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

19 In Re iPhone Application Litigation

Case No. 10-CV-05878 LHK (PSG)

**SUPPLEMENTAL CASE
 MANAGEMENT STATEMENT
 AND [PROPOSED] ORDER**

Ctrm: 4, 5th Floor
 Judge: Honorable Lucy H. Koh

1 Pursuant to Civil L-R 16-10(d), the parties to the above-entitled action certify that they
2 have met and conferred and jointly submit this Supplemental Case Management Statement and
3 Proposed Order, requesting the Court to adopt it as a Supplemental Case Management Order in
4 this case.

5 **DESCRIPTION OF SUBSEQUENT CASE DEVELOPMENTS**

6 The following progress or changes have occurred since the last case management
7 statement filed by the parties:

8 1. On July 28, 2011, the Judicial Panel on Multidistrict Litigation (the "Panel") heard
9 argument on the pending motion to transfer these consolidated actions and other related cases
10 filed around the country to the Northern District of California for coordinated or consolidated
11 pretrial treatment pursuant to 28 U.S.C. § 1407. At the hearing, all objections to transferring
12 matters to this Court were withdrawn. The Panel has not yet issued a ruling, but a ruling is
13 expected in the near future.

14 2. On August 3, 2011, Apple and the Mobile Industry Defendants filed their
15 respective reply briefs in support of their respective motions to dismiss, and defendants' motions
16 to dismiss now are fully briefed. The hearing on these motions currently is scheduled for
17 September 1, 2011.

18 3. A case management conference presently is scheduled for August 10, 2011. In an
19 Order dated May 31, 2011, the Court directed that the parties may seek a continuance of this
20 CMC to August 24 if, by August 5, the Panel has not issued a transfer order.

21 4. The parties have met and conferred on this issue, and believe that good cause
22 exists for a continuance of both the CMC and the September 1 hearing on the defendants'
23 motions to dismiss based on the following reasons:

- 24 a. The Panel has not yet issued a ruling on the pending motion to transfer;
- 25 b. Several parties are unavailable to attend the alternative date for a CMC
26 proposed by the Court – August 24, 2011. Likewise, various parties are
27 unable to attend the September 1, 2011 hearing date for the motions to
28 dismiss.

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c. Therefore, in furtherance of judicial efficiency and to allow time for the Panel to issue its ruling, the parties jointly request that the Court’s hearing on the defendants’ respective motions to dismiss and the CMC be continued to the same date, and propose any of the following dates in September for this purpose: September 8 – 9, September 12-13, or September 19 – September 22. The parties agree to file a case management statement one week before the date the CMC is set.

Dated: August 4, 2011

MORRISON & FOERSTER LLP

By: /s/ Bryan Wilson
Bryan Wilson

Attorneys for Defendants
APPLE INC. and QUATTRO WIRELESS, INC.

Dated: August 4, 2011

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Dated: August 4, 2011

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Dated: August 4, 2011

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1 Dated: August 4, 2011

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21 Attorneys for Plaintiffs

22 Interim Class Counsel
23 Attorneys for Plaintiffs

24 **GENERAL ATTESTATION**

25 I, Bryan Wilson, am the ECF User whose ID and password are being used to file this
26 SUPPLEMENTAL CASE MANAGEMENT STATEMENT AND [PROPOSED] ORDER. In
27 compliance with General Order 45, X.B., I hereby attest that all persons signing this stipulation
28 have concurred in this filing.

29 Date: August 4, 2011

/s/ Bryan Wilson
Bryan Wilson

1 **SUPPLEMENTAL CASE MANAGEMENT STATEMENT AND [PROPOSED] ORDER**

2 The Supplemental Case Management Statement and Proposed Order is hereby adopted by
3 the Court as a Supplemental Case Management Order for the case and the parties are ordered to
4 comply with this Order. Further, for good cause shown, the Court orders as follows:

5 1. The Court's hearing on the defendants' respective motions to dismiss is scheduled
6 for September ____, 2011. A case management conference is scheduled on that same date,
7 September ____, 2011, and will directly follow the hearing on the motions to dismiss.

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9 Dated: _____

Honorable Lucy H. Koh
United States District Court Judge

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