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proceeding, or (ii) have a non-financial interest in that subject matter or in a party that could be substantially affected by the outcome of this proceeding:

• In re Apple Derivative Litigation, Case No. C-06-4128 (JF), is a private securities action against Apple Computer, Ms. Heinen, and others, based upon allegations that are similar to the SEC's allegations against Ms. Heinen. The parties to that action may have an interest in the subject matter of this lawsuit that could be substantially affected by its outcome.

DATED: August 30, 2007 RAMSEY & EHRLICH LLP

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Miles Ehrlich Ismail Ramsey

Attorneys for Defendant Nancy R. Heinen