

# She Sent Her iPhone to Apple. Repair Techs Uploaded Her Nudes to Facebook

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Apple paid a multimillion dollar settlement to an Oregon woman after repair techs the company had contracted published nude photos of her from her phone on her Facebook. As first reported by *The Telegraph*, the unidentified woman sent her iPhone to Apple for repairs in 2016. According to court documents reviewed by Motherboard, two repair techs then posted “10 photos of her in various stages of undress and a sex video” to her personal Facebook page. The case highlights the personal nature of our devices and the need for Apple to relinquish its repair monopoly and let us repair our own stuff.

According to court records, the woman found out this happened when one of her friends reached out to say her nudes had been uploaded to Facebook. She pulled them down and threatened to sue Apple for invasion of privacy and emotional distress. In this case, the people who uploaded the photos and video worked for a company called Pegatron, which is a company Apple works with to do repairs.

For years, Apple has been arguing to legislators that it needs to tightly control who is able to do repairs on iPhones and other Apple products. One of the core arguments it makes is that allowing "unauthorized" repair companies to fix iPhones will lead to privacy violations and will cause security problems. This case shows how, even when Apple tightly controls its repair infrastructure, it cannot prevent disastrous cases like this from happening. In a world where repair is a free and open marketplace, consumers can choose to take their phone to someone who they trust, or can decide to repair their phone themselves. In the current world we live in, you often have to take your phone to Apple; your phone then goes to a giant repair facility somewhere. The phone is essentially entering a black hole.

The only reason we know about this case is because of a dispute between Apple, Pegatron, and the AGLIC American Insurance Company. Apple and other large corporations pay for something called indemnity insurance. The basic idea is that when the big company screws up and has to pay a judgement in a case like this, the insurance reimburses them. In the

lawsuit, Apple is named as a "customer" of Pegatron, but is not a party to the lawsuit. Apple fought (and succeeded) at filing details of the case under seal. Many of the documents remain sealed by the court.

Apple paid the multimillion dollar settlement, Pegatron reimbursed them, and then the insurance company refused to pay out the indemnity claim. The exact amount of the settlement isn't known, but court records obtained by Motherboard discuss two transactions in dispute—one for \$4.25 million and another for \$1.7 million.

This isn't the first time an Apple employee or contractor has sorted through a customer's photo gallery and shared their nudes. It happens all the time. In 2019 an Apple genius texted himself a personal photograph of a customer who'd come in looking for help with her phone. In 2016, Apple fired a group of employees in Australia after uncovering evidence the group had set up a website to share customer's photographs.

Our devices are extremely personal. They hold an incredible amount of information about us, from personal emails, to explicit photographs, private communications, and financial information.

Companies like Apple intentionally manufacture devices to be repairable only by authorized companies. They often require special tools to diagnose and fix problems, which aren't shared with the public or third-party repair shops. Apple and other companies have taken extraordinary steps to make sure people can't repair their own devices, and even claim it's unsafe for us to do so.

"Apple has been opposing Right to Repair bills by claiming that their service network is the only safe repair option for consumers," Kyle Wiens, CEO of iFixit, told Motherboard. "But the only person that is totally guaranteed to be trustworthy to fix your iPhone is you. Any time you hand your data to another entity, you risk something like this. By withholding access to service tools and forcing customers to use their third party contractor, Apple is willfully compromising the security of their customers."

Laws enshrining the right-to-repair would fix these issues and pave the way for people to fix their own stuff. States across the country are considering legislation that would give people the power to fix their own stuff.

Apple did not immediately respond to Motherboard's request for comment.

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