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16 UNITED STATES DISTRICT COURT
17 CENTRAL DISTRICT OF CALIFORNIA
18 EASTERN DIVISION

19 IN THE MATTER OF THE SEARCH
20 OF AN APPLE IPHONE SEIZED
DURING THE EXECUTION OF A
21 SEARCH WARRANT ON A BLACK
LEXUS IS300, CALIFORNIA
22 LICENSE PLATE 35KGD203

ED No. CM 16-10 (SP)

**DECLARATION OF ROBERT
FERRINI IN SUPPORT OF APPLE
INC.'S REPLY IN SUPPORT OF
MOTION TO VACATE ORDER
COMPELLING APPLE INC. TO
ASSIST AGENTS IN SEARCH**

Hearing:

Date: March 22, 2016
Time: 1:00 p.m.
Place: Courtroom 3 or 4
Judge: Hon. Sheri Pym

1 I, Robert Ferrini, declare:

2 1. I am over the age of eighteen years and am competent and authorized to
3 make this declaration. I have personal knowledge of the facts set forth below. If
4 called as a witness, I would and could testify to the statements and facts contained
5 herein, all of which are true and accurate to the best of my knowledge and belief.

6 2. I have worked at Apple Inc. (“Apple”) since 2012. My current title is
7 Senior Director, Worldwide Advertising & Planning. In that role I oversee the
8 development of Apple’s marketing strategy and all of Apple’s advertising activities
9 worldwide.

10 3. I received a Bachelor of Arts in Marketing and Communication studies
11 from Fairfield University.

12 4. I have reviewed the Government’s Reply in Support of Motion to Compel
13 and Opposition to Apple Inc.’s Motion to Vacate Order in which the Government
14 claims that Apple has advertised the ability of Apple’s software to block law-
15 enforcement requests for access to the contents of its devices. This claim is false.

16 5. Since the introduction of iOS 8 in October 2014, Apple has placed
17 approximately 1,793 advertisements worldwide—627 in the United States alone—of
18 different types, including, print ads, television ads, online ads, cinema ads, radio ads
19 and billboards. Those advertisements have generated an estimated 253 billion
20 impressions worldwide and 99 billion impressions in the United States alone (an
21 impression is an estimate of the number of times an ad is viewed or displayed online).

22 6. Of those advertisements, not a single one has ever advertised or promoted
23 the ability of Apple’s software to block law enforcement requests for access to the
24 contents of Apple devices.

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1 7. Indeed, only three of those advertisements reference security at all, and all
2 three relate to the Apple Pay service, and then only to say that Apple Pay is “safer
3 than a credit card, and keeps your info yours.”

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5 Executed this 15th day of March 2016 in Cupertino, California.

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8 By: _____
9 Robert Ferrini
10 Senior Director, Worldwide
11 Advertising & Planning
12 Apple Inc.

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