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7 *Attorneys for Defendant*  
APPLE INC.

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION  
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13 IN RE APPLE IPHONE 4 PRODUCTS  
14 LIABILITY LITIGATION

Case No. 5:10-md-02188-RMW

**DECLARATION OF PENELOPE A.  
PREOVOLOS IN SUPPORT OF  
FINAL SETTLEMENT APPROVAL**

Date: July 13, 2012  
Time: 9:00 a.m.  
Place: Courtroom 6  
The Honorable Ronald Whyte

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18 I, Penelope A. Preovolos, declare and state:

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20 1. I am a member of the Bar of the State of California and a partner in the law firm of  
21 Morrison & Foerster LLP, attorneys of record for defendant Apple Inc. (“Apple”), in the above-  
22 captioned action. I have personal knowledge of the matters set forth below and, if called upon to do  
23 so, I could and would competently testify thereto.

24 2. After the present litigation was filed, the parties agreed to engage in mediation. Prior to  
25 commencing mediation, Apple supplied plaintiffs with over 20,000 pages of information about,  
26 among other things, the design of the antenna, dropped call rates, antenna testing, sales data, return  
27 rates, customer complaints, and advertising.  
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1           3. The parties conducted three full-day structured mediation sessions before the Honorable  
2 Daniel Weinstein (ret.) and Catherine Yanni, Esq., of JAMS on June 23, July 13, and August 4, 2011.  
3 The parties also engaged in numerous telephonic negotiations.

4           4. The parties did not address attorneys’ fees until all other material terms of the settlement  
5 were agreed upon. The parties negotiated attorney’s fee issues only through the mediators; they did  
6 not discuss or negotiate fees directly.

7           5. On January 24, 2012, the parties met again in person with the mediators to finalize the  
8 settlement agreement and exhibits and the settlement was signed that evening.

9           6. On February 21, 2012, pursuant to CAFA, Apple sent a Notice of Class Settlement to the  
10 U.S. Attorney General and to the attorneys general of every state. The Notice attached copies of the  
11 Complaints, the Stipulation of Settlement and all exhibits thereto, and the Court’s Preliminary  
12 Approval Order. Neither the U.S. Attorney General nor any of the states’ attorneys general has  
13 objected to the settlement. A true and correct copy of the Notice of Class Settlement is attached as  
14 Exhibit A.

15           I declare under penalty of perjury under the laws of California that the foregoing is true and  
16 correct.

17           Executed on June 1, 2012 at San Francisco, California.

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\_\_\_\_\_/s/ Penelope A. Preovolos\_\_\_\_\_  
Penelope A. Preovolos