

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

<p>J.T.COLBY & COMPANY, INC., D/B/A BRICK TOWER PRESS, J. BOYLSTON & COMPANY, PUBLISHERS LLC AND IPICTUREBOOKS LLC,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">-against-</p> <p>APPLE, INC.</p> <p style="text-align: center;">Defendant.</p>
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Civil Case No.: 11-civ-4060 (DLC)

DECLARATION OF SERVICE

PARTHA P. CHATTORAJ, hereby declares, under penalty of perjury, pursuant to 28 U.S.C. § 1746, as follows:

1. I am a member in good standing of the Bar of this Court and New York State and a partner in the law firm Allegaert Berger & Vogel LLP, co-counsel for Plaintiffs in the above-referenced matter. I am over eighteen years of age, and not a party to this matter.

2. On January 26, 2013, I caused to be served on Defendant's counsel (1) Plaintiffs' Memorandum of Law in Opposition to Defendant Apple's Motion to Exclude the Expert Reports and Opinions of Susan Schwartz McDonald; (2) the Declaration of John T. Colby, Jr. in Opposition to Defendant Apple's Motion to Exclude the Expert Reports and Opinions of Susan Schwartz McDonald; (3) the Declaration of Claudia T. Bogdanos in Opposition to Defendant Apple's Motion to Exclude the Expert Reports and Opinions of Susan Schwartz McDonald; (4) Plaintiffs' Memorandum of Law in Opposition to Defendant Apple Inc.'s Motion to Exclude the Expert Reports and Opinions of Plaintiffs' Expert Witness Robert T. Scherer; (5) the Declaration of Partha P. Chatteraj in Opposition to Defendant Apple Inc.'s Motion to Exclude the Expert Reports and Opinions of Plaintiffs' Expert Witness Robert T. Scherer; (6) the Declaration of Robert T. Scherer in Opposition to Defendant Apple Inc.'s Motion to Exclude the Expert Reports and Opinions of Plaintiffs' Expert Witness Robert T. Scherer; (7) Plaintiffs' Memorandum of Law

in Opposition to Defendant's Motion to Exclude the Expert Report and Opinions of Mike Shatzkin; (8) the Declaration of John T. Colby, Jr. in Opposition to Defendant's Motion to Exclude the Expert Report and Opinions of Mike Shatzkin; (9) the Declaration of Claudia T. Bogdanos in Opposition to Defendant's Motion to Exclude the Expert Report and Opinions of Mike Shatzkin; (10) the Declaration of Mike Shatzkin in Opposition to Defendant's Motion to Exclude the Expert Report and Opinions of Mike Shatzkin; (11) Plaintiffs' Rule 56.1 Statement of Controverted Facts in Opposition to Defendant Apple Inc.'s Rule 56.1 Statement of Undisputed Facts in Support of its Motion for Summary Judgment; (12) the Declaration of John T. Colby, Jr. in Opposition to Defendant Apple Inc.'s Motion for Summary Judgment; (13) Plaintiffs' Memorandum of Law in Opposition to Defendant's Motion for Summary Judgment; and (14) the Declaration of Partha P. Chattoraj in Opposition to Defendant Apple Inc.'s Motion for Summary Judgment, by causing true and correct copies of said documents to be sealed in two large boxes with FedEx airbills, one addressed to Dale M. Cendali, Esq., Kirkland & Ellis, LLP, 601 Lexington Avenue, New York, New York, 10022 and one to Perry J. Viscounty, Esq., Latham & Watkins LLP, 140 Scott Drive, Menlo Park, California 94025, and provided to an official FedEx facility for delivery on Monday, January 28, 2013.

3. In addition, on January 26, 2013, at 2:28 PM, I emailed a PDF copy of Plaintiffs' Memorandum of Law in Opposition to Defendant's Motion for Summary Judgment to all counsel of record, and I uploaded a PDF copy of the same to Kirkland & Ellis LLP's DropBox, located at <https://dropbox.kirkland.com>, in the folder previously designated by Defendant's counsel.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
January 28, 2013


Partha P. Chattoraj