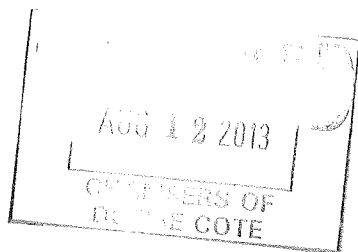


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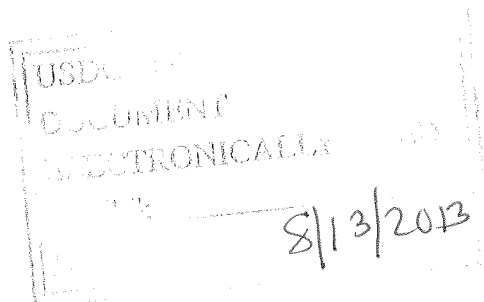
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August 12, 2013

VIA ELECTRONIC MAIL

The Honorable Denise L. Cote
United States District Judge
United States District Court for the Southern District of New York
500 Pearl Street, Room 1610
New York, New York 10007-1312



Re: United States v. Apple Inc., 12 Civ. 2826 (DLC), Texas v. Penguin Group (USA) Inc., 12 Civ. 3394 (DLC)

Dear Judge Cote:

On behalf of all parties to the above-captioned cases, we respectfully submit this letter to request that the Court hold its next conference with respect to the injunction to be entered on August 27, 2013 at 2 p.m. A 2 p.m. hearing will help ensure that several of the lawyers involved, including those representing the DOJ, the States, and Apple, need not stay overnight in New York either the night before or after the hearing. The parties further propose that they submit letters concerning their respective positions on the scope of the injunction by August 23, 2013 at 10:00 a.m.

We thank the Court in advance for its consideration.

Respectfully submitted,

Orin Snyder

Approved.

August 13, 2013

cc: All Counsel

RECEIVED