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15 Attorneys for Plaintiff

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

19 DAVID WALSH, an individual, on behalf of
 20 himself, and on behalf of all persons similarly
 21 situated,
 22
 23 Plaintiff,
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 25 vs.
 26 APPLE, INC.; and Does 1 to 10,
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 28 Defendants.

CASE No. 05:08-cv-04918-JF
 PROOF OF SERVICE
 Judge: Hon. Fogel

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CERTIFICATE OF SERVICE [F.R.C.P. §5]

I am a citizen of the United States and a resident of the State of California. I am employed in the County of San Diego, State of California. I am over the age of 18 and not a party to the within action. My business address is 2255 Calle Clara, La Jolla, California 92037. On May 1, 2009, I served the document(s) described as below in the manner set forth below:

(1) **THIRD AMENDED COMPLAINT**

XX (BY ELECTRONIC SERVICE): I caused the listed documents to be electronically filed through the CM/ECF system at the United States District Court for the Southern District of California which generates a Notice of Electronic Filing to all parties and constitutes service of the electronically filed documents on all parties for purposes of the Federal Rules of Civil Procedure.

XX (Federal): I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made, and that the foregoing is true and correct under penalty of perjury.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on May 1, 2009 at San Diego, California.

By: /s/ Norman B. Blumenthal
Norman B. Blumenthal

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