IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS SHERMAN DIVISION

ALYCE R. PAYNE, WILLIAM FRENCH, \$ KAREN MICHAELS, and LORNA \$ HARRIS, on Behalf of Themselves and all \$ Others Similarly Situated, \$ Plaintiffs, \$ CIVIL ACTION NO. 09-cv-00042 v. \$ APPLE INC. and AT&T MOBILITY LLC, \$ Defendant. \$ \$

NOTICE OF SUPPLEMENTAL FILING RELATING TO MOTION TO TRANSFER PURSUANT TO 28 U.S.C. § 1407

TO THE CLERK OF THIS COURT AND TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on March 10, 2009, in connection with the motion for transfer and consolidation of this and eleven similar actions that Apple filed with the Judicial Panel on Multidistrict Litigation (the "JPML") on March 5, 2009 pursuant to 28 U.S.C. § 1407, Apple submitted the following revised documents to the JPML:

- REVISED SCHEDULE OF PENDING ACTIONS; and
- REVISED PROOF OF SERVICE.

Copies of the revised documents are attached hereto as Exhibits A and B.

Defendant Apple Inc. files this Notice pursuant to Rule 5.12(c) of the Rules of the Judicial Panel for the purpose of informing the Court of the pendency of the proceedings before the MDL Panel and will keep the Court informed of further developments.

DON G. RUSHING MORRISON & FOERSTER LLP

By: /s/ Don G. Rushing
Don G. Rushing

Attorneys for Defendant APPLE INC.

Dated: March 10, 2009