

1 THEODORE J. BOUTROUS JR., SBN 132099  
tboutrous@gibsondunn.com  
2 NICOLA T. HANNA, SBN 130694  
nhanna@gibsondunn.com  
3 ERIC D. VANDEVELDE, SBN 240699  
evandeveld@ibsondunn.com  
4 GIBSON, DUNN & CRUTCHER LLP  
333 South Grand Avenue  
5 Los Angeles, CA 90071-3197  
Telephone: 213.229.7000  
6 Facsimile: 213.229.7520

7 THEODORE B. OLSON, SBN 38137  
tolson@gibsondunn.com  
8 1050 Connecticut Avenue, N.W.  
Washington, DC 20036-5306  
9 Telephone: 202.955.8500  
Facsimile: 202.467.0539

10 MARC J. ZWILLINGER\*  
11 marc@zwillgen.com  
JEFFREY G. LANDIS\*  
12 jeff@zwillgen.com  
ZWILLGEN PLLC  
13 1900 M Street N.W., Suite 250  
Washington, D.C. 20036  
14 Telephone: 202.706.5202  
Facsimile: 202.706.5298  
15 \*Admitted *Pro Hac Vice*

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.

25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

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

By:   
Robert Ferrini  
Senior Director, Worldwide  
Advertising & Planning  
Apple Inc.