

# Exhibit C



Ian Crosby  
<icrosby@susmangodfrey.com>  
06-16-07 12:54 PM

To <nicholas.brown@weil.com>

cc

bcc

Subject Re: Burst: Request for Expert Depositions

History:  This message has been forwarded.

Nick, our position is unchanged. We will oppose.

Regards,

--

Ian B. Crosby  
SUSMAN GODFREY LLP  
icrosby@susmangodfrey.com  
1201 Third Avenue  
Suite 3800  
Seattle, Washington 98101  
206-516-3861 (tel)/206-516-3883 (fax)

This confidential message may be subject to the attorney-client privilege or protected by the attorney work-product doctrine. If you have received this message in error, please delete it and notify me.

On 6/15/07 5:26 PM, "nicholas.brown@weil.com" <nicholas.brown@weil.com> wrote:

Ian -

We disagree with your refusal to provide your experts for brief depositions on the subject of their declarations. The Court has set a hearing date that leaves ample time to complete depositions. Accordingly, we will move to strike the declarations of both experts unless you agree to provide the depositions.

Sincerely,

Nick Brown

"Ian B. Crosby" <icrosby@SusmanGodfrey.com> 06-11-07 10:41 AM

To

<nicholas.brown@weil.com>

cc  
Subject

Burst: Request for Expert Depositions

Nick, neither of our experts are available for deposition on such short notice, and you will need to move in any event if you would like to take them prior to expert reports as we will oppose presenting either of them more than once in this case. Not trying to be difficult, but we view the timing of your motion and the decision not to submit your own supporting expert declarations as Apple's strategic choices, and don't agree to alter the ordinary sequence of discovery to accommodate.

Regards,

--Ian Crosby

< END >

---

The information contained in this email message is intended only for use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by email (postmaster@weil.com), and destroy the original message. Thank you