

## **WESTERN DIGITAL END-USE & END-USER CERTIFICATE**

Western Digital Technologies, Inc., its parent corporation, affiliates, and subsidiaries (collectively, "Western Digital") is committed to full compliance with global export control laws and regulations. Accordingly, we are providing the below information along with confirmations and certifications of Western Digital's commitment to and compliance with the U.S. Export Administration Regulations ("EAR"), 15 C.F.R. Parts 730-774, with respect to the export, reexport and transfer of Western Digital and Partner hardware, software and technology (collectively, "Items") that may be subject to the U.S. EAR, the U.S. Office of Foreign Assets Controls' SDN sanctions, and other export controls or economic sanctions programs maintained by other governments having jurisdiction over Western Digital.

### **Military End Users or for Military End Uses**

Unless specifically licensed or otherwise authorized by the U.S. Government, Items will not be exported, reexported, or transferred (in-country) to a military end user or for a military end use as defined under Part 744.21 and Part 744.22 of the U.S. EAR.

### **Russia and Belarus Sanctions**

With respect to the Russia and Belarus Sanctions, Western Digital confirms:

- It is not owned or controlled, in whole or in part, including state-owned enterprises (SoEs), or in any way affiliated with the Government of Russia or Belarus;
- Items will not be shipped directly or indirectly to Russia, Belarus, sanctioned regions of Ukraine (i.e., Donetsk People's Republic, Luhansk People's Republic, Kherson, and Zaporizhzhia), or to any sanctioned entities/parties, unless specifically licensed or otherwise authorized by all applicable governmental agencies.

### **"Supercomputer," "Advanced-Node Integrated Circuits," and Semiconductor Manufacturing Equipment End Use Controls**

Unless specifically licensed or otherwise authorized by all applicable governmental agencies, Items will not be exported, reexported, or transferred (in-country) for "supercomputer," "advanced-node integrated circuits," and semiconductor manufacturing equipment end use, to any restricted destination, restricted end use, or restricted end user as defined under Part 744.23 of the U.S. EAR.

### **General Export Controls and Sanctions**

Western Digital is subject to global export control laws and further confirms that any use, export, re-export, transfer, or sale of Items is carried out in full compliance with export controls laws, as applicable. In addition to the representations set forth above, Western Digital hereby makes the following certifications and confirmations:

- It will not export, re-export, or transfer (in-country) any Items for use in activities which involve the development, production, use or stockpiling of nuclear activities prohibited under Part 744.2 of the U.S. EAR, chemical or biological weapons or missiles, or unmanned aerial vehicles nor use Items in any facilities which are engaged in activities relating to such weapons or applications, unless licensed or otherwise authorized by the U.S. Government;
- It will not sell, export, re-export, or transfer (in-country) any Items to a country or territory subject to comprehensive U.S. Government embargo, including, but not limited to, Cuba, Iran, North Korea, Syria, and the region of Crimea, unless licensed or otherwise authorized by the U.S. Government.
- Unless specifically licensed or otherwise authorized by all applicable governmental agencies, Western Digital will not export, re-export, or transfer (in-country), any Items to any individual or entity listed by the U.S. Office of Foreign Assets Controls ("OFAC") in its Sectoral Sanctions Identifications ("SSI") List subject to OFAC's Directive 4 under Executive Order 13662.
- Items will not be exported, re-exported, or transferred (in-country) to:
  - any person or entity on the U.S. EAR's Entity List with an additional footnote restriction, unless specifically licensed or otherwise authorized by the U.S. Government;
  - any person or entity on the U.S. EAR's Denied Parties List, Entity List, or Unverified List, unless specifically licensed or otherwise authorized by the U.S. Government;

Tel: +1.408.717.6000

- any person or entity on the List of Specially Designated Nationals and Blocked Persons (“SDN List”) published by the U.S. Treasury Department or on the Restricted Party List found at <https://www.treasury.gov/resource-center/sanctions/SDN-List/Pages/default.aspx>, or any entity that is 50 percent or more owned by one or more of the listed SDNs, unless specifically licensed or otherwise authorized by the U.S. Government; or
- any country, person, or entity subject to sanctions laws or regulations or equivalent measures administered by the United Nations, the European Union or any of its Member States (collectively “Sanctioned Countries and Parties”), unless specifically licensed or otherwise authorized by all applicable governmental agencies.

I, the undersigned below, certify, as a duly authorized representative of the Western Digital named herein, that the information provided in this document are true and accurate to the best of my knowledge and that Western Digital agrees as indicated herein. Western Digital will not divert, export, reexport or transfer Items in any manner inconsistent with representations above.

Company: Western Digital
Name of Authorized Representative for Company: Anna DeWitte
Title: Director , Trade Compliance
Signature: <i>Anna DeWitte</i>
Date: 08/28/2024