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8 Attorneys for Plaintiff
 9 APPLE COMPUTER, INC.

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

13 APPLE COMPUTER, INC.,
 14 Plaintiff,
 15 v.
 16 PODFITNESS, INC., and DOES 1-100,
 inclusive,
 17 Defendants.

Case No. C 06-5805 SBA

**NOTICE OF MANUAL FILING
 REGARDING PLAINTIFF'S
 MEMORANDUM OF POINTS AND
 AUTHORITIES IN SUPPORT OF
 PLAINTIFF APPLE INC.'S OPPOSITION
 TO DEFENDANT PODFITNESS, INC.'S
 PARTIAL MOTION FOR SUMMARY
 JUDGMENT**

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1 Regarding: **PLAINTIFF'S MEMORANDUM OF POINTS AND AUTHORITIES IN**
2 **SUPPORT OF PLAINTIFF APPLE INC.'S OPPOSITION TO DEFENDANT**
3 **PODFITNESS, INC.'S PARTIAL MOTION FOR SUMMARY JUDGMENT** This filing is in

4 paper or physical form only, and is being maintained in the case file in the Clerk's office.

5 If you are a participant on this case, this filing will be served in hard copy shortly.

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14 Conformance with the Judicial Conference Privacy Policy (General Order 53).

15 Other (description): Certain text and exhibits to Plaintiff's Memorandum of Points

16 And Authorities In Support of Plaintiff Apple Inc.'s Opposition To Defendant Podfitness, Inc.'s
17 Partial Motion For Summary Judgment contain information that has been designated confidential
18 or attorneys' eyes only by Defendant.

19
20
21 Dated: April 28, 2008

FISH & RICHARDSON P.C.

22
23 By: /s/ David J. Miclean

24 David J. Miclean

25 Attorney for Plaintiff
26 APPLE COMPUTER, INC

27 10829324.doc

1 **PROOF OF SERVICE**

2 I am employed in the County of San Diego, my business address is Fish & Richardson
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15 (801) 359-9011 (facsimile)

Attorneys for Defendant
PODFITNESS, INC.

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22 (415) 371-0500 (facsimile)

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24 I declare that I am employed in the office of a member of the bar of this Court at whose
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26 I declare under penalty of perjury that the above is true and correct. Executed on April 28,
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28 /s/Nicole C. Pino

Nicole C. Pino