

1 GEORGE A. RILEY (State Bar No. 118304)
O'MELVENY & MYERS LLP
2 Embarcadero Center West
275 Battery Street
3 San Francisco, California 94111-3305
Telephone: (415) 984-8700
4 Facsimile: (415) 984-8701
E-Mail: griley@omm.com

5 Attorneys for Defendants
6 STEVEN P. JOBS, WILLIAM V. CAMPBELL,
MILLARD S. DREXLER, ARTHUR D. LEVINSON,
7 JEROME B. YORK, GARETH C.C. CHANG, PETER O. CRISP,
LAWRENCE J. ELLISON, B. JURGEN HINTZ, KATHERINE
8 M. HUDSON, DELANO E. LEWIS, A.C. MARKKULA, JR.,
EDGAR S. WOOLARD, JR., and APPLE INC.

9 JEROME C. ROTH (State Bar No. 159483)
10 YOHANCE C. EDWARDS (State Bar No. 237244)
MUNGER TOLLES & OLSON LLP
11 560 Mission Street, 27th Floor
San Francisco, California 94105
12 Telephone: (415) 512-4000
Facsimile: (415) 512-4077
13 E-Mail: Jerome.Roth@mto.com
Yohance.Edwards@mto.com

14 Attorneys for Defendant
15 FRED D. ANDERSON

16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA
18 SAN JOSE DIVISION

19 MARTIN VOGEL and KENNETH
20 MAHONEY, on Behalf of Themselves and
All Other Similarly Situated,

21 Plaintiffs,

22 v.

23 STEVEN JOBS, PETER OPPENHEIMER,
24 FRED ANDERSON, WILLIAM V.
CAMPBELL, MILLARD S. DREXLER,
25 ALBERT GORE, JR., ARTHUR D.
LEVINSON, JEROME B. YORK AND
26 APPLE COMPUTER, INC.

27 Defendants.

Case No. C-06-05208-JF

**[PROPOSED] ORDER GRANTING
MOTION TO DISMISS
CONSOLIDATED CLASS ACTION
COMPLAINT**

1 On September 7, 2007, the Motion to Dismiss Consolidated Class Action Complaint
2 brought by defendants Apple Inc. ("Apple"), Steven P. Jobs, William V. Campbell, Millard S.
3 Drexler, Arthur D. Levinson, Jerome B. York, Fred D. Anderson, Gareth C.C. Chang, Peter O.
4 Crisp, Lawrence J. Ellison, B. Jurgen Hintz, Katherine M. Hudson, Delano E. Lewis, A.C.
5 Markkula, Jr., and Edgar S. Woolard, Jr. ("defendants") came on regularly for hearing before the
6 Honorable Jeremy Fogel.

7 After considering the papers filed, and oral argument presented, in support of and
8 opposition to the motion, and good cause appearing therefor,

9 **IT IS HEREBY ORDERED** that the Defendants' Motion to Dismiss Consolidated Class
10 Action Complaint is GRANTED with prejudice.

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12 DATED: _____

HONORABLE JEREMY FOGEL

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