremy Fogel
United States District Judge