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7 Attorneys for Defendant  
 8 APPLE INC.

9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN JOSE DIVISION

13 REUBEN BERENBLAT, ANDREW  
 14 PERSONETTE, EARL C. SIMPSON, LAURA  
 MILLER, On behalf of themselves and all others  
 15 similarly situated,

16 Plaintiffs,

17 v.

18 APPLE INC.,

19 Defendant.

Case No. C-08-04969 JF

**DECLARATION OF ALEXEI  
 KLESTOFF**

Date: August 14, 2009  
 Time: 9:00 am  
 Courtroom: 3

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I, Alexei Klestoff, declare:

1. I am an associate in the law firm of Morrison & Foerster LLP, counsel of record for defendant Apple Inc. in the above-entitled case. I am admitted to practice before the United States District Court for the Northern District of California. I have personal knowledge of the facts set forth in this declaration.

2. Attached as Exhibit A is a true and correct copy of Apple’s one-year limited express warranty for the PowerBook G4 computer as it appeared in print form in the PowerBook G4 packaging and on Apple’s website.

3. Attached as Exhibit B is a true and correct copy of Apple’s AppleCare Protection Plan.

4. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 1st day of June, 2009, at San Francisco, California.

\_\_\_\_\_  
/s/ Alexei Klestoff  
Alexei Klestoff

I, Penelope A. Preovolos, am the ECF User whose ID and password are being used to file this Declaration. In compliance with General Order 45, section X.B., I hereby attest that I have on file the concurrences for any signatures indicated by a “conformed” signature (/s/) within this efiled document.

By: \_\_\_\_\_  
/s/  
Penelope A. Preovolos