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9 Attorneys for Plaintiff
 APPLE COMPUTER, INC.

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA
 13 (OAKLAND DIVISION)

15 APPLE INC.,
 16 Plaintiff,
 17 v.
 18 PODFITNESS, INC., and DOES 1-100,
 inclusive,
 19 Defendants.
 20

Case No. C 06-5805 SBA
 [PROPOSED] ORDER GRANTING
 MOTION TO FILE A DOCUMENT
 UNDER SEAL
 Honorable Sandra B. Armstrong

21 PODFITNESS, INC.,
 22 Counterclaim Plaintiff
 23 v.
 24 APPLE INC.,
 25 Counterclaim Defendant
 26

[PROPOSED] ORDER GRANTING
 MOTION TO FILE A DOCUMENT
 UNDER SEAL
 Case No. C 06-5805 SBA

1 THIS MATTER came before the Court on the Motion to File a Document Under Seal (the
2 “Motion”). For good cause shown, IT IS HEREBY ORDERED that the Motion is GRANTED and
3 the unredacted version of Apple’s Memorandum of Points and Authorities in Opposition to
4 Defendant Podfitness, Inc.’s Motion for Partial Summary Judgment filed herewith shall be filed
5 under seal.

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7 IT IS SO ORDERED this ___ day of _____, 2008.

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10 Honorable Sandra B. Armstrong
11 United States District Court
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1 **PROOF OF SERVICE**

2 I am employed in the County of San Diego, my business address is Fish & Richardson P.C.,
3 12390 El Camino Real, San Diego, CA 92130. I am over the age of 18 and not a party to the
4 foregoing action.

5 I am readily familiar with the business practice at my place of business for collection and
6 processing of correspondence for personal delivery, for mailing with United States Postal Service,
7 for facsimile, and for overnight delivery by Federal Express, Express Mail, or other overnight
8 service.

9 On April 28, 2008, I caused a copy of the following document(s):

10 **[PROPOSED] ORDER GRANTING MOTION TO FILE A DOCUMENT UNDER SEAL**

11 to be served on the interested parties in this action by placing a true and correct copy thereof,
12 enclosed in a sealed envelope, and addressed as follows:

13 James E. Magleby
14 Jason A. McNeill
15 Magleby & Greenwood, P.C.
16 170 South Main Street, Suite 350
17 Salt Lake City, UT 84101
18 (801) 359-9011 (facsimile)

Attorneys for Defendant
PODFITNESS, INC.

19

**FEDERAL
EXPRESS:**

Such correspondence was deposited on the same day
in the ordinary course of business with a facility
regularly maintained by Federal Express.

20 James M. Wagstaffe
21 Kerr & Wagstaffe LLP
22 100 Spear Street, Suite 1800
23 San Francisco, CA 94105-1528
24 (415) 371-0500 (facsimile)

Attorneys for Defendant
PODFITNESS, INC.

25

PERSONAL:

Such envelope was delivered by hand to the offices of
the addressee.

26 I declare that I am employed in the office of a member of the bar of this Court at
27 whose direction the service was made.

28 I declare under penalty of perjury that the above is true and correct. Executed on
April 28, 2008, at San Diego, California.

/s/Nicole C. Pino

Nicole C. Pino

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