

EXHIBIT 17

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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND DIVISION
13

14 IN RE APPLE INC. SECURITIES
15 LITIGATION

Case No. 4:19-cv-02033-YGR

CLASS ACTION

16 This Document Relates to:
17 ALL ACTIONS.
18

**DECLARATION OF DAVID TOM
REGARDING DOCUMENTS
WITHHELD AS PRIVILEGED**

1 I, David Tom, declare as follows:

2 1. I am a Vice President of Global Sourcing & Supply Management at Apple Inc.
3 (“Apple” or the “Company”), and have been employed at Apple since 2003. During the time
4 period relevant to this litigation, I was the Senior Director of Business Development & Strategy,
5 Original Equipment Manufacturer Business Operations, and Module Procurement at Apple. In
6 this role, I was responsible for matters involving, among other things, business operations for
7 outsourced manufacturing, strategic partnerships, and complex commercial transactions. Prior to
8 this role, I had been employed as in-house counsel at Apple. I am a member of good standing of
9 the State Bar of California. I have personal knowledge of the facts set forth in this declaration
10 and, if called as a witness, could and would competently testify to them.

11 2. I understand that in connection with a pending discovery motion, the Court has
12 directed Apple to provide, for certain documents withheld or redacted on the basis of privilege, a
13 declaration establishing that the withheld or redacted material was primarily for a legal purpose. I
14 am submitting this declaration to comply with that directive with respect to the documents
15 described below that have been redacted by Apple on the basis of the attorney-client privilege. I
16 refer to these documents by their corresponding entry numbers on Apple’s privilege log in this
17 matter.

18 3. **Nos. 1263 and 1264.** These two documents, which I understand to be identical to
19 one another, contain an email sent from Priya Balasubramaniam to Jeff Williams, with copies to
20 me and others, on November 6, 2018. This email is a reply to an earlier email sent by Ms.
21 Balasubramaniam on November 5, 2018. The redacted portions of these documents reflect
22 information pertaining to my communications with Ms. Balasubramaniam, and related
23 communications between me and Apple’s legal department, pertaining to potential contractual
24 remedies available under a contract with a supplier. To the best of my understanding, the
25 redacted portions of these documents were sent primarily for a legal purpose.

26 I declare under penalty of perjury under the laws of the United States of America that the
27 foregoing facts are true and correct to the best of my knowledge and belief.
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Executed on May 10, 2022 in Cupertino, California.

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David Tom

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