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8 Attorneys for Defendant  
 APPLE INC.

10 UNITED STATES DISTRICT COURT  
 11 SOUTHERN DISTRICT OF CALIFORNIA

13 DAVID WALSH, an individual, on behalf of  
 himself, and on behalf of all persons similarly  
 14 situated,

15 Plaintiff,

16 v.

17 APPLE INC.; and DOES 1-10,

18 Defendants.

CASE NO. 08 CV 1410 JM POR

**DECLARATION OF HEATHER  
 RAMIREZ IN SUPPORT OF  
 DEFENDANT APPLE INC'S  
 MOTION TO TRANSFER VENUE  
 PURSUANT TO 28 U.S.C. § 1404(a)**

Judge: Hon. Jeffrey T. Miller  
 Dept: 16

1 I, Heather Ramirez, hereby declare:

2 1. I make this declaration in support of Defendant Apple Inc.'s Motion to  
3 Transfer Venue Pursuant to 28 U.S.C. § 1404(a). The facts set forth in my declaration are based  
4 on my own personal knowledge, except where such facts are stated to be based on information  
5 and belief, and those facts I believe to be true. If called as a witness, I could and would testify  
6 competently to the matters set forth in this declaration.

7 2. I am currently the Senior Human Resources Manager of the Information  
8 Systems & Technology group ("IS&T") at Apple Inc. ("Apple"). I have been in this position  
9 since 2005. Prior to this position, and since I was hired by Apple in March 2000, I was a Human  
10 Resources Manager at Apple.

11 3. Apple is headquartered in Cupertino, California within Santa Clara County  
12 and maintains its principal place of business there. Apple's headquarters contains many  
13 functional groups, including Engineering, Marketing, Sales, Legal, Human Resources,  
14 AppleCare, and IS&T. Apple's main human resources and employee relations department  
15 personnel work out of the Cupertino location. The IS&T group is also based out of Cupertino.  
16 Network Engineers belong to the IS&T group.

17 4. Apple currently employs a total of 27 Network Engineers in one of three  
18 locations: Cupertino, Elk Grove, and Austin, Texas. There are twenty-three (23) Network  
19 Engineers in Cupertino, two (2) in Elk Grove and two (2) in Austin. There are no Network  
20 Engineers employed in San Diego or anywhere else in the Southern Judicial District of California.


21 5. The plaintiff in this action, David Walsh, was employed as a Network  
22 Engineer in the IS&T Group. During his employment with Apple, Walsh resided in the Eastern  
23 District of California and worked for Apple out of the Elk Grove, California facility. Walsh  
24 attended meetings and has performed work at Apple's headquarters in Cupertino.

25 6. During his employment with Apple, Walsh reported to three managers who  
26 were based in Cupertino, and one based in Austin, Texas. As a result, Walsh's work assignments  
27 and communications from his managers mainly originated from Cupertino. Walsh also  
28 occasionally worked with other Network Engineers who were based out of Cupertino.

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7. All employment records kept by the Human Resources department are kept at Apple's headquarters in Cupertino. To the extent any electronic information needs to be collected from Apple's servers, it will be processed and sent from an Apple facility located in Cupertino. No documents about Walsh's employment are held in the Southern District of California.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on September 23, 2008 in Cupertino, California.

  
Heather Ramirez