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By E-mail


Honorable Denise Cote
United States District Court
Southern District of New York
500 Pearl Street, Room 1610
New York, NY 10007

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. We are currently preparing redacted versions of the exhibits to Apple's summary judgment brief which are too large to file on ECF, and which Your Honor has granted Apple permission to file in hard copy only. (Apple has ECF-filed all other papers for which redactions have been approved.) In preparing these redactions, we became aware that Plaintiffs requested that certain sales figures that appear on line 20 of page 166 of the Rule 30(b)(6) deposition of John T. Colby be redacted, but did not request that similar information that appears on line 25 not be redacted. (The deposition excerpt is attached to the December 21, 2012 Declaration of Bonnie L. Jarrett.) We notified Plaintiffs' counsel, who then requested that the information on line 25 be redacted. A copy of the relevant page, both without redactions and with the requested redactions highlighted, is enclosed for the Court's consideration.

We thank the Court for its consideration of this matter.

Sincerely,

Dale M. Cendali

Enclosure

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

Gr... had.
Denise Cote
2/15/13