

1 LYNNE C. HERMLE (STATE BAR NO. 99779)  
 JOSEPH C. LIBURT (STATE BAR NO. 155507)  
 2 JESSICA R. PERRY (STATE BAR NO. 209321)  
 SITTHIKIT CHARİYASATIT (STATE BAR NO. 252028)  
 3 ORRICK, HERRINGTON & SUTCLIFFE LLP  
 1000 Marsh Road  
 4 Menlo Park, CA 94025  
 Telephone: 650-614-7400  
 5 Facsimile: 650-614-7401  
 lchermle@orrick.com  
 6 jliburt@orrick.com  
 jperry@orrick.com  
 7 schariyasatit@orrick.com

8 Attorneys for Defendant  
 APPLE INC.

10 UNITED STATES DISTRICT COURT  
 11 SOUTHERN DISTRICT OF CALIFORNIA

13 DAVID WALSH, an individual, on behalf of  
 himself, and on behalf of all persons similarly  
 14 situated,

15 Plaintiff,

16 v.

17 APPLE INC.; and DOES 1-10,

18 Defendants.

CASE NO. 08 CV 1410 JM POR

**CORRECTED PROOF OF SERVICE**

Date: November 14, 2008  
 Time: 1:30 p.m.  
 Dept.: 16  
 Judge: Hon. Jeffrey T. Miller

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**DECLARATION OF ELECTRONIC SERVICE**

I, Tina McBride, am a citizen of the United States, more than eighteen years old and not a party to this action. My business address and place of employment is Orrick, Herrington & Sutcliffe LLP, 1000 Marsh Road, Menlo Park, California 94025.

I hereby certify that, on September 23, 2008, I have taken steps to cause the following documents:

**DEFENDANT APPLE INC.'S NOTICE OF MOTIONS AND MOTIONS TO STRIKE AND FOR A MORE DEFINITE STATEMENT**

**MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF DEFENDANT APPLE INC.'S MOTIONS TO STRIKE AND FOR A MORE DEFINITE STATEMENT**

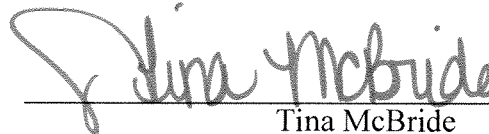
when filed through the Electronic Case Filing ("ECF") system, to be sent electronically to the registered participants as identified on the Notice of Electronic Filing ("NEF"), including the following:

Norman B Blumenthal  
norm@bamlawlj.com

The NEF shows no non-registered participants.

Executed on September 25, 2008, in Menlo Park, California.

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

  
\_\_\_\_\_  
Tina McBride