

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.

Case No. 11-cv-4060 (DLC)

**NOTICE OF MOTION FOR
PARTIAL SUMMARY JUDGMENT**

PLEASE TAKE NOTICE that, upon the accompanying (1) Declaration of Partha P. Chatteraj in Support of Plaintiffs J.T. Colby & Company, Inc. d/b/a/ Brick Tower Press, J. Boylston & Company, Publishers LLC and ipicturebooks LLC’s (“Plaintiffs”) Motion for Partial Summary Judgment, dated December 21, 2012; (2) Plaintiffs’ Local Rule 56.1 Statement of Undisputed Material Facts in Support of their Motion for Partial Summary Judgment, dated December 21, 2012, and (3) Plaintiffs’ Memorandum of Law in Support of their Motion for Partial Summary Judgment Against Defendant Apple Inc., dated December 21, 2012, and upon all other papers and proceedings had herein, Plaintiffs, by their attorneys, hereby move the Court for an order, pursuant to Rule 56 of the Federal Rules of Civil Procedure, granting their motion for partial summary judgment against Defendant Apple Inc., and for such other and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court’s Scheduling Order dated May 2, 2012, opposition memoranda and affidavits shall be served on January 25,

2013, and reply memoranda and affidavits shall be served on February 5, 2013.

Dated: New York, New York
December 21, 2012

Respectfully submitted,

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