

EXHIBIT D

Christina Sindac

Subject: RE: Apple

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

Sent: Friday, February 01, 2008 3:41 PM

To: Bonny Sweeney

Subject: Apple

Bonny: As discussed at the hearing, here is a sample of Apple' data. To elaborate on my email from yesterday, and to make sure we have no misunderstanding, I understand that your expert wants to know what type of data is available for a damage study, not to actually run the numbers and prepare the damage study itself. I suggested we describe the type of data; you wanted an exemplar. Attached is an exemplar. Note that we have marked it Confidential Attorneys' Eyes Only. We are still working on the pricing data that you also requested, and expect to have that to you the first part of next week.

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

=====

This e-mail (including any attachments) may contain information that is private, confidential, or protected by attorney-client or other privilege. If you received this e-mail in error, please delete it from your system without copying it and notify sender by reply e-mail, so that our records can be corrected.

=====

9/23/2009