

MEMO ENDORSED

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February 11, 2013

By Hand Delivery

Honorable Denise Cote
U.S. District Court, Southern District of New York
500 Pearl Street, Room 1610
New York, NY 10007

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FEB 13 2013
CLERK'S OFFICE
DENISE COTE

Re: *J.T. Colby & Co., Inc., et al. v. Apple Inc.*, No. 11 CIV 4060 (DLC)

Dear Judge Cote:

We are counsel for Defendant Apple Inc. in the above-titled case. Enclosed for Your Honor's consideration are two hard copy sets of Defendant Apple Inc.'s papers in opposition to Plaintiffs' *Daubert* motions with respect to E. Deborah Jay and Stephen Nowlis, as well as Defendant's reply papers in support of its Motion for Summary Judgment and *Daubert* motions with respect to Mike Shatzkin and Susan Schwartz McDonald. One of the hard copy sets submitted herewith is labeled "Unredacted Courtesy Copy" and consists of a complete set of the respective papers without redactions. The other copy set, which is labeled "Courtesy Copy with Proposed Redactions," consists of a complete set of the respective papers with the information that Plaintiffs have designated confidential, and which Plaintiffs request be filed under seal, highlighted and flagged in blue. We also have enclosed a binder labeled "Looseleaf Set of Redacted Pages." In accordance with Rule 4.A of Your Honor's Individual Practices, that binder contains a partial, looseleaf set consisting solely of those pages bearing material as to which Plaintiffs seek permission to redact.

This is the final redaction request for Apple's summary judgment and *Daubert* motions. In addition, two courtesy copies of Apple's fully-briefed summary judgment and *Daubert* motions were provided to Your Honor on February 7, 2013.

Sincerely,

Dale M. Cendali

Enclosures

cc: All Counsel of Record (via e-mail)

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Hon. Denise L. Cote
January 11, 2013
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(enclosing Looseleaf Set of Redacted Pages)