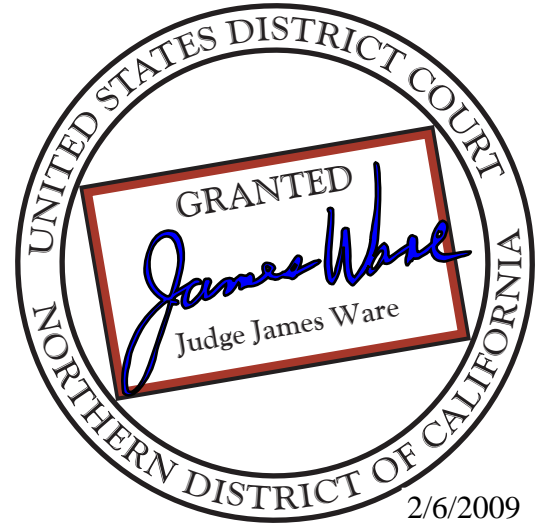


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10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 SAN JOSE DIVISION

14 JAMES R. PITTMAN, on behalf of himself and
 15 all others similarly situated,

16 Plaintiff,

17 v.

18 APPLE INC., a California Corporation

19 Defendant.

Case No. C-08-05375 JW

**STIPULATION EXTENDING
 TIME TO RESPOND TO
 COMPLAINT**

22 IT IS HEREBY STIPULATED AND AGREED, that Defendant Apple Inc.'s time to
 23 move, answer or otherwise respond to the complaint filed in the above-captioned matter is hereby
 24 extended to and including February 27, 2009.

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Dated: January 27, 2009

MORRISON & FOERSTER LLP

By: /s/ Penelope A. Preovolos
Penelope A. Preovolos

Attorneys for Defendant
APPLE INC.

Dated: January 27, 2009

LITIGATION LAW GROUP

By: /s/ Gordon M. Fauth, Jr.
Gordon M. Fauth, Jr.

Attorneys for Plaintiff
JAMES R. PITTMAN

I, Penelope A. Preovolos, am the ECF User whose ID and password are being used to file this Declaration. In compliance with General Order 45, section X.B., I hereby attest that I have on file the concurrences for any signatures indicated by a “conformed” signature (/s/) within this efiled document.

By: /s/
Penelope A. Preovolos