

1 **LATHAM & WATKINS LLP**  
2 Robert A. Klyman (CA Bar No. 142723)  
3 Gregory O. Lunt (CA Bar No. 173297)  
4 Alan L. Leavitt (*pro hac vice* application pending)  
5 633 West Fifth Street, Suite 4000  
6 Los Angeles, California 90071-2007  
7 Telephone: (213) 485-1234  
8 Facsimile: (213) 891-8763  
9 robert.klyman@lw.com; gregory.lunt@lw.com;  
10 alan.leavitt@lw.com

11 Proposed Counsel for Debtor and Debtor in Possession

12 **UNITED STATES BANKRUPTCY COURT**  
13 **NORTHERN DISTRICT OF CALIFORNIA**  
14 **OAKLAND DIVISION**

15 In re  
16 **PREDI WAVE CORPORATION,**  
17 a California corporation,  
18 Debtor.  
19 Fed. Tax I.D. No. 77-0494328

Case No.: 06 \_\_\_\_\_ (\_\_\_)

Chapter 11

*EX PARTE* APPLICATION FOR  
DESIGNATION OF RESPONSIBLE  
INDIVIDUAL

[No Hearing Required]

20 PrediWave Corporation, a California corporation and the above-captioned debtor  
21 and debtor in possession (“PrediWave” or the “Debtor”) hereby requests that Vincent Lin be  
22 designated as the individual responsible for the duties and obligations of PrediWave, as debtor in  
23 possession, and respectfully represents as follows:

24 1. On April 14, 2006, (the “Petition Date”), the Debtor filed a voluntary petition  
25 for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”). Since  
26 the Petition Date, the Debtor has continued in the possession of its properties and is managing its  
27 business as a debtor in possession pursuant to sections 1107 and 1108 of the Bankruptcy Code.

28 2. Pursuant to Bankruptcy Local Rule 4002-1 and Guideline 4.4.4 of the Region  
17 United States Trustee Program Guidelines, the Debtor requests that Vincent Lin be designated  
as the individual responsible for the duties and obligations of the debtor in possession to, among  
other things, take all steps necessary, convenient or advisable to administer the Debtor’s

1 bankruptcy case and to direct the Debtor's legal counsel in the prosecution of this bankruptcy  
2 case.

3 3. Vincent Lin is the Vice President, Operations and General Counsel of  
4 PrediWave. The full name, address and telephone number of Vincent Lin is as follows:

5 Vincent Lin  
6 PrediWave Corporation  
7 48431 Milmont Drive  
8 Fremont, California 94538  
9 Telephone: (510) 252-4402

10 4. No hearing is required for this Application pursuant to Bankruptcy Local Rules  
11 4002-1 and 9014-1(a)(4).

12 **WHEREFORE**, the Debtor requests that this Court enter an order designating  
13 Vincent Lin as the individual responsible for the duties and obligations of the debtor in  
14 possession during the pendency of this chapter 11 case.

15 Dated: April 14, 2006

PrediWave Corporation

16

By:           /s/ Vincent Lin            
Vincent Lin  
Vice President, Operations and  
General Counsel

17 Respectfully submitted by:

18 LATHAM & WATKINS LLP

19

20 By:       /s/ Robert A. Klyman        
21 Robert A. Klyman  
22 [Proposed] counsel for PrediWave Corporation,  
23 Debtor and Debtor in Possession  
24  
25  
26  
27  
28