

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

**IN RE: APPLE iPhone 3G AND 3GS
“MMS” MARKETING AND SALES
PRACTICES LITIGATION**

THIS DOCUMENT RELATES TO:
*Christopher Carbine, et al. v. Apple, Inc., et
al.*, C.A. No. 2:09-5470, E.D. La.

CIVIL ACTION NO. 2:09-md-02116

MDL No. 2116

DISTRICT JUDGE CARL J. BARBIER

MAGISTRATE JUDGE WILKINSON

CONSENT MOTION TO LIFT STAY

NOW INTO COURT, through undersigned counsel, comes Defendant, Apple Inc., and with consent of Plaintiffs, respectfully requests that the stay be lifted in *Carbine, et al. v. Apple, Inc., et al.*, C.A. No. 2:09-5470, pursuant to the transfer order of the Judicial Panel on Multidistrict Litigation (“the Panel”).^c For the reasons set forth in the accompanying Memorandum in Support, Defendant, Apple, Inc., requests that this Court formally lift the stay in the above referenced case.

Respectfully submitted,

IRWIN FRITCHIE URQUHART & MOORE, LLC

/s/ Douglas J. Moore

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading has been electronically filed and served upon all known counsel of record by electronic service and/or U. S. mail, properly addressed, this the 6th day of January, 2010.

/s/ Douglas J. Moore