

**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 ALL
CASES**

CIVIL ACTION

MDL No: 2116

**SECTION “J”
JUDGE BARBIER**

MAGISTRATE JUDGE WILKINSON

REQUEST FOR ORAL ARGUMENT

NOW INTO COURT, through undersigned counsel, comes Defendant, Apple Inc. (“Apple”), who pursuant to Local Rule 78.1, respectfully requests oral argument on its Motion to Dismiss pursuant to Federal Rule of Civil Procedure 12(b)(7) (Rec. Doc. 268) which has been noticed for hearing before the Honorable Honorable Carl J. Barbier, District Court Judge of the United States District Court for the Eastern District of Louisiana, on the 12th day of January, 2012 at 2:00 p.m. (Rec. Doc. 268-2). Apple seeks the opportunity to address, before this Court, the specific factual and legal reasons why the Motion to Dismiss should be granted and, respectfully, submits that oral argument will assist the Court.

Respectfully submitted,

/s/ Quentin F. Urquhart

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading has been electronically filed on December 12, 2011, with the Clerk of Court by using the CM/ECF system which will send a notice of electronic filing to all counsel of record.

/s/ Quentin F. Urquhart