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14 Plaintiffs' Interim Class Counsel

15 UNITED STATES DISTRICT COURT  
16 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
17 OAKLAND DIVISION

18 IN RE APPLE iPhone ANTITRUST ) No. C 11-06714-YGR  
19 LITIGATION )  
20 ) **PLAINTIFFS', STEPHEN SCHWARTZ,**  
21 ) **EDWARD HAYTER, ERIC TERRELL,**  
22 ) **AND ROBERT PEPPER, NOTICE OF**  
23 ) **APPEAL**  
24 )  
25 ) DEPT: Courtroom 5, 2nd Floor  
26 ) JUDGE: Hon. Yvonne Gonzalez Rogers  
27 )  
28 )

1 TO THE COURT, DEFENDANT AND ITS ATTORNEYS OF RECORD:

2 NOTICE IS HEREBY GIVEN that Plaintiffs Stephen Schwartz, Edward Hayter, Eric  
3 Terrell, and Robert Pepper (“Plaintiffs”) hereby appeal to the United States Court of Appeals for  
4 the Ninth Circuit from the Order Granting Apple’s Motion to Dismiss Second Amended  
5 Complaint With Prejudice (“Dec. 2, 2013 Order”) (ECF No. 124) entered on December 2, 2013.  
6 A true and correct copy of the Dec. 2, 2013 Order is attached hereto as Exhibit A. A true and  
7 correct copy of the Circuit Rule 3-2 Plaintiffs’ Representation Statement is attached hereto as  
8 Exhibit B.

9  
10 DATED: December 30, 2013

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PEPPER, NOTICE OF APPEAL—C-11-06714-YGR