

The
**Bromwich
Group**

D&F
10/6/15

The Bromwich Group LLC
1776 K Street NW, Suite 700
Washington, DC 20006

October 6, 2015

BY HAND DELIVERY AND EMAIL

The Honorable Denise L. Cote
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, NY 10007

CONFIDENTIAL

10/6/2015

Re: United States of America v. Apple, Inc., et al., 12 Civ. 2826
State of Texas, et al., v. Penguin Group (USA) Inc., et al., 12 Civ. 3394

Dear Judge Cote:

I write in response to your Order dated October 5, 2015, concerning, among other matters, the Fourth Report of the External Compliance Monitor. Your Order directed the parties to "confer with each other and the Monitor and provide to the Court by October 9, 2015, any requests for further redactions beyond those proposed in the Monitor's October 5 Non-Confidential Version."

This portion of the Order appears to be premised on the understanding that there remain live disputes regarding the extent of the redactions in the Non-Confidential version of the report filed with the Court. But, as explained in footnote 63 of the Fourth Report, as a result of extensive discussions at the end of last week, the Monitor and Apple have already reached full agreement on this issue. See Fourth Report of the External Compliance Monitor, 26 n.63 ("After a series of discussions and email correspondence, we reached an agreement on October 1 regarding how to handle the material for which Apple sought confidential treatment."). The Non-Confidential

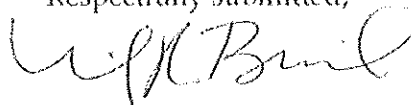
Letter to Honorable Denise L. Cote

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Version of the report submitted by the Monitor on October 5, 2015 reflects this agreement. We regret any confusion we may have caused regarding this issue.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael R. Bromwich". The signature is written in a cursive, flowing style.

Michael R. Bromwich

cc: Matthew J. Reilly, Esq. (via email only)
Nathan Sutton, Esq. (via email only)
Eric Lipman, Esq. (via email only)