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**From:** Walter, Derek  
**Sent:** Tuesday, August 02, 2011 10:04 AM  
**To:** Bu, Jane  
**Cc:** Apple Elan WGM Service; Elan Apple Team  
**Subject:** RE: Elan's Motion to Compel re Apple iOS Apps Related Discovery

Jane:

Thank you for your courtesy in this regard. We agree that this extension makes Elan's reply brief due on August 9.

Thanks,

Derek

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**From:** Bu, Jane [mailto:Jane.Bu@alston.com]  
**Sent:** Tuesday, August 02, 2011 9:48 AM  
**To:** Walter, Derek  
**Cc:** Apple Elan WGM Service; Elan Apple Team  
**Subject:** RE: Elan's Motion to Compel re Apple iOS Apps Related Discovery

Derek:

We do not object to the extension for Apple's opposition. Please note that with this extension, pursuant to the L.R., Elan's Reply will be due on August 9, instead of August 5.

Best,

Jane

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**From:** Walter, Derek [mailto:Derek.Walter@weil.com]  
**Sent:** Monday, August 01, 2011 2:58 PM  
**To:** Bu, Jane  
**Cc:** Apple Elan WGM Service; Elan Apple Team  
**Subject:** RE: Elan's Motion to Compel re Apple iOS Apps Related Discovery

Jane:

Apple intends to oppose Elan's motion. In calculating the date our opposition was due, we inadvertently applied the old rule and counted backward based on the hearing date. Please confirm that you'll agree to a short extension until August 2, 2011, for Apple to file its opposition. We apologize for any inconvenience this may have caused.

Thanks,

Derek

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**From:** Bu, Jane [mailto:Jane.Bu@alston.com]  
**Sent:** Monday, August 01, 2011 2:30 PM  
**To:** Walter, Derek

Cc: Apple Elan WGM Service; Elan Apple Team  
Subject: Elan's Motion to Compel re Apple iOS Apps Related Discovery

Derek:

Under revised NDCA Civil Local Rule 7-3, Apple's Opposition to Elan's Motion to Compel iOS Apps Related Discovery was due on Friday July 29, 2011, 14 days after the motion was filed. We have not received service of Apple's Opposition. If Apple no longer opposes Elan's Motion to Compel, please immediately provide us a date certain for Apple's production re iOS Apps related discovery.

Best,

Jane

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