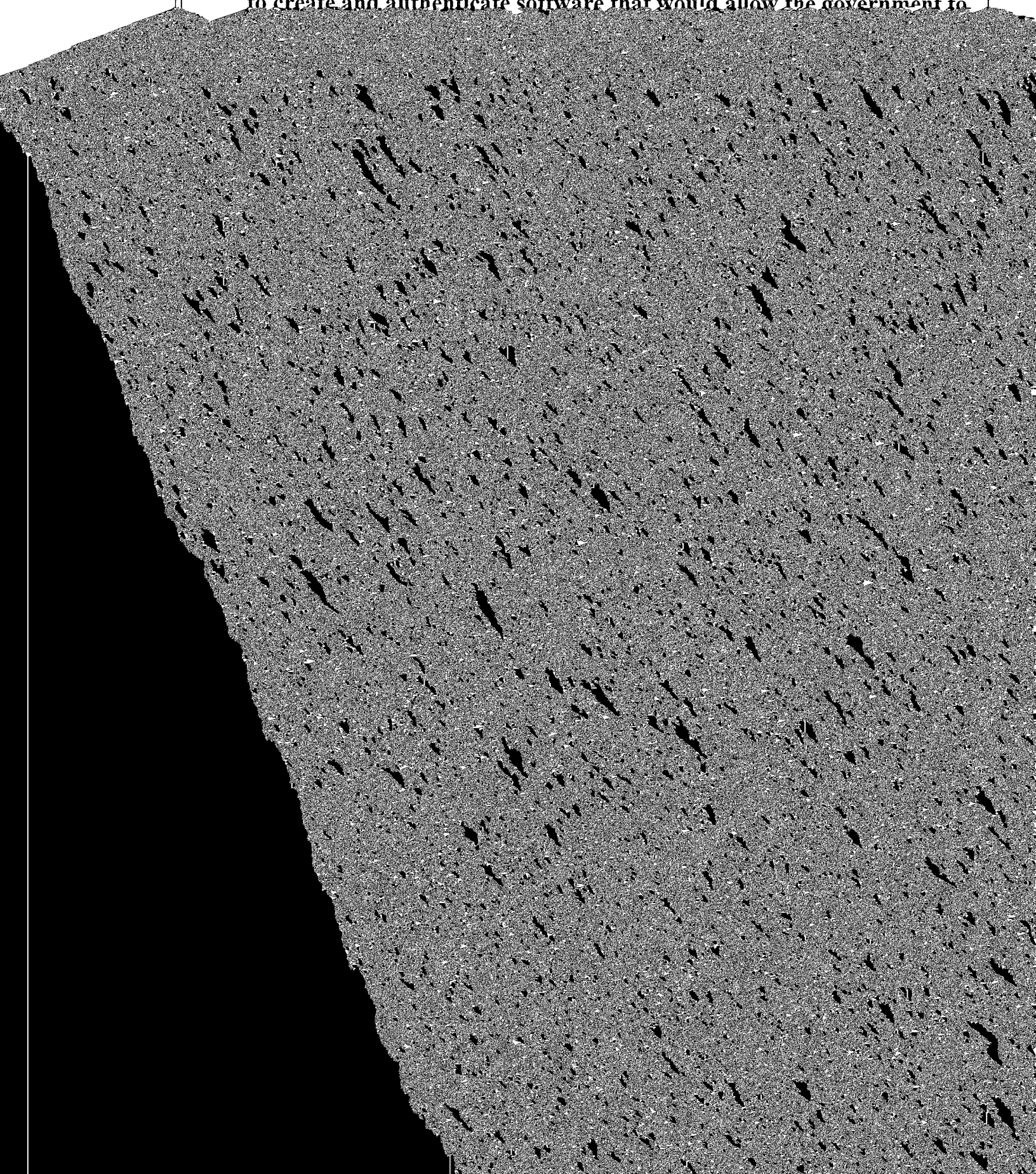
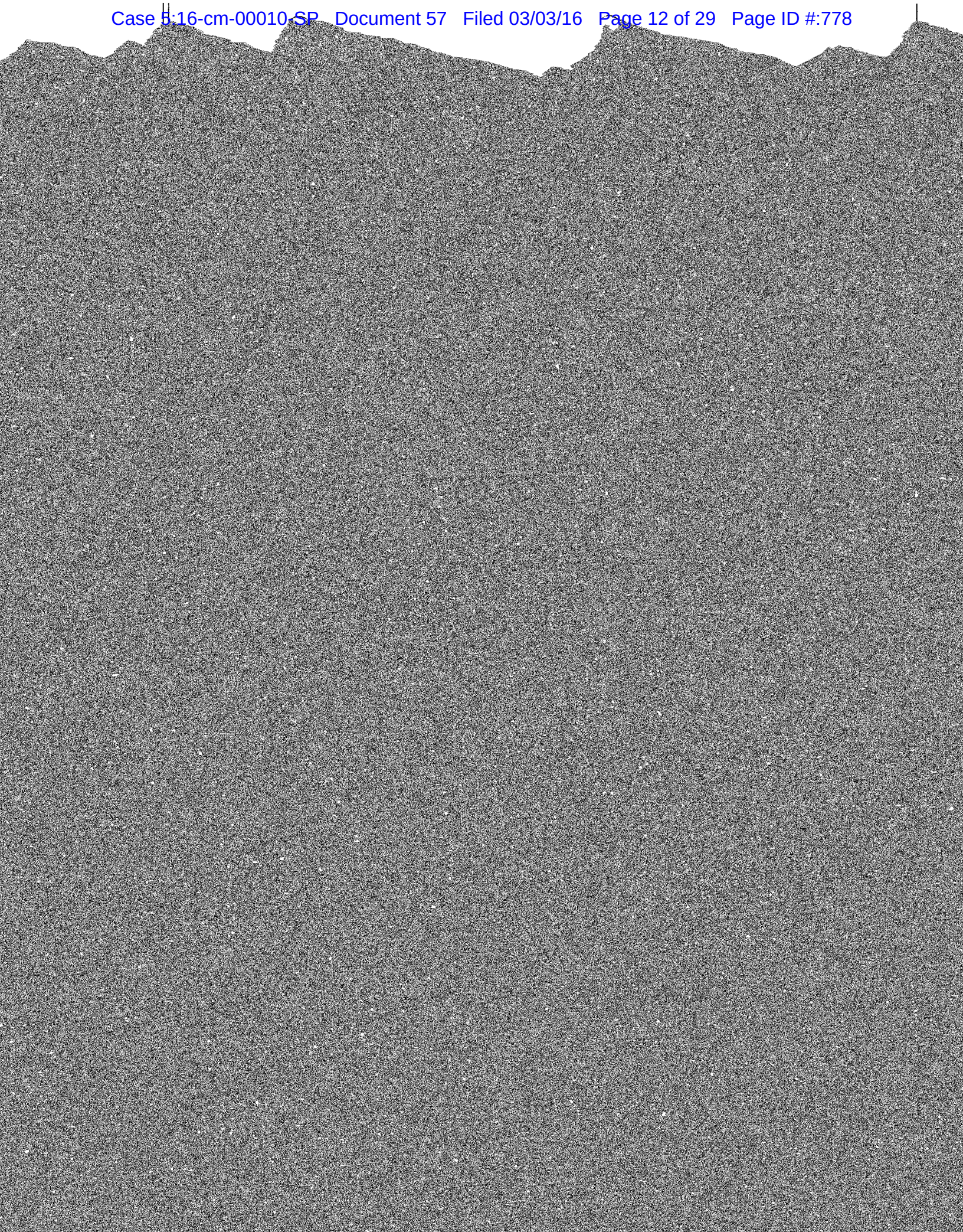
Peter Bibring (SBN 223981)

ARGUMENT

I. The All Writs Act does not authorize the government to compel Apple to create and authenticate software that would allow the government to





C. The government has failed to demonstrate that the assistance it

Supreme Court has "emphasized time and again that '[t]he touchstone of due

government seeks in a manner that could be fairly understood as regulatory, rather than investigative in nature. *See, e.g., New Motor Vehicle Bd. v. Orrin W. Fox Co.*,

Telephone: (213) 977-9500