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8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**  
10 **SAN JOSE DIVISION**

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12 IN RE HIGH-TECH EMPLOYEE  
13 ANTITRUST LITIGATION

14 THIS DOCUMENT RELATES TO:  
15 ALL ACTIONS  
16

Master Docket No. 11-CV-2509 LHK

**DEFENDANTS ADOBE, APPLE,  
GOOGLE, INTEL, AND INTUIT'S  
JOINT BRIEF REGARDING THE  
IMPACT OF THE PROPOSED PIXAR  
AND LUCASFILM SETTLEMENTS  
ON THE SUPPLEMENTAL CLASS  
CERTIFICATION MOTION**

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1 Defendants Adobe Systems, Inc., Apple Inc., Google Inc., Intel Corp., and Intuit Inc.  
2 jointly submit this brief in response to the Court’s Order Regarding the July 12, 2013 Notice of  
3 Settlement Letter, Dkt. 460 (the “Order”), to discuss the impact of the proposed Pixar and  
4 Lucasfilm settlements on the pending supplemental class certification motion.

5 On July 12, 2013, Plaintiffs notified the Court that “they and Defendants Pixar and  
6 Lucasfilm Ltd. have reached an agreement to settle all individual and class claims.” Dkt. 453.  
7 Despite requests from the non-settling Defendants, Plaintiffs, Pixar and Lucasfilm have declined  
8 to disclose the details of the proposed settlements, and they have not indicated when they intend  
9 to present the settlements for consideration and preliminary approval by the Court.

10 Pursuant to the Order, counsel for Plaintiffs, Adobe, Apple, Google, Intel and Intuit held a  
11 meet and confer session on July 24, 2013, and exchanged draft briefs. Counsel for Pixar and  
12 Lucasfilm were invited but declined to participate.

13 While their draft brief did not reveal the details of the proposed settlements, Plaintiffs did  
14 confirm they will seek certification of a “Settlement Class” that is identical to the proposed  
15 60,000-plus member Technical Class which is the subject of the pending motion. According to  
16 the draft brief, the proposed settlements would release claims only against Pixar and Lucasfilm.  
17 The proposed settlements would purport to preserve all alleged claims—including claims of  
18 former and current Pixar and Lucasfilm employees who are members of the putative class—  
19 against non-settling Defendants under Plaintiffs’ theory of joint and several liability.

20 The announced Pixar and Lucasfilm settlements undoubtedly reflect the unique  
21 circumstances of those Defendants as members of the film industry and their employees, who  
22 make up about 2.3% of the Technical Class. Plaintiffs agree that these proposed settlements have  
23 no effect on the pending motion for certification of the Technical Class.

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1 Dated: July 26, 2013

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**ATTESTATION:** Pursuant to General Order 45, Part X-B, the filer attests that concurrence in the filing of this document has been obtained from all signatories.