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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 In re iPhone Application Litigation
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Case No. CV-10-5878 LHK (PSG)

**ADMINISTRATIVE MOTION TO
 CONSIDER WHETHER CASES SHOULD
 BE RELATED**

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 related action: *Christina Jenkins and Jessica Veffer, on behalf of*
5 *themselves and all others similarly situated, Plaintiffs, v. Apple, Inc., a California Corporation,*
6 *Defendant*, Case No. 11-CV-01828-HRL, removed to this district on April 14, 2011.¹ Apple
7 respectfully suggests that the *Jenkins* action is related to these consolidated actions.

8 The actions are related because they arise from the same or substantially identical
9 transactions, happenings or events, and call for determination of the same or substantially
10 identical questions and facts, and related questions of law. In particular, like these consolidated
11 actions, the *Jenkins* action involves allegations that certain software applications that can be
12 downloaded by users to work on iPhone or iPad devices capture and misuse personal identifying
13 information of iPhone and iPad users by transmitting information from the Unique Device
14 Identifier ("UDID") associated with each device. Apple is a defendant in each of the
15 consolidated actions and is the only named defendant in the *Jenkins* action. The alleged capture
16 and misuse of user information from the devices' UDID's is claimed in all the actions to
17 constitute violations of various statutes and common law principles concerning personal privacy
18 and consumer protection.

19 For the foregoing reasons, assignment of the *Jenkins* action to this Court is likely to save
20 judicial and litigant resources, and it will diminish the likelihood of inconsistent results. In
21 addition, Apple believes that the *Jenkins* action is properly consolidated with these consolidated
22 actions as provided in the Court's CMO No. 1.

23 In accordance with paragraph 3 of CMO No. 1, Apple has served a copy of CMO No. 1 on
24 counsel for Plaintiffs in the *Jenkins* action. Apple has also served a copy of the Court's April 7,
25 2011 Order Appointing Interim Class Counsel and Executive Committee (Dkt. No. 65) and Order
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27 ¹ A copy of the Notice of Removal by which Apple removed the *Jenkins* action to this district, to
28 which the Complaint is an exhibit, is attached as Exhibit A. The *Jenkins* action was filed in the
Superior Court for the State of California, County of Santa Clara, on March 15, 2011.

1 Regarding Case Schedule (Dkt. No. 66).²

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3 Dated: April 14, 2011

HOGAN LOVELLS US LLP

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By: /s/ Michael L. Charlson

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Michael L. Charlson

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Attorneys for Defendant
APPLE INC., a California corporation

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28 ² A copy of the Proof of Service of those orders is attached as Exhibit B.