

1 MATTHEW D. POWERS (Bar No. 104795)
 matthew.powers@weil.com
 2 GARLAND STEVENS (admitted to N.D.C.A.,
 Texas Bar No. 24053910)
 3 garland.stevens@weil.com
 NICHOLAS A. BROWN (Bar No. 198210)
 4 nicholas.brown@weil.com
 WEIL, GOTSHAL & MANGES LLP
 5 Silicon Valley Office
 201 Redwood Shores Parkway
 6 Redwood Shores, CA 94065
 Telephone: (650) 802-3000
 7 Facsimile: (650) 802-3100

8 Attorneys for Plaintiff
 APPLE COMPUTER, INC.
 9

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12

13 APPLE COMPUTER, INC.,
 14 Plaintiff,
 15 v.
 16 BURST.COM, INC.,
 17 Defendants.

Case No. 3:06-CV-00019 MHP

**[PROPOSED] ORDER GRANTING
 WITHDRAWAL OF MOTION FOR
 SUMMARY JUDGMENT OF NON-
 INFRINGEMENT WITHOUT
 PREJUDICE**

18
 19
 20
 21
 22
 23
 24
 25
 26
 27
 28 [PROPOSED] ORDER GRANTING WITHDRAWAL OF
 MOTION FOR SUMMARY JUDGMENT OF NON-
 INFRINGEMENT WITHOUT PREJUDICE

Case No. C 06-CV-00019 MHP

1 The Court, having considered the papers submitted in connection with Apple’s
2 Notice of Withdrawal of Motion for Summary Judgment of Non-Infringement Based on the
3 “Stored Time Compressed Representation” Limitation,

4 HEREBY ORDERS that this motion for summary judgment of non-infringement
5 is withdrawn without prejudice.

6
7 Dated:

8 Hon. Marilyn Hall Patel
9 United States District Judge
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28