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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Avi Koschitzki,

NO. C 09-03321 JW

Plaintiff,

ORDER DENYING MOTIONS AS MOOT

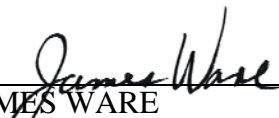
v.

Apple Inc., et al.,

Defendants.

Presently pending before the Court are Motions to Strike and to Dismiss (Docket Item Nos. 8, 11, 24, 40) previously filed in the Eastern District of New York prior to the case being transferred to this Court by the MDL Panel. In light of the transfer, Plaintiff's recent Statement Confirming Consent to Transfer of Actions for All Purposes,¹ and the Court's recent order setting deadline for a Consolidated Complaint,² the Court DENIES the pending Motions in this case as moot.

Dated: September 30, 2009



JAMES WARE
United States District Judge

¹ (See Docket Item No. 21 in M:09-02045 In Re: Apple iPhone 3G Products Liability Litigation.)

² (Id. at Docket Item No. 16.)

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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Dated: September 30, 2009

Richard W. Wieking, Clerk

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By: /s/ JW Chambers
Elizabeth Garcia
Courtroom Deputy

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