

SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SAN DIEGO
CENTRAL

MINUTE ORDER

DATE: 08/08/2013

TIME: 08:15:00 AM

DEPT: C-71

JUDICIAL OFFICER PRESIDING: Ronald S. Prager

CLERK: Lee Ryan

REPORTER/ERM: Annette Laird CSR# 12968

BAILIFF/COURT ATTENDANT: Lynn Wilks

CASE NO: 37-2011-00102593-CU-OE-CTL CASE INIT.DATE: 12/16/2011

CASE TITLE: Felczer vs. Apple Inc [IMAGED]

CASE CATEGORY: Civil - Unlimited CASE TYPE: Other employment

EVENT TYPE: Ex Parte

APPEARANCES

Jeffrey L Hogue, counsel, present for Plaintiff(s).

Julia Collins Riechert, counsel, present for Defendant(s) telephonically.

Julie A Dunne, counsel, present for Defendant(s).

Counsel to agree to wording of letters to be sent to putative class members.

Court agrees with Apple's counsel that the best way to disseminate letter to current Apple employee class numbers is by mail.

Plaintiff states plaintiff has no objection to confining recipients to current Apple employees because of burden of trying to locate class members no longer employed.

Court will require Apple to advance costs of mailing by neutral administrator, but both sides agree this is a cost which ultimately will be awarded to prevailing party.

Since this arrangement was based on mutual agreement, any ex parte papers filed in connection with today's hearing are withdrawn.

Letters with agreed upon language should be mailed within 30 days.

Plaintiff must return privilege document (litigation hold) previously ordered returned to defendant by 8/15/13 and plaintiff must remove these documents from their system and put in disk or thumbdrive for return by 8/15/13.

If plaintiff's counsel wants to affirmatively request Apple documents they must request these documents from Apple so that Apple will have the opportunity to provide documents with privilege log and assert any objections.

Since this order is made at Apple's request, Apple should make all reasonable efforts to comply in a timely manner with plaintiff's document requests.

Ronald S. Prager

Judge Ronald S. Prager