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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

IN RE HIGH-TECH EMPLOYEE
ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:
ALL ACTIONS

Master Docket No. 11-CV-2509 LHK

**DEFENDANTS ADOBE, APPLE,
GOOGLE, INTEL, AND INTUIT'S
JOINT BRIEF REGARDING THE
IMPACT OF THE PROPOSED PIXAR
AND LUCASFILM SETTLEMENTS
ON THE SUPPLEMENTAL CLASS
CERTIFICATION MOTION**

1 Defendants Adobe Systems, Inc., Apple Inc., Google Inc., Intel Corp., and Intuit Inc.
2 jointly submit this brief in response to the Court’s Order Regarding the July 12, 2013 Notice of
3 Settlement Letter, Dkt. 460 (the “Order”), to discuss the impact of the proposed Pixar and
4 Lucasfilm settlements on the pending supplemental class certification motion.

5 On July 12, 2013, Plaintiffs notified the Court that “they and Defendants Pixar and
6 Lucasfilm Ltd. have reached an agreement to settle all individual and class claims.” Dkt. 453.
7 Despite requests from the non-settling Defendants, Plaintiffs, Pixar and Lucasfilm have declined
8 to disclose the details of the proposed settlements, and they have not indicated when they intend
9 to present the settlements for consideration and preliminary approval by the Court.

10 Pursuant to the Order, counsel for Plaintiffs, Adobe, Apple, Google, Intel and Intuit held a
11 meet and confer session on July 24, 2013, and exchanged draft briefs. Counsel for Pixar and
12 Lucasfilm were invited but declined to participate.

13 While their draft brief did not reveal the details of the proposed settlements, Plaintiffs did
14 confirm they will seek certification of a “Settlement Class” that is identical to the proposed
15 60,000-plus member Technical Class which is the subject of the pending motion. According to
16 the draft brief, the proposed settlements would release claims only against Pixar and Lucasfilm.
17 The proposed settlements would purport to preserve all alleged claims—including claims of
18 former and current Pixar and Lucasfilm employees who are members of the putative class—
19 against non-settling Defendants under Plaintiffs’ theory of joint and several liability.

20 The announced Pixar and Lucasfilm settlements undoubtedly reflect the unique
21 circumstances of those Defendants as members of the film industry and their employees, who
22 make up about 2.3% of the Technical Class. Plaintiffs agree that these proposed settlements have
23 no effect on the pending motion for certification of the Technical Class.

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1 Dated: July 26, 2013

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ATTESTATION: Pursuant to General Order 45, Part X-B, the filer attests that concurrence in the filing of this document has been obtained from all signatories.