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BURST.COM, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

APPLE COMPUTER, INC.,

Plaintiff,

v.

BURST.COM, INC.,

Defendant.

Case No. C 06-00019 MHP

**STIPULATED REQUEST TO
CONTINUE CASE MANAGEMENT
CONFERENCE**

Date: April 3, 2006
Time: 4:00 p.m.
Hon. Marilyn Hall Patel

Complaint Filed: January 4, 2006
Trial Date: None

Pursuant to Civil Local Rule 6-2, Plaintiff Apple Computer, Inc. ("Apple") and Defendant Burst.com, Inc. ("Burst") hereby jointly request that the Court continue the Case Management Conference in this case, set for April 3, 2006, by approximately 30 days. As set forth in the accompanying Declaration of Nicholas Brown, Apple and Burst have been engaged in settlement discussions and believe that a brief continuance of the Case Management Conference would be beneficial. Accordingly, Apple and Burst hereby jointly request and stipulate that the Court continue the Case Management Conference until May 3, 2006 or any day thereafter convenient for the Court.

Dated: March 10, 2006

WEIL, GOTSHAL & MANGES LLP

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

Dated: March 10, 2006

CARR & FERRELL

By: Colby B. Springer
Colby B. Springer
Attorneys for Burst.com, Inc.

[PROPOSED] ORDER

Pursuant to the parties' stipulation, the Court hereby orders that the Case Management Conference in this matter scheduled for April 3, 2006 at 4 p.m. is reset to

_____ at _____.

Dated: _____

UNITED STATES DISTRICT COURT JUDGE