



Office of the Clerk
United States Court of Appeals for the Ninth Circuit
Post Office Box 193939
San Francisco, California 94119-3939
415-355-8000

Molly C. Dwyer
Clerk of Court

June 14, 2010

No.: 10-55941
D.C. No.: 2:06-cv-07152-GW-FMO
Short Title: Alan Vitt v. Apple Computer, Inc.

Dear Appellant/Counsel

A copy of your notice of appeal/petition has been received in the Clerk's office of the United States Court of Appeals for the Ninth Circuit. The U.S. Court of Appeals docket number shown above has been assigned to this case. You must indicate this Court of Appeals docket number whenever you communicate with this court regarding this case.

Please furnish this docket number immediately to the court reporter if you place an order, or have placed an order, for portions of the trial transcripts. The court reporter will need this docket number when communicating with this court.

The due dates for filing the parties' briefs and otherwise perfecting the appeal have been set by the enclosed "Time Schedule Order," pursuant to applicable FRAP rules. These dates can be extended only by court order. Failure of the appellant to comply with the time schedule order will result in automatic dismissal of the appeal. 9th Cir. R. 42-1.

Payment of the \$455.00 U.S. Court of Appeals docket fee is past due. Appellant shall correct this deficiency **within 14 days**. Failure to respond to this order within the time set out will result in the dismissal of the appeal for failure to prosecute. See 9th Cir. R. 42-1. The fee is payable to the Clerk of the District Court, the Tax Court or the Bankruptcy Appellate Panel.

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JUN 14 2010

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

ALAN VITT, Individually and on Behalf
of All Others Similarly Situated,

Plaintiff - Appellant,

v.

APPLE COMPUTER, INC., a California
corporation,

Defendant - Appellee.

No. 10-55941

D.C. No. 2:06-cv-07152-GW-FMO
U.S. District Court for Central
California, Los Angeles

TIME SCHEDULE ORDER

The parties shall meet the following time schedule.

If there were reported hearings, the parties shall designate and, if necessary, cross-designate the transcripts pursuant to 9th Cir. R. 10-3.1. If there were no reported hearings, the transcript deadlines do not apply.

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|--------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| Mon., July 12, 2010 | Transcript shall be ordered. |
| Tue., October 12, 2010 | Transcript shall be filed by court reporter. |
| Mon., November 22, 2010 | Appellant's opening brief and excerpts of record shall be served and filed pursuant to FRAP 32 and 9th Cir. R. 32-1. |
| Wed., December 22, 2010 | Appellees' answering brief and excerpts of record shall be served and filed pursuant to FRAP 32 and 9th Cir. R. 32-1. |

The optional appellant's reply brief shall be filed and served within fourteen days of service of the appellee's brief, pursuant to FRAP 32 and 9th Cir. R. 32-1.

Failure of the appellant to comply with the Time Schedule Order will result in automatic dismissal of the appeal. See 9th Cir. R. 42-1.

FOR THE COURT:

Molly C. Dwyer
Clerk of Court

Freddie Brown
Deputy Clerk