

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

NOKIA CORPORATION,)	
)	
Plaintiffs,)	
v.)	C.A. No. 09-791 GMS
)	
APPLE INC.,)	
)	
Defendants.)	

NOKIA CORPORATION,)	
)	
Plaintiff,)	
v.)	C.A. No. 09-1002 GMS
)	
APPLE INC.,)	
)	
Defendants.)	

Caption continued on next page

**APPLE INC. AND NEXT SOFTWARE, INC.’S MOTION FOR CONSOLIDATION OF
THE CAPTIONED CASES FOR THE PURPOSE OF
COORDINATING PRETRIAL PROCEEDINGS**

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May 24, 2010

APPLE INC., and NeXT SOFTWARE, INC.,)
f/k/a NeXT COMPUTER, INC.,)
)
Plaintiffs,)
v.) C.A. No. 10-166-RK
)
HIGH TECH COMPUTER CORP., a/k/a)
HTC CORP., HTC (B.V.I.) CORP., HTC)
AMERICA, INC., and EXEDEA, INC.,)
)
Defendants.)

APPLE INC.,)
)
Plaintiff,)
v.) C.A. No. 10-167-RK
)
HIGH TECH COMPUTER CORP., a/k/a)
HTC CORP., HTC (B.V.I.) CORP., HTC)
AMERICA, INC., and EXEDEA, INC.,)
)
Defendants.)

Apple Inc. and NeXT Software, Inc. (collectively, “Apple”) hereby move this Court for an order, pursuant to Federal Rule of Civil Procedure 42(a), consolidating the captioned cases before Chief Judge Sleet for all pretrial proceedings and common issues of law and fact relating to fact discovery for the captioned cases. The grounds for this motion are set forth in Apple Inc. and NeXT Software, Inc.’s Brief in Support of Their Motion for Consolidation of the Captioned Cases for the Purpose of Coordinating Pretrial Proceedings and in the Declaration of Richard K. Herrmann filed contemporaneously herewith.

Dated: May 24, 2010

/s/ Richard K. Herrmann

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NeXT Computer, Inc.*

RULE 7.1.1 STATEMENT

Counsel for Apple Inc. and NeXT Software, Inc. hereby states that it contacted opposing counsel in an effort to resolve the issues raised in its Motion to Consolidate, but to no avail. Nokia has not responded to Apple's inquiry and HTC confirmed that it will oppose consolidating the present cases.

Dated: May 24, 2010

/s/ Richard K. Herrmann
Richard K. Herrmann

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f/k/a NeXT COMPUTER, INC.,)	
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Defendants.)	

[PROPOSED] ORDER

Having considered Apple Inc. and NeXT Software, Inc.'s Motion for Consolidation and the related briefing,

IT IS HEREBY ORDERED this _____ day of _____, 2010 that the Motion is GRANTED. The cases captioned as Nokia Corporation v. Apple Inc. (C.A. Nos. 09-791-GMS and 09-1002-GMS), Apple Inc. and NeXT Software, Inc. v. High Tech Computer Corp., et al., (C.A. No. 10-166-RK) and Apple Inc. v. High Tech Computer Corp., et al. (C.A. No. 10-167-RK) are hereby consolidated for all pretrial proceedings and common issues of law and fact relating to fact discovery.

Gregory M. Sleet, Chief Judge