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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.
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 13 Plaintiff,
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 14 v.
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 15 BURST.COM, INC.,
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 16 Defendant.
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CASE NO. C06-00019 MHP
**STIPULATION AND [PROPOSED]
 ORDER TO SHORTEN TIME FOR
 DEFENDANT'S RESPONSE AND
 HEARING ON PLAINTIFF'S MOTION
 TO STRIKE THE DECLARATIONS OF
 DRS. HEMAMI AND GERSHO**
 Hon. Marilyn Hall Patel
 Complaint Filed: January 4, 2006
 Trial Date: February 26, 2008

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Pursuant to the provisions of Local Rule 6-1, Plaintiff Apple Computer, Inc. (“Apple”) and Defendant Burst.com, Inc. (“Burst”), hereby stipulate and request the Court to shorten Burst’s time to respond to Plaintiff Apple, Inc.’s Motion to Strike the Declarations of Drs. Hemami and Gersho to July 16, to eliminate the filing of any reply by Apple, and to shorten the time for hearing on the motion to strike to July 19. Absent the requested order shortening time, Burst’s response would be due July 17, Apple’s reply would be due July 24, and the motion to strike would be noted for hearing on August 7. Apple requests, and Burst stipulates to the request, that the Court schedule the matter to be heard on July 19 in conjunction with the previously scheduled hearing on Apple’s Motion for Summary Judgment of Invalidity. Shortened time is requested because Apple’s motion to strike is related to Apple’s pending motion for summary judgment, which is set for hearing before this Court on July, 19, 2007.

The initial Proposed Case Management Order in this case was jointly submitted by the parties on September 11, 2006. After the Court issued its Claim Construction Order, the parties jointly submitted a Revised Proposed Scheduling Order on June 8, 2007. Granting this motion will not affect any other deadlines in this case.

SO STIPULATED.

Dated: July 5, 2007

WEIL, GOTSHAL & MANGES LLP

By: /s/ Nicholas A. Brown
Nicholas A. Brown
Attorneys for Plaintiff Apple
Computer, Inc.

Dated: July 5, 2007

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By: /s/ by permission
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Attorneys for Defendant
Burst.com, Inc.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated:

Hon. Marilyn Hall Patel
U.S. District Court Judge