

Office of the Clerk  
 UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT  
 P.O. Box 193939

Molly C. Dwyer  
 Clerk of Court

San Francisco, California 94119-3939

(415) 355-8000

**NOTICE OF APPEARANCE OF COUNSEL or  
 RE-ASSIGNMENT OF COUNSEL WITHIN THE SAME OFFICE**

**NOTE:** To secure your input, you should print the filled-in form to PDF (File > Print > PDF Printer/Creator).

9th Circuit Case Number(s) 10-15113

Case Name: Apple Inc. v. Psystar Corporation

The Clerk will enter my appearance as counsel on behalf of: Apple Inc.

- Appellant     Petitioner     Amicus Curiae     Appellant/Cross-Appellee  
 Appellee     Respondent     Intervenor     Appellee/Cross-Appellant

Check if you are lead counsel. Lead counsel must be designated if a party is represented by more than one attorney or law firm.

Re-Assignment. (Optional) This case has been re-assigned to me from another attorney in my office (for ex., the Federal Public Defenders Office, OIL, or a law firm). Enter name of counsel you are replacing below.

I am replacing (name of counsel):

Signature (use "s/" format) /s/Mehrnaz Boroumand Smith

Date 01-29-2010

Name Mehnaz Boroumand Smith

Address

Townsend and Townsend and Crew LLP, Two Embarcadero Center, 8th Floor  
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**CERTIFICATE OF SERVICE**

[C.C.P. §§ 1011 and 1013, C.R.C. § 2.306, F.R.C.P. Rule 5, F.R.A.P. 25]

I declare that I am employed in the City and County of San Francisco, California; I am over the age of 18 years and not a party to the within action; my business address is Two Embarcadero Center, Eighth Floor, San Francisco, California, 94111. On the date set forth below, I served a true and accurate copy of the document(s) entitled:

**NOTICE OF APPEARANCE OF COUNSEL  
(MEHRNAZ BOROUMAND SMITH)**

on the party(ies) in this action by placing said copy(ies) in a sealed envelope each addressed as follows:

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*Attorneys for Appellant Psystar Corporation*

[By First Class Mail] I certify that some of the participants in the case are not registered CM/ECF users. I have mailed the foregoing document by First-Class Mail, postage prepaid, or have dispatched it to a third party commercial carrier for delivery within 3 calendar days to the following non-CM/ECF participants

[By Overnight Courier] I caused each envelope to be delivered by a commercial carrier service for overnight delivery to the offices of the addressee(s).

[By Hand] I directed each envelope to the party(ies) so designated on the service list to be delivered by courier this date.

[By Electronic Transmission] I caused said document to be sent by electronic transmission to the e-mail address(es) indicated for the party(ies) listed above.

[By Court's Electronic Filing System] I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the appellate CM/ECF system.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed this date at San Francisco, California.

Dated: January 29, 2010.

/s/Diane G. Sunnen  
Diane G. Sunnen