

**EXHIBIT 52**

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

J.T. COLBY & COMPANY, INC.,  
d/b/a BRICK TOWER PRESS,  
J. BOYLSTON & COMPANY,  
PUBLISHERS, LLC, and  
IPICTUREBOOKS, LLC,  
Plaintiffs,

CASE NO.  
11-CIV-4060 (DLC)

v.  
APPLE, INC.,  
Defendant.

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VIDEOTAPED DEPOSITION OF

RICHARD FREESE

September 25, 2012

Prince Frederick, Maryland

2:04 p.m.

REPORTED BY:

Lori J. Goodin

REF: 8254

1           A.     I don't recall anything  
2 specifically.

3           Q.     Okay.  Is co-op advertising  
4 something that Mr. Colby would have had to pay  
5 for?

6           A.     Yes.  We would have deducted it from  
7 the monies due to him.

8           Q.     Do you remember for how long  
9 Ms. Kump did not want to spend any of Mr. Colby's  
10 money?

11                   MR. RASKOPF:  Object to the form of  
12 the question.  And to the -- well, just leave it  
13 at the form of the question.  Sorry.

14                   THE WITNESS:  Okay.  I, you know, I  
15 just don't recall.  I do recall that at that time  
16 John was concerned about cash flow.  I don't  
17 recall how long it lasted.

18 BY MS. JARRETT:

19           Q.     Do you know when Mr. Colby began to  
20 be concerned about cash flow?

21           A.     And I should, I should even say that  
22 is an assumption of mine.  Because he was saying