

EXHIBIT C

Christina Sindac

Subject: RE: Apple

From: Robert A Mittelstaedt [mailto:ramittelstaedt@JonesDay.com]

Sent: Wednesday, January 30, 2008 9:23 AM

To: Bonny Sweeney

Subject: Apple

Bonny: I have been preoccupied on other things but will turn to this right away and hope to have you what I agreed to provide by the end of the week. Sorry for the delay. To be clear, I did not agree to, or anticipate, that we would produce the actual data beyond an exemplar of the type of data that are available. I understood that your expert wanted to know what type of data is available rather than acquiring all the data now because he does not intend to actually produce a damage study at this point. That's the compromise we reached, and I thought that met your pre-cert needs.

Robert A. Mittelstaedt
JONES DAY
San Francisco, California
T: (415) 875-5710
F: (415) 875-5700
E-mail: ramittelstaedt@jonesday.com
www.jonesday.com

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