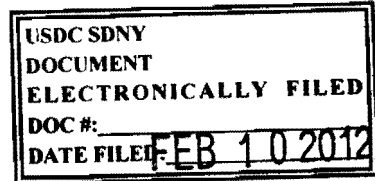


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February 8, 2012

By Hand Delivery

Hon. Katherine B. Forrest, U.S.D.J.
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007



Re: J.T. Colby & Co., Inc., et al. v. Apple Inc., No. 11 CIV 4060 (KBF)

Dear Judge Forrest:

We write on behalf of defendant Apple Inc. ("Apple") to request an adjournment of the status conference recently re-scheduled for Wednesday, February 22, 2012 at 1:00 PM.

Apple requests the adjournment because I am its lead counsel on the matter, and I have long-standing plans tied to my children's school vacation to be outside the continental United States that week. Consequently, I am respectfully requesting that the conference be moved to Monday, February 27, Tuesday, February 28, Friday, March 2, or Friday, March 9, 2012.

Plaintiffs' counsel has consented to this request, so long as the Court does not schedule the conference for tomorrow, February 9, 2012.

We thank the Court for its consideration.

Respectfully,

Dale Cendali

cc: Thomas C. Morrison

*Adjourned to
2/27/12 at
1 PM.*

SO ORDERED:

add

HON. KATHERINE B. FORREST
UNITED STATES DISTRICT JUDGE