IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

COPY

SIXTH APPELLATE DISTRICT

JASON O'GRADY et al., Petitioners, v. THE SUPERIOR COURT OF SANTA CLARA COUNTY, Respondent; APPLE COMPUTER, INC., Real Party in Interest.	H028579 (Santa Clara County Super. Ct. No. 1-04-CV032178) FILED JUN 2 - 2005 Court of Appeal - Sixth App. Dist. MICHAEL J. YERLY, Clerk BY _____ DEPUTY

BY THE COURT:

Respondent superior court is ordered to show cause before this court at a time and place to be specified by court order why a peremptory writ should not issue as requested in the petition for writ of mandate and/or prohibition.

Real party in interest may file a return in opposition to the writ on or before July 5, 2005. Real party in interest may choose to treat its preliminary opposition as the written return. If real party in interest does not do so and instead files a written return, petitioner may reply to the return within 20 days after it is filed in this court.

Any party desiring oral argument shall so inform this court in writing on or before July 5, 2005 by completing and returning to this court the attached "Request for Oral Argument" form.

(Rushing, P.J., Premo, J., and Elia, J., participated in this decision.)

Dated JUN 2 - 2005 RUSHING, P.J. P.J.