

OFFICE OF THE CLERK
CALIFORNIA COURT OF APPEAL
SIXTH APPELLATE DISTRICT
333 West Santa Clara Street, Suite 1060
San Jose, CA 95113
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Phone: (408) 277-1004
May 10, 2006

COPY

Jeffrey Michael Ratinoff
Dechert LLP
275 Battery Street Suite 2000
San Francisco, CA 94111-1013

RE: EAGLE BROADBAND, INC.,
Plaintiff and Appellant,
v.
BENDERANDDUNDAT,
Defendant and Respondent,
RICHWILL 21,
Defendant and Appellant.
H030169
Santa Clara County No. CV050179

Dear Counsel:

The court has received a copy of the cross-appeal or subsequent appeal filed in this case. In accordance with rule 16(a), in an appeal in which any party is both an appellant and a respondent, the parties must jointly, or separately if unable to agree, submit a proposed briefing sequence to this court within 20 days after the second notice of appeal is filed. The proposal may be filed in letter form.

The court requests, pursuant to rule 1(f)(2), California Rules of Court, that you file a Civil Case Information Statement with proof of service on opposing counsel *within 10 days* from the date of this notice. A file stamped copy of the judgment or appealed order must be attached to the statement. The enclosed Judicial Council form has been adopted for mandatory use. A "fillable" PDF form is available on our website as indicated above.

Very truly yours,
MICHAEL J. YERLY, Clerk

L. BROOKS

Deputy Clerk

cc: Gregory A. Broiles
Paul Christophe Clifford