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APPLE INC.

**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-CIV-4060 (DLC)

ECF Case

**DECLARATION OF CLAUDIA RAY IN OPPOSITION TO PLAINTIFFS' MOTION TO
EXCLUDE THE TESTIMONY, INCLUDING AFFIDAVITS, DECLARATIONS, AND
REPORTS OF DEFENDANT'S EXPERT WITNESS GREGORY S. CARPENTER**

I, Claudia Ray, declare as follows:

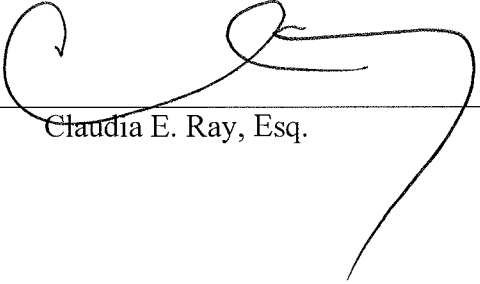
1. I am a partner at the law firm of Kirkland & Ellis LLP, counsel of record for the Defendant Apple Inc. (“Apple”). I am licensed in the State of New York and admitted to practice before this Court. I submit this declaration in opposition to Plaintiffs’ Motion to Exclude the Testimony, Including Affidavits, Declarations, and Reports of Defendant’s Expert Witness Gregory S. Carpenter.

2. Attached hereto behind the tab “Carpenter Dep.” are true and correct copies of excerpts from the transcript of the November 21, 2012 Deposition of Gregory S. Carpenter, Ph.D.

3. Attached hereto behind the tab “McDonald Dep.” are true and correct copies of excerpts from the transcript of the December 12, 2012 Deposition of Dr. Susan Schwartz McDonald.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 25, 2013
New York, NY



Claudia E. Ray, Esq.