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**UNITED STATES DISTRICT COURT FOR THE
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION**

Apple Inc., a California corporation,
 Plaintiff,
 v.
 Paul S. Devine, an individual; CPK
 Engineering, Inc., a California corporation;
 and Does 1-25, inclusive,
 Defendants.

Case No. CV 10-03563-PVT
CERTIFICATE OF SERVICE BY MAIL

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PROOF OF SERVICE BY MAIL

I am a citizen of the United States and employed in San Francisco County, California, at the office of a member of the bar of this Court at whose direction this service was made. I am over the age of eighteen years and not a party to the within action. I am a resident of or employed in the county where the service described below occurred. My business address is Two Embarcadero Center, 28th Floor, San Francisco, California 94111-3823. I am readily familiar with this firm’s practice for collection and processing of correspondence for mailing with the United States Postal Service. In the ordinary course of business, correspondence collected from me would be processed on the same day, with postage thereon fully prepaid and placed for deposit that day with the United States Postal Service. On September 15, 2010 I served the following:

**DECLINATION TO PROCEED BEFORE A MAGISTRATE JUDGE
AND REQUEST FOR REASSIGNMENT TO A UNITED STATES
DISTRICT JUDGE**

by putting a true and correct copy thereof in a sealed envelope, with postage fully prepaid, and placing the envelope for collection and mailing today with the United States Postal Service in accordance with the firm’s ordinary business practices, addressed as follows:

Santa Clara County Department of Corrections Main Jail South Paul S. Devine/10043136/EAK833 885 North San Pedro Street San Jose, California 95110	Paul S. Devine 683 Montara Terrace Sunnyvale, California 94085
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I declare under penalty of perjury under the laws of the United States that the above is true and correct. Executed on September 15, 2010, at San Francisco, California.

/s/ Shivon Meblin

Shivon Meblin

1 In accord with the Northern District of California's General Order No. 45, Section X.(B),
2 I attest that concurrence in the filing of this document has been obtained from Shivon Meblin and
3 that the original will be maintained and provided if subsequent production is required.

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5 Dated: September 15, 2010

O'MELVENY & MYERS LLP

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By: /s/ Sharon M. Bunzel
Sharon M. Bunzel
Attorneys for Plaintiff
Apple Inc.

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