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14 Attorneys for Defendant
 15 APPLE INC., a California corporation

16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA
 18 SAN JOSE DIVISION

19
 20 In re iPhone Application Litigation

Case No. CV-10-5878 LHK (PSG)

21 **ADMINISTRATIVE MOTION TO**
 22 **CONSIDER WHETHER CASES SHOULD**
 23 **BE RELATED**

24 The Honorable Lucy H. Koh

1 Pursuant to Local Rule 3-12 and this Court’s Case Management Order No. 1 entered
2 March 15, 2011 (Dkt. No. 36) (“CMO No.1”), Defendant Apple Inc., a California corporation
3 (“Apple”), submits this Administrative Motion to Consider Whether Cases Should Be Related to
4 give notice of the following actions: (1) *Gupta v. Apple Inc.*, Case No. 11-cv-02110-WHA (N.D.
5 Ca.) filed April 28, 2011;¹ (2) *Colon v. Apple Inc.*, Case No. 11-c-v-02270-PSG (N.D. Cal.) filed
6 May 9, 2011;² and (3) *Normand v. Apple Inc.*, Case No. 11-cv-2317-HRL (N.D. Cal.) filed May
7 10, 2011.³ Apple respectfully suggests that the *Gupta*, *Colon*, and *Normand* actions are related to
8 these consolidated actions.

9 The actions are related because they contain overlapping claims and call for determination
10 of multiple questions of fact and law that will be the same or substantially similar. In particular,
11 like these Consolidated Actions, the *Gupta*, *Colon*, and *Normand* actions involve allegations that
12 certain software on iPhone or iPad devices captures and stores location information of iPhone and
13 iPad users. Apple is a defendant in each of the actions. The alleged capture and storage of user
14 information from the devices is claimed in all the actions, with some variation, to constitute
15 violations of various statutes and common law principles concerning personal privacy and
16 consumer protection.

17 For the foregoing reasons, assignment of the *Gupta*, *Colon*, and *Normand* actions to this
18 Court is likely to save judicial and litigant resources, and it will diminish the likelihood of
19 inconsistent results. In addition, Apple believes that the *Gupta*, *Colon*, and *Normand* actions are
20 properly consolidated with these consolidated actions as provided in the Court’s CMO No. 1.

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26 ¹ A copy of the *Gupta* Complaint is attached hereto as Exhibit A.
27 ² A copy of the *Normand* Complaint is attached hereto as Exhibit B.
28 ³ A copy of the *Colon* Complaint is attached hereto as Exhibit C.

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In accordance with paragraph 3 of CMO No. 1, Apple has served a copy of CMO No. 1 on counsel for Plaintiffs in the *Gupta, Colon, and Normand* actions. Apple has also served a copy of the Court’s April 7, 2011 Order Appointing Interim Class Counsel and Executive Committee (Dkt. No. 65) and Order Regarding Case Schedule (Dkt. No. 66).⁴

Dated: May 19, 2011

HOGAN LOVELLS US LLP

By: /s/ Michael L. Charlson
Michael L. Charlson

Attorneys for Defendant
APPLE INC., a California corporation

⁴ A copy of the Proof of Service of those orders is attached as Exhibit D.