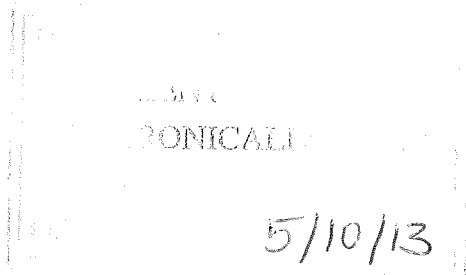
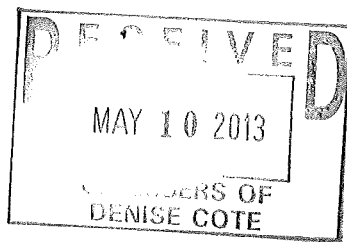


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May 10, 2013

MEMO ENDORSED

VIA ELECTRONIC MAIL

The Honorable Denise L. Cote
United States District Judge
United States District Court for the Southern District of New York
500 Pearl Street, Room 1610
New York, New York 10007-1312

Re: United States v. Apple Inc., 12 Civ. 2826 (DLC), Texas v. Penguin Group (USA) Inc., 12 Civ. 3394 (DLC)

Dear Judge Cote:

We represent Apple. Earlier this week, in response to our request, Your Honor kindly agreed to move the final pre-trial conference in the above-captioned matters to Thursday, May 23, at 2:30 p.m. if all parties consented. All parties have graciously consented to the new date and time.

We look forward to seeing the Court on May 23, and again appreciate Your Honor's flexibility

Respectfully submitted,

Orin Snyder

So ordered.

Denise Cote
May 10, 2013

cc: All Counsel