

SBSW 6643

IN THE SUPERIOR COURT OF THE COUNTY OF SAN MATEO
STATE OF CALIFORNIA
SEARCH WARRANT

FILED
SAN MATEO COUNTY

APR 29 2010

Clerk of the Superior Court

By [Signature]
DEPUTY CLERK

THE PEOPLE OF THE STATE OF CALIFORNIA TO ANY PEACE OFFICER IN THE COUNTY OF SAN MATEO: proof by affidavit having been made before me by Detective Matthew Broad, San Mateo County Sheriff's Office demonstrates that there is probable cause to believe that the property described herein may be found at the locations set forth herein and that it is lawfully sizeable pursuant to Penal Code Section 1524 as indicated below by "x"(s) in that it:

- it was stolen or embezzled;
- it was used as the means of committing a felony;
- it is possessed by a person with the intent to use it as means of committing a public offense or is possessed by another to whom he or she may have delivered it for the purpose of concealing it or preventing its discovery;
- it tends to show that a felony has been committed or that a particular person has committed a felony;
- it tends to show that sexual exploitation of a child, in violation of Penal Code Section 311.3, or possession of matter depicting sexual conduct of a person under the age of 18 years, in violation of Section 311.11, has occurred or is occurring;
- there is a warrant to arrest the person;
- a provider of electronic communication service or remote computing service has records of evidence, as specified in Penal Code Section 1524.3, showing that property was stolen or embezzled constituting a felony/public offense, or that property or things are in possession of any person with intent to use them as a means of committing a felony/public offense, or in the possession of another to whom he or she may have delivered them for the purpose of concealing them or preventing their discovery;

YOU ARE THEREFORE COMMANDED TO SEARCH:

Premise(s): The premises, structure, rooms, receptacles, outbuildings, storage areas, and safes situated at the residence located at:

40726 Greystone Terrace
Fremont, Alameda County, CA

See Appendix A for description – attached hereto and incorporated herein

Person(s): The persons described as: Jason Shao Chen, DOB 2/16/1981, CDL B8607050, Male, 5-11, 150 lbs

Vehicles(s): In the vehicles described as: Any vehicle that is at the location of the search warrant and under the dominion and control of Jason Chen.

FOR THE FOLLOWING PROPERTY:

See Appendix B – attached hereto and incorporated herein

AND TO SEIZE IT IF FOUND and to retain the same in your custody pending disposition according to law. Return of this search warrant shall be to the above entitled court.

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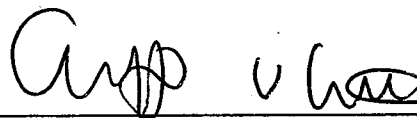
The court further orders that, upon adjudication of the case(s) against all defendant(s) in this action, including the resolution of any and all appeals, and with the written concurrence of the District Attorney's Office, the property may be disposed of in accordance with the procedures set forth in California Penal Code §1407 to 1422, without the necessity of a further Court Order issued pursuant to California Penal Code §1536.

NIGHT SEARCH APPROVED: YES () NO (X)

GIVEN MY HAND and dated this 23 day of April, 2010, at 7⁰⁰ A.M./P.M.

(SEAL)

on file



JUDGE OF THE SUPERIOR COURT
COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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Appendix "A"

Description of Items to be searched:

40726 Greystone Terrace, Fremont, Alameda County, California is a townhouse located in a three-story structure located at the intersection of Westerly Common and Greystone Terrace. The building has a green painted exterior with white trim. There is a gray concrete patio with three concrete steps leading to the front door. The door is a brown wooden door with two square glass windows in the upper portion. Black metal numerals depicting the number "40726" are affixed on the front of the building to the right of the brown wooden door. There is a two-pane sliding window in the front wall to the right of the metal numerals. The front door to 40726 Greystone Terrace is between 40734 Greystone Terrace and 40718 Greystone Terrace.

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Appendix "B"

Description of property to be seized:

1. Computer systems, digital storage devices, computer hardware (including peripherals and cables), and data, including but not limited to central processing units (CPUs), hard disk drives, thumb drives, flash drives, digital cameras, digital video cameras, floppy disk drives, tape drives, removable media drives, optical/CD-ROM drives, servers, workstations, display screens, thumb drives, memory cards, cellular telephones, digital cameras, input devices (including but not limited to keyboards, mice, and trackballs), printers, modems, peripherals, floppy disks, magnetic tapes, cassette tapes, removable storage media, and/or optical CD-ROM disks or cartridges, found together or separately from one another. Such systems also commonly include cables linking computer systems to other systems or phone lines.
2. Documentation or other material describing the operation of any computer systems, computer hardware, software, and/or computer peripherals found at the premises, including instructions on how to access disks, files, or other material stored within same, including but not limited to computer manuals, printouts, passwords, file name lists, "readme" and/or "help files."
3. All records and data **located and/or stored on** any computers, hard drives, or memory storage devices, located at the listed location including digital photographs and/or video of the Apple prototype 4G iPhone, email communications pertaining to the sale of photographs of the prototype phone and/or the sale of the physical prototype 4G Apple iPhone, internet history, cache files, and/or Internet pages pertaining to searches and/or research conducted on Apple employee Gray Powell, call records, contact lists, text messages related to the sale of photographs of the prototype iPhone and/or physical prototype iPhone, and indicia that identifies the owner and/or operators of the computer or electronic device. I further request that the above items be allowed to be examined by a forensic computer examiner and that the examination be conducted at an offsite facility due to the need for special equipment to properly conduct the examination and preserve the evidence and



that said search may be continued beyond the ten-day period beginning upon issuance of this Search Warrant, to the extent necessary to complete the search on the computer systems.

4. Printed documents, images, and/or notations pertaining to the sale and/or purchase of the stolen iPhone prototype and/or the sale and/or transfer of trade secret information pertaining to the iPhone prototype.
5. Any article of personal property tending to establish the identity of persons who have dominion and control over the premises and vehicles to be searched, including all keys to the described location and vehicles, rent receipts, utility bills, telephone bills, addressed mail, purchase receipts, sales receipts, and articles of personal property tending to show ownership of vehicles including, but not limited to vehicle pink slips and vehicle registration. All personal property and documents used by the persons named as means of identification, including but not limited to driver's licenses, credit cards, passports, social security cards, and photographs relative to the person(s) described.

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