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Attorneys for Defendant
Apple Inc.

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 RESPONSES TO PLAINTIFF'S REQUESTS FOR ADMISSION, SET ONE

PROPOUNDING PARTY: Plaintiff Ashley Gjovik

RESPONDING PARTY: Defendant Apple Inc.

SET NUMBER: One

Defendant Apple Inc. ("Apple") responds to Plaintiff Ashley Gjovik's Request for Admission, Set One, served on July 3, 2025, as follows.

Apple responds to Plaintiff's Requests based on the information and documents currently available to it, given that discovery in this action is ongoing. Nothing contained in these responses shall in any way limit Apple's ability to make all uses at trial or otherwise of the information or documents referenced herein or of any information, documents or other evidence that may be discovered in the future. Apple has made its best effort to respond accurately to Plaintiff's Requests, but reserves the right to amend its objections and responses upon completion of its search for responsive documents.

OBJECTIONS TO DEFINITIONS AND INSTRUCTIONS

1. Apple objects to Plaintiff's definition of "Defendant" as overly broad and neither relevant to any claim or defense in this Action, nor reasonably calculated to lead to the discovery of admissible evidence, to the extent that it purports to include Apple Inc. as well as all of "its employees, agents, or representatives." Apple will respond to the Requests using a definition of "Defendant" as "Apple Inc."

2. Apple objects to the instruction to "clearly state all reasons for [any] denial" and to "include a good faith explanation for [any] denial" because such instructions impose requirements beyond those set forth in Rule 36 of the Federal Rules of Civil Procedure. Moreover, N.D. Cal. L.R. 36-2 provides, "A demand that a party set forth the basis for a denial of a requested admission will be treated as a separate discovery request (an interrogatory) and is allowable only to the extent that a party is entitled to propound additional interrogatories."

3. Apple objects to the instruction to provide "a detailed explanation of the efforts undertaken to determine the truth of the matter" and "a description of the reasonable inquiry undertaken to determine whether the matter could be admitted" for any Request it is unable to admit or deny because those instructions purport to impose obligations beyond those required by Rule 36 of the Federal Rules of Civil Procedure.

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RESPONSES TO REQUESTS FOR ADMISSION

REQUEST FOR ADMISSION NO. 1:

Admit that Defendant began designating communications regarding Plaintiff's Environmental Health & Safety inquiries about her office at 825 Stewart Drive as attorney-client privileged no later than March 17, 2021.

RESPONSE TO REQUEST FOR ADMISSION NO. 1:

Apple objects to this Request on the grounds that it seeks information protected from disclosure by the attorney-client privilege, the work-product doctrine or any other applicable privilege. Apple objects to this Request to the extent it seeks information that Apple has already provided in its privilege log and is therefore harassing. *See Conlon v. United States*, 474 F.3d 616, 622 (9th Cir. 2007) ("Admissions are sought, first, to facilitate proof with respect to issues that cannot be eliminated from the case and, second, to narrow the issues by eliminating those that can be. … The rule is not to be used in an effort to 'harass the other side[.]'"). Apple further objects to this Request as vague and ambiguous. Apple further object to this Request as compound. *See* Fed. R. Civ. P. 36(a)(2) ("Each matter must be separately stated."); *Weil v. Raisin City Elementary Sch. Dist.*, No. 1:21-cv-00500-JLT-EPG, 2024 WL 4826233, at *5 (E.D. Cal. Nov. 19, 2024) (citing cases) ("[R]equests for admissions may not contain compound, conjunctive, or disjunctive (e.g., 'and/or') statements").

Based on its understanding of the Request, Apple responds:

Apple admits that Apple employees had attorney-client privileged communications on March 17, 2021 related to Plaintiff. Apple will not admit or deny the remainder of the Request on the basis that it seeks information protected by the attorney-client privilege, the work-product doctrine, or any other applicable privilege.

REQUEST FOR ADMISSION NO. 2:

Admit that Defendant designated communications regarding Plaintiff's Environmental Health & Safety inquiries about her office at 825 Stewart Drive as privileged and created "in anticipation of litigation" starting no later than March 19, 2021.

RESPONSE TO REQUEST FOR ADMISSION NO. 2:

Apple objects to this Request on the grounds that it seeks information protected from disclosure by the attorney-client privilege, the work-product doctrine or any other applicable privilege. Apple objects to this Request to the extent it seeks information that Apple has already provided in its privilege log and is therefore harassing. *See Conlon v. United States*, 474 F.3d 616, 622 (9th Cir. 2007). Apple further objects to this Request as vague and ambiguous. Apple further object to this Request as compound. *See* Fed. R. Civ. P. 36(a)(2); *Weil v. Raisin City Elementary Sch. Dist.*, No. 1:21-cv-00500-JLT-EPG, 2024 WL 4826233, at *5 (E.D. Cal. Nov. 19, 2024).

Based on its understanding of the Request, Apple responds:

Apple admits that Apple employees had attorney-client privileged and attorney work product communications on March 19, 2021 related to Plaintiff. Apple will not admit or deny the remainder of the Request on the basis that it seeks information protected by the attorney-client privilege, the work-product doctrine, or any other applicable privilege.

REQUEST FOR ADMISSION NO. 3:

Admit that the phrase "in anticipation of litigation" appears in over sixty entries within Defendant's privilege log prior to August 4, 2021.

RESPONSE TO REQUEST FOR ADMISSION NO. 3:

Admitted.

REQUEST FOR ADMISSION NO. 4:

Admit that Plaintiff verbally and/or electronically communicated with Apple employees David Powers and Dan West between February and July 2021, raising concerns that included the words "safety," "chemical exposure," "vapor intrusion," "cancer," and "Superfund site."

RESPONSE TO REQUEST FOR ADMISSION NO. 4:

Apple objects to this Request on the grounds that it is improper to use a request for admission to seek an admission regarding what documents state. *See Schmitz v. Asman*, No. 2:20-cv-00195-DJC-CKD PS, 2024 WL 1160539, at *3 (E.D. Cal. Mar. 18, 2024) ("[P]laintiffs requested [Defendant] to admit the contents of [a] document … Plaintiffs' motion is denied as to these requests … [A]dmitting the fact of what the note says is not an issue for trial that needs to be

eliminated through requests to admit."). Apple further objects to this Request on the grounds that it is compound. *See* Fed. R. Civ. P. 36(a)(2); *Weil v. Raisin City Elementary Sch. Dist.*, No. 1:21-cv-00500-JLT-EPG, 2024 WL 4826233, at *5 (E.D. Cal. Nov. 19, 2024). As a result, it is vague and ambiguous and impermissible under the Rules. As just one example, it is unclear whether Plaintiff is requesting an admission that Plaintiff sent any electronic communication containing any one of the five specified terms, or whether Plaintiff is requesting an admission that she sent a single electronic communication containing all five of the specified terms. Apple further objects to this Request on the grounds that it is vague and ambiguous as to "electronically communicated" and "raising concerns," such that it is not clear what Plaintiff is asking Apple to "admit." Apple further objects to this Request on the grounds that it is unduly burdensome and not proportional to the needs of the case to the extent it requires Apple to search extensive electronically stored information (ESI) already produced to Plaintiff to determine whether Plaintiff made any responsive communications. Apple further objects to this Request to the extent it requires Apple to search ESI that is not in Apple's possession, custody, or control.

Based on its understanding of the Request, Apple responds:

Apple admits that Plaintiff communicated with Apple employee David Powers one or more times between February and July 2021 that included the word "safety."

Apple admits that Plaintiff communicated with Apple employee David Powers one or more times between February and July 2021 that included the term "chemical exposure."

Apple admits that Plaintiff communicated with Apple employee David Powers one or more times between February and July 2021 that included the term "vapor intrusion."

Apple admits that Plaintiff communicated with Apple employee David Powers one or more times between February and July 2021 that included that included the word "cancer."

Apple admits that Plaintiff communicated with Apple employee David Powers one or more times between February and July 2021 that included the term "Superfund site."

Apple admits that Plaintiff communicated with Apple employee David Powers one or more times between February and July 2021 that included the word "safety."

Apple admits that Plaintiff communicated with Apple employee Dan West one or more

times between February and July 2021 that included the term "chemical exposure."

Apple admits that Plaintiff communicated with Apple employee Dan West one or more times between February and July 2021 that included the term "vapor intrusion."

Apple admits that Plaintiff communicated with Apple employee Dan West one or more times between February and July 2021 that included the term "Superfund site."

Apple otherwise denies the Request.

REQUEST FOR ADMISSION NO. 5

Admit that Apple informed Plaintiff in April-May 2021, and between July 20, 2021 and August 4, 2021 that it would conduct investigations into her complaints.

RESPONSE TO REQUEST FOR ADMISSION NO. 5:

Apple objects to this Request on the grounds that it is vague and ambiguous, including but not limited to the term "conduct investigations" and "concerns."

Based on its understanding of the Request, Apple responds:

Apple admits that on April 12, 2021, Jenna Waibel told Plaintiff, "I'm going to set up some time to talk with Dave and get his perspective," to which Plaintiff responded, "Sounds good." Apple further admits that on August 3, 2021, Ekelemchi Okpo told Plaintiff, "I'm focused on the new concerns you've raised since Jenna closed out her investigation with you on June 3, 2021." Apple denies the remainder of this Request.

REQUEST FOR ADMISSION NO. 6:

Admit that Apple told Plaintiff on or about August 4, 2021, that she was being placed on administrative leave in connection with an ongoing internal investigation into her complaints.

RESPONSE TO REQUEST FOR ADMISSION NO. 6:

Based on its understanding of the Request, Apple responds:

Denied.

REQUEST FOR ADMISSION NO. 7:

Admit that Apple requested WebEx meetings with Plaintiff on or about September 3 and September 7, 2021, for the stated purpose of discussing the status or findings of the internal investigations that Plaintiff requested.

RESPONSE TO REQUEST FOR ADMISSION NO. 7:

Apple objects to this Request on the grounds that it is vague and ambiguous, including but not limited to the terms "status" and "findings."

Based on its understanding of the Request, Apple responds:

Apple admits that on September 3, 2021, Ekelemchi Okpo requested a WebEx meeting with Plaintiff for the stated purpose of "an update." Apple further admits that on September 7, 2021, Okpo asked for Plaintiff's availability to discuss "inconsistencies" that had come up in the investigation. Apple denies the remainder of this Request.

REQUEST FOR ADMISSION NO. 8:

Admit that Apple currently claims no internal investigation was opened, tracked, or formally documented in any tracking system regarding Plaintiff's complaints made between July and September 2021.

RESPONSE TO REQUEST FOR ADMISSION NO. 8:

Apple objects to this Request on the grounds that it is vague and ambiguous, including but not limited to the terms "tracked," "formally documented," and "tracking system." Apple further objects to the extent this Request seeks to invade the attorney-client privilege, attorney work product, or any other applicable privilege; Apple will not waive any of those privileges for purposes of responding to this Request.

Based on its understanding of the Request, Apple responds:

Denied.

REQUEST FOR ADMISSION NO. 9:

Admit that Apple's internal systems contain no investigation file, tracking number, Business Conduct record, or Employee Relations record labeled or notated as associated with Plaintiff's 2021 complaints or administrative leave.

RESPONSE TO REQUEST FOR ADMISSION NO. 9:

Apple objects to this Request on the grounds that it is vague and ambiguous, including but not limited to the terms "internal systems," "investigation file," "tracking number," "labeled," "notated," "associated with."

Based on its understanding of the Request, Apple responds:

Denied.

REQUEST FOR ADMISSION NO. 10:

Admit that prior to terminating Plaintiff, Apple never informed Plaintiff of any findings, determinations, conclusions, or outcomes related to any investigation into her July-August 2021 workplace complaints.

RESPONSE TO REQUEST FOR ADMISSION NO. 10:

Apple objects to this Request on the grounds that it is vague and ambiguous, including but not limited to the terms "findings," "determinations," "conclusions," "outcomes," and "workplace complaints."

Based on its understanding of the Request, Apple responds:

Denied.

REQUEST FOR ADMISSION NO. 11:

Admit that Apple has not identified any findings or outcomes resulting from the alleged investigation referenced in Apple's August 16, 2021 Issue Confirmation.

RESPONSE TO REQUEST FOR ADMISSION NO. 11:

Apple objects to this Request on the grounds that it is vague and ambiguous, including but not limited to the terms "findings" and "outcomes." Apple further objects to the extent this Request seeks to invade the attorney-client privilege, attorney work product, or any other applicable privilege; Apple will not waive any of those privileges for purposes of responding to this Request.

Based on its understanding of the Request, Apple responds:

Denied.

REQUEST FOR ADMISSION NO. 12:

Admit that Apple took no documented action to investigate, escalate, resolve, or remediate the allegations Plaintiff submitted via the August 23, 2021 revised Issue Confirmation and Business Conduct complaint.

RESPONSE TO REQUEST FOR ADMISSION NO. 12:

Apple objects to this Request on the grounds that it is vague and ambiguous, including but

not limited to the terms "escalate," "resolve," and "remediate." Apple further objects to this Request on the grounds that it assumes facts not in evidence, in that it presupposes—incorrectly—that Plaintiff's complaint contained allegations that were substantiated and, therefore, required "escalat[ion]," "resol[ution]," and/or "remediat[ion]." Apple further objects to the extent this Request seeks to invade the attorney-client privilege, attorney work product, or any other applicable privilege; Apple will not waive any of those privileges for purposes of responding to this Request.

Based on its understanding of the Request, Apple responds:

Denied.

REQUEST FOR ADMISSION NO. 13:

Admit that Apple has not preserved or produced any internal case file, investigation record, audit trail, decision memo, or other documentation associated with the Business Conduct complaint submitted by Plaintiff on August 23, 2021 under tracking number HRC000017207.

RESPONSE TO REQUEST FOR ADMISSION NO. 13:

Apple objects to this Request on the grounds that it is vague and ambiguous, including but not limited to the terms "case file," "audit trail," and "decision memo." Apple further objects to the extent this Request seeks to invade the attorney-client privilege, attorney work product, or any other applicable privilege; Apple will not waive any of those privileges for purposes of responding to this Request.

Based on its understanding of the Request, Apple responds:

Denied.

REQUEST FOR ADMISSION NO. 14:

Admit that Apple has never initiated or threatened Plaintiff with formal legal proceedings related to any alleged breach of contract or intellectual property violations by Plaintiff.

RESPONSE TO REQUEST FOR ADMISSION NO. 14:

Apple objects to this Request on the grounds that it is vague and ambiguous, including but not limited to the terms "threatened," "formal legal proceedings," "intellectual property violations."

Based on its understanding of the Request, Apple responds:

Apple admits that in September 2021, an attorney representing Apple sent a letter to Plaintiff asking her to "remove certain images and video that [she] ha[d] displayed publicly in violation of [her] Confidentiality and Intellectual Property Agreement with Apple dated January 31, 2015." Plaintiff has referred to this letter as "threatening" (*see* Second Amended Complaint (Dkt. No. 32-1) ¶ 550), though Apple denies that characterization is accurate and thus denies the Request on that basis and to that extent.

REQUEST FOR ADMISSION NO. 15:

Admit that Apple did not notify Plaintiff at any time prior to September 9, 2021, that she was under investigation, subject to discipline, or at risk of termination for any conduct, including any social media activity.

RESPONSE TO REQUEST FOR ADMISSION NO. 15:

Based on its understanding of the Request, Apple responds:

Denied.

REQUEST FOR ADMISSION NO. 16:

Admit that on September 9, 2021, prior to Apple terminating the Plaintiff, Plaintiff wrote to Apple and stated that she was willing to cooperate with any investigation Apple was conducting.

RESPONSE TO REQUEST FOR ADMISSION NO. 16:

Apple objects to this Request on the grounds that it is vague and ambiguous, including but not limited to the terms "cooperate."

Based on its understanding of the Request, Apple responds:

Denied.

REQUEST FOR ADMISSION NO. 17:

Admit that on or about August 30, 2021, the publication The Verge published an article titled "Apple cares about privacy, unless you work at Apple" that included an embedded video of Plaintiff [sic] face and upper body, recorded on Plaintiff's phone through the Gobbler application.

RESPONSE TO REQUEST FOR ADMISSION NO. 17:

Apple objects to the Request to the extent it seeks information to which Apple does not have personal knowledge or information sufficient to admit or deny the request as phrased.

Based on its understanding of the Request, Apple responds:

On information and belief, Apple admits that The Verge published an article titled, "Apple cares about privacy, unless you work at Apple" on or about August 30, 202, as indicated by the following URL: https://www.theverge.com/22648265/apple-employee-privacy-icloud-id. On information and belief, Apple further admits that the article features an embedded video composed of, among other things, images showing Plaintiff's face (or parts of her face) and parts of her upper body. On information and belief, Apple further admits that the images were captured on Plaintiff's phone by an application that has been called Gobbler. Apple denies the remainder of this Request.

REQUEST FOR ADMISSION NO. 18:

Admit that Apple was contacted by The Verge for comment prior to publication of the article, and did not provide a comment.

RESPONSE TO REQUEST FOR ADMISSION NO. 18:

Apple objects to this Request on the grounds that it is vague and ambiguous, including but not limited to the term "the article." Apple further objects to this Request on the grounds that it is compound. *See* Fed. R. Civ. P. 36(a)(2); *Weil v. Raisin City Elementary Sch. Dist.*, No. 1:21-cv-00500-JLT-EPG, 2024 WL 4826233, at *5 (E.D. Cal. Nov. 19, 2024).

Based on its understanding of the Request, Apple responds:

Apple admits that a reporter from the Verge reached out to an employee at Apple "for comment" prior to the publication of the article titled, "Apple cares about privacy, unless you work at Apple" and that Apple did not provide a comment prior to the publication of the article. Apple denies the remainder of this Request.

REQUEST FOR ADMISSION NO. 19:

Admit that Apple did not inform Plaintiff at any time prior to September 9, 2021, that her social media posts or communications regarding Apple's surveillance practices violated any confidentiality or employment policies.

RESPONSE TO REQUEST FOR ADMISSION NO. 19:

Apple objects to this Request on the grounds that it is vague and ambiguous, including but not limited to the terms "surveillance policies" and "confidentiality or employment policies." Apple

further objects to this Request on the grounds that it assumes facts not in evidence; specifically, this Request presupposes—incorrectly—that Apple engaged in "surveillance practices." Apple further objects to this Request on the grounds that it is compound. *See* Fed. R. Civ. P. 36(a)(2); *Weil v. Raisin City Elementary Sch. Dist*., No. 1:21-cv-00500-JLT-EPG, 2024 WL 4826233, at *5 (E.D. Cal. Nov. 19, 2024).

Based on its understanding of the Request, Apple responds:

Apple denies that it engaged in "surveillance practices" and denies the Request.

REQUEST FOR ADMISSION NO. 20:

Admit that prior to the publication of the Verge article titled "Apple cares about privacy, unless you work at Apple", Apple was contacted by the Verge for comment and did not respond or send a cease-and-desist letter or other legal notice to the publisher, despite having the opportunity to do so.

RESPONSE TO REQUEST FOR ADMISSION NO. 20:

Apple objects to this Request to the extent it seeks information that is duplicative of Request for Admission No.18, and is therefore harassing. Apple further objects to this Request on the grounds that it is compound. *See* Fed. R. Civ. P. 36(a)(2); *Weil v. Raisin City Elementary Sch. Dist*., No. 1:21-cv-00500-JLT-EPG, 2024 WL 4826233, at *5 (E.D. Cal. Nov. 19, 2024).

Based on its understanding of the Request, Apple responds:

Apple admits that a reporter from the Verge reached out to an employee at Apple "for comment" prior to the publication of the article titled, "Apple cares about privacy, unless you work at Apple" and that Apple did not provide a comment prior to the publication of the article. Apple denies the remainder of this Request.

REQUEST FOR ADMISSION NO. 21:

Admit that at 2:08 PM on September 9, 2021, Apple emailed Plaintiff requesting a conversation regarding a "sensitive Intellectual Property matter" and Plaintiff responded at 2:10 PM, stating that she was willing to participate and would communicate with the investigator.

RESPONSE TO REQUEST FOR ADMISSION NO. 21:

Apple objects to this Request on the grounds that it is improper to use a request for admission to seek an admission regarding what documents state. *See Schmitz v. Asman*, No. 2:20-cv-00195-DJC-CKD PS, 2024 WL 1160539, at *3 (E.D. Cal. Mar. 18, 2024).

Based on its understanding of the Request, Apple responds:

Apple admits that on September 9, 2021, at 2:08 PM PDT, Alexs Kagramanov (from Apple Employee Relations) emailed Plaintiff requesting a conversation regarding a "sensitive Intellectual Property matter." Apple denies Plaintiff's characterization of the 2:10 PM PDT email and on that basis denies the remainder of this Request.

REQUEST FOR ADMISSION NO. 22:

Admit that Plaintiff emailed Apple at 3:07 PM, stating her willingness to participate in their investigation and requesting that Apple disclose any allegations against her.

RESPONSE TO REQUEST FOR ADMISSION NO. 22:

Apple objects to this Request on the grounds that it is improper to use a request for admission to seek an admission regarding what documents state. *See Schmitz v. Asman*, No. 2:20-cv-00195-DJC-CKD PS, 2024 WL 1160539, at *3 (E.D. Cal. Mar. 18, 2024).

Based on its understanding of the Request, Apple responds:

Apple admits that on September 9, 2021, at 3:07 PM PDT, Plaintiff emailed Alexs Kagramanov. Apple further admits that Plaintiff stated in that email, among other things, that she was "willing to participate in [the] investigation." Apple further admits that Plaintiff asked, "Can you please provide me additional detail on what these allegations are?" Apple denies Plaintiff's characterization of the 3:07 PM PDT email and on that basis denies the remainder of this Request.

REQUEST FOR ADMISSION NO. 23:

Admit that on August 5, 2021, Apple Employee Relations representative Ekelemchi Okpo sent Plaintiff an email stating that she must request permission from Apple before returning to work.

RESPONSE TO REQUEST FOR ADMISSION NO. 23:

Apple objects to this Request on the grounds that it is improper to use a request for admission to seek an admission regarding what documents state. *See Schmitz v. Asman*, No. 2:20-cv-00195-DJC-CKD PS, 2024 WL 1160539, at *3 (E.D. Cal. Mar. 18, 2024).

Based on its understanding of the Request, Apple responds:

Denied.

REQUEST FOR ADMISSION NO. 24:

Admit that on or about August 21, 2021, Plaintiff emailed Employee Relations to request permission to return to work in order to attend the Apple University course titled Race and Justice in the United States: A Third Reconstruction.

RESPONSE TO REQUEST FOR ADMISSION NO. 24:

Apple objects to this Request on the grounds that it is improper to use a request for admission to seek an admission regarding what documents state. *See Schmitz v. Asman*, No. 2:20-cv-00195-DJC-CKD PS, 2024 WL 1160539, at *3 (E.D. Cal. Mar. 18, 2024).

Apple further objects to this Request on the grounds that it is vague and ambiguous, including but not limited to the term "return to work."

Based on its understanding of the Request, Apple responds:

Admit that Plaintiff emailed Employee Relations on August 21, 2021 to request permission to attend an Apple University course titled "Race and Justice in the United States: A Third Reconstruction," but deny she requested to "return to work."

REQUEST FOR ADMISSION NO. 25:

Admit that on or about August 21, 2021, Apple Employee Relations representative Ekelemchi Okpo informed Plaintiff that she was not permitted to return to work.

RESPONSE TO REQUEST FOR ADMISSION NO. 25:

Apple objects to this Request on the grounds that it is improper to use a request for admission to seek an admission regarding what documents state. *See Schmitz v. Asman*, No. 2:20-cv-00195-DJC-CKD PS, 2024 WL 1160539, at *3 (E.D. Cal. Mar. 18, 2024).

Apple objects to this Request on the grounds that it is vague and ambiguous, including but not limited to the term "return to work."

Based on its understanding of the Request, Apple responds:

Denied.

REQUEST FOR ADMISSION NO. 26:

Admit that the National Labor Relations Board issued a Complaint against Apple Inc. in Case No. 32-CA-282142, citing Apple's suspension of Plaintiff on August 4, 2021 as an alleged unfair labor practice.

RESPONSE TO REQUEST FOR ADMISSION NO. 26:

Apple objects to this Request on the grounds that it assumes facts not in evidence. Specifically, this Request further presupposes—incorrectly—that Plaintiff was "suspen[ded]." Apple further objects to this Request on the grounds that it mischaracterizes the Complaint at issue. Apple further objects to this Request on the grounds that it seeks information that is not relevant to any party's claim or defense and is not proportional to the needs of the case.

Based on its understanding of the Request, Apple responds:

Apple admits that the National Labor Relations Board issued a Complaint against Apple Inc. in Case No. 32-CA-282142 and states that the Complaint speaks for itself.

REQUEST FOR ADMISSION NO. 27:

Admit that the same NLRB Complaint cited Ekelemchi Okpo's August 5, 2021 email to Plaintiff as an alleged unfair labor practice.

RESPONSE TO REQUEST FOR ADMISSION NO. 27:

Apple objects to this Request on the grounds that it mischaracterizes the Complaint at issue. Apple further objects to this Request on the ground that it seeks information that is not relevant to any party's claim or defense and is not proportional to the needs of the case.

Based on its understanding of the Request, Apple responds:

Apple admits that the National Labor Relations Board issued a Complaint against Apple Inc. in Case No. 32-CA-282142 and states that the Complaint speaks for itself.

REQUEST FOR ADMISSION NO. 28:

Admit that Jessica Perry, esq. was retained by Apple and began communicating with Apple management and HR/ER related to Plaintiff's complaints no later than Aug. 17 2021.

RESPONSE TO REQUEST FOR ADMISSION NO. 28:

Apple objects to this Request on the grounds that it seeks information protected from disclosure by the attorney-client privilege, the work-product doctrine or any other applicable privilege

Based on its understanding of the Request, Apple responds:

Apple admits that there were attorney-client privileged communications involving Jessica Perry related to Plaintiff no later than August 17, 2021. Apple will not admit or deny the remainder of the Request on the basis that it seeks information protected by the attorney-client privilege, the work-product doctrine, or any other applicable privilege.

REQUEST FOR ADMISSION NO. 29:

Admit that Apple created a Keynote deck about Plaintiff on or before August 26 2021 that was titled "exit outcomes" and the content included discussion of the termination of Plaintiff's employment.

RESPONSE TO REQUEST FOR ADMISSION NO. 29:

Apple objects to this Request on the grounds that it seeks information protected from disclosure by the attorney-client privilege, the work-product doctrine or any other applicable privilege.

Based on its understanding of the Request, Apple responds:

Apple admits that a Keynote file entitled Draft Exit Outcomes ACP.key was emailed on August 26, 2021. Apple will not admit or deny the remainder of the Request on the basis that it seeks information protected by the attorney-client privilege, the work-product doctrine, or any other applicable privilege.

REQUEST FOR ADMISSION NO. 30:

Admit that between 2015-2020, Plaintiff received primary medical care from Apple Inc directly or through Apple subsidiaries generally known as "AC Wellness" or "Apple Wellness."

RESPONSE TO REQUEST FOR ADMISSION NO. 30:

Apple objects to this Request on the grounds that it is vague and ambiguous, including but not limited to the term "Apple subsidiaries generally known as 'AC Wellness' or 'Apple Wellness.'" Apple will interpret this term to mean "AC Wellness Center LLC." Apple objects to this Request as vague and ambiguous with respect the phrase "primary medical care."

Based on its understanding of the Request, Apple responds:

Apple has made a reasonable inquiry, and the information it can readily obtain is insufficient to enable Apple to admit or deny whether "between 2015-2020, Plaintiff received primary medical care … through" AC Wellness Center LLC. AC Wellness Center LLC is prohibited by HIPAA from disclosing to Apple whether Plaintiff received medical care through AC Wellness Center LLC. Apple denies the remainder of this Request.

Dated: August 4, 2025

ORRICK, HERRINGTON & SUTCLIFFE LLP

/s/ Melinda S. Riechert
MELINDA S. RIECHERT
Attorneys for Defendant
APPLE INC.

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 August 4, 2025, I served the following document(s):

- **DEFENDANT APPLE INC.'S RESPONSES TO PLAINTIFF'S REQUESTS FOR ADMISSION, SET ONE**

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 August 4, 2025.

Melinda S. Riechert