

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA, et al.,

Plaintiffs,

v.

APPLE INC.,

Defendant.

Case No. 2:24-cv-04055 (JXN) (LDW)

**STIPULATION AND [PROPOSED] ORDER RE BRIEFING
SCHEDULE ON MOTION TO DISMISS**

Plaintiffs United States of America, and the State of New Jersey, State of Arizona, State of California, District of Columbia, State of Connecticut, State of Maine, State of Michigan, State of Minnesota, State of New Hampshire, State of New York, State of North Dakota, State of Oklahoma, State of Oregon, State of Tennessee, State of Vermont, and State of Wisconsin, acting by and through their respective Attorneys General (collectively, “Plaintiffs”), and Defendant Apple Inc. (“Defendant”), hereby stipulate as follows:

WHEREAS, Plaintiffs filed their Complaint on March 21, 2024;

WHEREAS, Defendant waived service of the Complaint pursuant to Fed. R. Civ. P. 4(d);

WHEREAS, Defendant intends to file a motion to dismiss pursuant to Fed. R. Civ. P. 12;

WHEREAS, the Court’s judicial preferences require Defendant to submit a letter requesting a pre-motion conference before filing its motion to dismiss;

THEREFORE, in the interest of efficiency, the parties agree and stipulate to the following schedule:

1. Defendant will submit its letter requesting a pre-motion conference on or before May 21, 2024;
2. Plaintiffs will submit their written response to Defendant's letter on May 30, 2024;
3. If the Court determines either that it cannot resolve the dispute at the pre-motion conference or that a conference would not be helpful, Defendant will file its motion to dismiss 7 days after such determination, but in no event sooner than June 17, 2024;
4. Plaintiffs will file their opposition 35 days after Defendant files its motion; and
5. Defendant will file its reply 21 days after Plaintiffs file their opposition.

Dated: May 13, 2024

/s/ Jonathan H. Lasken
Jonathan H. Lasken
United States Department of Justice
450 Fifth Street, NW, Suite 4000
Washington, D.C. 20530
Tel: (202) 598-6517
Email: jonathan.lasken@usdoj.gov

Attorneys for Plaintiff United States of America

Dated: May 13, 2024

/s/ Isabella R. Pitt
Isabella R. Pitt (NJ Bar No. 071002013)
Deputy Attorney General
Assistant Section Chief of Antitrust Division
New Jersey Office of the Attorney General
124 Halsey Street, 5th Floor
Newark, NJ 07101
Tel: (973) 648-3070
Email: Isabella.Pitt@law.njoag.gov

Attorneys for Plaintiff State of New Jersey

Dated: May 13, 2024

/s/ Justin Moor
Justin Moor
Assistant Attorney General

455 Minnesota Street, Suite 1400
Saint Paul, MN 55101-2130
Tel.: (651) 724-9627
Email: justin.moor@ag.state.mn.us

Attorneys for Plaintiff State of Minnesota

Dated: May 13, 2024

/s/ Liza M. Walsh
Liza M. Walsh
Douglas E. Arpert
Walsh Pizzi O'Reilly Falanga LLP
Three Gateway Center
100 Mulberry Street, 15th Floor
Newark, New Jersey 07102
Tel.: (973) 757-1100
Email: LWalsh@walsh.law
DArpert@walsh.law

Craig S. Primis, P.C.
K. Winn Allen, P.C.
Kirkland & Ellis LLP
1301 Pennsylvania Avenue, N.W.
Washington, DC 20004
Tel.: (202) 389-5000
Email: craig.primis@kirkland.com
winn.allen@kirkland.com

Devorah W. Allon
Kirkland & Ellis LLP
601 Lexington Avenue
New York, NY 10022
Tel.: (212) 446-5967
Email: devora.allon@kirkland.com

Attorneys for Defendant Apple Inc.

IT IS SO ORDERED.

Dated: _____, 2024

HON. JULIEN XAVIER NEALS
United States District Judge