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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. :

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October 2, 2012

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Videotaped deposition of APPLE,  
 INC., through HAL E. BORDEN, ESQUIRE, taken  
 at the offices of Veritext National Court  
 Reporting Company, 1801 Market Street, Suite  
 1800, Philadelphia, Pennsylvania 19103,  
 beginning at 10:15 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 HAL E. BORDEN, ESQUIRE

2 THE WITNESS: I don't recall.

3 BY MR. CHATTORAJ:

4 Q. Same question with respect to  
5 any time period, have you ever in your life  
6 carried out an investigation of Family  
7 Systems?

8 MS. RAY: Same objection and  
9 caution. Go ahead.

10 THE WITNESS: I don't recall.

11 BY MR. CHATTORAJ:

12 Q. Have you ever visited a Family  
13 Systems' Web site?

14 A. I don't recall.

15 Q. Do you have any knowledge  
16 concerning the goods and services offered to  
17 the public by Family Systems at any time?

18 A. I recall seeing one or more  
19 pages from Family Systems' Web site. I don't  
20 remember the context in which I saw them. My  
21 knowledge of its products -- to begin the  
22 sentence again, I would have some knowledge  
23 of its products based on seeing that Web  
24 site. I don't recall the extent to which I  
25 have additional knowledge regarding its