

EXHIBIT C

**Jarrett, Bonnie L.**

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**From:** Gottesman, Sarah [SGottesman@manatt.com] on behalf of Morrison, Thomas [TMorrison@manatt.com]  
**Sent:** Wednesday, March 28, 2012 3:08 PM  
**To:** Cendali, Dale; Ray, Claudia; Jarrett, Bonnie L.  
**Cc:** Morrison, Thomas  
**Subject:** J.T. Colby v. Apple  
**Attachments:** Letter dated 3-28-12 to D. Cendali.pdf

Sarah Gottesman  
Secretary to Ronald G. Blum, Thomas C. Morrison,  
Elizabeth K. Murray, Lorie E. Lupkin and Anthony J. Staltari  
Manatt, Phelps & Phillips, LLP  
7 Times Square  
New York, NY 10036  
212.830.7219  
[sgottesman@manatt.com](mailto:sgottesman@manatt.com)

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March 28, 2012

Client-Matter: 40229.060

**BY E-MAIL**

Dale Cendali, Esq.  
Kirkland & Ellis LLP  
601 Lexington Avenue  
New York, New York 10022

**Re: *J.T. Colby & Company, Inc. et al v. Apple, Inc.*, Case No. 11-cv-4060**

Dear Dale:

Regarding your letter of March 26th and our client's hard drive.

First of all, it does contain materials relating to all of Mr. Colby's companies, not just J.T. Colby & Company.

Second, you can send us an invoice but it will not be paid. It was completely clear from our conference with Judge Forrest that, by March 23rd, we were to either (1) notify you that we have placed the hard drive in the hands of an e-vendor who would, at our expense, unload the relevant data for production to you; or (2) turn the hard drive over to Apple which could then undertake the "burden" of extracting the relevant information (see Tr. at pp. 7 and 36). Because we did not have funds in place to retain an e-vendor by March 23<sup>rd</sup>, we gave you the hard drive. I realize that you would like to pressure Mr. Colby to drop the litigation by imposing financial burdens on him that he cannot sustain, but that was not the deal.

On a related issue, you should be embarrassed by your pathetic Court-ordered "document production" of March 7<sup>th</sup>. While we produced over 2,600 pages of documents, and turned over our client's hard drive containing his records for all of his publishing entities, you merely gave us (1) a handful of publicly available press releases; (2) my correspondence with Mr. LaPerle and Mr. Gunderson re settlement together with the draft complaint I sent to them; and (3) PTO files that are publicly available and easily downloaded via the internet. In light of your constant

Dale Cendali, Esq.  
March 28, 2012  
Page 2

demands that we produce documents, respond to interrogatories, participate in depositions and open our client's office for two inspections your failure to provide us with a good faith document production is abusive.

Finally, we are unavailable to participate in the Shelter Island inspection next week. Once you have made a good faith production of Apple's documents, either we or our successor will contact you to reschedule the visit.

Very truly yours,



Thomas C. Morrison