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10 WHATSAPP INC. and FACEBOOK, INC.

11
                      UNITED STATES DISTRICT COURT
12
                    NORTHERN DISTRICT OF CALIFORNIA
13

14
   | WHATSAPP INC., a Delaware corporation, and FACEBOOK, INC., a Delaware corporation, | Case No. 4:19-cv-07123-PJH |
   | --- | --- |
15 | | **DECLARATION OF CLAUDIU GHEORGHE IN SUPPORT OF PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION TO DISMISS** |
16 | | |
17 | Plaintiffs, | Date:   May 27, 2020 |
18 | v. | Time:   9:00 a.m. |
   | | Courtroom: 3 |
19 | NSO GROUP TECHNOLOGIES LIMITED and Q CYBER TECHNOLOGIES LIMITED, | Judge:   Hon. Phyllis J. Hamilton |
20 | | |
21 | Defendants. | |

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1        I, Claudiu Gheorghe, declare:

2        1.     I submit this declaration in support of Plaintiffs Facebook Inc. and WhatsApp, Inc.'s

3 Opposition to Defendants' Motion to Dismiss the Complaint in the above-captioned matter.  The

4 information in this declaration is based on my personal knowledge of this matter and information I

5 obtained following a reasonable investigation of the events described below.  If called as a witness, I

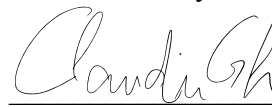6 could competently testify to the truth of each statement.

7        2.     I am a Software Engineering Manager on the WhatsApp Inc. Security team located in

8 Menlo Park, California.  I have been employed by Facebook Inc. or WhatsApp, Inc. since July 30,

9 2012.  I was involved in investigating the attack described in the Complaint.  At least ten engineers

10 based in WhatsApp Inc. and Facebook, Inc.'s California offices worked on investigation and

11 remediation for this attack.  There were additional engineers working on this investigation and

12 remediation located in the United States, as well as other locations.

13        3.     I have reviewed the malicious code sent during the attack described in the Complaint.

14 That malicious code was designed to cause a WhatsApp user's mobile device to connect to a remote

15 server not associated with WhatsApp.  The IP address of the remote server was included in the

16 malicious code.

17        4.     In 720 instances of the attack, the remote server's IP address was 104.223.76.220.

18        5.     In 3 instances of the attack, the remote server's IP address was 54.93.81.200.

19        I declare under penalty of perjury under the laws of the United States that the foregoing is

20 true and correct. Executed at San Mateo, California, on the 23rd day of April, 2020.

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22                        Claudiu Gheorghe

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Cooley LLP
Attorneys At Law
San Francisco

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Gheorghe Decl. ISO Opp. MTD
Case No. 4:19-cv-07123-PJH