JUN 1 3 2012

Penelope A. Preovolos

IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

In re Apple iPhone 4 Products Liability Litigation

NO. 5:10-md-02188-RMW

OBJECTION TO SETTLEMENT

To The Honorable District Judge:

I object to the proposed Settlement and the request for attorneys' fees. As my declaration below shows, I am a member of the settlement class.

The settlement is not fair because I and many other class members lose our claims but do not receive any compensation in exchange.

Under the settlement everyone in the class releases their claims against Apple if they do not object or exclude themselves. The class is defined as:

All United States residents who are or were the original owners of an iPhone 4 as of February 17, 2012. The Settlement Class excludes Apple; any entity in which Apple has a controlling interest; Apple's directors, officers, and employees; and Apple's legal representatives, successors, and assigns.

But to receive the \$15 payment:

Settlement Class Members shall also declare in the Claim Form that they: (a) experienced antenna or reception issues with their iPhone 4; (b) completed the troubleshooting steps on http://www.apple.com/support/iphone/assistant/calls/; (c) could not have returned their iPhone 4 without incurring any costs; and (d) were unwilling to use a case or free bumper for their iPhone 4.

I do not meet that claim requirement. So the settlement will release my claims against Apple but provide me with no compensation. That is not fair.

Furthermore, the wording of these requirements can easily confuse otherwise eligible class members, leading them to falsely conclude that they are not class members.

I also object to Plaintiffs' counsel's request for \$5.9 million in attorneys' fees. These attorneys have not provided a benefit to me or the many class members like me who lose our rights but get no compensation. Thus, they should not receive any attorneys' fees.

DECLARATION:

- 1. My name is Burke Fort. I am capable of making this Declaration. The facts stated in this Declaration are within my personal knowledge and are true and correct.
- 2. I am a United States resident who is the original owner of an iPhone 4 as of February 17, 2012.
- 3. My iPhone 4's serial number is C8QGM0BDDDP8.
- 4. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on June 11, 2012 in Austin, Texas.

Burke O'Hara Fort

Address: 3206 Gilbert Street, Austin, Texas 78703

Phone: 512-479-6159

I mailed by first class mail a copy of the above and foregoing document to the following on June 11, 2012:

Clerk of the Court United States District Court for the Northern District of California San Jose Division 280 South 1st Street San Jose, CA 95113

Rick Nelson Class Member Relations Robbins Geller Rudman & Dowd LLP 655 West Broadway, Suite 1900 San Diego, CA 92101 Penelope A. Preovolos Morrison & Foerster LLP 425 Market Street San Francisco, CA 94105-2482

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