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 Apple Inc.

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA
 13 SAN JOSE DIVISION
 14

15 **NANCY ROMINE MINKLER,**
 Individually and on Behalf of All Others
 16 Similarly Situated,
 17 Plaintiffs,
 18 v.
 19 **APPLE INC.,**
 20 Defendant.

CASE NO. 5:13-cv-05332-EJD
**[PROPOSED] ORDER RE: DEFENDANT
 APPLE INC.'S MOTION TO DISMISS
 COMPLAINT**
**(FEDERAL RULES OF CIVIL
 PROCEDURE RULES 12(B)(6), AND 9(B))**
DATE: JULY 18, 2014
TIME: 9:00 A.M.
COURTROOM: 4

1 **TO THE CLERK OF THE COURT AND TO ALL PARTIES AND THEIR ATTORNEYS**
2 **OF RECORD HEREIN:**

3 Defendant Apple Inc.'s ("Apple") Motion to Dismiss Plaintiff's Complaint pursuant to
4 Rules 12 (b)(6) and 9(b) of the Federal Rules of Civil Procedure in the above-captioned action
5 came on regularly to be heard on July 18, 2014, in the above-referenced Court. Apple was
6 represented by DLA Piper, LLP (US), Joseph Collins appearing. All other appearances were as
7 noted on the record.

8 Upon consideration of all the written and oral argument presented by all the parties, and
9 good cause appearing therefor, **IT IS HEREBY ORDERED** that:

10 Apple's Motion to Dismiss all claims in Plaintiff's Complaint is **GRANTED** without
11 leave to amend.

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13 Dated: _____, 2014.

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15 _____
16 Honorable Edward J. Davila
17 United States District Judge
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