

**EXHIBIT E**

TO THE DECLARATION OF COLIN B. VANDELL IN SUPPORT OF NON-PARTY STEVE  
JOBS'S OBJECTION TO ORDER DENYING MR. JOBS'S MOTION FOR PROTECTIVE  
ORDER TO QUASH "APEX" DEPOSITION SUBPOENA

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 07-3314-PSG (MANx) Date May 6, 2008

Title *F.B.T. Productions, LLC, et al. v. Reel Media International, et al.*

Present: The Honorable MARGARET A. NAGLE, UNITED STATES MAGISTRATE JUDGE

E. Carson

N/A

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

None Present

None Present

**Proceedings:** (IN CHAMBERS) Order Re Plaintiffs' Motion To Compel Further Response To Subpoena Served On NonParty Apple Inc.

On April 8, 2008, Plaintiffs F.B. T. Productions, LLC and Em2M, LLC ("Plaintiffs") filed a Joint Stipulation regarding plaintiffs' motion to compel responses to their subpoena duces tecum served on NonParty Apple Inc. ("Apple"). On April 29, 2008, the Court heard oral argument and ordered plaintiffs and Apple to meet and confer further in order to limit reasonably the scope of the search to be conducted by Apple for documents responsive to Request for Production No. 1. On May 5, 2008, plaintiffs and Apple each lodged a proposed order regarding the production of documents responsive to Request No. 1. The Court now rules as follows:

1. Plaintiffs' motion to compel with regard to Request No. 1 is granted to the following extent:
  - a. On or before May 12, 2008, Apple shall produce, subject to the protective order entered into by plaintiffs and defendants, the following agreements:
    - (i) Apple/UMG agreements of December 2002 and 2006;
    - (ii) Amendments to Apple/UMG agreements dated October 2005, April 2006, and March 2007;
    - (iii) All other Apple/UMG agreements as described in Request No. 1 from 2001, to the present.
  - b. On or before May 12, 2008, Apple shall examine the files and computers utilized by Kevin Saul and Eddie Cue and produce the following documents: All non-privileged communications, including, but not limited to, emails

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between and among Apple and defendants regarding the drafting and negotiation of the Apple/UMG agreements.

- c. On or before May 14, 2008, Apple shall produce a privilege log pertaining to the production as described above.
- d. To the extent the production of documents of Kevin Saul and/or Eddie Cue indicates that Steve Jobs was involved in the negotiation or formation of any of the agreements (other than as a mere signatory to said agreement(s)), including, but not limited to, the initial Apple/UMG agreement dated December 2002, the parties shall immediately communicate telephonically with the Court to address whether a hearing should be promptly scheduled to determine if good cause exists to examine the files and computers possessed or controlled by Steve Jobs to locate documents responsive to Request No. 1. The Court directs counsel to meet and confer before May 12, 2008, if counsel for Apple determines, during the examination of the Saul and Cue documents, that the files of Mr. Jobs likely contain additional documents responsive to Request No. 1.

**IT IS SO ORDERED.**

Initials of  
Preparer

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efc  
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