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KIRI TORRES, CEO
SUPERIOR COURT OF CA.
CO. OF SANTA CLARA
BY J. PAURA DEPUTY

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF SANTA CLARA

11 Apple Computer, Inc.,
12 Plaintiff,
13 v.
14 Doe 1, an unknown individual, and Does
15 2-25, inclusive,
16 Defendants.

Case No. 104 CV 032178
UM
**PROPOSED ORDER GRANTING
EX PARTE APPLICATION FOR
DISCOVERY AND ISSUANCE OF
COMMISSIONS**

17 Based on the *ex parte* application of Plaintiff Apple Computer, Inc.
18 (“Apple”), the supplement to that application, and all supporting papers, and good cause
19 appearing,

20 IT IS HEREBY ORDERED that Apple’s request for discovery is granted
21 and that Apple is authorized to serve subpoenas, whether through use of commissions or
22 in-state process, on Powerpage.org, Appleinsider.com, and Thinksecret.com for
23 documents that may lead to the identification of the proper defendant or defendants in this
24 action. Specifically, Apple is authorized to:

- 25 (a) serve subpoenas on Powerpage.com, Appleinsider.com, and
26 Thinksecret.com requiring each to produce all documents relating to any information
27 posted on its site relating to an unreleased Apple product code named “Asteroid” or
28 “Q97”(the “Product”);

1 (b) serve subpoenas on Powerpage.org requiring it to produce all documents
2 relating to the identity of any individual or individuals who have knowledge regarding the
3 source of posts on its site disclosing information about the Product, including but not
4 limited to “Jason O’Grady,” “Bob Borries,” “Dr. Teeth and the Electric Mayhem,” and
5 individuals who received and/or edited any information related to the Product;

6 (c) serve subpoenas on Appleinsider.com requiring it to produce all
7 documents relating to the identity of any individual or individuals who have knowledge
8 regarding the source of posts on its site disclosing information about the Product,
9 including but not limited to “Kasper Jade,” “Paul Scates,” and individuals who received
10 and/or edited any information related to the Product; and

11 (d) serve subpoenas on Thinksecret.com requiring it to produce all
12 documents relating to the identity of any individual or individuals who have knowledge
13 regarding the source of posts on its site disclosing information about the Product,
14 including but not limited to “Mac+,” “pscates2.0,” and individuals who received and/or
15 edited any information related to the Product.

16
17 DATED: December 14, 2004

18 SF1:570027.2

19 
20 JUDGE OF THE SUPERIOR COURT

21 WILLIAM J. ELFVING