

EXHIBIT C

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

MUNGER, TOLLES & OLSON LLP

388 SOUTH GRAND AVENUE
THIRTY-FIFTH FLOOR
LOS ANGELES, CALIFORNIA 90071-1560
TELEPHONE (213) 683-9100
FACSIMILE (213) 687-3702

560 MISSION STREET
SAN FRANCISCO, CALIFORNIA 94105-2907
TELEPHONE (415) 512-4000
FACSIMILE (415) 512-4077

January 22, 2008

ROBERT K. JOHNSON
ALAN V. FRIEDMAN
RONALD L. OLSON
RICHARD S. BUSCH
DENNIS C. BROWN
ROBERT E. DUBOIS
JEFFREY L. WEINBERGER
ROBERT L. ROSEN
CARY B. LORANT
CHARLES D. BIGDAL
RONALD R. HESTER
DREWERY A. STONE
VALMA S. MARTINEZ
BRAD D. BRAM
BRADLEY S. PHILLIPS
GEORGE M. DARVEY
WILLIAM D. TERRY
STEVEN L. QUINN
ROBERT S. RALPHS
STEPHEN H. KRISTOVICH
JOHN W. SPIEGEL
TERRY E. SANCHEZ
STEVEN H. PERRY
HARVEY S. HELM
JOSEPH D. LEE
MICHAEL R. ROYER
MICHAEL E. HOLLOFF
GREGORY D. PHILLIPS
LAWRENCE C. BARTH
NATHANIEL M. HODGINS
OLSEN D. POWERS
THOMAS B. WILSON
RONALD C. HUGHES
PATRICK J. CAFFERTY, JR.
JAY H. FLAHERTY
D'ANIEL M. MILLER
SANDRA A. SEVILLER-JONES
MARK R. EPSTEIN
HARRY WEISSMANN
KEVIN S. ALLRED
BART H. WILLIAMS
JEFFREY A. HEINTE
JUDITH T. KITANO
HARVEY LINSLEY WILES
MARK T.D. DWORKIN
JEROME C. ROTH
SIEMER D. ROSE
JEFFREY L. BLECH

GARY T. VINCIGU
TED DANE
MARK SHINGEMAN
STUART H. SCHACHT
MARTIN D. BORN
DANIEL P. COLLINS
RICHARD S. PROCTOR
ROBERT L. DELL ANIELLO
JOHN THOMAS L. ALTHAM
HARRY AMY TODD
BRUCE A. ARBOTT
MICHAEL J. O'BULLYAN
SCOTT M. ELIAS
DAVID S. GOLDMAN
BURTON A. GRIBBS
KEVIN S. HARRIS
MOJIB HANNO
KRISTIN A. ESCALANTE
DAVID C. DOWD
ANDREA WELLS JEFFRIES
PETER A. DEIRE
PAUL J. WATFORD
DANA S. TREIBER
CARL M. MOOR
DAVID M. ROSENBERG
DAVID H. FRY
LISA J. DENNEY
MALCOLM A. HENCKES
GREGORY J. WEINBAUM
TAMARA J. GOSSETT
JAMES C. RUTEN
J. MARTIN WILSON
RICHARD ST. JOHN
ROBERT M. BOWEN
LURE LI
CAROLYN HOCKER LUEDKE
C. DAVID LEE
MARK N. LAM
BRETT L. HODIN
SEAN KROVITZ
BRYAN R. BASSO
LINDA B. GOLDMAN
NATALIE PHOEB STONE
FRED A. HOWLEY, JR.
JOSEPH B. HANCOCK
MONIKA S. WIEBER
LYNN HEALEY SCHWEDT
RANDALL O. SCHWEDT

SARAH M. MAY
SHAWN E. MILLER
MARIA STEPHAN
MANUEL F. CACHAN
ERIC J. LORENZINI
KATHERINE K. HANCOCK
KATHERINE K. FORSTER
ROSEMARIE T. RING
JOSEPH J. YARRA
BLANCA FROTH YOUNG
DECK GUTERBU
KATE S. ANDERSON
ALISON J. HARRINGTON
E. BONNEY WINE
SAMUEL H. WEINSTEIN
PAUL H. ROYER
KIT JOHNSON
JAY K. SHYIA
RUSAN THAM BOYD
JENNIFER L. ROSE
TODD J. ROSEN
DANIEL L. GUYER
BRYAN R. HODGINS
DEAN H. KAMMATH
DANIEL A. DAVIS-OWEN
E. MARTIN EYENADA
JASON KANTANEK
AMY C. TERRY
WESLEYA BOSE LITVIN
JONATHAN M. BLUM
JOHN R. GRYFFIN
BARBARA J. FESSLER
MICHELLE T. FRIEDLAND
J. RALPH LORREY
SARA C. HAYAK
MELINDA EADES LINDHIC
ANDREW R. SOHO
DANIEL A. BECH
YONNANCE C. SCHWARTZ
JULIE D. GARTER
SETH GOLDMAN
PADA IERAN RAFFERTS
DANIEL J. POWELL
DANIEL B. LEVIN
JOHN R. GORDAN
VICTORIA L. ROSEN
MALLIN J. CHEN
BRAD SCHWEDER

DAVID W. SMITH
JOHN Y. BREE
ALEXANDRA LAM BURMAN
DENNEVE A. COH
MOMAN KSH
MISTY M. SHAFER
SHAR P. DUFF
AMIE FEINBERG
JEFFREY E. ZINSHEIMER
MONICA DOSS HANCO
NATHANIEL L. HALL
NATHANIEL KU
KATHERINE A. CH
SHOSHANA E. SANNETT
TINA CHANDERPOH
TERESA E. HODATA
ADAM S. BARNES
ASHFAD G. CHOWDHURY
LEE S. TAYLOR
DEREK J. HOFFMAN
KIMBERLY D. SANCHEZ
NATHANIEL J. SPIEGEL
DANIEL P. SANCHEZ
BETHANY C. WOODARD
PAULA M. LEVY
CONNIE T. CHANG
DAVID C. WARD
WILLIAM E. GARD
SHUT PM
JILL WARD
HEIDI E. ORRER
NATHANIEL J. SPENCE
JULIAN W. HOWELL
WELLEY SHU
JACOB S. KREKAMP
PAUL J. KATZ
ANITA A. HEDMAN

* A PROFESSIONAL CORPORATION

BY E-MAIL AND U.S. MAIL

Richard S. Busch, Esq.
King & Ballow
315 Union Street
1100 Union Street Plaza
Nashville, Tennessee 37201

WRITERS DIRECT LINE
(213) 683-9238
(213) 683-4038 FAX
Kelly.Klaus@mto.com

Re: F.B.T. Productions, LLC et al. v. Aftermath Records et al., Case No. CV 07-3314-PSG (C.D. Cal.)

Dear Mr. Busch:

We have become aware that you have been serving subpoenas on third parties in the above-referenced case without complying with your obligations under Rule 45 to provide notice of the subpoenas to us.

We are aware of four apparent instances of your violating Rule 45 in this manner: your subpoena to the Recording Industry Association of American, your subpoena to Apple Inc., and your two subpoenas to MusicNet. We only became aware of the subpoenas to MusicNet because your office inadvertently mailed the originals of these subpoenas to us. We still have not received the notice that Rule 45(b)(1) requires for any subpoenas you have issued.

Among other things, the notice rule allows parties to the case an opportunity to object to a requested production. See 1991 Adv. Comm. Note to Subdivision (b); *Butler v. Biocore Med. Techs., Inc.*, 348 F.3d 1163, 1173 (10th Cir. 2003). Your failure to provide the required notice threatens defendants' rights. The Court may strike your subpoenas or impose

MUNGER, TOLLES & OLSON LLP

Richard S. Busch, Esq.

January 22, 2008

Page 2

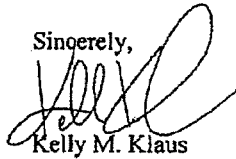
other sanctions on account of your violations. See *Florida Media, Inc. v. World Publs., LLC*, 236 F.R.D. 693, 695 (M.D. Fla. 2006). Our clients do not waive, but rather expressly reserve, all of their rights to relief on account of your non-compliance with the Rules to date.

If you have served any subpoenas without giving us notice under Rule 45(b)(1), please notify us immediately of the relevant parties and send us copies of all papers you have served on them. Please comply with the Rules on a going-forward basis.

Finally, as you know from your representation of the plaintiff LLCs in the *Eight Mile v. Apple* action, we represent Apple in that case. Your subpoena to Apple in this case obviously concerns matters related to the *Eight Mile* action. Your attempt to communicate directly with Apple on matters that obviously are related to that litigation may be a violation of the rules of professional conduct. Please be sure that this does not happen again.

As requested by your office, we are returning the originals of the four subpoenas referenced above with the original of this letter. Thank you for your immediate attention to these matters.

Sincerely,



Kelly M. Klaus

Enclosures (with mailed copy only)