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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

ASHLEY GJOVIK,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. 23-cv-4597-EMC

DEFENDANT APPLE INC.'S AMENDED RESPONSES TO PLAINTIFF'S INTERROGATORIES, SET THREE

PROPOUNDING PARTY: Plaintiff Ashley Gjovik

RESPONDING PARTY: Defendant Apple Inc.

SET NUMBER: Three

Defendant Apple Inc. ("Apple") amends responses to Plaintiff Ashley Gjovik's Interrogatories, Set Three, served on July 17, 2025, as follows, pursuant to the Court's March 30, 206 Order (Dkt. No. 327):

INTERROGATORY NO. 3:

Do You contend that Plaintiff engaged in any "protected activity" as defined under federal or state whistleblower, retaliation, or labor laws during her employment with Apple?

(a) If yes, identify each such activity with date ranges for the acknowledged activity.

(b) If no, state that You contend Plaintiff engaged in no protected activities.

AMENDED RESPONSE TO INTERROGATORY NO. 3:

Apple objects to this Interrogatory (and each of the discrete subparts therein) on the grounds that Plaintiff defines "You" as "Employer Apple Inc and its counsel." Apple objects to this definition to the extent it includes Apple's counsel as it seeks to invade the attorney-client privilege.

Apple objects to this Interrogatory (and each of the discrete subparts therein) on the grounds that it is vague, overly broad, and unduly burdensome, particularly in its request that Apple identify "any protected activity" Plaintiff ever engaged in at any point during her employment with Apple. *See Aldapa v. Fowler Packing Co. Inc.*, 310 F.R.D. 583, 591 (E.D. Cal. 2015) (citations omitted) ("Contention interrogatories should not require a party to provide the equivalent of a narrative account of its case, including every evidentiary fact, details of testimony of supporting witnesses, and the contents of supporting documents."); *Moses v. Halstead*, 236 F.R.D. 667, 672 (D. Kan. 2006) ("On numerous occasions this Court has held that a request or interrogatory is overly broad or unduly burdensome on its face if it (1) uses an omnibus term such as 'relating to' or 'concerning,' and (2) applies to a general category or group of documents or a broad range of information. Here, the term 'concerning' modifies an enormous amount of information, i.e., all issues raised in the pleadings. The Court therefore finds Allstate's overbreadth objection to be valid."). Apple objects to this Interrogatory (and each of the discrete subparts therein) to the extent it seeks a complete statement of Apple's positions as to particular issues.

Apple objects to this Interrogatory (and each of the discrete subparts therein) on the grounds that it seeks a legal conclusion about whether any of Plaintiff's concerns qualify as a "protected activity" under any "federal or state whistleblower, retaliation, or labor laws."

Apple objects to this Interrogatory (and each of the discrete subparts therein) to the extent it seeks information regarding issues on which Plaintiff has the burden of proof and must herself identify as part of substantiating her claims in this case as a precursor to Apple being in a position to frame its responses and defenses.

Subject to and without waiving any of the foregoing objections and pursuant to the Court's March 30, 2026 Order (Dkt. No. 327 § I.A.iii.), and construing this vague and overbroad Interrogatory to ask whether Plaintiff ever raised any concerns that may be construed as protected under federal or state whistleblower, retaliation, or labor laws, Apple responds as follows:

Apple does not dispute that Plaintiff raised concerns during her employment with Apple, at least some of which may be construed as protected activity as defined under federal or state whistleblower, retaliation, or labor laws.

(a) On August 23, 2021, Plaintiff provided Apple Employee Relations a 34-page "Issue Confirmation" document summarizing all concerns she had during her employment with Apple ranging from 2015 through 2021, including dates of communications with others about her concerns spanning a six-year period. In that document, Plaintiff also identified specific communications within that six-year span she alleges constitute protected activity under various laws. Pursuant to Federal Rule of Civil Procedure 33(d), Apple refers Plaintiff to the Issue Confirmation document, produced by Plaintiff at Bates number 01673-01710 and produced by Apple at APL-GAELG_00001760-1793.

INTERROGATORY NO. 4:

Regarding Plaintiff's Recent Disclosures concerning Workplace Safety:

(a) Identify all such communications You are aware of;

(b) State when You first became aware of each such communication;

(c) Identify all Persons at Apple who received, reviewed, or discussed each such communication;

(d) Describe all actions taken by Apple in response to each such communication, including but not limited to investigations, reviews, escalations, document creation, and any changes to policies or procedures;

(e) Identify any documents relating to the actions described in subpart (d).

AMENDED RESPONSE TO INTERROGATORY NO. 4:

Apple amends its response to this interrogatory pursuant to the Court's March 30, 2026 Order . *See* Dkt. No. 327 § I.A.iii. Notwithstanding the Court's direction to Apple to amend its response to this interrogatory, Plaintiff did not provide the Court with the Interrogatory in support of her discovery letter brief and thus the Court did not have the ability to rule on the scope, validity, or form of this Interrogatory. *See id.* at 3:9-10 ("Although Plaintiff seeks supplemental responses to Interrogatory Nos. 3-16, she only attached Interrogatory No. 3 to her letter. Thus, the Court cannot possibly address Interrogatory Nos. 4-16.").

Apple objects to this Interrogatory because it contains multiple "discrete subparts" embedded within a vague, compound, and overbroad definition of "Workplace Safety" – what are in effect multiple separate interrogatories. *See Synopsys, Inc. v. ATopTech, Inc*, 319 F.R.D. 293, 295 (N.D. Cal. 2016) ("It is important to acknowledge at the outset that the issue of 'discreteness' cannot reliably be captured by a verbal formula, and that ultimately the issue turns on a case-by-case assessment of the degree to which the subpart is logically related to the primary question in the interrogatory, as opposed to being separate and distinct.") (quoting *Erfindergemeinschaft Uropep GbR v. Eli Lilly & Co.*, 315 F.R.D. 191, 197 (E.D. Tex. 2016)). Plaintiff's vague, compound, and overbroad definition of "Workplace Safety" includes at least eight separate lines of inquiry related to unidentified "hazardous working conditions, safety violations, workplace injuries or illnesses, exposure to toxic or hazardous substances, exposure to biological agents (for example, COVID-19), unsafe equipment or facilities, safety training and planning deficiencies, and compliance with OSHA or other workplace safety regulations."

Apple objects to subparts (a) and (b) of this Interrogatory on the grounds that Plaintiff defines "You" as "Employer Apple Inc and its counsel." Apple objects to this definition to the extent it includes Apple's counsel as it seeks to invade the attorney-client privilege.

Apple objects to subpart (c) of this Interrogatory on the grounds that Plaintiff defines "Persons" as not only Apple employees, but also "agents, contractors, consultants, and any other individuals acting on behalf of Apple" which is overly broad.

Apple objects to this Interrogatory (and each of the discrete subparts therein) on the grounds that it is vague, compound, overly broad in time and scope, unduly burdensome, and not proportional to the needs of the case. Plaintiff's definition of "Workplace Safety"—to include "occupational health and safety matters including but not limited to hazardous working conditions, safety violations, workplace injuries or illnesses, exposure to toxic or hazardous substances, exposure to biological agents (for example, COVID-19), unsafe equipment or facilities, safety training and planning deficiencies, and compliance with OSHA or other workplace safety regulations"—is overbroad, vague, and burdensome. Plaintiff defines "Disclosure" to encompass any communication she ever made to anyone, including social media posts, and then asks Apple to confirm all people who may have seen or heard of any statement she made during her employment. Plaintiff's Interrogatory is facially vague, compound, overbroad, and deficient. *See Moses v. Halstead*, 236 F.R.D. 667, 672 (D. Kan. 2006) ("On numerous occasions this Court has held that a request or interrogatory is overly broad or unduly burdensome on its face if it (1) uses an omnibus term such as 'relating to' or 'concerning,' and (2) applies to a general category or group of documents or a broad range of information. Here, the term 'concerning' modifies an enormous amount of information, i.e., all issues raised in the pleadings. The Court therefore finds Allstate's overbreadth objection to be valid.").

Apple objects to this Interrogatory (and each of the discrete subparts therein) to the extent it seeks information not within Apple's possession, custody, or control, including information held by former employees.

Subject to and without waiving any of the foregoing objections, Apple responds as follows:

(a)-(b) Pursuant to Federal Rule of Civil Procedure 33(d), Apple refers Plaintiff to the Box folders she created and shared with Apple that she asserted contained the requested information regarding concerns that Plaintiff may contend fall within her definition of "Workplace Safety."

(c) The most knowledgeable persons regarding Plaintiff's concerns that Plaintiff may contend fall within her definition of "Workplace Safety" are: Plaintiff, Antoine Jain, Michael Stieger, Dori Farrah, Helen Polkes, Ekelemchi Okpo, Jenna Waibel, Dave Powers, Jane Markham, Paul Shinhira, Bhava Avula, and Austin DeBaene.

(d) Apple EH&S employees, including Michael Steiger and Antoine Jain, met with Plaintiff multiple times to understand and address some of her concerns that Plaintiff may contend fall within her definition of "Workplace Safety", and continued to work with her to address her concerns until the termination of her employment. Apple Human Resources, Benefits, and Accommodations personnel, including Jenna Waibel, discussed Plaintiff's request for accommodations based on her concerns. Apple Human Resources employee Dori Farrah reached out to Plaintiff to understand and address other concerns that Plaintiff may contend fall within her definition of "Workplace Safety." Dave Powers, Jane Markham, Paul Shinhira, Bhava Avula, and Austin DeBaene had communications with Plaintiff about other concerns that Plaintiff may contend fall within her definition of "Workplace Safety."

(e) Pursuant to Federal Rule of Civil Procedure 33(d), Apple refers Plaintiff to the Box folders she created and shared with Apple that she asserted contained the information relevant to concerns that Plaintiff may contend within her definition of "Workplace Safety." Apple also refers Plaintiff to the August 23, 2021 Issue Confirmation , produced by Plaintiff at Bates number 01673-01710 and produced by Apple at APL-GAELG_00001760-1793, and Apple's privilege logs.

INTERROGATORY NO. 5:

Regarding Plaintiff's Recent Disclosures concerning Environmental Regulations and Compliance,

(a) Identify all such communications You are aware of;

(b) State when You first became aware of each such communication;

(c) Identify all Persons at Apple who received, reviewed, or discussed each such communication;

(d) Describe all actions taken by Apple in response to each such communication, including but not limited to investigations, reviews, escalations, document creation, and any changes to

policies or procedures;

(e) Identify any documents relating to the actions described in subpart (d).

AMENDED RESPONSE TO INTERROGATORY NO. 5:

Apple amends its response to this interrogatory pursuant to the Court's March 30, 2026 Order . *See* Dkt. No. 327 § I.A.iii. Notwithstanding the Court's direction to Apple to amend its response to this interrogatory, Plaintiff did not provide the Court with the Interrogatory in support of her discovery letter brief and thus the Court did not have the ability to rule on the scope, validity, or form of this Interrogatory. *See id.* at 3:9-10.

Apple objects to this Interrogatory because it contains multiple "discrete subparts" embedded within a vague, compound, and overbroad definition of "Environmental Regulations and Compliance" – what are in effect multiple separate interrogatories. *See Synopsys*, 319 F.R.D. at 295. Plaintiff's vague, compound, and overbroad definition of "Environmental Regulations and Compliance" includes at least twelve separate lines of inquiry related to "to environmental contamination, pollution, hazardous waste generation and disposal, air quality, water quality, soil contamination, land use covenants, EPA records of decision, environmental impact assessments, environmental remediation, and compliance with other EPA or environmental regulations."

Apple objects to subparts (a) and (b) of this Interrogatory on the grounds that Plaintiff defines "You" as "Employer Apple Inc and its counsel." Apple objects to this definition to the extent it includes Apple's counsel as it seeks to invade the attorney-client privilege.

Apple objects to subpart (c) of this Interrogatory on the grounds that Plaintiff defines "Persons" as not only Apple employees, but also "agents, contractors, consultants, and any other individuals acting on behalf of Apple" which is overly broad.

Apple objects to this Interrogatory (and each of the discrete subparts therein) on the grounds that it is vague, compound, overly broad in time and scope, unduly burdensome, and not proportional to the needs of the case. Plaintiff's definition of "Environmental Regulations and Compliance"—to include "environmental contamination, pollution, hazardous waste generation and disposal, air quality, water quality, soil contamination, land use covenants, EPA records of decision, environmental impact assessments, environmental remediation, and compliance with

other EPA or environmental regulations"—is overbroad, vague, and burdensome. Plaintiff defines "Disclosure" to encompass any communication she ever made to anyone, including social media posts, and then asks Apple to confirm all people who may have seen or heard of any statement she made during her employment. Plaintiff's Interrogatory is facially vague, compound, overbroad, and deficient. *See Moses*, 236 F.R.D. at 672.

Apple objects to this Interrogatory (and each of the discrete subparts therein) to the extent it seeks information not within Apple's possession, custody, or control, including information held by former employees.

Subject to and without waiving any of the foregoing objections, Apple responds as follows:

(a)-(b) Pursuant to Federal Rule of Civil Procedure 33(d), Apple refers Plaintiff to the Box folders she created and shared with Apple that she asserted contained the information that Plaintiff may contend fall within her definition of "Environmental Regulations and Compliance."

(c) The most knowledgeable persons regarding Plaintiff's concerns that Plaintiff may contend fall within her definition of "Environmental Regulations and Compliance" are: Plaintiff, Antoine Jain, Michael Stieger, Helen Polkes, Ekelemchi Okpo, Jenna Waibel, Dave Powers, Jane Markham, Paul Shinhira, Bhava Avula, and Austin DeBaene.

(d) Apple EH&S employees, including Michael Steiger and Antoine Jain, met with Plaintiff multiple times to understand and address some of her concerns that Plaintiff may contend fall within her definition of "Environmental Regulations and Compliance", and continued to work with her to address these concerns until the termination of her employment. Apple Human Resources, Benefits, and Accommodations personnel, including Jenna Waibel, discussed Plaintiff's request for accommodations based on her concerns. Dave Powers, Jane Markham, Paul Shinhira, Bhava Avula, and Austin DeBaene had communications with Plaintiff about other concerns that Plaintiff may contend fall within her definition of "Environmental Regulations and Compliance."

(e) Pursuant to Federal Rule of Civil Procedure 33(d), Apple refers Plaintiff to the Box folders she created and shared with Apple that she asserted contained the information relevant to concerns that Plaintiff may contend fall within her definition of "Environmental Regulations and Compliance.". Apple also refers Plaintiff to the August 23, 2021 Issue Confirmation letter,

produced by Plaintiff at Bates number 01673-01710 and produced by Apple at APL-GAELG_00001760-1793, and Apple's privilege logs.

INTERROGATORY NO. 6:

Regarding Plaintiff's Actions and Disclosures concerning Labor Activities,

(a) Identify all such communications You are aware of;

(b) State when You first became aware of each such communication;

(c) Identify all Persons at Apple who received, reviewed, or discussed each such communication;

(d) Describe all actions taken by Apple in response to each such communication, including but not limited to investigations, reviews, escalations, document creation, and any changes to policies or procedures;

(e) Identify any documents relating to the actions described in subpart (d).

AMENDED RESPONSE TO INTERROGATORY NO. 6:

Apple amends its response to this interrogatory pursuant to the Court's March 30, 2026, Order. *See* Dkt. No. 327 § I.A.iii. Notwithstanding the Court's direction to Apple to amend its response to this interrogatory, Plaintiff did not provide the Court with the Interrogatory in support of her discovery letter brief and thus the Court did not have the ability to rule on the scope, validity, or form of this Interrogatory. *See id.* at 3:9-10.

Apple objects to this Interrogatory (and each of the discrete subparts therein) on the grounds that it is argumentative and seeks a legal conclusion about which, if any, of Plaintiff's communications qualify as protected concerted activity under unidentified labor laws because her definitional phrase "and other concerted activities for mutual aid or protection" suggests that each of the terms in the definition preceding that phrase are also "concerted activities for mutual aid or protection," which calls for a legal conclusion about the scope and coverage of the National Labor Relations Act or other labor laws.

Apple objects to this Interrogatory because it contains multiple "discrete subparts" embedded within a vague, compound, and overbroad definition of "Labor Activities" – what are in effect multiple separate interrogatories. *See Synopsys*, 319 F.R.D. at 295. Plaintiff's vague,

compound, and overbroad definition of "Labor Activities" includes at least seven separate lines of inquiry related to "employee organizing, workplace protests, employee petitions, unionization-related activities, inquiries about labor rights, complaints about potential violations of labor laws, and other concerted activities for mutual aid or protection."

Apple objects to subparts (a) and (b) of this Interrogatory on the grounds that Plaintiff defines "You" as "Employer Apple Inc and its counsel." Apple objects to this definition to the extent it includes Apple's counsel as it seeks to invade the attorney-client privilege.

Apple objects to subpart (c) of this Interrogatory on the grounds that Plaintiff defines "Persons" as not only Apple employees, but also "agents, contractors, consultants, and any other individuals acting on behalf of Apple" which is overly broad.

Apple objects to this Interrogatory (and each of the discrete subparts therein) on the grounds that it is vague, compound, overly broad in time and scope, unduly burdensome, and not proportional to the needs of the case. Plaintiff's definition of "Labor Activities"—to include "employee organizing, workplace protests, employee petitions, unionization-related activities, inquiries about labor rights, complaints about potential violations of labor laws, and other concerted activities for mutual aid or protection"—is overbroad, vague, and burdensome. Plaintiff defines "Disclosure" to encompass any communication she ever made to anyone, including social media posts, and then asks Apple to confirm people who may have seen or heard of any statement she made during her employment. Plaintiff does not define "Actions." Plaintiff defines "Disclosure" to encompass any communication she ever made to anyone, including social media posts, and then asks Apple to confirm all people who may have seen or heard of any statement she made during her employment. Plaintiff's Interrogatory is facially vague, compound, overbroad, and deficient. *See Moses,* 236 F.R.D. at 672.

Apple objects to this Interrogatory (and each of the discrete subparts therein) to the extent it seeks information not within Apple's possession, custody, or control, including information held by former employees.

Subject to and without waiving any of the foregoing objections, Apple responds as follows:

The only activity Apple is aware that may constitute "employee organizing, workplace protests, employee petitions, unionization-related activities, inquiries about labor rights, complaints about potential violations of labor laws, and other concerted activities for mutual aid or protection" (as opposed to actions related to Plaintiff's individual employment claims) relate to Apple's response to COVID-19, regarding which Plaintiff signed an employee petition and sent an email to Tim Cook and Deirdre O'Brien.

(a)-(b) Pursuant to Federal Rule of Civil Procedure 33(d), Apple refers Plaintiff to the Box folders she created and shared with Apple that she asserted contained the information relevant to facilitate the investigation of her concerns about Apple's response to COVID-19.

(c) The most knowledgeable persons regarding Plaintiff's concerns about Apple's response to COVID-19 are: Plaintiff and Dori Farrah.

(d) Apple Human Resources employee Dori Farrah reached out to Plaintiff to understand and address her concerns about Apple's response to COVID-19.

(e) Pursuant to Federal Rule of Civil Procedure 33(d), Apple refers Plaintiff to the Box folders she created and shared with Apple that she asserted contained the information relevant to facilitate to the investigation of her concerns about Apple's response to COVID-19.

INTERROGATORY NO. 7:

Regarding Plaintiff's Disclosures concerning Compliance with Federal White Collar Laws,

(a) Identify all such communications You are aware of;

(b) State when You first became aware of each such communication;

(c) Identify all Persons at Apple who received, reviewed, or discussed each such communication;

(d) Describe all actions taken by Apple in response to each such communication, including but not limited to investigations, reviews, escalations, document creation, and any changes to policies or procedures;

(e) Identify any documents relating to the actions described in subpart (d).

AMENDED RESPONSE TO INTERROGATORY NO. 7:

Apple amends its response to this interrogatory pursuant to the Court's March 30, 2026, Order . *See* Dkt. No. 327 § I.A.iii. Notwithstanding the Court's direction to Apple to amend its response to this interrogatory, Plaintiff did not provide the Court with the Interrogatory in support of her discovery letter brief and thus the Court did not have the ability to rule on the scope, validity, or form of this Interrogatory. *See id.* at 3:9-10.

Apple objects to this Interrogatory as vague on the grounds that Plaintiff does not define "Compliance with Federal White Collar Laws." Plaintiff did define "Federal White Collar Regulations," and Apple will respond assuming that is the term Plaintiff meant to include in the text of this Interrogatory.

Apple objects to this Interrogatory because it contains multiple "discrete subparts" embedded within a vague, compound, and overbroad definition of "Federal White Collar Regulations" – what are in effect multiple separate interrogatories. *See Synopsys*, 319 F.R.D. at 295. Plaintiff's vague, compound, and overbroad definition of "Federal White Collar Regulations" includes at least nine separate lines of inquiry related to "all federal white-collar laws including but not limited to sanctions, smuggling, wire fraud, obstruction of justice, witness intimidation, racketeering, antitrust, securities, and/or criminal laws."

Apple objects to subparts (a) and (b) of this Interrogatory on the grounds that Plaintiff defines "You" as "Employer Apple Inc and its counsel." Apple objects to this definition to the extent it includes Apple's counsel as it seeks to invade the attorney-client privilege.

Apple objects to subpart (c) of this Interrogatory on the grounds that Plaintiff defines "Persons" as not only Apple employees, but also "agents, contractors, consultants, and any other individuals acting on behalf of Apple" and is therefore overly broad.

Apple objects to this Interrogatory (and each of the discrete subparts therein) on the grounds that it is vague, compound, overly broad in time and scope, unduly burdensome, and not proportional to the needs of the case. Plaintiff's definition of "Federal White Collar Regulations"—to include "all federal white-collar laws including but not limited to sanctions, smuggling, wire fraud, obstruction of justice, witness intimidation, racketeering, antitrust, securities, and/or criminal laws"—is overbroad, vague, and burdensome. Plaintiff defines "Disclosure" to encompass any

communication she ever made to anyone, including social media posts, and then asks Apple to confirm all people who may have seen or heard of any statement she made during her employment. Plaintiff's Interrogatory is facially vague, compound, overbroad, and deficient. *See Moses*, 236 F.R.D. at 672.

Apple objects to this Interrogatory (and each of the discrete subparts therein) to the extent it seeks information not within Apple's possession, custody, or control, including information held by former employees.

Subject to and without waiving any of the foregoing objections, Apple responds as follows:

Apple is not aware of any "Disclosures" concerning "Federal White Collar Regulations." However, Plaintiff's August 23, 2021 Issue Confirmation characterizes some of her concerns as pertaining to alleged fraud, racketeering, organized witness tampering, organized intimidation, corporate corruption, cronyism, and nepotism, even though none of her allegations in that Issue Confirmation support any such inference. Apple assumes Plaintiff is referring to the issues presented in her August 23, 2021 Issue Confirmation and responds on that basis.

(a)-(b) Pursuant to Federal Rule of Civil Procedure 33(d), Apple refers Plaintiff to the Issue Confirmation document, produced by Plaintiff at Bates number 01673-01710 and produced by Apple at APL-GAELG_00001760-1793.

(c) The most knowledgeable persons regarding Plaintiff's concerns raised in her August 23, 2021 Issue Confirmation are: Plaintiff and Ekelemchi Okpo.

(d) Apple investigated the issues Plaintiff identified in the August 23, 2021 Issue Confirmation.

(e) Pursuant to Federal Rule of Civil Procedure 33(d), Apple refers Plaintiff to the Box folders she created and shared with Apple that she asserted contained the information relevant to facilitate the investigation of the issues raised in her August 23, 2021 Issue Confirmation, the Issue Confirmation, and Apple's privilege logs.

INTERROGATORY NO. 8:

Regarding Plaintiff's Disclosures concerning Privacy,

(a) Identify all such communications You are aware of;

(b) State when You first became aware of each such communication;

(c) Identify all Persons at Apple who received, reviewed, or discussed each such communication;

(d) Describe all actions taken by Apple in response to each such communication, including but not limited to investigations, reviews, escalations, document creation, and any changes to policies or procedures;

(e) Identify any documents relating to the actions described in subpart (d).

AMENDED RESPONSE TO INTERROGATORY NO. 8:

Apple amends its response to this interrogatory pursuant to the Court's March 30, 2026, Order . *See* Dkt. No. 327 § I.A.iii. Notwithstanding the Court's direction to Apple to amend its response to this interrogatory, Plaintiff did not provide the Court with the Interrogatory in support of her discovery letter brief and thus the Court did not have the ability to rule on the scope, validity, or form of this Interrogatory. *See id*. at 3:9-10.

Apple objects to this Interrogatory because it contains multiple "discrete subparts" embedded within a vague, compound, and overbroad definition of "Privacy" – what are in effect multiple separate interrogatories. *See Synopsys*, 319 F.R.D. at 295. Plaintiff's vague, compound, and overbroad definition of "Privacy" includes at least seven separate lines of inquiry related to "to employee privacy rights, employer searches and surveillance of employees, employer monitoring of employee activities at work and outside of work, employee personal data collection and protection, and California constitutional privacy rights."

Apple objects to subparts (a) and (b) of this Interrogatory on the grounds that Plaintiff defines "You" as "Employer Apple Inc and its counsel." Apple objects to this definition to the extent it includes Apple's counsel as it seeks to invade the attorney-client privilege.

Apple objects to subpart (c) of this Interrogatory on the grounds that Plaintiff defines "Persons" as not only Apple employees, but also "agents, contractors, consultants, and any other individuals acting on behalf of Apple" which is overly broad.

Apple objects to this Interrogatory (and each of the discrete subparts therein) on the grounds that it is vague, compound, overly broad in time and scope, unduly burdensome, and not

proportional to the needs of the case. Plaintiff's definition of "Privacy"—to include "employee privacy rights, employer searches and surveillance of employees, employer monitoring of employee activities at work and outside of work, employee personal data collection and protection, and California constitutional privacy rights"—is vague, overbroad and burdensome. Plaintiff defines "Disclosure" to encompass any communication she ever made to anyone, including social media posts, and then asks Apple to confirm all people who may have seen or heard of any statement she made during her employment. Plaintiff's Interrogatory is facially vague, compound, overbroad, and deficient. *See Moses*, 236 F.R.D. at 672.

Apple objects to this Interrogatory (and each of the discrete subparts therein) to the extent it seeks information not within Apple's possession, custody, or control, including information held by former employees.

Subject to and without waiving any of the foregoing objections, Apple responds as follows:

The only communications Apple is aware of pertaining to Plaintiff raising concerns about "Privacy" involve her public dissemination of confidential Apple product information.

(a)-(b) On August 20, 2021, Plaintiff told another Apple employee, Cher Scarlett, via text that she sent Zoe Schiffer of The Verge information and images pertaining to an internal Apple application and internal Apple user study. This communication was not reported to Apple until September 15, 2021. Additionally, between August 29, 2021, and September 15, 2021, Apple received four separate reports from other Apple employees that Plaintiff had publicly disclosed confidential information pertaining to an internal Apple application and internal Apple user studies. Plaintiff also publicly shared confidential Apple product information on her social media and in an article published online by The Verge.

(c) The most knowledgeable persons regarding Plaintiff's disclosure of Apple's confidential product information, the investigation thereof, and Plaintiff's termination are: Plaintiff, Robert Aloe, Yannick Bertolus, Aleks Kagaramanov, Ekelemchi Okpo, Megan Bowman.

(d) Apple investigated Plaintiff's breach of her confidentiality agreement and violation of Apple policies and terminated her employment.

(e) Pursuant to Federal Rule of Civil Procedure 33(d), Apple refers Plaintiff to the documents produced in this case related to Plaintiff's improper disclosure of confidential product information to Zoe Schiffer and The Verge, her Twitter posts regarding the same, and Apple's privilege logs.

INTERROGATORY NO. 9:

Regarding Plaintiff's Disclosures concerning discrimination, harassment, or retaliation,

(a) Identify all such communications You are aware of;

(b) State when You first became aware of each such communication;

(c) Identify all Persons at Apple who received, reviewed, or discussed each such communication;

(d) Describe all actions taken by Apple in response to each such communication, including but not limited to investigations, reviews, escalations, document creation, and any changes to policies or procedures;

(e) Identify any documents relating to the actions described in subpart (d).

AMENDED RESPONSE TO INTERROGATORY NO. 9:

Apple amends its response to this interrogatory pursuant to the Court's March 30, 2026, Order. *See* Dkt. No. 327 § I.A.iii. Notwithstanding the Court's direction to Apple to amend its response to this interrogatory, Plaintiff did not provide the Court with the Interrogatory in support of her discovery letter brief and thus the Court did not have the ability to rule on the scope, validity, or form of this Interrogatory. *See id*. at 3:9-10.

Apple objects to this Interrogatory as vague on the grounds that Plaintiff does not define "discrimination, harassment, or retaliation."

Apple objects to this Interrogatory because it contains multiple "discrete subparts" embedded within a vague, compound, and overbroad reference to "discrimination, harassment, or retaliation"– what are in effect multiple separate interrogatories. *See Synopsys*, 319 F.R.D. at 295. Plaintiff's vague, compound, and overbroad reference to "discrimination, harassment, or retaliation" arguably references many separate lines of inquiry because in her August 23, 2021 Issue Confirmation she alleged many different instances of alleged discrimination, harassment, and

retaliation spanning a six-year period by different actors on different teams and arising from different situations that are not all "logically related" to each other.

Apple objects to subparts (a) and (b) of this Interrogatory on the grounds that Plaintiff defines "You" as "Employer Apple Inc and its counsel." Apple objects to this definition to the extent it includes Apple's counsel as it seeks to invade the attorney-client privilege.

Apple objects to subpart (c) of this Interrogatory on the grounds that Plaintiff defines "Persons" as not only Apple employees, but also "agents, contractors, consultants, and any other individuals acting on behalf of Apple" which is overly broad.

Apple objects to this Interrogatory (and each of the discrete subparts therein) on the grounds that it is vague, compound, overly broad in time and scope, unduly burdensome, and not proportional to the needs of the case. For example, Plaintiff defines "Disclosure" to encompass any communication she ever made to anyone, including social media posts, and then asks Apple to confirm all people who may have seen or heard of any statement she made during her employment. Plaintiff's Interrogatory is facially vague, compound, overbroad, and deficient. *See Moses*, 236 F.R.D. at 672.

Apple objects to this Interrogatory (and each of the discrete subparts therein) to the extent it seeks information not within Apple's possession, custody, or control, including information held by former employees.

Subject to and without waiving any of the foregoing objections and construing this Interrogatory as seeking information about concerns Plaintiff raised during her employment to Apple Human Resources or Employee Relations about discrimination, harassment, or retaliation she alleges was directed at her, Apple responds as follows:

(a)-(b) Between April and August 2021 Plaintiff informed Apple Employee Relations personnel of a variety of concerns that she characterized as relating to alleged discrimination, harassment, and retaliation. On August 23, 2021, Plaintiff provided Apple Employee Relations a 34-page "Issue Confirmation" document summarizing all concerns she had during her employment with Apple ranging from 2015 through 2021, including dates of communications with others about her concerns spanning a six-year period. Pursuant to Federal Rule of Civil Procedure 33(d), Apple

refers Plaintiff to the Issue Confirmation document, produced by Plaintiff at Bates number 01673-01710 and produced by Apple at APL-GAELG_00001760-1793.

(c) The most knowledgeable persons regarding the discrimination, harassment, or retaliation concerns Plaintiff identified for investigation are: Plaintiff, Ekelemchi Okpo, Jenna Waibel, and Helen Polkes.

(d) Apple conducted a privileged investigation of the discrimination, harassment, or retaliation concerns Plaintiff identified.

(e) Pursuant to Federal Rule of Civil Procedure 33(d), Apple refers Plaintiff to the Box folders she Plaintiff created and shared with Apple that she asserted contained the information relevant to facilitate the investigation of the issues raised in her August 23, 2021 Issue Confirmation, the Issue Confirmation, and Apple's privilege logs.

INTERROGATORY NO. 10:

Regarding Plaintiff's Disclosures concerning environmental, safety, and/or regulatory compliance concerns about or created by 3250 Scott Blvd (if not already answered above),

(a) Identify all such communications You are aware of;

(b) State when You first became aware of each such communication;

(c) Identify all Persons at Apple who received, reviewed, or discussed each such communication;

(d) Describe all actions taken by Apple in response to each such communication, including but not limited to investigations, reviews, escalations, document creation, and any changes to policies or procedures;

(e) Identify any documents relating to the actions described in subpart (d).

AMENDED RESPONSE TO INTERROGATORY NO. 10:

Apple amends its response to this interrogatory pursuant to the Court's March 30, 2026, Order. *See* Dkt. No. 327 § I.A.iii. Notwithstanding the Court's direction to Apple to amend its response to this interrogatory, Plaintiff did not provide the Court with the Interrogatory in support of her discovery letter brief and thus the Court did not have the ability to rule on the scope, validity, or form of this Interrogatory. *See id*. at 3:9-10.

Apple objects to this Interrogatory as vague, on the grounds that Plaintiff does not define "environmental, safety, and/or regulatory compliance concerns about or created by 3250 Scott Blvd."

Apple objects to subparts (a) and (b) of this Interrogatory on the grounds that Plaintiff defines "You" as "Employer Apple Inc and its counsel." Apple objects to this definition to the extent it includes Apple's counsel as it seeks to invade the attorney-client privilege.

Apple objects to subpart (c) of this Interrogatory on the grounds that Plaintiff defines "Persons" as not only Apple employees, but also "agents, contractors, consultants, and any other individuals acting on behalf of Apple" which is overly broad.

Apple objects to this Interrogatory (and each of the discrete subparts therein) on the grounds that it is vague, compound, overly broad in time and scope, unduly burdensome, and not proportional to the needs of the case. Plaintiff defines "Disclosure" to encompass any communication she ever made to anyone, including social media posts, and then asks Apple to confirm all people who may have seen or heard of any statement she made during her employment. Plaintiff's Interrogatory is facially vague, compound overbroad, and deficient. *See Moses*, 236 F.R.D. at 672.

Apple objects to this Interrogatory (and each of the discrete subparts therein) to the extent it seeks information not within Apple's possession, custody, or control, including information held by former employees.

Subject to and without waiving any of the foregoing objections and construing this Interrogatory as seeking information about environmental safety concerns at 3250 Scott Boulevard that Plaintiff raised to Apple employees during her employment, Apple responds as follows:

Plaintiff did not raise any concerns to Apple about 3250 Scott Boulevard during her employment.

INTERROGATORY NO. 11:

Regarding Plaintiff's Disclosures concerning environmental, safety, and/or regulatory compliance concerns at 825 Stewart Drive (if not already answered above),

(a) Identify all such communications You are aware of;

(b) State when You first became aware of each such communication;

(c) Identify all Persons at Apple who received, reviewed, or discussed each such communication;

(d) Describe all actions taken by Apple in response to each such communication, including but not limited to investigations, reviews, escalations, document creation, and any changes to policies or procedures;

(e) Identify any documents relating to the actions described in subpart (d).

AMENDED RESPONSE TO INTERROGATORY NO. 11:

Apple amends its response to this interrogatory pursuant to the Court's March 30, 2026, Order. *See* Dkt. No. 327 § I.A.iii. Notwithstanding the Court's direction to Apple to amend its response to this interrogatory, Plaintiff did not provide the Court with the Interrogatory in support of her discovery letter brief and thus the Court did not have the ability to rule on the scope, validity, or form of this Interrogatory. *See id*. at 3:9-10.

Apple objects to this Interrogatory as vague, on the grounds that it does not define "environmental, safety, and/or regulatory compliance concerns at 825 Stewart Drive."

Apple objects to subparts (a) and (b) of this Interrogatory on the grounds that Plaintiff defines "You" as "Employer Apple Inc and its counsel." Apple objects to this definition to the extent it includes Apple's counsel as it seeks to invade the attorney-client privilege.

Apple objects to subpart (c) of this Interrogatory on the grounds that Plaintiff defines "Persons" as not only Apple employees, but also "agents, contractors, consultants, and any other individuals acting on behalf of Apple" which is overly broad.

Apple objects to this Interrogatory (and each of the discrete subparts therein) on the grounds that it is vague, compound, overly broad in time and scope, unduly burdensome, and not proportional to the needs of the case. Plaintiff defines "Disclosure" to encompass any communication she ever made to anyone, including social media posts, and then asks Apple to confirm all people who may have seen or heard of any statement she made during her employment. Plaintiff's Interrogatory is facially vague, compound overbroad, and deficient. *See Moses*, 236 F.R.D. at 672.

Apple objects to this Interrogatory (and each of the discrete subparts therein) to the extent it seeks information not within Apple's possession, custody, or control, including information held by former employees.

Subject to and without waiving any of the foregoing objections and construing this Interrogatory as seeking information about environmental safety concerns at 825 Stewart Drive that Plaintiff raised to Apple employees during her employment, Apple responds as follows:

As Apple understands this Interrogatory, no response is required because its response to Interrogatory Nos. 4 and 5 would encompass any information responsive to this Interrogatory.

INTERROGATORY NO. 12:

Regarding Plaintiff's Disclosures concerning Batterygate and her EFFA/QIF role and activities in relation to Batterygate,

(a) Identify all such communications You are aware of;

(b) State when You first became aware of each such communication;

(c) Identify all Persons at Apple who received, reviewed, or discussed each such communication;

(d) Describe all actions taken by Apple in response to each such communication, including but not limited to investigations, reviews, escalations, document creation, and any changes to policies or procedures;

(e) Identify any documents relating to the actions described in subpart (d).

AMENDED RESPONSE TO INTERROGATORY NO. 12:

Apple amends its response to this interrogatory pursuant to the Court's March 30, 2026, Order. *See* Dkt. No. 327 § I.A.iii. Notwithstanding the Court's direction to Apple to amend its response to this interrogatory, Plaintiff did not provide the Court with the Interrogatory in support of her discovery letter brief and thus the Court did not have the ability to rule on the scope, validity, or form of this Interrogatory. *See id*. at 3:9-10.:

Apple objects to this Interrogatory because it contains multiple "discrete subparts" embedded within a vague, compound, and overbroad definition of "Batterygate" – what are in effect multiple separate interrogatories. *See Synopsys*, 319 F.R.D. at 295. Plaintiff's vague and overbroad

definition of "Batterygate" includes at least seven separate lines of inquiry related "to iOS battery performance management, device performance changes, consumer notifications, regulatory compliance, securities disclosure obligations, consumer protection matters, and Apple's communications regarding iPhone performance and battery management."

Apple objects to subparts (a) and (b) of this Interrogatory on the grounds that Plaintiff defines "You" as "Employer Apple Inc and its counsel." Apple objects to this definition to the extent it includes Apple's counsel as it seeks to invade the attorney-client privilege.

Apple objects to subpart (c) of this Interrogatory on the grounds that Plaintiff defines "Persons" as not only Apple employees, but also "agents, contractors, consultants, and any other individuals acting on behalf of Apple" which is overly broad.

Apple objects to this Interrogatory (and each of the discrete subparts therein) on the grounds that it is vague, compound, overly broad in time and scope, unduly burdensome, and not proportional to the needs of the case. Plaintiff's definition of "Batterygate"—to include "issues related to iOS battery performance management, device performance changes, consumer notifications, regulatory compliance, securities disclosure obligations, consumer protection matters, and Apple's communications regarding iPhone performance and battery management"—is overbroad, vague, and burdensome. Plaintiff's definition of "EFFA/QIF"—to include "Employee's role as a Software Failure Analysis Engineering Program Manager in 2016 where her job duties included managing reports of major software failures in new released products and also in existing product lines, including the iPhones suffering battery failures as described in 'Batterygate'" as well as "Employee's disclosures regarding Apple Legal's communication with the Employee about government investigations and litigation into the matter, including the scope and retention of document collection on her devices and personal communications"—is overbroad, vague, and burdensome. Plaintiff defines "Disclosure" to encompass any communication she ever made to anyone, including social media posts, and then asks Apple to confirm all people who may have seen or heard of any statement she made during her employment. Plaintiff's Interrogatory is facially vague, compound, overbroad, and deficient. *See Moses*, 236 F.R.D. at 672.

Apple objects to this Interrogatory (and each of the discrete subparts therein) to the extent it seeks information not within Apple's possession, custody, or control, including information held by former employees.

Subject to and without waiving any of the foregoing objections, Apple understands this Interrogatory to be seeking information about an issue Plaintiff calls "Batterygate" that she raised in her August 23, 2021 Issue Confirmation and it responds on that basis.

(a)-(b) Pursuant to Federal Rule of Civil Procedure 33(d), Apple refers Plaintiff to the Issue Confirmation, produced by Plaintiff at bates number 01673-01710 and produced by Apple at APL-GAELG_00001760-1793.

(c) The most knowledgeable persons regarding Plaintiff's concerns raised in her August 23, 2021 Issue Confirmation are: Plaintiff and Ekelemchi Okpo.

(d) Apple investigated the issues Plaintiff identified in the August 23, 2021 Issue Confirmation.

(e) Pursuant to Federal Rule of Civil Procedure 33(d), Apple refers Plaintiff to the Box folders she created and shared with Apple that she asserted contained the information relevant to facilitate the investigation of the issues raised in her August 23, 2021 Issue Confirmation, the Issue Confirmation, and Apple's privilege logs.

Dated: April 6, 2026

ORRICK, HERRINGTON & SUTCLIFFE LLP

Melinda Riechert

MELINDA S. RIECHERT
Attorneys for Defendant
APPLE INC.

VERIFICATION

I, Megan Bowman, am the Director of Human Resources, Hardware Engineering, for Apple Inc. and I am authorized to make this verification on its behalf. I have read the following:

- **DEFENDANT APPLE INC.'S AMENDED RESPONSES TO PLAINTIFF'S INTERROGATORIES, SET THREE**

Based on information and belief and/or personal knowledge, I believe the matters stated therein to be true and accurate.

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

Executed in San Carlos, California on April 6, 2026.

Megan Bowman

Megan Bowman

CERTIFICATE OF SERVICE

I am more than eighteen years old and not a party to this action. My business address is Orrick, Herrington & Sutcliffe LLP, 1000 Marsh Road, Menlo Park, California 94025. On April 6, 2026, I served the following document(s):

- **DEFENDANT APPLE INC.'S AMENDED RESPONSES TO PLAINTIFF'S INTERROGATORIES, SET THREE**

By Electronic Service: On all of the interested parties in this action by transmitting true and correct copies of the documents identified above in portable document format from the email address mriechert@orrick.com to the email addresses below:

Ashley Gjovik (in pro per)
ashleymgjovik@protonmail.com

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

Executed on April 6, 2026.

Melinda Riechert

Melinda S. Riechert