

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**

PARTHA P. CHATTORAJ, hereby declares, under penalty of perjury, pursuant to 28 U.S.C. § 1746, as follows:

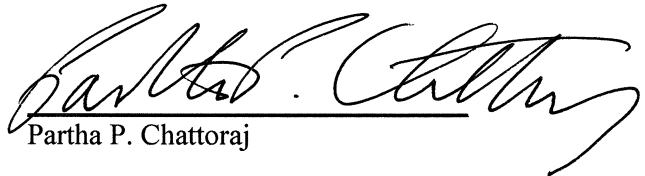
1. I am a member in good standing of the Bar of this Court and New York State and a partner in the law firm Allegaert Berger & Vogel LLP, co-counsel for Plaintiffs in the above-referenced matter. I am over eighteen years of age, and not a party to this matter.

2. On Friday, December 21, 2012, I caused to be served on Defendant's counsel (1) Plaintiffs' Notice of Motion to Exclude the Testimony of Defendant's Expert Witness Gregory S. Carpenter, dated December 21, 2012; (2) the Declaration of Claudia T. Bogdanos in Support of Plaintiffs' Motion to Exclude the Testimony of Defendant's Expert Witness Gregory S. Carpenter, dated December 21, 2012; (3) Plaintiffs' Memorandum of Law in Support of Plaintiffs' Motion to Exclude the Testimony of Defendant Apple Inc.'s Expert Witness Gregory S. Carpenter, dated December 21, 2012; (4) Plaintiffs' Notice of Motion to Exclude the Testimony of Defendant's Expert Witness E. Deborah Jay, dated December 21, 2012; (5) Plaintiffs' Notice of Motion to Exclude the Testimony of Defendant's Expert Witness Stephen M. Nowlis, dated December 21, 2012; (6) the Declaration of Claudia T. Bogdanos in Support of Plaintiffs' Motions to Exclude the Testimony of Defendant's Expert Witnesses E. Deborah Jay and Stephen M. Nowlis, dated December 21, 2012; (7) Plaintiffs' Memorandum of Law in Support of

Plaintiffs' Motions to Exclude the Testimony of Defendant Apple Inc.'s Expert Witnesses E. Deborah Jay and Stephen M. Nowlis, dated December 21, 2012; (8) Plaintiffs' Notice of Motion for Partial Summary Judgment; (9) the Declaration of Partha P. Chattoraj in Support of Plaintiffs' Motion for Partial Summary Judgment; (10) Plaintiffs' Memorandum of Law in Support of their Motion for Partial Summary Judgment Against Defendant Apple Inc.; and (11) Plaintiffs' Local Civil Rule 56.1 Statement of Undisputed Material Facts in Support of their Motion for Partial Summary Judgment, by placing true and correct copies of said documents in two large FedEx boxes, one addressed to Dale M. Cendali, Esq., Kirkland & Ellis, LLP, 601 Lexington Avenue, New York, New York, 10022 and one to Perry J. Viscounty, Esq., Latham & Watkins LLP, 140 Scott Drive, Menlo Park, California 94025, sealing those boxes and providing them to an official FedEx facility at 8:45 PM tonight for delivery on Monday, December 24, as previously agreed with Defendant's counsel. In addition, on December 21, 2012, I uploaded 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  
December 21, 2012

  
Partha P. Chattoraj