

1 GEORGE A. RILEY (S.B. #118304) griley@omm.com
 2 LUANN L. SIMMONS (S.B. #203526) lsimmons@omm.com
 3 O'MELVENY & MYERS LLP
 Embarcadero Center West
 4 275 Battery Street
 San Francisco, California 94111-3305
 Telephone: (415) 984-8700
 Facsimile: (415) 984-8701

5 DAVID M. FURBUSH (S.B. #83447) dfurbush@omm.com
 6 O'MELVENY & MYERS LLP
 2765 Sand Hill Road
 7 Menlo Park, California 94025
 Telephone: (650) 473-2600
 8 Facsimile: (650) 473-2601

9 Attorneys for Nominal Defendant
 10 APPLE COMPUTER, INC.

11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT OF CALIFORNIA**
 13 **SAN JOSE DIVISION**

E-FILED - 8/17/06

14 JEFFREY ALECCI, Derivatively on
 15 Behalf of APPLE COMPUTER, INC.,

16 Plaintiff,

17 v.

18 FRED D. ANDERSON, WILLIAM V.
 CAMPBELL, MILLARD S. DREXLER,
 19 STEVEN P. JOBS, ARTHUR D. LEVINSON,
 JEROME B. YORK, TIMOTHY D. COOK,
 20 AVADIS TEVANIAN, JR., JONATHAN
 RUBINSTEIN, RONALD B. JOHNSON,
 21 PETER OPPENHEIMER, MITCHELL
 MANDICH, ROBERT M. CALDERONI,
 22 JAMES J. BUCKLEY, DANIEL L. EILERS
 and G. FREDERICK FORSYTH,

23 Defendants,

24 - and -

25 APPLE COMPUTER, INC.,

26 Nominal Defendant.

Case No. 5:06-cv-04649-RMW

**STIPULATION AND []
 ORDER EXTENDING TIME FOR
 DEFENDANTS TO RESPOND TO
 COMPLAINT**

