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12 Attorneys for Defendant
 13 APPLE COMPUTER, INC.

14 UNITED STATES DISTRICT COURT
 15
 16 NORTHERN DISTRICT OF CALIFORNIA

17 **THOMAS WILLIAM SLATTERY,**
 18 **Individually, And On Behalf Of All**
 19 **Others Similarly Situated,**

20 **Plaintiff,**

21 v.

22 **APPLE COMPUTER, INC.,**

23 **Defendant.**

24 **Case No. C 05 00037 JW**

25 **CLASS ACTION**

26 **DECLARATION OF ADAM R. SAND IN**
 27 **SUPPORT OF APPLE'S RESPONSE TO**
 28 **PLAINTIFF'S REQUEST FOR JUDICIAL**
NOTICE

1 I, ADAM R. SAND, declare:

2 I am an attorney with the law firm of Jones Day, and a member in good standing of the
3 California State Bar. I make this declaration in support of Apple's Response to Plaintiff's
4 Request for Judicial Notice. The facts set forth herein are known to me personally. If called to
5 testify, I could and would testify competently hereto.

6 1. Attached as Exhibit A is a true and correct copy of a webpage entitled "Computer
7 Authorization" posted on Apple's website at
8 <http://www.apple.com/support/itunes/authorization.html>.

9 2. Attached as Exhibit B is a true and correct copy of the webpage entitled "About
10 Apple Discussions" available on Apple's website at <http://discussions.info.apple.com/> (click on
11 the "Help & Terms of Use" along the right side and choose "About Apple Discussions").

12 Executed this 10th day of June, 2005 in San Francisco, California

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/s/ _____
Adam R. Sand
Counsel for Defendant
APPLE COMPUTER, INC.