

**EXHIBIT 1  
TO  
DECLARATION OF MEHRNAZ BOROUMAND SMITH  
IN SUPPORT OF APPLE INC.'S ADMINISTRATIVE  
MOTION SEEKING LEAVE OF COURT TO FILE A  
REPLY TO PSYSTAR CORPORATION'S  
SUPPLEMENTAL BRIEFING ON THE RELEVANCE OF  
TOPIC 3 TESTIMONY, DEFENDANT'S MOTION TO  
COMPEL AND PLAINTIFF'S CROSS-MOTION FOR A  
PROTECTIVE ORDER**

**Boroumand Smith, Mehrnaz**

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**From:** Oblak, Jeb B.  
**Sent:** Tuesday, September 01, 2009 5:02 PM  
**To:** 'camara@camarasibley.com'; 'radford@camarasibley.com'  
**Cc:** 'david.welker@werolaw.com'; Gee, Tyler J.; Boroumand Smith, Mehrnaz; Chung, Megan M.  
**Subject:** STIPULATION TO ALLOW APPLE TO FILE ITS REPLY TO PSYSTAR CORPORATION'S SUPPLEMENTAL BRIEFING ON THE RELEVANCE OF TOPIC 3 TESTIMONY.DOC

**Attachments:** STIPULATION TO ALLOW APPLE TO FILE ITS REPLY TO PSYSTAR CORPORATION'S SUPPLEMENTAL BRIEFING ON THE RELEVANCE OF TOPIC 3 TESTIMONY.DOC

Kiwi:

Attached is the stipulation that you discussed with Tyler this afternoon. Per your agreement, we have included language indicating that Psystar does not oppose Apple's filing of a Reply. Please let us know if you are OK with us filing this stipulation.

Thanks,

Jeb



STIPULATION TO  
ALLOW APPLE TO