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10 Attorneys for Nominal Defendant
 11 APPLE COMPUTER, INC.

12 **UNITED STATES DISTRICT COURT**
 13 **NORTHERN DISTRICT OF CALIFORNIA**
 14 **SAN FRANCISCO DIVISION**

15 PHYLLIS JONES,

16 Plaintiff,

17 v.

18 STEVEN P. JOBS, TIMOTHY D. COOK,
 RONALD B. JOHNSON, PETER
 19 OPPENHEIMER, JONATHAN
 RUBENSTEIN [SIC], AVADIS TEVANIAN,
 20 JR., FRED D. ANDERSON, MITCHELL
 MANDICH, WILLIAM V. CAMPBELL,
 21 MILLARD S. DREXLER, ARTHUR D.
 LEVINSON, JEROME B. YORK, GARETH
 22 C.C. CHANG, LAWRENCE J. ELLISON,
 EDGAR S. CALDERONI, G. FREDERICK
 23 FORSYTH, DANIEL L. EILERS, and JAMES
 J. BUCKLEY,

24 Defendants,

25 - and -

26 APPLE COMPUTER, INC.,

27 Nominal Defendant.

Case No. C 06-05035 PJH

**STIPULATION AND ~~PROPOSED~~
 ORDER EXTENDING TIME FOR
 DEFENDANTS TO RESPOND TO
 COMPLAINT**

1 IT IS HEREBY STIPULATED by and between Plaintiff Phyllis Jones and Nominal
2 Defendant Apple Computer, Inc., as follows:

3 WHEREAS, Jones filed her Complaint on August 22, 2006;

4 WHEREAS, counsel are engaged in discussing the possibility of consolidation of this
5 matter with related cases and/or the subsequent filing of a consolidated complaint;

6 WHEREAS, the undersigned parties wish to further judicial efficiency by deferring
7 responsive pleadings until such time as consolidation issues are addressed;

8 NOW, THEREFORE, pursuant to L.R. 6-1, the undersigned parties stipulate as follows:

9 All defendants who have been served to date, and all defendants who shall subsequently
10 accept service and request to be covered by this stipulation, shall have a further extension of time
11 to answer or otherwise respond to 30 days after the filing of a consolidated complaint, or in the
12 event that the Court denies a motion for consolidation, the above-described defendants shall
13 answer or otherwise respond to Jones' Complaint no later than 30 days after such denial.

14 IT IS SO STIPULATED.

15
16 Dated: September 1, 2006

17 GEORGE A. RILEY
18 DAVID M. FURBUSH
19 LUANN L. SIMMONS
20 O'MELVENY & MYERS LLP

21 By: /s/ Luann L. Simmons

22 _____
23 Luann L. Simmons

24 Attorneys for Nominal Defendant
25 APPLE COMPUTER, INC.
26
27
28

1 Dated: September 1, 2006

RONALD LOVITT
J. THOMAS HANNAN
HENRY I. BORNSTEIN
LOVITT & HANNAN, INC.

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3

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LYNN LINCOLN SARKO
JULI E. FARRIS
ELIZABETH E. LELAND
CARI C. LAUFENBERG
KELLER ROHRBACK L.L.P.

5

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By: /s/ Juli E. Farris

8

Juli E. Farris

9

GARY A. GOTTO
KELLER ROHRBACK P.L.C.

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11

KAREN HANSON RIEBEL
LOCKRIDGE GRINDAL NAUEN, PLLP

12

Attorneys for Plaintiff
PHYLLIS JONES

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CERTIFICATION OF CONCURRENCE

14

I attest under penalty of perjury that concurrence in the filing of this document has been obtained from Juli Farris.

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16

Dated: September 1, 2006

17

GEORGE A. RILEY
DAVID M. FURBUSH
LUANN L. SIMMONS
O'MELVENY & MYERS LLP

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By: /s/ Luann L. Simmons

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Luann L. Simmons

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Attorneys for Nominal Defendant
APPLE COMPUTER, INC.

23

[PROPOSED] ORDER

24

Pursuant to stipulation, IT IS SO ORDERED.

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Dated: 9/5/06

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MPI:987033.1

