

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

ALLIANCE FOR AUTOMOTIVE
INNOVATION

Plaintiff,

vs.

MAURA HEALEY, ATTORNEY GENERAL
OF THE COMMONWEALTH OF
MASSACHUSETTS in her official capacity,

Defendant.

C.A. No. 1:20-cv-12090-DPW

Declaration of Stephen McKnight

1. My name is Stephen McKnight. I am 46 years old and reside in Rochester Hills, Michigan.

2. Since March 2021, I have been the Head of Global Product Cybersecurity for North American Engineering at Stellantis. Stellantis is the successor to Fiat Chrysler Automobiles (FCA), formed by the merger of FCA and Groupe PSA. Stellantis is a member of the Alliance for Automotive Innovation (“Auto Innovators”). Mark Chernoby, who submitted affidavits and provided trial testimony in this case on behalf of FCA, retired in 2021. Accordingly, Auto Innovators asked me to submit this declaration. This declaration is based on my personal knowledge.

3. I am familiar with this action, and the Data Access Law more generally, from my role at Stellantis. I provided deposition testimony at the Attorney General’s request in early May 2021, shortly after joining Stellantis. Through my involvement in this case, I have become familiar with the Attorney General’s proposed interpretations of the Data Access Law and proposed

methods of compliance with that law. Most recently, I reviewed the parties' joint submission regarding their interpretations of the Data Access Law.

4. I understand that the Court has inquired into what steps that Stellantis has taken to implement the Data Access Law since 2021. In short, after carefully considering the requirements of the Data Access Law and its federal obligations, Stellantis has determined it cannot comply with the Data Access Law safely and, thus, has not taken any specific steps to comply with this particular law, for several reasons.

5. First, the Data Access Law, as Stellantis understands and interprets it, would require removing critical cybersecurity controls from its vehicles. Stellantis cannot do this consistent with its federal safety obligations.

6. Second, having reviewed the parties' joint submission on their interpretations of the Data Access Law, I understand that the parties disagree about what the Data Access Law means and actually requires. Until the Court provides guidance on these issues, Stellantis cannot know what is required in order to comply.

7. Third, under both parties' interpretations of the Data Access Law, and putting aside any cybersecurity concerns, there are certain prerequisites that need to exist before Stellantis could even attempt to comply. For instance, the law assumes the existence of "standardized" authorization systems and an "unaffiliated" third-party entity that manages those authorization systems. But Stellantis cannot create either a "standardized" authorization system or an "unaffiliated" third-party entity. Rather, by definition, any authorization system that Stellantis creates would not be "standardized," and any third-party entity it creates to administer those authorization systems would be "affiliated" with Stellantis. The Attorney General's latest

submission regarding its interpretation of the Data Access Law provides no practical guidance on these issues—leaving Stellantis in the same position it was in last year.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on: October 20, 2022


Stephen McKnight

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on the date of electronic filing.

/s/ Laurence A. Schoen

Laurence A. Schoen