

1 Robert A. Mittelstaedt #060359
 2 Caroline N. Mitchell #143124
 3 Adam R. Sand #217712
 4 JONES DAY
 5 555 California Street, 26th Floor
 6 San Francisco, CA 94104
 7 Telephone: (415) 626-3939
 8 Facsimile: (415) 875-5700
 9 ramittelstaedt@jonesday.com
 10 cnmitchell@jonesday.com
 11 arsand@jonesday.com

12 Attorneys for Defendant
 13 APPLE COMPUTER, INC.

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

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 **STIPULATION EXTENDING TIME TO**
 27 **FILE ANSWER TO FIRST AMENDED**
 28 **COMPLAINT**

Judge: Honorable James Ware
 Courtroom 8, 4th Floor

29 Pursuant to Local Rules 5 and 6-1, Plaintiff Thomas William Slattery ("Slattery") and
 30 Defendant Apple Computer, Inc. ("Apple"), by and through their counsel of record, hereby
 31 stipulate as follows:

32 1. Plaintiff Slattery filed and served his First Amended Class Action Complaint (the
 33 "Complaint") on September 23, 2005. Pursuant to the Court's Order on Apple's Motion to
 34 Dismiss, Apple's response to the Complaint is due to be filed on October 11, 2005.

1 2. Apple and Slattery have agreed to extend the time for Apple to file an answer to
2 the Complaint by seven days, to October 18, 2005.

3 3. This stipulation will not affect any hearing or proceeding on the Court's calendar,
4 or otherwise cause any delay in the proceedings.

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6 Dated: October 11, 2005

JONES DAY

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By: /s/

Robert A. Mittelstaedt

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Counsel for Defendant
APPLE COMPUTER, INC.

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Dated: October 11, 2005

THE KATRIEL LAW FIRM, P.C.

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By: /s/

Roy A. Katriel

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Counsel for Plaintiff
THOMAS WILLIAM SLATTERY

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