

WHEREAS on March 5, 2009, Apple filed a motion for transfer and consolidation of this and eleven other virtually identical putative class actions pursuant to 28 U.S.C. § 1407 with the Judicial Panel on Multidistrict Litigation ("JPML");

WHEREAS on March 6, 2009, Apple submitted a letter to the Court requesting that the case be stayed pending the JPML's transfer decision;

WHEREAS on March 11, 2009, the Court held a hearing on Apple's stay request and ordered that should the parties voluntarily withdraw their Motions, they would do so without prejudice, and ordering Defendants to re-file their Motions for hearing by June 1, 2009; and

WHEREAS the JPML has not yet issued its transfer decision and, in fact, is not scheduled to hear oral argument on Apple's transfer motion until May 27, 2009.

IT IS HEREBY STIPULATED AND AGREED, by and between counsel for the parties, that the time for Defendants to re-file their Motions is hereby extended to July 31, 2009.

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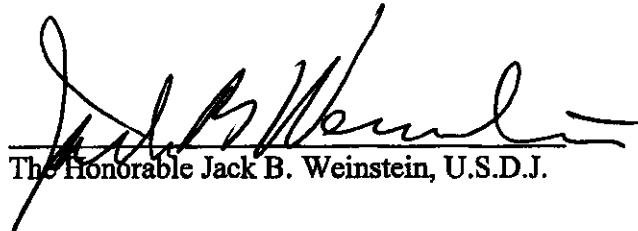
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IT IS SO ORDERED.

Dated: 5/22, 2009
Brooklyn, New York


The Honorable Jack B. Weinstein, U.S.D.J.