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IT IS HEREBY ORDERED that Apple’s Motion is approved and granted.
IT IS SO ORDERED.

Dated: _____

Honorable Joseph C. Spero
UNITED STATES MAGISTRATE 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 GRANTING APPLE INC.'S NOTICE OF MOTION AND
MOTION TO QUASH PODFITNESS' NOTICE OF DEPOSITION UNDER RULE
30(b)(6)**

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:

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San Francisco, CA 94105-1528
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PODFITNESS, INC.

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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