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July 24, 2009

Writer's Direct Contact  
650.813.5789  
DZlatnik@mofocomHonorable Joseph C. Spero  
United States District Court  
450 Golden Gate Avenue  
15th Floor, Courtroom A  
San Francisco, CA 94102Re: Google, inc. v. Netlist, Inc.  
U.S.D.C. for the N.D. Cal., Case no. 08-04144 SBA (JCS)

Dear Judge Spero:

Defendant Netlist, Inc. ("Netlist") files this letter in response to the letter filed by Plaintiff Google, Inc. ("Google") on July 21, 2009.

Instead of obeying the Court's Order requiring an in-person meet and confer, Google rushed to file a letter with the Court after giving Netlist *less than one business day* to confirm deposition dates during the second week of August. Because the parties have not met and conferred in-person as required by the Court, Google's letter was improper.

Netlist is confident that an in-person meet and confer will resolve the scheduling matters raised in Google's letter. Thus, no action is required by the Court.

Sincerely,

/s/ Daniel A. Zlatnik

Daniel A. Zlatnik