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 FERRERO U.S.A, INC.
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9 UNITED STATES DISTRICT COURT
 10 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

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 12 In re FERRERO LITIGATION) CASE NO.: 11 CV 0205 H (CAB)
)
 13) EX PARTE APPLICATION TO
) PERMIT MANUAL FILING OF
 14) EXHIBITS THAT CANNOT BE
) CONVERTED INTO ELECTRONIC
 15) FORM
)
 16) Date: TBD
) Time: TBD
 17) Before: Hon. Marilyn L. Huff
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1 Pursuant to Local Rule 5.1(e) and Electronic Case Filing Administrative Policies and
2 Procedures Manual § 2(k), Defendant Ferrero U.S.A., Inc. (hereinafter “Ferrero”), hereby applies
3 for leave of the Court to allow the non-electronic filing of exhibits.

4 On October 10, 2011, Ferrero filed its Opposition to Plaintiffs’ Motion for Class
5 Certification. In support of its opposition, Ferrero filed the Declaration of Karl Krohn, which
6 includes references to Ferrero’s television advertisements for Nutella that are challenged in
7 plaintiffs’ complaint. Krohn Decl. ¶¶ 4, 10. Because those commercials cannot be converted to
8 PDF or electronically filed with the Court, Ferrero respectfully requests leave to file those
9 exhibits manually.

10 Subject to approval of the Court, such exhibits will be individually identified in accord
11 with Electronic Case Filing Administrative Policies and Procedures Manual § 2(k) and will be
12 lodged soon thereafter as leave is granted.

13 Counsel for plaintiffs do not object to the manual filing of these exhibits.

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15 Dated: October 11, 2011

WILSON SONSINI GOODRICH & ROSATI
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18 By: s/ Edmundo C. Marquez
Edmundo C. Marquez

19 Attorneys for Defendant Ferrero U.S.A., Inc.

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