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 9 ATTORNEYS FOR PODFITNESS, INC.

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 SAN FRANCISCO DIVISION

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

Case No. C 06-05805 SBA

NOTICE OF APPEARANCE

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1 TO THE HONORABLE COURT:

2 Defendant Podfitness, Inc. ("Defendant") files this Notice of Appearance of Co-Counsel
3 as follows:

4 1. Defendant desires to designate James M. Wagstaffe, of Kerr & Wagstaffe LLP, as
5 Co-Counsel for Defendant in the above referenced civil action.

6 2. James M. Wagstaffe, is a member in good standing of the bar of the United States
7 District Court for the Northern District of California. The information for Co-Counsel is as
8 follows:

9 James M. Wagstaffe (Bar No. 95535)
10 KERR & WAGSTAFFE LLP
11 100 Spear Street, Suite 1800
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13 (415) 371-8500 Telephone
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14 All notices, orders or other filings concerning the above referenced civil action may be
15 delivered to James M. Wagstaffe, at the above address.

16 Accordingly, Defendant Podfitness, Inc., respectfully requests the Court to take notice of
17 the appearance of James M. Wagstaffe as Co-Counsel for Defendant in the above referenced
18 civil action.

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20 DATED: December 6, 2007

KERR & WAGSTAFFE LLP

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22 By


JAMES M. WAGSTAFFE (BAR NO. 95535)

23 Attorneys for Defendant
24 PODFITNESS, INC.