

1 ROBERT J. YORIO (SBN 93178)  
 yorio@carrferrell.com  
 2 COLBY B. SPRINGER (SBN 214868)  
 cspringer@carrferrell.com  
 3 CHRISTINE S. WATSON (SBN 218006)  
 cwatson@carrferrell.com  
 4 CHRISTOPHER P. GREWE (SBN 245938)  
 cgrewe@carrferrell.com  
 5 CARR & FERRELL *LLP*  
 2200 Geng Road  
 6 Palo Alto, California 94303  
 Telephone: (650) 812-3400  
 7 Facsimile: (650) 812-3444

8 Attorneys for Defendant/Counterclaimant  
 PSYSTAR CORPORATION

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10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA  
 12 SAN FRANCISCO DIVISION

13 APPLE INC., a California corporation,

14 Plaintiff,

15 v.

16 PSYSTAR CORPORATION,

17 Defendant.

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19 AND RELATED COUNTERCLAIMS.

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CASE NO. CV-08-03251-WHA

**DECLARATION OF CHRISTOPHER P.  
 GREWE, ESQ. IN SUPPORT OF  
 PSYSTAR CORPORATION'S  
 OPPOSITION TO APPLE INC.'S  
 MOTION TO DISMISS PSYSTAR  
 CORPORATION'S COUNTERCLAIMS**

Date: November 6, 2008  
 Time: 8:00 a.m.  
 Courtroom: 9, 19th Floor  
 Judge: Hon. William Alsup

1 I, the undersigned, CHRISTOPHER P. GREWE, declare as follows:

2 1. I am an attorney admitted to practice before all of the courts of the State of  
3 California and before the United States District Court for the Northern District of California. I am  
4 an associate with the firm of Carr & Ferrell LLP, the attorneys of record for Defendant Psystar  
5 Corporation (“Psystar”). I make this declaration in support of Psystar’s Opposition to Apple Inc.’s  
6 Motion to Dismiss Psystar’s Counterclaims. I am one of the attorneys responsible for representing  
7 Psystar in this action, and the facts set out herein are within my personal knowledge, or are based  
8 on documents in my possession and other information to which I have access in the course of my  
9 duties. If called upon to do so I could and would testify to the truth thereof.

10 2. Attached hereto as Exhibit “A” is a true and correct copy of *In re Apple & AT&TM*  
11 *Antitrust Litigation*, No. 144 Civ. 07-05152, slip op. at 13:1-2, 14:10-12 (9th Cir. October 1, 2008)  
12 (Order Granting in Part and Denying in Part Apple’s Motion to Dismiss).

13 3. Attached hereto as Exhibit “B” is a true and correct copy of *Slattery v. Apple*  
14 *Computer, Inc.*, 2005 WL 2204981 at \*4 (9th Cir. 2005) (Order Granting in Part and Denying in  
15 Part Apple’s Motion to Dismiss).

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17 I declare under penalty of perjury that the foregoing is true and correct.

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19 Dated: October 16, 2008

/s/ Christopher P. Grewe  
CHRISTOPHER P. GREWE

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