

EXHIBIT 100

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HIGHLY CONFIDENTIAL
IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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J.T. COLBY & COMPANY, : Case Number
INC. d/b/a BRICK TOWER : 11-CV-40260
PRESS; J. BOYLSTON & : (DLC)
COMPANY, PUBLISHERS LLC :
and IPICTUREBOOKS :
LLC, :
Plaintiffs, :
vs. :
APPLE, INC., :
Defendant. :

- - -

October 3, 2012
HIGHLY CONFIDENTIAL

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Videotaped deposition of GLENN
GUNDERSEN, ESQUIRE, taken at the offices of
Veritext National Court Reporting Company,
1801 Market Street, Suite 1800, Philadelphia,
Pennsylvania 19103, beginning at 9:24 a.m.,
before LINDA ROSSI RIOS, RPR, CCR and Notary
Public.

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VERITEXT NATIONAL COURT REPORTING COMPANY
MID-ATLANTIC REGION
1801 Market Street - Suite 1800
Philadelphia, Pennsylvania 19103

1 GLENN GUNDERSEN, ESQUIRE - HIGHLY CONFIDENTIAL
2 there is no document that would show an
3 active Web site since there was none. The
4 search opinion reflects the fact that we
5 searched and found no active Web site for the
6 business.

7 Q. What I'm asking you is, there
8 are no documents that reflect the searches
9 you carried out in the course of trying to
10 find the active Web site. Right?

11 A. There are no non-privileged
12 documents.

13 Q. Did you conduct any searches on
14 Internet Web archives that would reflect the
15 iBooks, Inc. Web site as it existed on dates
16 earlier than January 2010?

17 A. We frequently search
18 archive.org.

19 Q. Did you search archive.org in
20 this situation?

21 A. I don't have a record that we
22 did, but it's something that we typically
23 look at.

24 Q. Do you have a specific
25 recollection of conducting searches on