

# **EXHIBIT B**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,  
  
                                Plaintiff,                CASE NO.  
  
                                vs.                                12-CV-2826 (DLC)  
  
APPLE INC., et. al,  
  
                                Defendants.  
-----x

\*\*HIGHLY CONFIDENTIAL\*\*

VIDEOTAPED DEPOSITION OF KEVIN SAUL

FRIDAY, FEBRUARY 22, 2013

9:11 A.M.

REPORTED BY:  
KIMBERLEE SCHROEDER, CSR, RPR, CCRR  
JOB NO. 28893

1 04:45:13 EXAMINATION

2 04:45:13 BY MR. SNYDER:

3 04:45:14 Q. Good afternoon, Mr. Saul. I just have a few

4 04:45:17 follow-up questions.

5 04:45:18 Do you recall being asked questions about Tim

6 04:45:25 Cook during your deposition?

7 04:45:27 A. Yes.

8 04:45:27 Q. So I have a few follow-up questions on that

9 04:45:30 subject.

10 04:45:31 Sir, did you ever discuss with Tim Cook in

11 04:45:35 any manner the subject of e-books?

12 04:45:37 A. No.

13 04:45:37 Q. And am I correct, sir, you told Mr. Buterman

14 04:45:42 you were the lead attorney for Apple in the agency

15 04:45:47 agreement negotiations with the publishers?

16 04:45:51 A. That's correct.

17 04:45:51 Q. Based on that role as the lead attorney, to

18 04:45:54 your knowledge, was Mr. Cook involved in any way in

19 04:46:00 the e-book negotiations?

20 04:46:01 A. No.

21 04:46:03 MR. BUTERMAN: Objection to form.

22 04:46:04 MR. SNYDER: Q. To your knowledge, based on

23 04:46:06 what you read and saw, conversations you had at the

24 04:46:09 company, was Mr. Cook involved in a single internal

25 04:46:12 discussion at Apple concerning the e-book negotiations

1 04:46:15 with the publishers?

2 04:46:17 A. No.

3 04:46:18 MR. BUTERMAN: Objection to form.

4 04:46:22 MR. SNYDER: Q. Now, to your knowledge, sir,

5 04:46:24 based on your role as the lead lawyer in the agency

6 04:46:28 agreement negotiations, to your knowledge, did

7 04:46:29 Mr. Cook and Steve Jobs have a single discussion about

8 04:46:33 the agency agreement negotiations?

9 04:46:36 MR. BUTERMAN: Objection. Foundation.

10 04:46:37 THE WITNESS: No.

11 04:46:38 MR. SNYDER: Q. To your knowledge --

12 04:46:42 withdrawn.

13 04:46:43 Did you have frequent contact with Mr. Cue in

14 04:46:48 December and January during the negotiations?

15 04:46:50 A. Yes.

16 04:46:50 Q. And numerous conversations in person and on

17 04:46:54 the phone?

18 04:46:54 A. Yes.

19 04:46:55 Q. Numerous e-mails?

20 04:46:56 A. Yes.

21 04:46:56 Q. And based on the communications you had with

22 04:46:59 Mr. Cue -- withdrawn.

23 04:47:03 Were those communications in December and

24 04:47:06 January concerning the agency agreements and the

25 04:47:08 negotiations?

1 04:47:10 A. Yes.

2 04:47:10 Q. And based on those conversations with

3 04:47:13 Mr. Cue, to your knowledge, did Mr. Cue have a single

4 04:47:16 discussion with Mr. Cook in December or January about

5 04:47:21 the agency negotiations?

6 04:47:23 MR. BUTERMAN: Objection to form.

7 04:47:24 THE WITNESS: No.

8 04:47:26 MR. SNYDER: Q. To your knowledge, did

9 04:47:27 Mr. Cook and Mr. Cue have a single conversation in

10 04:47:29 December or January about e-books?

11 04:47:33 MR. BUTERMAN: Objection to form.

12 04:47:34 THE WITNESS: No.

13 04:47:36 MR. SNYDER: Q. To your knowledge, sir, did

14 04:48:00 Mr. Cook have input into any decision that was made

15 04:48:04 during the course of the negotiations with the

16 04:48:07 publishers in December and January?

17 04:48:08 MR. BUTERMAN: Objection to form.

18 04:48:09 THE WITNESS: No.

19 04:48:09 MR. SNYDER: I have nothing further. Thanks.

20 04:48:21 MR. BUTERMAN: Do you want me to move back?

21 04:48:23 I have one question.

22 04:48:24 MR. SNYDER: No.

23 04:48:25 MR. BUTERMAN: Okay. You can still look at

24 04:48:26 the camera so we're not off here.