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8 Attorneys for Plaintiff
 APPLE COMPUTER, INC.

9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA

12 APPLE COMPUTER, INC.,

13 Plaintiff,

14 v.

15 BURST.COM, INC.,

16 Defendant.

Case No. C 06-0019 MHP

**[PROPOSED] ORDER GRANTING
 PLAINTIFF APPLE, INC.'S MOTION
 TO STRIKE THE DECLARATIONS
 OF DRS. HEMAMI AND GERSHO**

Date: TBD
 Time: TBD
 Hon. Marilyn Hall Patel

Complaint Filed: January 4, 2006
 Trial Date: February 26, 2008

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Having reviewed the papers and arguments of counsel submitted in connection with plaintiff Apple Computer Inc.’s Motion to Strike The Declarations of Drs. Hemami and Gersho (“Apple’s Motion”), the Court HEREBY ORDERS:

Apple’s Motion is GRANTED;

The Declaration of Dr. Allen Gersho In Support of Burst’s Opposition to Apple’s Motion for Summary Judgment of Invalidity and the Declaration of Dr. Sheila Hemami In Support of Burst’s Opposition to Apple’s Motion for Summary Judgment of Invalidity are both stricken

Dated: _____

Honorable Marilyn Hall Patel
U.S. District Court Judge, Northern District