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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
UNITED STATES OF AMERICA, :  
:  
Plaintiff, : 12 Civ. 2826 (DLC)  
-v- :  
:  
APPLE INC., et al., :  
:  
Defendants. : ORDER  
-----X

THE STATE OF TEXAS, et al., :  
:  
Plaintiffs, : 12 Civ. 3394 (DLC)  
-v- :  
:  
PENQUIN GROUP (USA) INC., et al., :  
:  
Defendants. :  
-----X

DENISE COTE, District Judge:

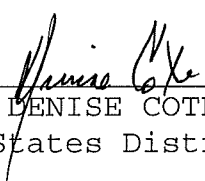
On September 26, 2013, the Department of Justice ("DOJ") contacted the Court via telephone to seek guidance, on behalf of itself and Plaintiff States, as to the form of its submission recommending "one or more persons to serve as External Compliance Monitor" ("Monitor"), pursuant to Section VI of the September 5 Order Entering Permanent Injunction. It is hereby ordered:

- To the extent that DOJ and Plaintiff States are jointly recommending more than one person to serve as Monitor, the submission shall be made in camera.

- Any objection to said persons by Apple shall be made in camera.
- Notwithstanding the in camera nature of the submissions, the parties shall make timely service of all filings on each other.

SO ORDERED:

Dated: New York, New York  
September 27, 2013

  
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DENISE COTE  
United States District Judge