

CAMARA & SIBLEY

August 31, 2009

Judge William H. Alsup
United States District Court
450 Golden Gate Avenue
San Francisco, California

Re: Apple Inc. v. Psystar Corp., Case No. CV-08-3251-WHA

Dear Judge Alsup:

Psystar files this letter brief to address a pattern and practice of discovery misconduct on Apple's part. Psystar wishes to proceed with this case under the present scheduling order and with the existing trial date, even if these dates prejudice Psystar in that some of the additional discovery that results from this motion comes in during or after the deadlines for expert depositions and dispositive motions. Apple, of course, cannot be heard to object to any late discovery that results from this letter brief since it was Apple's discovery misconduct that occasioned this late discovery.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

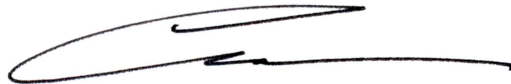
[REDACTED]

[REDACTED]

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Respectfully submitted,

A handwritten signature in dark ink, featuring a large, stylized initial 'C' followed by a series of loops and a long horizontal stroke.

K.A.D. Camara
Counsel for Psystar Corporation