

1 Michael D. Braun (167416)  
 Marc L. Godino (182689)  
 2 BRAUN LAW GROUP, P.C.  
 12400 Wilshire Boulevard  
 3 Suite 920  
 Los Angeles, CA 90025  
 4 Tel: (310) 442-7755  
 Fax: (310) 442-7756

5  
 6 Roy A. Katriel (*Admitted Pro Hac Vice*)  
 THE KATRIEL LAW FIRM, P.C.  
 1101 30<sup>th</sup> Street, NW  
 7 Suite 500  
 Washington, DC 20007  
 8 Tel: (202) 625-4342  
 Fax: (202) 625-6774

9  
 10 Jacqueline Sailer  
 Eric J. Belfi (*Admitted Pro Hac Vice*)  
 MURRAY, FRANK & SAILER LLP  
 11 275 Madison Avenue  
 Suite 801  
 12 New York, NY 10016-1101  
 Tel: (212) 682-1818  
 13 Fax: (212) 682-1892

14 **Attorneys for Plaintiff**

15  
 16 **UNITED STATES DISTRICT COURT**  
 17 **NORTHERN DISTRICT OF CALIFORNIA**  
 18 **SAN JOSE DIVISION**

19  
 20 THOMAS WILLIAM SLATTERY, )  
 Individually, And On Behalf Of All Others )  
 21 Similarly Situated, )  
 )  
 22 Plaintiff, )  
 )  
 23 vs. )  
 )  
 24 APPLE COMPUTER, INC. )  
 )  
 25 Defendant. )

CASE NO.: C05-00037 JW

**CLASS ACTION**

**[PROPOSED] ORDER GRANTING  
 PLAINTIFF'S REQUEST FOR JUDICIAL  
 NOTICE IN SUPPORT OF HIS  
 OPPOSITION TO DEFENDANT'S  
 MOTION TO DISMISS COMPLAINT**

26  
27  
28

1           Upon consideration of Plaintiff's Request for Judicial Notice in Support of His Opposition  
2 to Defendant's Motion to Dismiss the Complaint, any opposition thereto, and arguments of counsel,  
3 it is HEREBY ORDERED and ADJUDGED that the Request for Judicial Notice is hereby  
4 GRANTED.

5  
6 **IT IS SO ORDERED.**

7  
8 Dated: \_\_\_\_\_, 2005

\_\_\_\_\_  
Hon. James Ware  
United States District Judge

9  
10 Respectfully submitted by:

11 Michael D. Braun  
12 Marc L. Godino  
13 BRAUN LAW GROUP, P.C.  
14 12400 Wilshire Boulevard  
15 Suite 920  
16 Los Angeles, CA 90025  
17 Tel: (310) 442-7755  
18 Fax: (310) 442-7756

19 Roy A. Katriel  
20 THE KATRIEL LAW FIRM, P.C.  
21 1101 30th Street, NW  
22 Suite 500  
23 Washington, DC 20007  
24 Tel: (202) 625-4342  
25 Fax: (202) 625-6774

26 Jacqueline Sailer  
27 Eric J. Belfi  
28 MURRAY, FRANK & SAILER LLP  
29 275 Madison Avenue  
30 Suite 801  
31 New York, NY 10016-1101  
32 Tel: (212) 682-1818  
33 Fax: (212) 682-1892

34 **Attorneys for Plaintiff**



1 I served the above document(s) as follows:

2 BY MAIL. I am familiar with the firm's practice of collection and processing correspondence  
3 for mailing. Under that practice it would be deposited with U.S. postal service on that same day with  
4 postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware  
that on motion of the party served, service is presumed invalid if postal cancellation date or postage  
meter date is more than one day after date of deposit for mailing in an affidavit.

5 I further declare, pursuant to Civil L.R. 23-2, that on the date hereof I served a copy of the  
6 above-listed document(s) on the Securities Class Action Clearinghouse by electronic mail through the  
following electronic mail address provided by the Securities Class Action Clearinghouse:

7 **jcarlos@law.stanford.edu**

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

10 Executed on June 6, 2005, at Los Angeles, California 90025.

11  
12 S/ LEITZA MOLINAR  
Leitza Molinar

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28