

1 ROBERT J. YORIO (SBN 93178)  
 yorio@carrferrell.com  
 2 COLBY B. SPRINGER (SBN 214868)  
 cspringer@carrferrell.com  
 3 CHRISTOPHER P. GREWE (SBN 245938)  
 cgrewe@carrferrell.com  
 4 CARR & FERRELL *LLP*  
 2200 Geng Road  
 5 Palo Alto, California 94303  
 Telephone: (650) 812-3400  
 6 Facsimile: (650) 812-3444

7 Attorneys for Defendant/Counterclaimant  
 PSYSTAR CORPORATION

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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

APPLE INC., a California corporation,  
 Plaintiff,  
 v.  
 PSYSTAR CORPORATION, a Florida  
 corporation.  
 Defendant.

CASE NO. CV-08-03251-WHA  
**[PROPOSED] ORDER  
 GRANTING PSYSTAR  
 CORPORATION’S MOTION  
 FOR LEAVE TO AMEND**

AND RELATED COUNTERCLAIMS.

Plaintiff PsyStar Corporation (“PsyStar”)’s Motion for Leave to Amend came regularly for hearing before this Court in Courtroom 9 on January 15, 2009 or as soon thereafter as possible. The Court having considered the pleadings and evidence submitted by the parties, the pleadings and records on file, and the arguments of counsel finds that pursuant to Federal Rule of Civil Procedure 15(a), PsyStar’s Motion for Leave to file its Amended Counterclaim is GRANTED.

1 Dated:

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HON. WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE

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