

EXHIBIT 70

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
3

4 J.T. COLBY & COMPANY, INC.,
5 d/b/a BRICK TOWER PRESS,
6 J. BOYLSTON & COMPANY,
7 PUBLISHERS, LLC and
8 IPICTUREBOOKS, LLC,
9

10 Plaintiff,

11 vs.

Case No. 11-CIV4060 (DLC)

12 APPLE, INC.,
13

14 Defendant.
15 -----/
16

17 HIGHLY CONFIDENTIAL PURSUANT TO PROTECTIVE ORDER
18 Attorneys' Eyes Only Confidential Pages 300 - 302
19 VIDEOTAPED DEPOSITION OF THOMAS LA PERLE
20 30(b)(6) Capacity
21 Redwood Shores, California
22 Wednesday, September 19, 2012
23
24
25

Reported by:

LORRIE L. MARCHANT, CSR No. 10523

RPR, CRR, CCRR, CLR

JOB NO. 53418

1 to you complaining that you put this on her -- her
2 docket.

3 Are users of the iBooks software
4 application required to be online in order to read
5 books through the iBook software application offered
6 by Apple?

7 A. We have to be online to -- to download
8 books that you purchase at iBookstore.

9 Q. But once you've done so, can you be
10 offline?

11 A. Yes.

12 Q. Can I read a book through an iBooks app in
13 the subway, where there's no cell service?

14 A. Yes.

15 Q. Do I have to make sure I leave my browser
16 open?

17 A. No. But you do have to have iBooks open.

18 Q. But if I were to read a Web site through my
19 browser, and then the subway goes underground and I
20 lose my cell signal, if I leave my browser open, I
21 can read -- I can still read the page that was
22 there; right?

23 A. Assuming that it's been fully downloaded
24 and cached in your system, yes.

25 Q. I'm actually referring to Apple's iPad