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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(OAKLAND DIVISION)

APPLE INC.,

Plaintiff,

v.
PODFITNESS, INC., and DOES 1-100,
inclusive,

Defendants.

Case No. C 06-5805 SBA

**[PROPOSED] ORDER DENYING
DEFENDANT’S MOTION FOR
ADMINISTRATIVE RELIEF
EXTENDING PRETRIAL DEADLINES**

Honorable Sandra B. Armstrong

PODFITNESS, INC.,

Counterclaim Plaintiff

v.
APPLE INC.,

Counterclaim Defendant

AND NOW, the Court, having considered Plaintiff Apple Inc.’s (“Apple”) Opposition to Defendant’s Motion for Administrative Relief Extending Pretrial Deadlines,

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IT IS HEREBY ORDERED that Podfitness' Motion is denied.

IT IS SO ORDERED.

Dated: _____

Honorable Sandra B. Armstrong
UNITED STATES DISTRICT COURT JUDGE

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PROOF OF SERVICE

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

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

On December 13, 2007, I caused a copy of the following document(s):

[PROPOSED] ORDER DENYING DEFENDANT’S MOTION FOR ADMINISTRATIVE RELIEF EXTENDING PRETRIAL DEADLINES

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

James M. Wagstaffe
Kerr & Wagstaffe LLP
100 Spear Street, Suite 1800
San Francisco, CA 94105-1528
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Attorneys For Defendant
PODFITNESS, INC.

MAIL: Such correspondence was deposited, postage fully paid, with the United States Postal Service on the same day in the ordinary course of business.

ELECTRONIC MAIL: Such document was transmitted by electronic mail to the addressees’ email addresses as stated above.

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

I declare under penalty of perjury that the above is true and correct. Executed on December 13, 2007, at San Diego, California.

/s/Nicole C. Pino

Nicole C. Pino