

## GIBSON DUNN

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VIA ECFRe: *United States v. Apple Inc. et al.*, 12-cv-2826 (DLC);  
*State of Texas, et al. v. Penguin Group (USA) Inc., et al.*, 12-cv-3394 (DLC)

Dear Judge Cote:

Plaintiffs' letter to the Court on January 8, 2014, objects to Apple's reply brief exceeding the 10-page limit on reply memoranda. Plaintiffs are correct, and Apple apologizes for the oversight. Apple requests, however, that the Court grant a 5-page extension for Apple to address the serious issues raised by plaintiffs' filing of a declaration on behalf of Mr. Bromwich in support of the opposition, for all the reasons set forth in Apple's memorandum.

Sincerely,

s/ Theodore J. Boutrous, Jr.

Theodore J. Boutrous Jr.