

## **EXHIBIT H**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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J.T. COLBY & COMPANY, INC.  
d/b/a BRICK TOWER PRESS, J.  
BOYLSTON & COMPANY, PUBLISHERS  
LLC and IPICTUREBOOKS, LLC,

Plaintiff,

vs.

No. 11-cv-4060

APPLE, INC.,

Defendant.

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CONFIDENTIAL

VIDEOTAPED DEPOSITION OF  
30(b)(6) JOHN T. COLBY, JR.  
New York, New York  
Wednesday, July 18, 2012  
10:20 a.m.

Reported by:  
Jennifer Ocampo-Guzman, CRR, CLR

Ref: 7845

1 Confidential-Colby

2 Q. There's no reference on this list  
3 to the name of the imprint; isn't that true?

4 A. On this list, that's right.

5 Q. And that's because it's not  
6 important to consumers to even tell them what  
7 the imprint is, you just told them the name  
8 of book and the author and the price, right?

9 MR. CHATTORAJ: Objection.

10 A. The website is designed to help the  
11 authors market their own books.

12 Q. And isn't it true that even if you  
13 were to click on one of the codes next to  
14 these titles, it still wouldn't tell you the  
15 name of the imprint?

16 MR. CHATTORAJ: Objection.

17 A. The way the site works right now,  
18 that's true.

19 Q. And so on your own website,  
20 BrickTowerPress.com, there's only a reference  
21 to a single iBooks and none of the books  
22 listed in the book sellers' section even give  
23 the imprint; isn't that right?

24 MR. CHATTORAJ: Objection.

25 A. As the site works right now, yes,