

1 Michael L. Charlson (Bar No. 122125)
 Maren J. Clouse (Bar No. 228726)
 2 HOGAN LOVELLS US LLP
 525 University Avenue, 4th Floor
 3 Palo Alto, California 94301
 Telephone: (650) 463-4000
 4 Facsimile: (650) 463-4199
 michael.charlson@hoganlovells.com
 5 maren.clouse@hoganlovells.com

6 Christopher Wolf (Admitted *Pro Hac Vice*)
 HOGAN LOVELLS US LLP
 7 Columbia Square
 555 Thirteenth Street, NW
 8 Washington, DC 20004
 Telephone: (202) 637-5600
 9 Facsimile: (202) 637-5910
 christopher.wolf@hoganlovells.com

10 Clayton C. James (Admitted *Pro Hac Vice*)
 HOGAN LOVELLS US LLP
 11 One Tabor Center, Suite 1500
 1200 Seventeenth Street
 12 Denver, Colorado 80202
 Telephone: (303) 899-7300
 13 Facsimile: (303) 899-7333
 clay.james@hoganlovells.com

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

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

**DECLARATION OF MAREN J. CLOUSE
 IN SUPPORT OF DEFENDANT APPLE
 INC.'S MOTION TO ENLARGE TIME
 TO RESPOND TO COMPLAINT**

The Honorable Lucy H. Koh

1 I, Maren J. Clouse, declare as follows:

2 1. I am an attorney licensed to practice law in the State of California. I am an associate
3 with the law firm of Hogan Lovells US LLP, counsel for defendant Apple Inc. (“Apple”) in this
4 action. I have personal knowledge of the facts set forth below and could competently testify as
5 follows.

6 2. Apple requests an enlargement of time in which to respond to the First Amended
7 Consolidated Complaint to June 13, 2011, to avoid the waste of judicial and party resources that
8 would result if Apple files its motion to dismiss before the Court rules on Apple’s Motion to Stay
9 and before other defendants file responsive motions.

10 3. Attorneys for Apple have communicated with Interim Class Counsel Scott Kamber by
11 telephone and email in an effort to obtain his agreement to the requested enlargement of time.
12 Mr. Kamber has declined to so agree. Mr. Kamber agreed to file on Tuesday, May 17, 2011 any
13 opposition by Plaintiffs to Apple’s Motion to Enlarge Time.

14 4. I have been informed by Mr. Kamber that he has granted or will grant defendants
15 AdMob, Inc., MobClix, Pinch Media, Inc., TrafficMarketplace.com, Inc., Millennial Media,
16 AdMarvel, Inc., and Quattro Wireless, Inc. extensions of time in which to respond to the
17 Consolidated Complaint until June 13, 2011.

18 5. If Apple’s Motion to Enlarge Time is denied, Apple would file its motion to dismiss
19 two days before the Court is scheduled to hear argument on Apple’s Motion to Stay, which may
20 result in these actions being stayed pending likely consolidation or coordination with other
21 actions subject to Apple’s pending motion with the Judicial Panel on Multidistrict Litigation.
22 Apple would also file its motion to dismiss weeks before most of the other defendants.

23 6. Apple and Plaintiffs earlier stipulated to an extension of time in which to respond to
24 the complaint in the underlying action captioned *Lalo, et al. v. Apple, Inc., et al.* until March 16,
25 2011 (Dkt. No. 24). The Court entered a Stipulation and Order Consolidating Cases on March
26 15, 2011 (Dkt. No. 36), which consolidated these actions and required Apple and other
27 defendants to respond within 30 days of the filing of a consolidated complaint. The Court then
28 issued an Order Regarding Case Schedule and Case Management requiring plaintiffs to file a

