

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

IN RE: APPLE IPHONE 3G AND 3G-S "MMS"  
MARKETING AND SALES PRACTICES  
LITIGATION

MDL DOCKET NO. 2116

SECTION: J

THIS DOCUMENT RELATES TO ALL CASES

JUDGE BARBIER

MAG. JUDGE WILKINSON

**MOTION AND INCORPORATED MEMORANDUM FOR LEAVE TO FILE SECOND  
SUPPLEMENTAL MOTION TO APPOINT PLAINTIFFS' STEERING COMMITTEE**

**NOW INTO COURT**, through undersigned counsel, comes Scott R. Bickford and the Plaintiffs' Executive Committee, who respectfully move the Court for an order allowing them leave to file a Second Supplemental Motion to Appoint Plaintiffs' Steering Committee and withdraw the name of James L. Deese. The following individual has expressed interest and committed financially to participate in the Plaintiffs' Steering Committee in the above referenced matter. We, therefore, suggest to the Court that the following individual be appointed by the Court to the Plaintiffs' Steering Committee:

Joel J. Schwartz  
Rosenblum Schwartz Rogers Glass PC  
120 South Central Avenue, Suite 130  
Clayton, MO 63105  
314-862-4332  
314-862-8050 fax

We also suggest to the Court that the following individual be withdrawn from the Plaintiffs'

Steering Committee pursuant to Mr. Deese's request:

James L. Deese  
Attorney at Law  
1468 West 9<sup>th</sup> Street, Suite 405  
Cleveland, OH 44113  
216-502-0570  
216-502-0569 fax

Based on the foregoing, Scott R. Bickford and the Plaintiffs' Executive Committee respectfully request that they be granted leave to file a Second Supplemental Motion to Appoint Plaintiffs' Steering Committee.

Respectfully submitted,

/s/ SCOTT R. BICKFORD  
SCOTT R. BICKFORD (1165)  
Martzell & Bickford  
338 Lafayette St.  
New Orleans, LA 70130  
Telephone: 504/581-9065  
Facsimile: 504/581-7636  
[usdcedla@mbfirm.com](mailto:usdcedla@mbfirm.com)

CERTIFICATE OF SERVICE

I hereby certify that on the 4th day of February, 2010, I electronically filed the foregoing with the Clerk of court by using the CM/ECF system and notification of such filing to all attorneys of record via e-mail.

/s/ Scott R. Bickford  
SCOTT R. BICKFORD