

1 Michael J. Boni (Admitted 09/11/92)
 2 mboni@bonizack.com
 3 **BONI & ZACK LLC**
 4 15 St. Asaphs Road
 5 Bala Cynwyd, PA 19004
 6 Telephone: (610) 822-0200
 7 Facsimile: (610) 822-0206

8 *Proposed Interim Co-Lead Class Counsel*

9 Christopher T. Heffelfinger (SBN 118058)
 10 cheffelfinger@bermandevalerio.com
 11 Anthony D. Phillips (SBN 259688)
 12 aPhillips@bermandevalerio.com
 13 **BERMAN DEVALERIO**
 14 One California Street, Suite 900
 15 San Francisco, CA 94111
 16 Telephone: (415) 433-3200
 17 Facsimile: (415) 433-6282

18 *Proposed Liaison Counsel for Plaintiffs*

19 Other Counsel Appear On Signature Page

20 **UNITED STATES DISTRICT COURT**
 21 **NORTHERN DISTRICT OF CALIFORNIA**

22 Garen Meguerian, individually and on
 23 behalf of all others similarly situated,
 24
 25 Plaintiff,
 26
 27 v.
 28 Apple Inc.,
 Defendant.

Case No. 11-cv-1758-JF
**REVISED STIPULATION AND
 [PROPOSED] ORDER RE
 CONSOLIDATION OF CASES**

Lauren Scott, Kathleen Koffman and
 Heather Silversmith, individually and on
 behalf of all others similarly situated,
 Plaintiffs,
 v.
 Apple Inc.,
 Defendant.

Case No. 11-cv-1989-JF

1 Twilah Monroe, individually and on
2 behalf of all others similarly situated,

Case No. 11-cv-2394-PSG

3 Plaintiff,

4 v.

5 Apple Inc.,

6 Defendant.

7
8 WHEREAS, Plaintiffs in the above-captioned actions (“Actions”), on behalf of
9 themselves and all others similarly situated, all assert claims against Defendant Apple Inc.
10 (“Defendant” or “Apple”) for its alleged deceptive acts and practices in connection with its sale
11 to minors of “in-app” content; and

12 WHEREAS, in an effort to effectively manage this litigation and proceed in an efficient
13 manner, **IT IS HEREBY STIPULATED THAT:**

14 **I. CONSOLIDATION OF RELATED ACTIONS**

15 1. The above actions are hereby deemed related and consolidated for discovery and
16 pre-trial proceedings before this Court.

17 2. The clerk shall establish and maintain a Master Docket and Master File for this
18 proceeding under the caption “*In re Apple In-App Purchase Litigation,*” Master File No. 11-cv-
19 1758 JF. All orders, pleadings, motions and other documents should, when filed and docketed
20 in the Master File, be deemed filed and docketed in each individual case.

21 3. The parties will meet and confer if any additional action is filed in, removed to,
22 or transferred to this Court to determine whether the new action involves the same or
23 substantially similar issues of law and fact and whether consolidation would be appropriate. If
24 the parties agree that the new action is appropriately consolidated with the Actions, the parties
25 will follow the procedures below:

26 a. The parties will jointly file a request to consolidate the matter with this
27 Court and counsel for Plaintiffs in the Consolidated Action shall serve notice on counsel in the
28 action counsel are seeking be consolidated;

- 1 b. The parties will jointly request that the Clerk of the Court:
- 2 i. place a copy of this Order in the separate file for such action;
- 3 ii. provide a copy of this Order to counsel for the plaintiff(s) in the
- 4 newly filed or transferred action and to any defendant(s) in the newly filed or transferred action;
- 5 and
- 6 iii. make an appropriate entry on the Master Docket for the
- 7 Consolidated Action.

8 4. If the parties in the Actions do not agree that the new action should be

9 consolidated with the Actions, the party seeking consolidation may, within ten (10) days after

10 meeting and conferring with the party opposing consolidation, file a motion for consolidation.

11 **II. FILING AND DOCKETING PROCEDURES**

12 1. Every pleading hereafter filed in this Consolidation Action shall bear the

13 following caption:

<p>14 UNITED STATES DISTRICT COURT</p> <p>15 NORTHERN DISTRICT OF CALIFORNIA</p> <p>16 SAN JOSE DIVISION</p>	<p>Master File No. 11-cv-1758 JF</p>
<p>17 IN RE APPLE IN-APP PURCHASE</p> <p>18 LITIGATION</p>	
<p>19 This Document Relates To:</p> <p>20 All Actions.</p>	

21 2. When a pleading or paper is intended to be applicable to all actions to which this

22 Order is applicable, the words “All Actions” shall appear immediately after the words “This

23 Document Relates To:” in the caption set out above. When a pleading or paper is intended to be

24 applicable to only some, but not all of such actions, this Court’s docket number for each action

25 to which the pleading or paper is intended to be applicable and the last name of the first named

26 plaintiff(s) in that action shall appear immediately after the words “This Document Relates To:”

27 in the caption described above, i.e., “Civil Action No. _____ [Name of plaintiff(s)].”

28

1 3. When a pleading or paper is filed and the caption, pursuant to ¶ 2, shows that it is
2 to be applicable to “All Actions,” the Clerk shall file such pleading or paper in the Master File
3 and note such filing in the Master Docket. No further copies need be filed or other docket
4 entries made.

5 4. When a pleading or paper is filed and the caption, pursuant to ¶ 2, shows that it is
6 applicable to fewer than all of the Actions, the Clerk shall file such pleading or other paper only
7 in the Master File but nonetheless shall note such filing in both the Master Docket and in the
8 docket of each such action.

9 **III. FILING OF CONSOLIDATED AMENDED COMPLAINT AND**
10 **RESPONSE THERETO**

11 1. Plaintiffs shall file a Consolidated Amended Complaint on or before June 17,
12 2011.

13 2. Defendant need not answer or otherwise respond to any of the complaints in the
14 three separate actions captioned above.

15 3. Defendant shall file an answer or otherwise respond to the Consolidated
16 Amended Complaint on or before August 5, 2011.

17 4. If Defendant files a motion to dismiss the Consolidated Amended Complaint,
18 Plaintiffs shall file a response to the motion on or before September 2, 2011, and Defendant
19 shall file its reply brief on or before September 21, 2011.

20 **IT IS SO STIPULATED.**

21 Dated: June 9, 2011

22 By: /s/ Christopher T. Heffelfinger
23 Christopher T. Heffelfinger

24 Anthony D. Phillips
25 **BERMAN DEVALERIO**
26 One California Street, Suite 900
27 San Francisco, CA 94111
28 (415) 433-3200

Proposed Interim Liaison Counsel for Plaintiffs

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Michael J. Boni
Joshua D. Snyder
BONI & ZACK LLC
15 St. Asaphs Road
Bala Cynwyd, PA 19004
(610) 822-0200

Simon Bahne Paris
Patrick Howard
**SALTZ, MONGELUZZI, BARRETT &
BENDESKY, P.C.**
One Liberty Place, 52nd Floor
1650 Market Street
Philadelphia, PA 19103
(215) 575-3986

Proposed Interim Co-Lead Counsel for Plaintiffs

Jonathan Shub
SEEGER WEISS, LLP
1515 Market Street
Philadelphia, PA 19102
(215) 564-2300

Benjamin G. Edelman
LAW OFFICES OF BENJAMIN EDELMAN
27A Linnaean Street
Cambridge, MA 02138
(617) 359-3360

Roberta D. Liebenberg
Jeffrey S. Istvan
Gerard A. Dever
FINE, KAPLAN AND BLACK, R.P.C.
1835 Market Street, 28th Floor
Philadelphia, PA 19103
(215) 567-6565

Shanon J. Carson
Sarah R. Schalman-Bergen
BERGER & MONTAGUE, P.C.
1622 Locust St.
Philadelphia, PA 19103
(215) 875-3000

Attorneys for Plaintiffs

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Dated: June 9, 2011

By: /s/ Stuart C. Plunkett
Stuart C. Plunkett

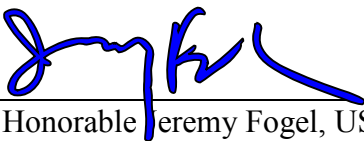
Stuart C. Plunkett
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, CA 94105
(415) 268-7000
Attorneys for Defendant

E-Filing Attestation

I, Christopher T. Heffelfinger, am the ECF User whose ID and password are being used to file this document. In compliance with General Order 45 X.B., I hereby attest that Stuart C. Plunkett has concurred in this filing.

IT IS SO ORDERED.

Dated: 6/15/11

By: 
Honorable Jeremy Fogel, USDJ