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Lead Counsel for Lead Plaintiff

[Additional counsel appear on signature page.]

16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA
 18 OAKLAND DIVISION

19 In re APPLE INC. SECURITIES)
 20 LITIGATION)

Case No. 4:19-cv-02033-YGR

CLASS ACTION

21 _____)
 22 This Document Relates To:)

STIPULATION AND ~~PROPOSED~~ ORDER
REGARDING DAUBERT MOTIONS

23 ALL ACTIONS.)
 24 _____)
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1 This Stipulation is entered into between Lead Plaintiff and Class Representative Norfolk
2 County Council as Administering Authority of the Norfolk Pension Fund (“Plaintiff”) and
3 Defendants Apple Inc., Timothy D. Cook, and Luca Maestri (“Defendants” and collectively, the
4 “Parties”) in the above-captioned action, by and through their undersigned counsel.

5 WHEREAS, on April 27, 2022, pursuant to Fed R. Civ. P. 26(a)(2) and the Case
6 Management Order (ECF 128) (“Case Management Order”), Plaintiff disclosed two expert
7 witnesses and their written reports and Defendants disclosed four expert witnesses and their written
8 reports;

9 WHEREAS, on June 10, 2022, pursuant to Fed R. Civ. P. 26(a)(2) and the Case
10 Management Order, Plaintiff disclosed one rebuttal expert witness and his written report and
11 Defendants disclosed two additional rebuttal experts, and served a total of five written expert
12 rebuttal reports;

13 WHEREAS, by June 10, 2022, Plaintiff disclosed three experts, and three expert reports,
14 and Defendants disclosed six experts, and nine expert reports;

15 WHEREAS, on June 22, 2022, the Court issued an updated Standing Order in Civil Cases
16 (“Standing Order”) that limits each party to three *Daubert* motions throughout the entire case
17 absent leave of Court (Standing Order, ¶11);

18 WHEREAS, both Parties intend to challenge some or all of the opposing Party’s experts;

19 WHEREAS, under the Case Management Order entered by the Court on December 22,
20 2020, the last day to file *Daubert* motions is September 9, 2022;

21 WHEREAS, the Parties have met and conferred and agreed, to promote efficiency and
22 economy for the both the Court and the Parties, to request that the Court permit each side to file a
23 single consolidated *Daubert* brief of up to 40 pages to challenge the other Party’s experts, as well
24 as a consolidated opposition of up to 40 pages and a consolidated reply of up to 20 pages.

25 NOW, THEREFORE, it is stipulated and agreed among the undersigned Parties, and
26 respectfully submitted for the Court’s approval as follows:

27 1. Each Party shall present all of its motions to exclude expert testimony as a single
28 consolidated *Daubert* motion, and will also file consolidated opposition and reply briefing;

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2. There shall be no limit on the number of experts whose testimony a Party may seek to exclude;

3. The consolidated *Daubert* opening brief may not exceed 40 pages, any opposition brief may not exceed 40 pages, and any reply brief may not exceed 20 pages.

DATED: August 25, 2022

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DATED: August 25, 2022

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Cook, and Luca Maestri

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ATTESTATION PURSUANT TO LOCAL RULE 5-1

I, Shawn A. Williams, am the ECF user whose identification and password are being used to file the STIPULATION AND [PROPOSED] ORDER REGARDING *DAUBERT* MOTIONS. Pursuant to Local Rule 5-1(h)(3) and in compliance with General Order No. 45 X.B., I hereby attest that James N. Kramer has concurred in this filing.

DATED: August 25, 2022

s/ Shawn A. Williams
SHAWN A. WILLIAMS

* * *

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: August 26, 2022



THE HON. YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT JUDGE