

If you purchased a new 16 GB iPhone or iPad in California, with iOS 8 preinstalled, between September 17, 2014 and September 30, 2016, you could be included in a class action lawsuit.

*The United States District Court for the Northern District of California ordered this notice.
It is not a solicitation from a lawyer.*

A class action lawsuit, *Orshan et al. v. Apple Inc.*, No. 5:14-cv-05659-EJD (“*Orshan v. Apple*” or “*Orshan*”), is pending in the United States District Court for the Northern District of California (the “Court”) against defendant Apple Inc. (“Apple”). The lawsuit alleges that some new 16 GB iPhones and iPads sold between September 17, 2014 and September 30, 2016 came with a preinstalled operating system, iOS 8, which occupied approximately 3GB of those devices’ 16GB storage capacity. The plaintiffs in the lawsuit claim that Apple made misrepresentations and omissions concerning the devices’ storage capacity and the size of iOS 8. Specifically, the plaintiffs contend that since iOS 8 occupied approximately 3 GB of the devices’ storage capacity, Apple misled consumers into believing they would have more storage capacity available for their personal use than they received. Apple denies that it did anything improper or unlawful, and Apple has asserted numerous defenses to the claims in this case.

- On September 30, 2024, the Court certified the Class and allowed this case to proceed as a class action involving purchasers of new 16 GB iPhones or iPads in California, with iOS 8 preinstalled, who purchased their devices between September 17, 2014 and September 30, 2016. At this stage of the lawsuit, the Court has not yet determined whether Apple did anything wrong.
- This lawsuit may go to trial to determine whether Apple made misrepresentations regarding the portion of the 16GB devices occupied by iOS 8, whether those alleged misrepresentations violate California law, and whether there was monetary damage to the Class. If Plaintiffs win at trial, you may be entitled to relief, including monetary damages, awarded to the Class.

Your legal rights and options in this lawsuit are summarized below.

Legal Rights and Options	
DO NOTHING	Stay in this lawsuit. Await the outcome. Give up certain rights. By doing nothing, you keep the possibility of getting money or benefits that may come from a trial or a settlement. But you will give up any right to sue Defendant separately about the claims in this lawsuit.
EXCLUDE YOURSELF	Get out of this lawsuit. Get no benefits from it. Keep rights to sue Apple on your own. If you ask to be excluded and money or benefits are later awarded in this case, you will not receive a portion of them. But you will keep any rights to sue Apple separately about the same legal claims in this lawsuit.

Your options—and the deadlines to exercise them—are explained in this Notice. **To ask to be excluded, you must act before January 29, 2026.**

BASIC INFORMATION ABOUT THE LAWSUIT

1. What is this lawsuit about?

The name of the lawsuit is *Orshan et al. v. Apple Inc.*, and it is pending in the United States District Court for the Northern District of California (Case No. 5:14-cv-05659-EJD). In the lawsuit, Plaintiffs claim that Apple sold 16 GB iPhones and iPads with a preinstalled operating system, iOS 8 which occupied approximately 3 GB of their device's 16 GB storage capacity. Plaintiffs allege that Apple's advertising led consumers to believe they would have all 16 GB of storage capacity for their personal use. You can read Plaintiffs' Complaint here: https://AppleiOS8Litigation.com/wp-content/uploads/2025/10/AMENDED_COMPLAINT_Second_Consolidated_and_Amended_.pdf.

2. What is Apple's Response?

Apple denies that it did anything wrong and has asserted many defenses to the claims in this case. At this point in the lawsuit, the Court has not found that Apple engaged in any wrongdoing. Apple's answer to the operative Complaint is here: www.appleiOS8litigation.com/important-case-documents

3. What are Plaintiffs asking for?

Plaintiffs are asking the Court to award Class members monetary damages to compensate them for Apple's alleged misrepresentations and omissions concerning the approximately 3 GB of storage capacity occupied by iOS 8. Apple disputes that Plaintiffs are entitled to any monetary damages.

4. Has the Court decided who is right?

The Court has not decided whether Apple or Plaintiffs are correct. By granting class certification and issuing this Notice, the Court is not suggesting that Plaintiffs will win or lose this case. Plaintiffs must prove their claims at a trial or through a pretrial motion. A trial date has not yet been set.

5. What is a class action and who is involved?

In a class action lawsuit, one or more people called the "plaintiffs" sue on behalf of themselves and other people who have similar claims. In certifying a class, the Court appoints the plaintiffs to serve as "class representatives." For the purposes of a class action lawsuit, one court will resolve the issues for all class members, except for those people who properly exclude themselves from the lawsuit, as described below.

DETERMINING IF YOU ARE A MEMBER OF THE CLASS

6. Am I part of the Class?

The Court has certified a Class consisting of all persons who purchased a new 16GB iPhone or iPad, with iOS 8 preinstalled, in California between September 17, 2014, and September 30, 2016. If you did so, and do not request to be excluded, you are a member of the Class.

7. Are there exceptions to being included in the Class?

Yes. The Class excludes the lawyers for Plaintiffs ("Class Counsel"), any employees of Class Counsel, Apple, its parents, subsidiaries, affiliates, officers and directors; any entity in which Apple has a controlling interest; governmental entities; and all judges assigned to hear any aspect of this litigation, as well as their staff and immediate family members. The Class will also exclude anyone who properly requests to be excluded (see below).

8. I am still not sure if I am included. What do I Do?

If you are still not sure whether you are a member of the Class, you can get free help by calling or writing to the lawyers in this case at the phone number or address listed below.

Please do not call the Court.

YOUR RIGHTS AND OPTIONS

You have to decide whether to stay in the Class or ask to be excluded before the trial, and you have to decide this on or before **January 29, 2026**.

9. How do I stay in the Class?

If you do nothing, you will stay in the Class. If you stay in the Class and Plaintiffs obtain money or benefits, you will be notified about how to apply for a share. By staying in the Class, you will also be legally bound by all of the orders the Court issues and the judgment the Court makes in this lawsuit. If you do nothing now, regardless of whether Plaintiffs win or lose, you will give up your right to sue or continue to sue Apple as part of any other lawsuit about the same legal claims in this lawsuit.

10. How do I ask the Court to exclude me from the Class?

To exclude yourself from the Class, you must do one of the following:

(a) mail a completed copy of the attached Exclusion Request Form, postmarked by **January 29, 2026**, to the following address:

Apple iOS 8 Litigation
c/o Analytics Consulting LLC
PO Box 2010
Chanhassen, MN 55317-2010

or

(b) mail a letter to the address above, postmarked by January 29, 2026, which states (a) your name and mailing address, (b) the make, model, and storage capacity of your iPhone or iPad, (c) when and from which company you purchased your iPhone or iPad, (d) the serial number(s) of your iPhone or iPad, (e) that you believe you are a Class member and you wish to be excluded from the Class, and (f) the name and case number of this case (*Orshan et al. v. Apple Inc.*, No. 5:14-cv-05659-EJD).

THE LAWYERS REPRESENTING YOU

11. As a Class member, who represents me in this case?

The Court has appointed Plaintiff Kye Weasner to represent the Class, and the law firms Handley Farah & Anderson PLLC, Audet & Partners, LLP, Baron & Herskowitz, Cuneo Gilbert & LaDuca, LLP, and Lockridge Grindal Nauen PLLP as Class counsel (“Class Counsel”) to represent you and other Class members. The attorneys’ contact information is listed below.

12. Should I get my own attorney?

If you wish to remain a Class member, you do not need to hire your own lawyer because Class Counsel is working on your behalf. You may make an appearance in the case through another attorney at your own expense if you choose. If you wish to pursue your own case separate from this one, you will need to file a request for exclusion. If you do so, you will need to decide whether to hire your own attorney.

13. How will the lawyers be paid? Will the Class Representatives receive any money?

Class members are being represented on a contingency fee basis. That means they do not incur any up-front legal fees or out-of-pocket expenses, but if Class Counsel get money or benefits for the Class, they will request that the Court approves an award of attorneys’ fees and reimbursement of expenses. They also may ask for incentive awards for the Class Representatives. If approved, these fees, expenses, and incentive awards will be paid as part of any settlement or judgment obtained for the Class.

THE TRIAL

14. How and when will the Court decide who is right?

As long as the case isn't resolved by a settlement or otherwise, Plaintiffs will have to prove their claims against Apple at a trial. The trial date is not yet scheduled. To check on the status of the trial date, please click here: <https://AppleiOS8Litigation.com>. During the trial, the Court or a jury will hear all of the evidence to help them reach a decision about whether Apple or Plaintiffs are right about the claims in this lawsuit. There is no guarantee that Plaintiffs will win, or that they will get any money or other benefits for the Class.

15. Do I have to come to the trial?

No, you do not need to attend the trial. Class Counsel will present the case for Plaintiffs and the Class, and Apple will present its defenses.

GETTING MORE INFORMATION

16. How do I get more information?

If you have any questions, you may contact Class Counsel listed below or the Class Action Administrator Apple iOS 8 Litigation, c/o Analytics Consulting LLC, PO Box 2010, Chanhassen, MN 55317-2010. Certain case documents are available here: <https://AppleiOS8Litigation.com/important-case-documents>.

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