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 13 Attorneys for Defendant
 APPLE COMPUTER, INC.

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

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

20 **Plaintiff,**

21 v.

22 **APPLE COMPUTER, INC.,**

23 **Defendant.**

Case No. C 05 00037 JW

CLASS ACTION

**STIPULATION TO CONTINUE THE
 HEARING ON PLAINTIFFS' MOTION
 FOR LEAVE TO FILE A SECOND
 AMENDED COMPLAINT**

Date: June 30, 2006
Time: 9:00 a.m.
Judge: Honorable James Ware
 Courtroom 8, 4th Floor

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The parties hereby stipulate that the hearing on plaintiffs' motion for leave to file a second amended complaint, previously set for May 8, 2006 and moved by the Court to June 2, 2006, may be continued until June 30, 2006, at 9 a.m.

Dated: May 24, 2006

JONES DAY

By: /s/ 
Robert A. Mittelstaedt

Counsel for Defendant
APPLE COMPUTER, INC.

Dated: May 24, 2006

THE KATRIEL LAW FIRM, P.C.

By: /s/ 
Roy A. Katriel

Counsel for Plaintiff
THOMAS WILLIAM SLATTERY

IT IS SO ORDERED:

JUDGE JAMES WARE