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14 **UNITED STATES DISTRICT COURT**
15 **CENTRAL DISTRICT OF CALIFORNIA**
16 **WESTERN DIVISION**

17 **SECURITIES AND EXCHANGE**
18 **COMMISSION,**

19 **Plaintiff,**

20 **vs.**

21 **TITANIUM BLOCKCHAIN**
22 **INFRASTRUCTURE SERVICES,**
23 **INC.; EHI INTERNETWORK AND**
24 **SYSTEMS MANAGEMENT, INC.**
25 **aka EHI-INSM, INC.; and MICHAEL**
26 **ALAN STOLLERY aka MICHAEL**
27 **STOLLAIRE,**

28 **Defendants.**

Case No. **CV18-4315-DSF(JPRx)**
DECLARATION OF GENE D.
LEVOFF

DECLARATION OF GENE D. LEVOFF

I, Gene D. Levoff, declare, pursuant to 28 U.S.C. § 1746, as follows:

1. I am employed by Apple Inc. (“Apple”) as the Associate General Counsel, Corporate Law and Corporate Secretary. The facts stated below are personally known to me and, if called as a witness, I could and would testify to the truth of these facts under oath.

2. I make this declaration at the request of the United States Securities and Exchange Commission (“SEC”).

3. Apple designs, manufactures and markets mobile communication and media devices and personal computers, and sells a variety of related software, services, accessories, networking solutions and third-party digital content and applications. Apple’s products and services include iPhone®, iPad®, Mac®, Apple Watch®, Apple TV®, a portfolio of consumer and professional software applications, iOS, macOS®, watchOS® and tvOS™ operating systems, iCloud®, Apple Pay® and a variety of accessory, service and support offerings. Apple sells and delivers digital content and applications through the iTunes Store®, App Store®, Mac App Store, TV App Store, iBooks Store® and Apple Music®. Apple sells its products worldwide through its retail stores, online stores and direct sales force, as well as through third-party cellular network carriers, wholesalers, retailers and value-added resellers. In addition, Apple sells a variety of third-party Apple-compatible products, including application software and various accessories through its retail and online stores. Apple sells to consumers, small and mid-sized businesses and education, enterprise and government customers.

4. On or about February 6, 2018, the SEC requested that Apple provide it with certain information concerning companies called Titanium Blockchain Infrastructure Services, Inc. (“TBIS”) and EHI Internetwork and Systems Management, Inc. (“EHI”), and an individual named Michael Stollaire aka Michael Stollery or Michael Stoller (“Stollaire”).

1 5. In my capacity as the Associate General Counsel, Corporate Law and
2 Corporate Secretary of Apple, I am required, periodically and as needed, to become
3 familiar with the entities with which Apple has contracts, agreements, and/or other
4 substantive business relationships, including alliances. In addition, in my capacity as
5 the Associate General Counsel, Corporate Law and Corporate Secretary of Apple, I
6 share responsibility with other members of Apple's legal department, intellectual
7 property counsel, and others to protect Apple's trade name, trademarks, and service
8 marks from infringement and other unauthorized uses by third parties.

9 6. Apple keeps and maintains business records in the course of its
10 transactions and regularly conducted activities as a regular practice. It is Apple's
11 practice to prepare such records at or near the time of the occurrence of the matters
12 set forth by, or from information transmitted by, a person with knowledge of those
13 matters. Apple maintains books and records of entities and persons with which it has
14 contracts, agreements, and/or other substantive business relationships, such as the
15 purchase and sale of a product or service, making an investment, or entering into an
16 alliance, including authorized uses by third parties of its trade name, trademarks, and
17 service marks. Apple also maintains books and records of entities and persons with
18 which it has engaged as an employee, vendor, contractor, or consultant. For the
19 purposes of this declaration, as the Associate General Counsel, Corporate Law and
20 Corporate Secretary of Apple, I am the custodian of those records or am otherwise
21 qualified to testify about them. Apple's books and records are current as of the date
22 of this declaration.

23 7. In response to the SEC's request, and at my direction, certain of Apple's
24 personnel reviewed certain of Apple's books, records, files, and computer systems
25 that might reasonably be expected to have information related to any business
26 relationship with TBIS or EHI or Stollaire including as a customer, client, vendor,
27 employee, contractor, consultant, or other type of business relationship (the
28 "Records").

1 8. To my knowledge, the review of the Records did not identify any current
2 or past business relationship of any kind between Apple and TBIS or EHI or
3 Stollaire, except that Stollaire is an ordinary course customer of Apple, has posted
4 songs on the iTunes Store, and has two free Apple “iTunes Connect” developer
5 accounts.

6 9. To my knowledge, the review of the Records did not identify that Apple
7 has ever authorized TBIS or EHI or Stollaire to use Apple’s name or logo in their
8 marketing or advertising. The “Apple” name and logo are the intellectual property of
9 Apple. Apple considers a third-party’s unauthorized use of the “Apple” name or logo
10 in marketing or advertising as an infringement of its intellectual property.

11 I declare under penalty of perjury under the laws of the United States of
12 America that the foregoing is true and correct.

13 Executed this 15th day of March, 2018 at San Carlos, California.

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Gene D. Levoff