

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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 IN RE ELECTRONIC BOOKS ANTITRUST :
 LITIGATION : 11-MD-02293 (DLC)
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This Document Relates to:

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 ALL ACTIONS :
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**NOTICE OF DEFENDANT APPLE INC.'S MOTION
TO EXCLUDE OPINIONS OFFERED BY DR. ROGER NOLL IN SUPPORT OF
MOTION FOR CLASS CERTIFICATION**

TO ALL PARTIES AND THEIR COUNSEL OF RECORD

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, the undersigned attorneys for Defendant Apple Inc. will move this Court, before the Honorable Denise L. Cote, United States District Judge, United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York, at a date and time to be set by the Court, for an order excluding the expert opinions of Dr. Roger Noll offered in support of Plaintiffs' Motion for Class Certification, pursuant to Federal Rules of Evidence 702 and *Daubert v. Merrell Dow Pharmaceuticals*, 509 U.S. 579 (1993). This Motion is based upon this Notice of Motion and Motion, the attached Memorandum of Points and Authorities, the accompanying Declaration and all other papers submitted in support hereof, the records on file in

this case, any oral argument and testimony that may be heard by the Court, and any other matters that the Court deems appropriate.

Dated: November 15, 2013

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