

## **EXHIBIT G**

IN THE UNITED STATES DISTRICT COURT  
FOR THE 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,

CASE NO.  
11-CIV-4060 (DLC)

v.  
APPLE, INC.,  
Defendant.

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VIDEOTAPED DEPOSITION OF

RICHARD FREESE

September 25, 2012

Prince Frederick, Maryland

2:04 p.m.

REPORTED BY:

Lori J. Goodin

REF: 8254

1 the way I describe it.

2 Basically what happens is, when a  
3 brand becomes a trusted brand and you are looking  
4 for something else, you know, if you have read  
5 books by that publisher, that brand, before, you  
6 will look at it and say well, maybe I can, you  
7 know, I know that publisher, I like their books.  
8 Let me, you know, I will give it a look. I will  
9 think about it.

10 I think, you know, if I asked you,  
11 and actually you all are involved in this case,  
12 so you probably know it already, but before you  
13 started in this case, did you know who Random  
14 House was or did you know who Simon & Schuster  
15 was?

16 You have seen their logos for  
17 decades in the New York Times and in the New  
18 Yorker, and they mean something.

19 And, to me at least when I was  
20 signing ibooks and I was signing Byron Preiss,  
21 Byron was a brand within the industry, because of  
22 the quality that he had brought in his publishing

1 and the author list that he had.

2 So, to me, you know, buyers get,  
3 they see as many buyers as they will see every  
4 month. And they have a stack of buy cards that  
5 are in folders. And the most important  
6 publisher, the most important trusted sources is  
7 the top folder. And the discretionary, if I have  
8 any money left over, is the bottom folder, you  
9 know, and there may be 30 of them.

10 And my goal was always to get  
11 publishers that were top of the pile instead of  
12 bottom of the pile.

13 And I have, you know, with the  
14 author list that ibooks had and the brand  
15 recognition that those authors have. I mean they  
16 made the Foundation movie for Asimov what, three  
17 or four years ago. That book is 25, 30-year old.

18 BY MR. RASKOPF:

19 Q. Right.

20 A. You know, it is -- so, my answer is,  
21 I think that the, if you lock up authors and you  
22 have the right authors, the authors define the

1 brand and then the brand begins to define the new  
2 authors.

3 MR. RASKOPF: I have nothing  
4 further.

5 EXAMINATION

6 BY MS. JARRETT:

7 Q. I have just a couple of follow-up  
8 questions.

9 A. Okay.

10 Q. You mentioned logos and their  
11 meanings.

12 A. Uh-huh.

13 Q. Here at Recorded Books, do you, do  
14 you only distribute books digitally or is it also  
15 on tape or CD?

16 A. We still do Cds. We still do  
17 cassettes, if you can believe it.

18 Q. Do any of those products feature the  
19 hard copy, for lack of a better term, publisher's  
20 logo, i.e. Random House?

21 A. Any of the distributed, every one of  
22 the distributed does. And ours do, and in fact