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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE: MACBOOK KEYBOARD
LITIGATION

Case No. 5:18-cv-02813-EJD

**JOINT STIPULATION AND [PROPOSED]
ORDER TO HOLD THE HEARING ON
MOTION FOR PRELIMINARY APPROVAL
OF CLASS ACTION SETTLEMENT ON
OCTOBER 6, 2022**

Hon. Edward J. Davila

1 Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiffs and Defendant Apple Inc., by and through
2 their respective counsel, stipulate as follows:

3 WHEREAS, on July 18, 2022, Plaintiffs filed their Motion for Preliminary Approval of Class
4 Action Settlement (ECF No. 410);

5 WHEREAS, at the time of that filing, this Court's earliest available hearing date for the
6 preliminary approval motion was January 19, 2023, which Plaintiffs reserved;

7 WHEREAS, no opposition to the motion was filed;

8 WHEREAS, this case was filed May 11, 2018 (Dkt. No. 1) and concerns consumer products sold
9 beginning in 2015;

10 WHEREAS, the settlement affects several million Class Members, some of whom have already
11 begun to inquire about submitting claims;

12 WHEREAS, the parties agree that the proposed Settlement Class Members would benefit from
13 an earlier determination on preliminary approval, including to reduce any further delay, which increases
14 the potential for Class Member confusion concerning the settlement; and

15 WHEREAS, to serve the interests of justice and judicial economy, the parties therefore request
16 that the Court hear the settlement motion on an earlier date than January 19, 2023;

17 NOW THEREFORE, the parties stipulate and respectfully request that, pursuant to Local Rule
18 6-2(a), the Court set the hearing date for the preliminary approval motion to October 6, 2022, or the
19 soonest date thereafter that is convenient to the Court.

20
21 Dated: August 22, 2022

Respectfully submitted,

GIRARD SHARP LLP

/s/ Simon S. Grille

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Counsel for Plaintiffs

Dated: August 22, 2022

MORRISON & FOERSTER LLP

By: */s/ Claudia M. Vetesi*
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Counsel for Defendant Apple Inc.

ATTESTATION

I, Simon S. Grille, am the ECF user whose identification and password are being used to file this Joint Stipulation to Hold the Hearing on Motion for Preliminary Approval of Class Settlement on October 6, 2022. I hereby attest under penalty of perjury that concurrence in this filing has been obtained from all counsel listed above.

DATED: August 22, 2022

/s/ Simon S. Grille

Simon S. Grille

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

HON. EDWARD J. DAVILA
United States District Judge

1 Daniel C. Girard (SBN 114826)
2 Jordan Elias (SBN 228731)
3 Adam E. Polk (SBN 273000)
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14 *Class Counsel*

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN JOSE DIVISION**

15 IN RE: MACBOOK KEYBOARD
16 LITIGATION

Case No. 5:18-cv-02813-EJD

**DECLARATION OF SIMON S. GRILLE IN
SUPPORT OF STIPULATION TO HOLD
THE HEARING ON MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT ON OCTOBER 6,
2022**

Hon. Edward J. Davila

1 I, Simon S. Grille, declare as follows:

2 1. I am a partner at the law firm of Girard Sharp LLP, co-lead class counsel for Plaintiffs in
3 this matter. I submit this declaration in support of the Parties' Joint Stipulation and [Proposed] Order to
4 Hold the Hearing on Motion for Preliminary Approval of Class Action Settlement on October 6, 2022.
5 I have personal knowledge of the information contained herein, and if called as a witness, could and
6 would testify competently thereto.

7 2. Plaintiffs filed their Motion for Preliminary Approval of Class Action Settlement on July
8 18, 2022 (ECF No. 410).

9 3. At the time of that filing, this Court's earliest available hearing date for the preliminary
10 approval motion was January 19, 2023, which Plaintiffs reserved.

11 4. No opposition to the preliminary approval motion was filed.

12 5. This case was filed May 11, 2018 (Dkt. No. 1) and concerns consumer products sold
13 beginning in 2015.

14 6. The settlement affects several million Class Members, some of whom have already begun
15 to inquire about submitting claims.

16 7. The parties agree that the proposed Settlement Class Members would benefit from an
17 earlier determination on preliminary approval, including to reduce any further delay, which increases
18 the potential for Class Member confusion concerning the settlement.

19 8. To serve the interests of justice and judicial economy, the parties request that the Court
20 hear the settlement motion on October 6, 2022, or the soonest date thereafter that is convenient to the
21 Court. This request is not made for any other improper purpose.

22 9. The parties previously agreed, and the Court approved, modifications of time for:

- 23 a. Defendant to respond to the Complaint and Amended Complaints;
- 24 b. the briefing schedule for Defendant's motions to dismiss, Plaintiffs' motion for class
25 certification, and Defendant's *Daubert* motions;
- 26 c. the fact and expert discovery cut-offs;
- 27 d. the deadline for expert designations;
- 28 e. the deadline for filing dispositive motions;

- f. the deadline for the trial setting conference; and
- g. the deadline for dissemination of Class notice.

10. The requested modification will not alter the date of any other event or deadline already fixed by the Court.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 22nd day of August, 2022.

/s/ Simon S. Grille
Simon S. Grille