

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

AVI KOSCHITZKI, On Behalf Of Himself
and all Others Similarly Situated,

Plaintiff,

v.

APPLE INC. and AT&T MOBILITY LLC,

Defendants.

Civil Action No. 08 Civ. 4451 (JBW) (VVP)

**DEFENDANT APPLE INC.'S NOTICE OF MOTION FOR PROTECTIVE ORDER TO
QUASH PLAINTIFF'S NOTICE OF DEPOSITION OF APPLE EMPLOYEE TJ TERRY**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law in Support and attached exhibits, dated February 23, 2009, Defendant Apple Inc. ("Apple") hereby moves this Court, before the Honorable Viktor V. Pohorelsky at the United States District Court for the Eastern District of New York located at 225 Cadman Plaza East, Brooklyn, New York 11201, at 3:00 p.m., for a protective order quashing plaintiff Avi Koschitzki's notice of deposition of Apple employee TJ Terry, pursuant to Rules 26 and 30 of the Federal Rules of Civil Procedure.

Dated: New York, NY
February 23, 2009

MORRISON & FOERSTER LLP

By: /s/ Jamie A. Levitt

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**pro hac vice* applications pending

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