

1 ZELDES & HAEGGQUIST, LLP  
 HELEN I. ZELDES (220051)  
 2 ALREEN HAEGGQUIST (221858)  
 625 Broadway, Suite 906  
 3 San Diego, CA 92101  
 Telephone: 619/342-8000  
 4 Fax: 619/342-7272  
 Email: helenz@zhlaw.com  
 5 alreenh@zhlaw.com

6 *Attorneys for the Kitagawa Plaintiffs*

[Additional counsel appear on next page]

8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10 SAN JOSE DIVISION

11 NAOTAKA KITAGAWA, JR., TIMOTHY J.  
 12 BROAD and JESSE REISMAN, on behalf of  
 themselves and all others similarly situated,

Case No. C 09-01911 JW

13 TRACEY HACKWITH, MAXX SCHOLTEN  
 14 AND MICHAEL MARTIN, Individually and On  
 Behalf of All Others Similarly Situated,

Case No. C 09-03862 JW

15 Plaintiffs,

16 v.

17 APPLE, INC., and, DOES 1 THROUGH 50,  
 18 inclusive,

19 Defendants.

**DECLARATION OF HELEN I.  
 ZELDES IN SUPPORT OF  
 UNOPPOSED NOTICE OF MOTION  
 AND MOTION AND  
 MEMORANDUM OF POINTS AND  
 AUTHORITIES IN SUPPORT OF  
 APPOINTMENT OF INTERIM  
 CLASS COUNSEL**

Date: November 23, 2009  
 Time: 9:00 a.m.  
 Courtroom: Hon. James Ware

1 MEHRI & SKALET, PLLC  
STEVEN A. SKALET (*admitted pro hac vice*)  
2 CRAIG L. BRISKIN (*admitted pro hac vice*)  
1250 Connecticut Ave. NW, Suite 300  
3 Washington, DC 20036  
Telephone: 202/822-5100  
4 Fax: 202/822-4997

5 - Attorneys for the *Kitagawa* Plaintiffs -

6 - and -

7 ANGELA C. AGRUSA (CA SBN 131337)  
ANTHONY D. SBARDELLATI (CA SBN 246431)  
8 LINER GRODE STEIN YANKELEVITZ SUNSHINE REGENSTREIF & TAYLOR  
1100 Glendon Avenue 14th Floor  
9 Los Angeles, CA 90024  
Telephone: 310.500.3500  
10 Facsimile: 310.500.3501

11 PATRICK MCNICHOLAS (CA SBN 125868)  
MCNICHOLAS & MCNICHOLAS LLP  
12 10866 Wilshire Boulevard Suite 1400  
Los Angeles, CA 90024-4338  
13 Telephone: (310) 474-1582  
Facsimile: (310) 475-7871

14 - Attorneys for the *Hackwith* Plaintiffs -

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

I, HELEN I. ZELDES, declare:

1. I am a partner in the firm of Zeldes & Haeggquist, LLP, one of Plaintiffs' Counsel in this litigation. I am responsible for the daily management and prosecution of this litigation. I have personal knowledge of the matters set forth herein based on my day-to-day involvement with this litigation.

2. I submit this declaration in support of Plaintiffs' Motion for Appointment of Interim Class Counsel.

3. Attached hereto are true and correct copies of the following exhibits:

Exhibit 1: Zeldes & Haeggquist, LLP, Firm Resume.

Exhibit 2: Mehri & Skalet, PLLC, Firm Resume.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 19th day of October, 2009, at San Diego, California.

Dated: October 19, 2009

ZELDES & HAEGGQUIST, LLP  
HELEN I. ZELDES  
ALREEN HAEGGQUIST

By: /s/Helen I. Zeldes  
Helen I. Zeldes

625 Broadway, Suite 906  
San Diego, CA 92101  
Telephone: 619/342-8000  
Fax: 619/342-7272

Attorneys for the *Kitagawa* Plaintiffs

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**CERTIFICATE OF SERVICE**

I hereby certify that on October 19, 2009, I electronically filed the following documents 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.

/s/ HELEN I. ZELDES  
HELEN I. ZELDES

ZELDES & HAEGGQUIST, LLP  
HELEN I. ZELDES  
ALREEN HAEGGQUIST  
625 Broadway, Suite 906  
San Diego, CA 92101  
Telephone: 619/342-8000  
Fax: 619/342-7272

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

## **Mailing Information for a Case No. 5:09-cv-01911-JW**

### **Electronic Mail Notice List**

The following are those who are currently on the list to receive e-mail notices for this case:

Alexei Klestoff aklestoff@mofo.com, mgimenez@mofo.com

Alreen Haeggquist alreenh@zhlaw.com, judyj@zhlaw.com

Andrew David Muhlbach amuhlbach@mofo.com, mgimenez@mofo.com

Craig L. Briskin cbriskin@findjustice.com, Pleadings@findjustice.com

Heather A. Moser hmoser@mofo.com, cpeplinski@mofo.com

Helen I. Zeldes helenz@zhlaw.com

Penelope Athene Prevolos pprevolos@mofo.com, kfranklin@mofo.com

### **Manual Notice List**

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing).

Steven A Skalet  
Mehri & Skalet, PLLC  
1250 Connecticut Avenue NW  
Suite 300  
Washington, DC 20036

## **Mailing Information for a Case NO. 5:09-cv-03862-JW**

### **Electronic Mail Notice List**

The following are those who are currently on the list to receive e-mail notices for this case:

Alexei Klestoff aklestoff@mofo.com, mgimenez@mofo.com

Andrew David Muhlbach amuhlbach@mofo.com, mgimenez@mofo.com

Angela C Agrusa aagrusa@linerlaw.com

Anne Hunter ahunter@mofo.com

Anthony David Sbardellati asbardellati@linerlaw.com, vstapleton@linerlaw.com

Byron T Ball btb@balllawllp.com

Heather A Moser hmoser@mofo.com

James Patrick Sutton psutton@suttonkleinman.com

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Keri Montrose kmontrose@jrsfllp.com  
Matthew S McNicholas msm@mcnicholaslaw.com  
Michael J Saltz msaltz@jrsfllp.com  
Patrick McNicholas mel@mcnicholaslaw.com  
Penelope A Prevolos pprevolos@mofo.com  
Penelope Athene Prevolos pprevolos@mofo.com, kfranklin@mofo.com

**Manual Notice List**

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing):

- No manual recipients