

MORRISON | FOERSTER1290 AVENUE OF THE AMERICAS
NEW YORK
NEW YORK 10104-0050TELEPHONE: 212.468.8000
FACSIMILE: 212.468.7900

WWW.MOFO.COM

MORRISON & FOERSTER LLP
NEW YORK, SAN FRANCISCO,
LOS ANGELES, PALO ALTO,
SAN DIEGO, WASHINGTON, D.C.
DENVER, NORTHERN VIRGINIA,
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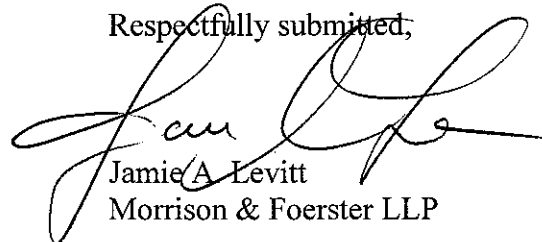
March 12, 2009

Writer's Direct Contact
212.468.8203
jlevitt@mofocomHon Viktor V. Pohorelsky
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201Re: Koschitzki v. Apple, Inc. et al., Case No. 08 Civ. 4451 (JBW) (VVP)

Dear Judge Pohorelsky:

We write to advise the Court that in light of motions filed by both defendants before the Multidistrict Litigation Panel to transfer and consolidate the Apple iPhone 3G Products Litigation, the hearing scheduled in the above-referenced case for tomorrow before Judge Jack B. Weinstein was adjourned. In addition, the motions scheduled to be heard tomorrow will be withdrawn by defendants without prejudice to resubmit. Accordingly, the related discovery hearing scheduled before Your Honor, on Friday, March 13, 2009, should likewise be adjourned.

Respectfully submitted,

Jamie A. Levitt
Morrison & Foerster LLP

Attorneys for Apple, Inc.

cc: all counsel (by email)