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CENTRAL DISTRICT OF CALIFORNIA
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CLERK U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
RIVERDALE

BY

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

14 IN THE MATTER OF THE SEARCH OF
15 AN APPLE IPHONE SEIZED DURING
16 THE EXECUTION OF A SEARCH
17 WARRANT ON A BLACK LEXUS IS300,
CALIFORNIA LICENSE PLATE
35KGD203

No. ED 15-0451M

[PROPOSED] ORDER COMPELLING APPLE,
INC. TO ASSIST AGENTS IN SEARCH

19 This matter is before the Court pursuant to an application
20 pursuant to the All Writs Act, 28 U.S.C. § 1651, by Assistant United
21 States Attorneys Tracy Wilkison and Allen Chiu, requesting an order
22 directing Apple Inc. ("Apple") to assist law enforcement agents in
23 enabling the search of a digital device seized in the course of a
24 previously issued search warrant in this matter.

25 For good cause shown, IT IS HEREBY ORDERED that:

26 1. Apple shall assist in enabling the search of a cellular
27 telephone, Apple make: iPhone 5C, Model: A1532, P/N:MGFG2LL/A,
28 S/N:FFMNQ3MTG2DJ, IMEI:358820052301412, on the Verizon Network, (the

1 "SUBJECT DEVICE") pursuant to a warrant of this Court by providing
2 reasonable technical assistance to assist law enforcement agents in
3 obtaining access to the data on the SUBJECT DEVICE.

4 2. Apple's reasonable technical assistance shall accomplish
5 the following three important functions: (1) it will bypass or
6 disable the auto-erase function whether or not it has been enabled;
7 (2) it will enable the FBI to submit passcodes to the SUBJECT DEVICE
8 for testing electronically via the physical device port, Bluetooth,
9 Wi-Fi, or other protocol available on the SUBJECT DEVICE; and (3) it
10 will ensure that when the FBI submits passcodes to the SUBJECT
11 DEVICE, software running on the device will not purposefully
12 introduce any additional delay between passcode attempts beyond what
13 is incurred by Apple hardware.

14 3. Apple's reasonable technical assistance may include, but is
15 not limited to: providing the FBI with a signed iPhone Software
16 file, recovery bundle, or other Software Image File ("SIF") that can
17 be loaded onto the SUBJECT DEVICE. The SIF will load and run from
18 Random Access Memory ("RAM") and will not modify the iOS on the
19 actual phone, the user data partition or system partition on the
20 device's flash memory. The SIF will be coded by Apple with a unique
21 identifier of the phone so that the SIF would only load and execute
22 on the SUBJECT DEVICE. The SIF will be loaded via Device Firmware
23 Upgrade ("DFU") mode, recovery mode, or other applicable mode
24 available to the FBI. Once active on the SUBJECT DEVICE, the SIF
25 will accomplish the three functions specified in paragraph 2. The
26 SIF will be loaded on the SUBJECT DEVICE at either a government
27 facility, or alternatively, at an Apple facility; if the latter,
28 Apple shall provide the government with remote access to the SUBJECT

1 DEVICE through a computer allowing the government to conduct passcode
2 recovery analysis.

3 4. If Apple determines that it can achieve the three functions
4 stated above in paragraph 2, as well as the functionality set forth
5 in paragraph 3, using an alternate technological means from that
6 recommended by the government, and the government concurs, Apple may
7 comply with this Order in that way.

8 5. Apple shall advise the government of the reasonable cost of
9 providing this service.

10 6. Although Apple shall make reasonable efforts to maintain
11 the integrity of data on the SUBJECT DEVICE, Apple shall not be
12 required to maintain copies of any user data as a result of the
13 assistance ordered herein. All evidence preservation shall remain
14 the responsibility of law enforcement agents.

15 7. To the extent that Apple believes that compliance with this
16 Order would be unreasonably burdensome, it may make an application to
17 this Court for relief within five business days of receipt of the
18 Order.

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22 DATED: FEB 16 2016

SHERI PYM

UNITED STATES MAGISTRATE JUDGE

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