
WANG

LAW OFFICE, PLLC

36-25 MAIN STREET, THIRD FLOOR
FLUSHING, NEW YORK 11354
PHONE: (718) 353-9264
FACSIMILE: (718) 353-2099
EMAIL: HELP@MEIGUOFA.COM

VIA CERTIFIED MAIL AND EMAIL

January 16, 2008

Honorable Judge Leonard D. Wexler
U. S. District Court
Eastern District of New York
Long Island Courthouse
100 Federal Plaza
Central Islip, NY 11722-4438

RE: Li v. Apple
Docket #: CV 07-4005

Dear Honorable Judge Wexler,

We are writing to: (1) request a pre-motion conference for the filing of a MOTION FOR CLASS CERTIFICATION and (2) request reconsideration of the January 10, 2008 decision to delay discovery.

The bases for the anticipated motion for class certification are as follows:

1. The proposed class is: Purchasers of the iPhone before the price reduction and intended on reselling their iPhones.
2. They, like plaintiff: Purchased iPhones from Apple intending on reselling them; are not able to resell it at as high a profit because of Apple's reduction in the price of the iPhone; were forced to switch to AT&T because Apple conditioned its sale of the iPhone upon such subscription; and were charged unreasonable amounts for these wireless service contracts.
3. Joinder of all members would be impracticable since the above claims are typical of many more individuals. So far, we have identified about 40 individuals.

Also, please excuse our absence on January 10th and reconsider delaying discovery. From the conversation with your law clerk, Peter, on January 3, 2008, I understood the date for the pre-motion conference to be January 11th and was surprised to discover that it was held on January 10th. January 11th appeared to be the correct date considering the fact that the initial scheduling conference was to occur on January 11th and Judge Boyle had denied the defendants' requests to adjourn the initial scheduling conference on January 7th for failure to set forth good cause.

Feel free to contact us with any questions: (718) 353-9264.

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EMAIL: HELP@MEIGUOFA.COM

Sincerely,

/s/ C. Jean Wang

Chunyu Jean Wang, Esq.
Wang Law Office, PLLC

Cc.: Michael B. Miller
Attorney for Defendants Apple Inc. and Steve Jobs
1290 Avenue of the Americas
New York, NY 10104-0050
Email: mbmiller@mofa.com

Timothy Fierst
Attorney for Defendant AT&T Inc.
153 East 53 St., 31st Fl.
New York, NY 10022
Email: tfierst@crowell.com

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