

APPLE INC
Form PX14A6G
February 07, 2014

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

NOTICE OF EXEMPT SOLICITATION

1. Name of the registrant: Apple Inc.

2. Name of person relying on exemption:

| | |
|-------------------------------|---------------------------------|
| Carl C. Icahn | Icahn Enterprises Holdings L.P. |
| Icahn Partners LP | Icahn Enterprises G.P. Inc. |
| Icahn Partners Master Fund LP | Beckton Corp. |
| Icahn Onshore LP | High River Limited Partnership |
| Icahn Offshore LP | Hopper Investments LLC |
| Icahn Capital LP | Barberry Corp. |
| IPH GP LLC | |

3. Address of person relying on exemption:

c/o Icahn Enterprises L.P.
767 Fifth Avenue, 47th Floor
New York, NY 10153
Attn: General Counsel
(212) 702-4300

4. Written Materials. Attach written material required to be submitted pursuant to Rule 14a-6(g)(1).

On February 7, 2014, Carl C. Icahn retweeted, under the Twitter handle @Carl_C_Icahn (https://twitter.com/Carl_C_Icahn), the following tweet by Jim Cramer (@jimcramer) relating to Apple:

Retweeted by Carl Icahn

Jim Cramer @jimcramer·Feb 5

@Carl_C_Icahn -Time to call in to @ScottWapnerCNBC about how much you've been buying of late? Stock has big bid underneath

On February 7, 2014, Carl C. Icahn tweeted the following response, under the Twitter handle @Carl_C_Icahn (https://twitter.com/Carl_C_Icahn), to the above tweet by Jim Cramer (@jimcramer) relating to Apple:

“@jimcramer @ScottWapnerCNBC No need to call Scott. As you noted this morning, Tim came in Clint Eastwood-style and has a lot more bullets.”