

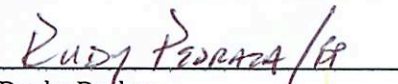
# EXHIBIT C

I, Rudy Pedraza declare as follows:

1. I am a witness in this case.
2. Psystar does not modify or replace the Apple boot loader (boot.efi). To the best of my knowledge, Apple's boot loader, which is included on the OS X DVD, is never installed during the normal course of Apple's setup process on to Psystar hardware. And, in the event it unlike Apple's, use BIOS technology. BIOS based systems do not "understand" EFI "programs" such as "boot.efi". Psystar installs, in addition to any software installed via Apple's own Mac OS X Installer, its proprietary bootloader (psybootefi) and kernel extensions (drivers) which load and initialize the Mac OS present on the computer's hard disk. Further proof that Psystar does not modify and/or replace any Apple's files can be clearly demonstrated via our Restore Disc which allows Psystar computers to boot and install the Mac OS X Leopard software directly from Apple's own retail DVD.
3. Psystar goes to great lengths not to replace, modify and/or remove any Apple software. In the event of a malfunctioning driver, or a driver which does not function correctly on generic Intel hardware, Psystar uses the mechanisms present within the Mac OS to load a "better suited" driver. This is in no way a modification or derivative work as these mechanisms present with Apple's own operating system were created exactly for this purpose (<http://developer.apple.com/mac/library/documentation/DeviceDrivers/Conceptual/IOKitFundamentals/Matching/Matching.html>).
4. The tools and information used to create Psystar's proprietary software have been made available wholly by Apple via the software development toolkit (Xcode development environment located on Mac OS X DVD) and documentation (<http://developer.apple.com/mac/library/documentation>) provided publicly to anyone via their own website. Apple's very own open source offerings have also aided in our development of said proprietary software (<http://www.opensource.apple.com/>). None of the materials used in our development have been private, protected or contain any trade secrets of Apple as everything is readily available via download still to this very day on [developer.apple.com](http://developer.apple.com) and [opensource.apple.com](http://opensource.apple.com).

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge and belief.

Executed on October 22, 2009

  
Rudy Pedraza