

**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 Actions

CIVIL ACTION

MDL No. 2116

**SECTION “J”
JUDGE BARBIER**

MAGISTRATE JUDGE WILKINSON

**DEFENDANT APPLE INC.’S MOTION
FOR LEAVE TO FILE REPLY MEMORANDUM**

NOW INTO COURT, through undersigned counsel, comes Defendant, Apple Inc. (“Apple”), who respectfully requests that this Court grant it leave to file a Reply Memorandum to Plaintiffs’ Notice of Recent Decision (Rec. Doc. 282-2). Plaintiffs requested leave to file the Notice of Recent Decision after this Court heard argument on Apple’s Motion to Compel Arbitration and Motion to Dismiss pursuant to Federal Rule of Civil Procedure 12(b)(7) on January 12, 2012. Apple believes its Reply Memorandum will be helpful to the Court in considering the case raised by Plaintiffs, *In re: American Express Merchants’ Litigation*, No. 06-1871-cv (2nd Circuit. Feb. 1, 2012), in the context of the United States Supreme Court’s decision in *AT&T Mobility LLC v. Concepcion*, 131 S. Ct. 1740 (2011).

WHEREFORE, Defendant, Apple Inc., requests that this Court grant it leave to file a Reply Memorandum to Plaintiffs’ Notice of Recent Decision (Rec. Doc. 282-2).

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 February 9, 2012, with the Clerk of Court by using the CM/ECF system which will send a notice of electronic filing.

/s/ Quentin F. Urquhart