

UNITED STATES DISTRICT COURT
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,

-against-

APPLE INC.

Defendant.

Civil Case No.: 11-civ-4060 (DLC)

DECLARATION OF SERVICE

DAVID A. SHAIMAN, 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 associated with 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 Friday, January 25, 2013, I caused to be served on Defendant's counsel (1) Plaintiffs' Memorandum of Law in Opposition to Defendant Apple's Motion to Exclude Any Testimony, Argument or Evidence Regarding 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 Any Testimony, Argument or Evidence Regarding 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 Any Testimony, Argument or Evidence Regarding the Expert Reports and Opinions of Susan Schwartz McDonald; (4) Plaintiffs' Memorandum of law in Opposition to Defendant Apple Inc.'s Motion to Exclude Any Testimony, Argument or Evidence Regarding 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 Any Testimony, Argument or Evidence Regarding 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 Any Testimony, Argument or Evidence Regarding 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 Any Testimony, Argument or Evidence Regarding the Expert Report and Opinions of Mike Shatzkin; (8) the Declaration of John T. Colby, Jr. in Opposition to Defendant's Motion to Exclude Any Testimony, Argument or Evidence Regarding the Expert Report and Opinions of Mike Shatzkin; (9) the Declaration of Claudia T. Bogdanos in Opposition to Defendant's Motion to Exclude Any Testimony, Argument or Evidence Regarding the Expert Report and Opinions of Mike Shatzkin; (10) the Declaration of Mike Shatzkin in Opposition to Defendant's Motion to Exclude Any Testimony, Argument or Evidence Regarding 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 Support of Plaintiffs' Opposition to Defendant Apple Inc.'s Motion for Summary Judgment; and (13) the Declaration of Partha P. Chatteraj in Support of Plaintiffs' Opposition to Defendant Apple Inc.'s Motion for Summary Judgment, by uploading PDF copies of the same to Kirkland & Ellis LLP's DropBox, located <https://dropbox.kirkland.com>, as previously agreed with Defendant's counsel.

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

Dated: New York, New York
January 28, 2013



David A. Shaiman