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LIMITED and Q CYBER TECHNOLOGIES LIMITED

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UNITED STATES DISTRICT COURT

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NORTHERN DISTRICT OF CALIFORNIA

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OAKLAND DIVISION

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WHATSOEVER INC., a Delaware corporation,
and FACEBOOK, INC., a Delaware
12 corporation,

Case No. 4:19-cv-07123-PJH

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Plaintiffs,

DECLARATION OF CHAIM GELFAND

14

v.

Ctrm: 3
Judge: Hon. Phyllis J. Hamilton

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NSO GROUP TECHNOLOGIES LIMITED
and Q CYBER TECHNOLOGIES LIMITED,

Action Filed: 10/29/2019

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Defendants.

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1 I, Chaim Gelfand, declare as follows:

2 1. I am an attorney licensed to practice law in Israel, and I am employed by NSO
3 Group Technologies as its Head of Compliance. I have been NSO's Head of Compliance since I
4 joined the company in January 2020. I have personal knowledge of the facts set forth below and,
5 except as otherwise stated, could testify competently to each fact averred herein.

6 2. I was born in the United States and grew up in New Jersey. I moved to Israel and
7 attended high school and university in Israel.

8 3. Prior to my employment with NSO, I was a partner in the law firm of Shibolet &
9 Co., one of the largest law firms in Israel. I have practiced international commercial law in Israel
10 in a variety of law firm and in-house positions since I received my law degree from Bar-Ilan
11 University in 2003.

12 4. I have native fluency in both Hebrew and English, and I have spoken, read, and
13 written both languages for most of my life. Throughout my legal career, I have worked in both
14 Hebrew and English.

15 5. I have reviewed the documents attached hereto as Exhibits ~~1-A~~ through ~~6-F~~.
16 Exhibits B, D, and F are English translations of documents in Hebrew (Exhibits A, C, and E,
17 respectively). I have compared the original Hebrew language documents and the English
18 translations and, based on ~~Based on my review of Exhibits A-F and~~ my fluency in Hebrew and
19 English, I can attest:

- 20 a. Exhibit B is an accurate English language translation of Exhibit A, a document
21 written in Hebrew.
- 22 b. Exhibit D is an accurate English language translation of Exhibit C, a document
23 written in Hebrew.
- 24 c. Exhibit F is an accurate English language translation of Exhibit E, a document
25 written in Hebrew.

26 6. Defendants had no knowledge that the Government of Israel was planning to pursue
27 the Request (Exhibit A) until the Order (Exhibit C) was served on NSO on July 19, 2020.

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1 ~~6. The Request (Exhs. A-B) and the resulting Order (Exhs. C-D) were neither~~
2 ~~announced to, not expected by, Defendants. Since the issuance of the Order, the Government of~~
3 ~~Israel has removed from NSO's physical premises in Herzliya, Israel, many boxes of documents~~
4 ~~previously maintained in NSO's offices. The Government of Israel has also begun seizing~~
5 ~~Defendants' electronically stored data.~~

6 I declare under the penalty of perjury and the laws of the United States that the foregoing
7 is true and correct this ~~—31st~~ day of July 2020, at ~~Moreshet~~Herzliya, Israel.
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11 CHAIM GELFAND
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