

1 Robert A. Mittelstaedt #060359
 Caroline N. Mitchell #143124
 2 Adam R. Sand #217712
 JONES DAY
 3 555 California Street, 26th Floor
 San Francisco, CA 94104
 4 Telephone: (415) 626-3939
 Facsimile: (415) 875-5700
 5 ramittelstaedt@jonesday.com
 cnmitchell@jonesday.com
 6 arsand@jonesday.com

7 Attorneys for Defendant
 APPLE COMPUTER, INC.

8 UNITED STATES DISTRICT COURT
 9
 10 NORTHERN DISTRICT OF CALIFORNIA

11 **THOMAS WILLIAM SLATTERY,**
 12 **Individually, And On Behalf Of All**
 13 **Others Similarly Situated,**

14 **Plaintiff,**

15 v.

16 **APPLE COMPUTER, INC.,**

17 **Defendant.**

Case No. C 05 00037 JW

CLASS ACTION

**[PROPOSED] ORDER GRANTING APPLE
 COMPUTER, INC.'S ADMINISTRATIVE
 REQUEST FOR LEAVE TO FILE
 MOTION FOR SUMMARY JUDGMENT**

18
 19 IT IS HEREBY ORDERED that defendant may file a motion for summary judgment at
 20 any time.

21
 22 Dated: _____

 Hon. James Ware