JEAN B. NIEHAUS (SBN 254891) O'MELVENY & MYERS LLP 2 Embarcadero Center, 28th Floor San Francisco, CA 94111

Telephone: (415) 984-8700 Attorney for: Plaintiff

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

Plaintiff: APPLE INC., a California corporation

Defendant : PAUL S. DEVINE

Ref#: 280514 **PROOF OF SERVICE** * Case No.: CV 10-03563 PVT

At the time of service I was at least eighteen years of age and not a party to this action and I served copies of the:

SUMMONS IN A CIVIL ACTION; COMPLAINT; CIVIL COVER SHEET; NOTICE OF ASSIGNMENT OF CASE TO A UNITED STATES MAGISTRATE JUDGE FOR TRIAL; INFORMATION REGARDING ELECTRONIC CASE FILING; APPLE INC.'S RULE 7.1 DISCLOSURE STATEMENT

in the within action by personally delivering true copies thereof to the person named below, as follows:

Party served : PAUL DEVINE

By serving : Patty Cuno, Receptionist

Address : Arguedas, Cassman & Headley LLP

803 Hearst Avenue

Berkeley, CA

Date of Service: August 23, 2010

Time of Service: 4:55 PM

Person who served papers: JAMES E. MACDONALD

SPECIALIZED LEGAL SERVICES, INC.

1112 Bryant Street, Suite 200

San Francisco, CA 94103

Telephone: (415) 357-0500

Fee for service: \$60.00

Registered California process server.

(i) Employee or Independent Contractor

(ii) Registration no.: 1003

(iii) County: San Francisco

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Date: August 25, 2010

Signature June EMorjan

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