

Mirror Worlds Technologies as a counterclaim defendant. Apple's filing was dated November 25, 2008, approximately three weeks after the deadline for filing without leave.

4. Over the first two weeks of December, I met and conferred with counsel for Mirror Worlds about Apple's request for leave to file its new counterclaim.

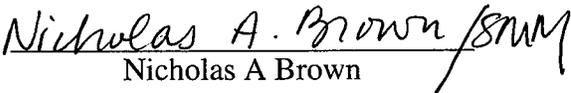
5. After multiple calls over the first ten days of December, Mirror Worlds advised that it would need until December 16, 2008 to decide whether or not it would consent to Apple's request. Attached hereto as Exhibit A is a December 11, 2008 email from me to counsel for Mirror Worlds memorializing their agreement to provide a final decision by December 16, 2008.

6. On December 16, counsel for Mirror Worlds stated that Mirror Worlds would oppose a motion for leave to file an amended answer. Attached hereto as Exhibit B is a true and correct copy of the December 16, 2008 letter from Kenneth Stein, counsel for Mirror Worlds, advising Apple of its decision.

7. Attached hereto as Exhibit C is a true and correct copy of Mirror Worlds LLC's Initial Disclosures, dated November 5, 2008.

Executed on this 23rd day of December at Redwood Shores, California.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.


Nicholas A Brown