

\*\*E-filed 5/4/07\*\*

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14 **UNITED STATES DISTRICT COURT**  
15 **NORTHERN DISTRICT OF CALIFORNIA**  
16 **SAN JOSE DIVISION**  
17

18 MARTIN VOGEL and KENNETH  
MAHONEY, on Behalf of Themselves and  
19 All Other Similarly Situated,

20 Plaintiffs,

21 v.

22 STEVEN JOBS, PETER OPPENHEIMER,  
FRED ANDERSON, WILLIAM V.  
23 CAMPBELL, MILLARD S. DREXLER,  
ALBERT GORE, JR., ARTHUR D.  
24 LEVINSON, JEROME B. YORK AND  
APPLE COMPUTER, INC.

25 Defendants.  
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Case No. C-06-05208-JF

**STIPULATION AND [PROPOSED]  
ORDER EXTENDING TIME FOR  
DEFENDANTS TO RESPOND TO  
COMPLAINT**

Action Filed: August 24, 2006  
Jury Trial Demanded

1 The undersigned parties by and through their respective counsel of record, hereby  
2 stipulate and agree as follows:

3 WHEREAS, the Court entered an Order on March 19, 2007 setting the schedule for the  
4 filing of a Consolidated Class Action Complaint in this action (“Consolidated Complaint”) and  
5 setting May 7, 2007 as the date for the parties originally named as defendants in the suit to  
6 respond; and

7 WHEREAS, the Consolidated Complaint, filed on March 23, 2007, added new defendants  
8 who were not named in the original suit, namely, Gareth C.C. Chang, Peter O. Crisp, Lawrence J.  
9 Ellison, B. Jurgen Hintz, Katherine M. Hudson, Delano E. Lewis, Jr., A. C. Markkula, Jr., and  
10 Edgar S. Woolard, Jr. (“New Defendants”);

11 WHEREAS, the Court issued summonses to the New Defendants on April 23, 2007;

12 WHEREAS, some of the New Defendants have been served and the remainder are  
13 expected to voluntarily accept service;

14 WHEREAS, the parties have met and conferred and wish to establish a new schedule  
15 governing the filing of all defendants’ responses to the Consolidated Complaint;

16 NOW, THEREFORE, the undersigned parties hereby stipulate and agree, subject to the  
17 approval of the Court, as follows:

18 1. All defendants who have been served or who shall voluntarily accept service shall  
19 file their responses to the Consolidated Complaint on or before June 8, 2007;

20 2. In the event that defendants respond to the Consolidated Complaint by filing  
21 motions to dismiss, the briefing and hearing schedule for defendants’ motions to dismiss will be:

22 Plaintiffs’ Opposition Due: July 30, 2007

23 Defendants’ Replies Due: August 17, 2007

24 Hearing on Defendants’ Motions to Dismiss: September 7, 2007

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I, David M. Furbush, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order Extending Time to Respond to Complaint. In compliance with General Order 45, X.B., I hereby attest that Yohance C. Edwards and Michael J. Barry have concurred in this filing.

By:         /s/ David M. Furbush          
David M. Furbush

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated:     5/4/07    

By:   
THE HONORABLE JEREMY FOGEL  
UNITED STATES DISTRICT JUDGE

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