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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

ZOLTAN STEINER, *et al.*,

No. C 07-04486 SBA

Plaintiffs,

**ORDER**

v.

[Docket No. 84]

APPLE COMPUTER, INC., *et al.*,

Defendants.

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On March 18, 2008, defendant AT&T Mobility, LLC (“AT&T”) filed a Motion to Stay Proceedings Pending Appeal (the “Motion”) [Docket No. 63]. The Motion was set for hearing on April 29, 2008. *See* Docket No. 63. On April 10, 2008, plaintiffs the Stieners filed their Memorandum in Opposition regarding the Motion. *See* Docket No. 76. Under Civil Local Rule 7-3(c), AT&T’s reply, if any, was due on April 15, 2008. It did not file a Reply Memorandum regarding the Motion (the “Reply”), however, until Friday, April 25, 2008. *See* Docket No. 85. On this same day, AT&T filed a Motion for Leave to File the Reply [Docket No. 84], indicating a clerical error prevented its timely filing. Docket No. 84 at ¶ 2. AT&T also indicated it filed the Reply the same day it detected the error. *Id.* ¶ 4. Given the Court had taken the matter under submission, and the hearing off calendar, and thus AT&T could not present its arguments orally, AT&T requested the Court to allow it file the Reply late. *Id.* Based on the foregoing, and the lack of prejudice to the Stieners, the Court GRANTS AT&T’s Motion for Leave to File the Reply [Docket No. 84].

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IT IS SO ORDERED.

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April 28, 2008

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Saundra Brown Armstrong  
United States District Judge