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 9 APPLE INC.

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 March 30, 2009.

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Dated: February 25, 2009

MORRISON & FOERSTER LLP

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

Attorneys for Defendant  
APPLE INC.

Dated: February 25, 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  
Penelope A. Preovolos