

Case No. A173244

**IN THE COURT OF APPEAL FOR THE STATE OF CALIFORNIA  
FIRST APPELLATE DISTRICT, DIVISION FOUR**

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MAURY BLACKMAN,

*Plaintiff and Appellant,*

v.

SUBSTACK, INC.; JACK POULSON; and TECH INQUIRY, INC.,

*Defendants and Respondents,*

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Appeal from the Superior Court for the County of San Francisco  
The Honorable Christine Van Aken, Presiding Judge  
Case No. CGC-24-618681

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**RESPONDENT JACK POULSON'S APPENDIX  
VOL. 1 OF 1  
RA0001-RA0103**

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**RESPONDENT JACK POULSON'S APPENDIX**  
**CHRONOLOGICAL INDEX**

*Maury Blackman,*

v.

*Substack, Inc., Jack Poulson, and Tech Inquiry, Inc.*

Trial Court Case No:

CGC-618681

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Court of Appeal Case No.

A173244

<b>Ex. #</b>	<b>Date</b>	<b>Filing Party</b>	<b>Description</b>	<b>RA Page</b>
A	12/6/24	Amazon Web Services, Inc.	Request for Judicial Notice in Support of Special Motion to Strike Plaintiff's Complaint Pursuant to California Code of Civil Procedure Section 425.16	RA0004
B	12/6/24	Amazon Web Services, Inc.	Excerpt from Compendium of Evidence in Support of Amazon Web Services, Inc.'s Special Motion to Strike Plaintiff's Complaint Pursuant to Code of Civil Procedure Section 425.16 (REDACTED)	RA0008
C	12/13/24	Superior Court of San Francisco County	Order Denying Plaintiff John Doe's Motion Seeking Permission for Plaintiff to Proceed under a Fictitious Name	RA0085
D	1/28/25	Jack Poulson	Request for Judicial Notice in Support of Defendant Jack Poulson's Special Motion to Strike	RA0092
E	1/29/25	Jack Poulson and Tech Inquiry, Inc.	Defendants Jack Poulson's and Tech Inquiry's Notice of Joinder and Joinder to Amazon Web Services, Inc.'s Objections to Evidence and Request for Judicial Notice	RA0099

**RESPONDENT JACK POULSON'S APPENDIX**  
**ALPHABETICAL INDEX**

*Maury Blackman,*

v.

*Substack, Inc., Jack Poulson, and Tech Inquiry, Inc.*

Trial Court Case No:

CGC-618681

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Court of Appeal Case No.

A173244

<b>Ex. #</b>	<b>Date</b>	<b>Filing Party</b>	<b>Description</b>	<b>JA Page</b>
E	1/29/25	Jack Poulson and Tech Inquiry, Inc.	Defendants Jack Poulson's and Tech Inquiry's Notice of Joinder and Joinder to Amazon Web Services, Inc.'s Objections to Evidence and Request for Judicial Notice	RA00099
B	12/6/24	Amazon Web Services, Inc.	Excerpt from Compendium of Evidence in Support of Amazon Web Services, Inc.'s Special Motion to Strike Plaintiff's Complaint Pursuant to Code of Civil Procedure Section 425.16 (REDACTED)	RA0008
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A	1/6/24	Amazon Web Services, Inc.	Request for Judicial Notice in Support of Special Motion to Strike Plaintiff's Complaint Pursuant to California Code of Civil Procedure Section 425.16	RA0004

# EXHIBIT A

Respondent Jack Poulson's Appendix

1 DAVIS WRIGHT TREMAINE LLP  
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14 Attorneys for Defendant  
15 AMAZON WEB SERVICES, INC.

ELECTRONICALLY  
**FILED**  
Superior Court of California,  
County of San Francisco

**12/06/2024**  
Clerk of the Court  
BY: SANDRA SCHIRO  
Deputy Clerk

11 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
12 IN AND FOR THE COUNTY OF SAN FRANCISCO  
13 UNLIMITED JURISDICTION

14 JOHN DOE, an individual,  
15 Plaintiff,

16 v.

17 SUBSTACK, INC., a Delaware Corporation;  
18 AMAZON WEB SERVICES, INC., a Delaware  
19 corporation; JACK POULSON, an individual;  
20 TECH INQUIRY, INC., a Delaware corporation;  
21 DOES 1-25, inclusive,  
22 Defendants.

Case No. CGC-24-618681

**REQUEST FOR JUDICIAL NOTICE IN  
SUPPORT OF SPECIAL MOTION TO  
STRIKE PLAINTIFF'S COMPLAINT  
PURSUANT TO CALIFORNIA CODE OF  
CIVIL PROCEDURE SECTION 425.16**

[Notice of Motion and Special Motion to Strike;  
Compendium of Evidence, Request for Judicial  
Notice, and Motion to File Portions of Special  
Motion to Strike, Declaration of Sarah E.  
Burns, and Exhibits 1-6 Under Seal Filed  
Concurrently]

Date: January 6, 2025  
Time: 9:30 a.m.  
Dept.: 302

Action Filed: October 3, 2024

1 Pursuant to Evidence Code §§ 452 and 453, Defendant Amazon Web Services, Inc.  
2 (“AWS”) respectfully requests that this Court take judicial notice of Exhibits 1-6 contained in the  
3 concurrently-filed Compendium of Evidence in support of AWS’s Special Motion to Strike  
4 Plaintiff’s Complaint Pursuant to California Code of Civil Procedure Section 425.16.<sup>1</sup>

5 *First*, Exhibit 1 and Exhibit 2 are judicially noticeable because both are incorporated by  
6 reference into the Complaint. *See* Declaration of Sarah E. Burns (“Burns Decl.”) ¶¶ 2-3.  
7 Specifically, the claims in the Complaint purport to be premised on news articles (“Articles”)  
8 published by co-defendant Jack Poulson in 2023 and 2024 containing information from an arrest  
9 report (“Incident Report”). *See* Compl. ¶ 24. Exhibit 1 contains the at-issue Articles and Exhibit  
10 2 contains the Incident Report.

11 Because the Articles and Incident Report are referenced in the Complaint and form the  
12 basis of Plaintiff’s claims, they may be considered under the incorporation-by-reference doctrine.  
13 *See Circle Star Ctr. Assocs., L.P. v. Liberate Techs.*, 147 Cal. App. 4th 1203, 1206 n.1 (2007)  
14 (court may consider documents “incorporated by reference in the complaint”); *Ferlauto v.*  
15 *Hamsher*, 74 Cal. App. 4th 1394, 1397 n.1 (1999) (taking judicial notice of book that was subject  
16 of claims for defamation and emotional distress); *Hofmann Co. v. E.I. Du Pont de Nemours &*  
17 *Co.*, 202 Cal. App. 3d 390, 395 n.3 (1988) (taking judicial notice of newspaper article in which  
18 allegedly defamatory statements appeared); *Weingarten v. Block*, 102 Cal. App. 3d 129, 137  
19 (1980) (taking judicial notice of series of articles containing allegedly defamatory statements).

20 *Second*, Exhibits 3-6 contain publicly-available online publications about Plaintiff, his  
21 former employer, and his work as an executive in the technology sector; op-eds Plaintiff has  
22 published; and publications about this lawsuit. *See* Burns Decl. ¶¶ 4-6. These materials are being  
23 submitted for the purposes of establishing that Plaintiff’s claims against AWS arise from acts in  
24 furtherance of speech “in connection with a public issue or an issue of public interest” under the

25 \_\_\_\_\_  
26 <sup>1</sup> A court can properly consider admissible evidence in ruling on a special motion to  
27 strike under the SLAPP statute. *See* C.C.P. § 425.16(b)(2). All of the items for which AWS  
28 seeks judicial notice have been properly submitted and authenticated in AWS’s Compendium of  
Evidence. *See* Burns Decl. ¶¶ 2-5. Consequently, judicial notice is not necessary for these items  
to be considered. AWS therefore submits this RJN only out of an abundance of caution, because  
all of these items are publicly-available and subject to judicial notice.

1 SLAPP statute (*see* C.C.P. § 425.16(e)(3)-(4); SLAPP Motion, Section III) and related  
2 constitutional, statutory, and common law privileges, *see* SLAPP Motion, Section III.A-D.

3 It is proper to take judicial notice of these materials in order “to indicate what was in the  
4 public realm at the time.” *Makaeff v. Trump Univ.*, 715 F.3d 254, 259 n.2, 266-67 (9th Cir. 2013)  
5 (taking judicial notice of books, newspaper and magazine articles, and webpages that helped  
6 establish SLAPP public interest requirement, and demonstrated a “public controversy” for  
7 purposes of analyzing defamation claim). *See also Seelig v. Infinity Broadcasting Corp.*, 97 Cal.  
8 App. 4th 798, 807 n.5 (2002) (taking judicial notice of news articles discussing subject of  
9 defendant’s speech to analyze SLAPP public interest standard); *Cross v. Cooper*, 197 Cal. App.  
10 4th 357, 378 n.13 (2011) (“extensive media coverage” of broad topic of defendant’s speech  
11 supported finding of public interest); *Hecimovich v. Encinal School PTO*, 203 Cal. App. 4th 450,  
12 454 (2012) (Internet websites and search results showed public interest).

13 For all of these reasons, AWS respectfully requests that this Court take judicial notice of  
14 Exhibits 1-6 submitted in support of their SLAPP Motion.

15  
16 DATED: December 6, 2024

DAVIS WRIGHT TREMAINE LLP  
SARAH E. BURNS  
SAMUEL A. TURNER

17  
18 By: /s/ Sarah E. Burns  
19 Sarah E. Burns

20 Attorneys for Defendant AMAZON WEB  
21 SERVICES, INC.  
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# EXHIBIT B

Respondent Jack Poulson's Appendix

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9 Attorneys for Defendant  
AMAZON WEB SERVICES, INC.

10  
11 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
12 IN AND FOR THE COUNTY OF SAN FRANCISCO  
13 UNLIMITED JURISDICTION

14 JOHN DOE, an individual,  
15 Plaintiff,

16 v.

17 SUBSTACK, INC., a Delaware Corporation;  
AMAZON WEB SERVICES, INC., a Delaware  
18 corporation; JACK POULSON, an individual;  
TECH INQUIRY, INC., a Delaware corporation;  
19 DOES 1-25, inclusive,

20 Defendants.

Case No. CGC-24-618681

**COMPENDIUM OF EVIDENCE IN  
SUPPORT OF AMAZON WEB SERVICES,  
INC.'S SPECIAL MOTION TO STRIKE  
PLAINTIFF'S COMPLAINT PURSUANT  
TO CODE OF CIVIL PROCEDURE  
SECTION 425.16**

**UN-REDACTED.**

**FILED PROVISIONALLY UNDER SEAL.**

[Notice of Motion and Special Motion To  
Strike, Request For Judicial Notice, and Motion  
to File Portions of Special Motion to Strike,  
Declaration of Sarah E. Burns, and Exhibits 1-6  
Under Seal Filed Concurrently]

Date: January 6, 2025  
Time: 9:30 a.m.  
Dept.: 302

Action Filed: October 3, 2024

1 Defendant Amazon Web Services, Inc. (“AWS”) respectfully submit this Compendium of  
2 Evidence in support of its concurrently-filed Special Motion to Strike Plaintiff’s Complaint  
3 Pursuant to Code of Civil Procedure Section 425.16.

4 **TABLE OF CONTENTS**

5 Declaration Tab	<u>Declaration of Sarah E. Burns</u>
6 Exhibit 1	News articles published by co-defendant Jack Poulson about 7 Plaintiff’s 2021 arrest and his role as CEO of technology 8 company Premise Data.
9 Exhibit 2	The Incident Report related to Plaintiff’s arrest.
10 Exhibit 3	Online publications about Premise Data.
11 Exhibit 4	Online publications about Plaintiff’s employment history and 12 work as an executive in the technology sector.
13 Exhibit 5	Op-eds published by Plaintiff.
14 Exhibit 6	Online publications about this lawsuit.

15  
16 DATED: December 6, 2024

DAVIS WRIGHT TREMAINE LLP  
SARAH E. BURNS  
SAMUEL A. TURNER

19 By: /s/ Sarah E. Burns  
20 Sarah E. Burns

21 Attorneys for Defendant  
22 AMAZON WEB SERVICES, INC.  
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- e. “Gig-work surveillance firm settles case against alleged whistleblower,” All-Source Intelligence (January 6, 2024), available at <https://jackpoulson.substack.com/p/gig-work-surveillance-firm-settles>.
- f. “California-based covert surveillance firm attempted to criminalize this publication and unmask its sources, court filings reveal,” All-Source Intelligence (April 25, 2024), available at <https://jackpoulson.substack.com/p/california-based-covert-surveillance>.

3. Attached as **Exhibit 2** is the arrest report (“Incident Report”) referenced in paragraph 14 of Plaintiff’s Complaint. I downloaded the Incident Report from the following URL: <https://jackpoulson.substack.com/p/the-covert-gig-work-surveillance>.

4. Attached as **Exhibit 3** are true and correct copies of online publications about Premise Data. A DWT Document Specialist downloaded each of the following articles from the internet at my direction on December 6, 2024:

- a. “Startup Premise Data collects, sells better data,” SFGate (October 14, 2013), available at <https://www.sfgate.com/technology/dotcommentary/article/startup-premise-data-collects-sells-better-data-4895758.php>.
- b. “Fintech 50: The Future Of Your Money: Premise Data,” Forbes (March 30, 2016), available at <https://www.forbes.com/pictures/fhgl45jmfe/premise-data/>.
- c. “App Taps Unwitting Users Abroad to Gather Open-Source Intelligence,” The Wall Street Journal (June 24, 2021), available at <https://www.wsj.com/articles/app-taps-unwitting-users-abroad-to-gather-open-source-intelligence-11624544026>.
- d. “Premise Mobile-Phone App Suspends Ukraine Activities After Accusations Fly,” The Wall Street Journal (February 26, 2022), available at <https://www.wsj.com/livecoverage/russia-ukraine-latest-news-2022-02-26/card/premise-mobile-phone-app-suspends-ukraine-activities-after-accusations-fly-8FDnhZe9raunaIJ4HV66>.

- 1 e. “New Poll Reveals Who Democrats Want on the Presidential Ticket in 2024,”  
2 People Magazine (July 27, 2022), available at [https://people.com/politics/new-poll-  
3 reveals-who-democrats-want-on-the-presidential-ticket-in-2024/](https://people.com/politics/new-poll-reveals-who-democrats-want-on-the-presidential-ticket-in-2024/).
- 4 f. “Armed with smartphones, Colombians are taking on the local mozzies,” The  
5 Economist (July 6, 2019), available at [https://www.economist.com/science-and-  
6 technology/2019/07/06/armed-with-smartphones-colombians-are-taking-on-the-  
7 local-mozzies](https://www.economist.com/science-and-technology/2019/07/06/armed-with-smartphones-colombians-are-taking-on-the-local-mozzies).
- 8 g. “West African views on Niger’s coup,” The Economist (August 24, 2023),  
9 available at [https://www.economist.com/middle-east-and-africa/2023/08/24/west-  
10 african-views-on-nigers-coup](https://www.economist.com/middle-east-and-africa/2023/08/24/west-african-views-on-nigers-coup).

11 5. Attached as **Exhibit 4** are true and correct copies of online publications concerning  
12 Plaintiff’s employment history and work as an executive in the technology sector. A DWT  
13 Document Specialist downloaded each of the following articles from the internet at my direction  
14 on December 6, 2024:

- 15 a. “Accela appears headed for exit with new CEO,” TechCrunch (October 25, 2016),  
16 available at [https://techcrunch.com/2016/10/25/accela-appears-headed-for-exit-  
17 with-new-ceo/](https://techcrunch.com/2016/10/25/accela-appears-headed-for-exit-with-new-ceo/).
- 18 b. “Former Accela CEO Maury Blackman Jumps into Investing,” GovTech (January  
19 12, 2018), available at [https://www.govtech.com/biz/former-accela-ceo-maury-  
20 blackman-jumps-into-investing.html](https://www.govtech.com/biz/former-accela-ceo-maury-blackman-jumps-into-investing.html).
- 21 c. “Premise Data Taps New CEO for Gig-Based Data Collection Startup,” The Wall  
22 Street Journal (February 6, 2018), available at  
23 [https://www.wsj.com/articles/premise-data-taps-new-ceo-for-gig-based-data-  
24 collection-startup-1517920208](https://www.wsj.com/articles/premise-data-taps-new-ceo-for-gig-based-data-collection-startup-1517920208).
- 25 d. “Under new CEO, Premise brings crowdsourced research to government,”  
26 StateScoop (February 7, 2018), available at [https://statescoop.com/under-new-ceo-  
27 premise-brings-crowdsourced-research-to-government/](https://statescoop.com/under-new-ceo-premise-brings-crowdsourced-research-to-government/).
- 28

1           6.       Attached as **Exhibit 5** are true and correct copies of op-eds Plaintiff has published.  
2 A DWT Document Specialist downloaded each of the following articles from the internet at my  
3 direction on December 6, 2024:

- 4           a.       “Make open data the default policy for government,” The Press Enterprise (May  
5               24, 2014), available at [https://www.pressenterprise.com/2014/05/24/maury-  
6               blackman-make-open-data-the-default-policy-for-government/](https://www.pressenterprise.com/2014/05/24/maury-blackman-make-open-data-the-default-policy-for-government/).
- 7           b.       “Beyond the Tech Industry Drama, Civic Startups Make a Difference,” Media  
8               Shift (October 15, 2014), available at [https://mediashift.org/2014/10/beyond-tech-  
9               industry-drama-civic-startups-make-a-difference/](https://mediashift.org/2014/10/beyond-tech-industry-drama-civic-startups-make-a-difference/).

10           7.       Attached as **Exhibit 6** are true and correct copies of publications about this  
11 lawsuit. A DWT Document Specialist downloaded each of the following articles from the  
12 internet at my direction on December 6, 2024:

- 13           a.       “Tech exec sues journalist for \$25M for publishing his sealed arrest report,” San  
14               Francisco Chronicle (October 29, 2024), available at  
15               [https://www.sfchronicle.com/politics/article/maury-blackman-lawsuit-  
16               19871638.php](https://www.sfchronicle.com/politics/article/maury-blackman-lawsuit-19871638.php).
- 17           b.       “Tech Exec Sues Journalist for Reporting the Fact That He Was Arrested for  
18               Domestic Violence,” Yahoo News (October 31, 2024), available at [Tech Exec  
19               https://uk.news.yahoo.com/tech-exec-sues-journalist-reporting-  
20               151635164.html?guccounter=1](https://uk.news.yahoo.com/tech-exec-sues-journalist-reporting-151635164.html?guccounter=1).
- 21           c.       “Tech exec sues journalist for \$25M for publishing his sealed arrest report,”  
22               California Courts Newsroom (October 29, 2024), available at  
23               [https://newsroom.courts.ca.gov/news/tech-exec-sues-journalist-25m-publishing-  
24               his-sealed-arrest-report](https://newsroom.courts.ca.gov/news/tech-exec-sues-journalist-25m-publishing-his-sealed-arrest-report).
- 25           d.       “Tech executive files \$25m lawsuit against journalist who revealed shocking secret  
26               arrest report,” DailyMail.com (October 30, 2024), available at  
27               [https://www.dailymail.co.uk/news/article-14020567/tech-executive-lawsuit-  
28               journalist-secret-arrest-report-maury-blackman.html](https://www.dailymail.co.uk/news/article-14020567/tech-executive-lawsuit-journalist-secret-arrest-report-maury-blackman.html).

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on December 6, 2024, in Oakland, California.



---

Sarah E. Burns

# EXHIBIT 3

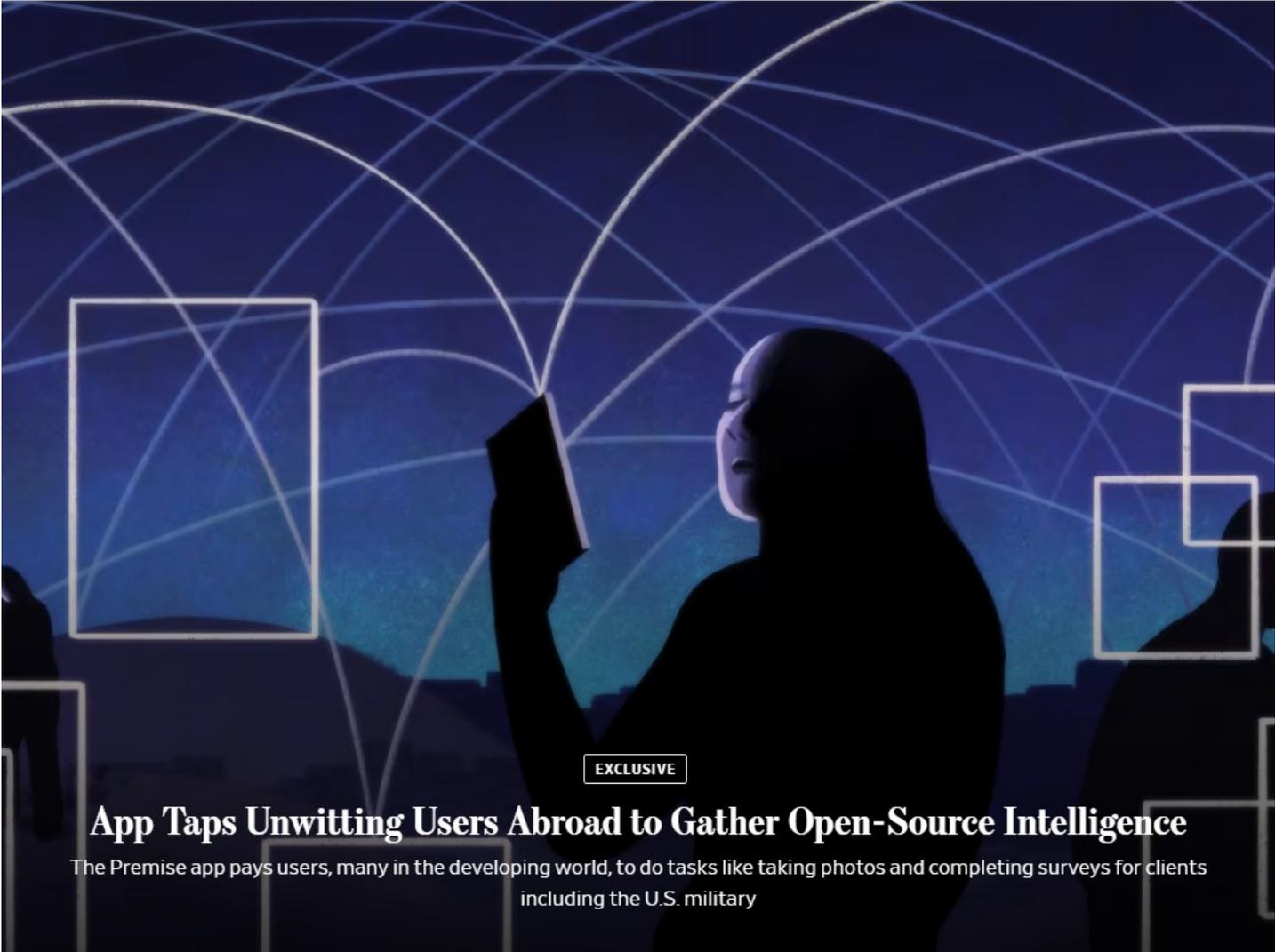
# THE WALL STREET JOURNAL.

Paul Jezick ▾

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EXCLUSIVE

## App Taps Unwitting Users Abroad to Gather Open-Source Intelligence

The Premise app pays users, many in the developing world, to do tasks like taking photos and completing surveys for clients including the U.S. military

ILLUSTRATION: ANGIE WANG FOR THE WALL STREET JOURNAL

By [Byron Tau](#) [Follow](#)

Updated June 24, 2021 2:44 pm ET

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WASHINGTON—A network of gig workers world-wide is unwittingly providing basic intelligence to the U.S. military using only a consumer app on their smartphones.

San Francisco-based Premise Data Corp. pays users, many of them in the developing world, to complete basic tasks for small payments. Typical assignments involve snapping photos, filling out surveys or doing other basic data collection or observational reporting such as counting ATMs or reporting on the price of consumer goods like food.

About half of the company's clients are private businesses seeking commercial information, Premise says. That can involve assignments like gathering market information on the footprint of competitors, scouting locations and other basic, public observational tasks. Premise in recent years has also started working with the U.S. military and foreign governments, marketing the capability of its flexible, global, gig-based workforce to do basic reconnaissance and gauge public opinion.

TECH NEWS BRIEFING

**App Taps Unwitting Users to Gather Intelligence**

09:47 1x

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Premise is one of a growing number of companies that straddle the divide between consumer services and government surveillance and rely on the proliferation of mobile phones as a way to turn billions of devices into sensors that gather open-source information useful to government security services around the world.

The company says 90% of its work is gauging public sentiment and understanding human geography by paying users to fill out surveys, yielding data that it says has uses for

commercial businesses, nonprofits and governments. A smaller number of projects, it says, involve asking users to go out into the world to complete tasks such as taking pictures or walking a predetermined route. Sometimes those tasks involve collecting data on nearby wireless signals or other cellphones, the company said, comparing the practice to how Google and Apple map Wi-Fi networks with phones using their operating systems.

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Clip Deals

**SAFeway** **forU**

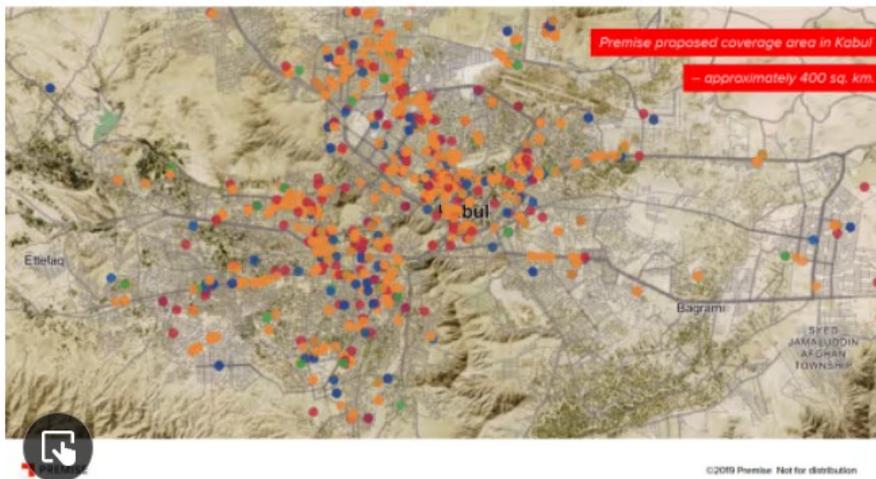
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\*Restrictions and limitations apply.

“Data gained from our contributors helped inform government policy makers on how to best deal with vaccine hesitancy, susceptibility to foreign interference and misinformation in elections, as well as the location and nature of gang activity in Honduras,” Premise Chief Executive Officer Maury Blackman said. The company declined to name its clients, citing confidentiality.

Premise launched in 2013 as a tool meant to gather data for use in international development work by governments and nongovernmental organizations. In recent years, it has also forged ties to the U.S. national-security establishment and highlighted its capability to serve as a surveillance tool, according to documents and interviews with former employees. As of 2019, the company’s marketing materials said it has 600,000 contributors operating in 43 countries, including global hot spots such as Iraq, Afghanistan, Syria and Yemen.

According to federal spending records, Premise has received at least \$5 million since 2017 on military projects—including from contracts with the Air Force and the Army and as a subcontractor to other defense entities. In one pitch on its technology, prepared in 2019 for Combined Joint Special Operations Task Force-Afghanistan, Premise proposed three potential uses that could be carried out in a way that is “responsive to commander’s information requirements”: gauge the effectiveness of U.S. information operations; scout and map out key social structures such as mosques, banks and internet cafes; and covertly monitor cell-tower and Wi-Fi signals in a 100-square-kilometer area. The presentation said tasks needed to be designed to “safeguard true intent”—meaning contributors wouldn’t necessarily be aware they were participating in a government operation.



A page from a Premise document prepared for U.S.-led coalition forces in Afghanistan shows the distribution of the company’s users there. Click the image to read the entire 29-page document.

The company said the document reflected only potential capabilities and doesn’t accurately characterize the work it does for military clients. A spokesperson for

## MOST POPULAR NEWS

1. Police Zero In on New York Hostel in Hunt for UnitedHealth Shooter



2. Clues Left by a Killer Echo Widespread Anger at Health Insurers



3. Never Before Have So Many Sailors Been Abandoned at Sea



4. Murder at Dawn: A Top Executive’s Final Moments in Manhattan



5. The Bizarre Rule Change That Could Alter Baseball Forever



## MOST POPULAR OPINION

1. Opinion: A Bipartisan Slippage in Standards



2. Opinion: What Biden’s Lawfare Has Wrought



3. Opinion: The Bitcoin Boom and Easy Money



coalition forces in Afghanistan didn't respond to a request for comment about whether coalition forces ever saw the concept note or had engaged Premise's services.

A second document, submitted to the Air Force for a grant that the company ultimately received, echoed similar capabilities—with Premise saying [it could dispatch workers](#) to do “directed observations, associated sentiment, and wireless network mapping.” Another Premise document says the company can design “proxy activities” such as counting bus stops, electricity lines or ATMs to provide incentives for contributors to move around as background data is gathered.

Data from Wi-Fi networks, cell towers and mobile devices can be valuable to the military for situational awareness, target tracking and other intelligence purposes. There is also tracking potential in having a distributed network of phones acting as sensors, and knowing the signal strength of nearby cell towers and Wi-Fi access points can be useful when trying to jam communications during military operations. Nearby wireless-network names can also help identify where a device is, even if the GPS is off, communications experts say.

Mr. Blackman said gathering open-source data of that nature doesn't constitute intelligence work. “Such data is available to anyone who has a cellphone,” he said. “It is not unique or secret.”

“If some of our data is used by government departments to shape policy and to protect our citizens, we are proud of that,” he said.

---

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Premise submitted a document last July to the British government [describing its capabilities](#), saying it can capture more than 100 types of metadata from its contributors' phones and provide them to paying customers—including the phone's location, type, battery level and

installed apps. A spokesman for the British embassy in Washington didn't respond to a question about whether any U.K. government agencies were using the service.

Users of the Premise app aren't told which entity has contracted with the company for the information they are tasked with gathering. The company's privacy policy discloses that some clients may be governments and that it may collect certain types of data from the phone, according to a spokesman.

“All those who collect and use Premise are fully informed by the public terms of service—available on the app and the Premise website—that the open-source data, collected by local paid ‘contributors’ from their cellphones, could be shared with any of Premise's customers, including government agencies,” Mr. Blackman

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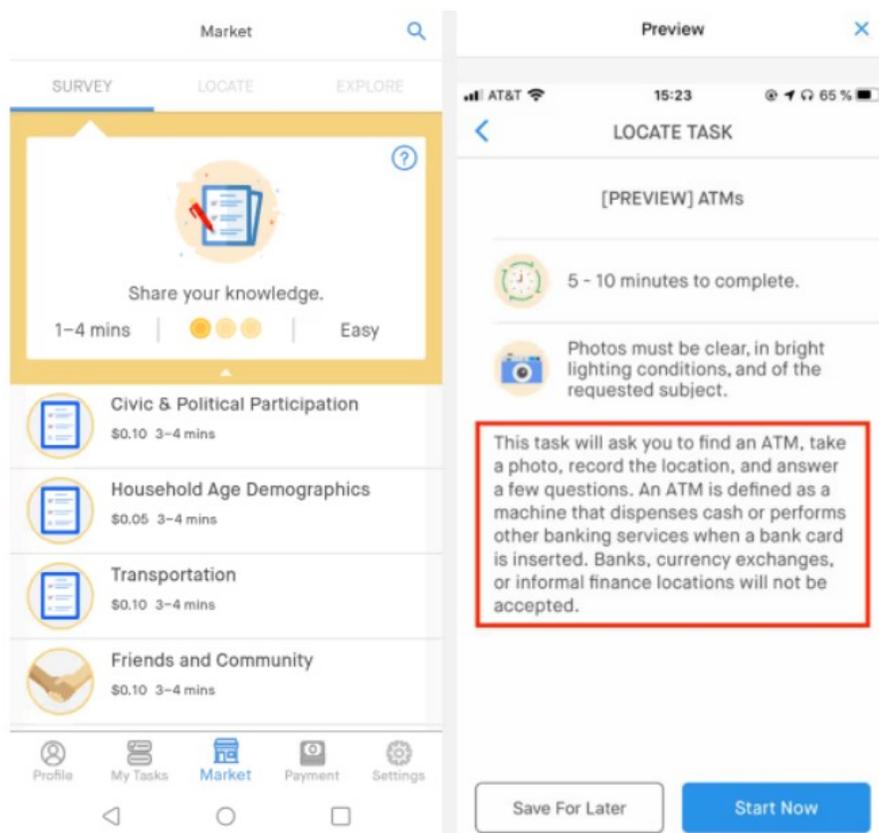
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Currently the app assigns about five tasks a day to its users in Afghanistan, according to interviews with users there, including taking photos of ATMs, money-exchange shops, supermarkets and hospitals.



At left, a screenshot of the Premise app shows examples of tasks available to a user in Washington, D.C. At right, a sample task the company uses to train new app users, as shown to a user in Afghanistan.

Captured: December 06 2024

<https://www.wsj.com/articles/app-taps-unwitting-users-abroad-to-gather-open-source-intelligence-11624544026>

One user in Afghanistan said he and others there are typically paid 20 Afghani per task, or about 25 cents—income for phone and internet services. A few months ago, some of the tasks on the site struck him as potentially concerning. He said the app posted several tasks of identifying and photographing Shiite mosques in a part of western Kabul populated largely by members of the ethnic Hazara Shiite minority. The neighborhood was attacked several times by Islamic State over the past five years, and [militants killed at least 50 people](#) there in May in three explosions targeting a girls' school, an attack for which no group has claimed responsibility. Because of the nature and location of the tasks in a hot spot for terrorism, the user said he thought those tasks could involve spying and didn't take them on.

Premise said photographing religious sites such as mosques, temples, synagogues and churches is a standard task assigned to contributors around the world to help clients understand the physical and social geography of a place. Contributors are only asked for exterior photographs and aren't asked to enter any sites.

None of the more than three million people who have worked with Premise over the past five years has come to harm as they have completed more than 100 million tasks or surveys, the company said.

Premise began as a way to register prices in the developing world and help its customers better understand the needs of the population. But the company struggled to turn a profit in those markets, and the demand for its services was inconsistent, former employees say.

In 2018, the board brought in Mr. Blackman as CEO, hoping he could stabilize the company's finances and bring in new business, according to current and former employees. Mr. Blackman had experience in the government contracting world, having earlier founded Accela, a company that developed software for government. He pushed to pursue more intelligence and military contracts, the employees said, which led to a culture clash within the company's workforce, many of them veterans of the development world who objected to some uses of the military and intelligence contracts that were being considered for the platform. A spokesman for the company dismissed that account as coming from disgruntled former employees and said the company hasn't departed from its original mission. David Soloff, Premise's co-founder, [who preceded](#) Mr. Blackman as CEO, didn't respond to a request for comment.

In recent years, Premise's data has been purchased by numerous defense contractors or government agencies working on defense programs, federal records show. The Air Force paid the company \$1.4 million in 2019 to do "persistent ground ISR"—a military abbreviation that stands for intelligence, surveillance and reconnaissance. The Air Force Research Laboratory said the contract was focused on data science and machine learning work for military units but declined to provide additional details.

At least five other defense contractors working on intelligence or defense contracts have purchased the data, federal spending records show. Premise stepped up its presence in Washington in recent years, posting jobs requiring security clearances on LinkedIn and bringing on employees whose LinkedIn profiles say they are veterans of the intelligence community.

Write to Byron Tau at [byron.tau@wsj.com](mailto:byron.tau@wsj.com)

Appeared in the June 25, 2021, print edition as 'App Users Unwittingly Collect Intelligence'.

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Last Updated: Feb 28, 2022, 12:37 PM EST

Feb. 26, 2022 at 9:25 AM

## Premise Mobile-Phone App Suspends Ukraine Activities After Accusations Fly

By *Byron Tau*

WASHINGTON—A mobile-phone app that pays users to perform basic observational tasks such as photography and has U.S. defense and intelligence clients suspended its activities in Ukraine on Friday after the Kyiv government accused it of being used by the Russians to target airstrikes as part of Moscow’s invasion.

San Francisco-based Premise Data Corp. said its work in Ukraine was on behalf of Western democracies looking to understand the state of infrastructure in the country, but it declined to provide more details. Premise said it believed it was a victim of a disinformation campaign. Its business in Ukraine predated the Russian invasion.

“Earlier today, Premise was identified in social media posts as being a tool used by Russian forces to locate Ukrainian targets. This is unequivocally false. Premise does not work for or support the Russian military or government. Our primary concern is that of the safety and welfare of the Ukrainian people,” the company’s chief executive, Maury Blackman, said in a statement.

“Out of an abundance of caution, Premise has suspended all operations in Ukraine and is closely monitoring this situation as it develops,” Mr. Blackman said. “Our company and our team worldwide strongly support Ukraine and the Ukrainian people defending themselves against this illegal act of aggression by Russia.”

Several Twitter users on Friday purporting to be in Ukraine began to circulate reports that Premise was asking users of its app to identify locations with paint for potential bombings. The Twitter users didn't respond to requests for comment.

The General Staff of the Armed Forces of Ukraine on Facebook warned that it had reports of Russian agents in Stryi, a city in western Ukraine, and other places using the app and warned the population about the dangers—a charge that the company denied. “The public statement of the Ukraine Defense Ministry that has gotten circulation is incorrect,” Premise's CEO said.

Ukraine defense ministry officials didn't immediately respond to a request for comment. The Russian Embassy in Washington didn't immediately respond to a request for comment.

Premise is one of a growing number of companies that rely on the proliferation of mobile phones as a way to turn billions of devices into [sensors that gather open-source information](#) useful to government security services around the world.

What Premise can offer its government clients is a way to do remote observation and other surveillance activities from afar. It also has the capability to turn the Bluetooth and wireless sensors of its users' phones into a tool to map out cell networks and wifi access points, The Wall Street Journal has reported.

According to people familiar with the matter, Premise derives the majority of its revenue from the U.S. defense community—making it unlikely to be assisting the Russian government in the invasion. Premise provides personnel with top-secret U.S. clearances to military and intelligence programs inside the U.S. and to other U.S. allies, the WSJ has previously reported.

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## Accela appears headed for exit with new CEO

John Mannes — 10:43 AM PDT · October 25, 2016

IMAGE CREDITS: RELIF / GETTY IMAGES

Accela, the nearly two decade old gov tech startup dreaming of finding new life as a problem solver for the sharing economy, [brought in a new CEO to replace Maury Blackman](#) who served as the company's anchor since 2007. During Blackman's tenure, the SaaS company brought a number of open data and regulatory management solutions to market for governments.

Mark Jung, the incoming heir to the company, has a record on the tech executive circuit. He has served on the boards of over a dozen companies, many of them tech startups, and highlights no more than 11 acquisitions on his resume. We sat down with Jung to get an idea of his vision for Accela and what he will be bringing that Blackman could not.

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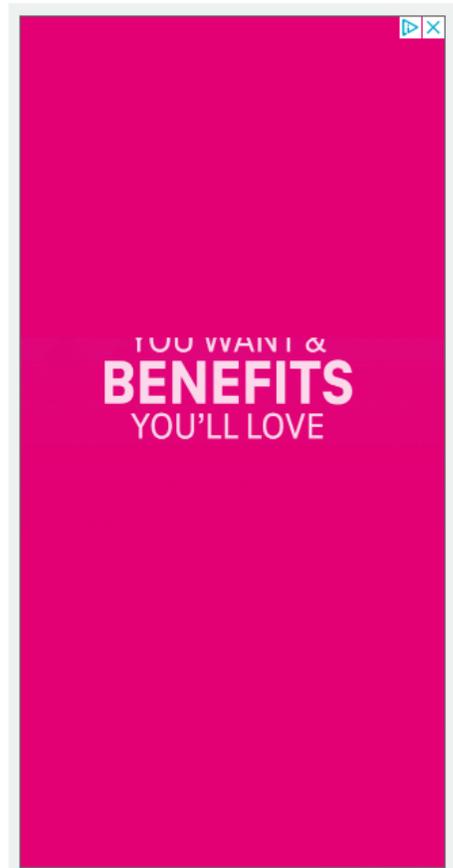


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According to Jung, the biggest change from Blackman's house to his is "constant innovation." This is an odd claim referencing a former executive who seemed to be in the process of realigning his company to serve municipalities facing 21st century regulatory problems originating from the proliferation of services like Uber and Airbnb.

Jung says he is still squarely focused on "integrating with compliance," and wants Accela's services to "excel at being modular and configurable." Jung joined the 17 year old private company last year as a consulting advisor before formally coming on to the board in March of this year.

This timeline fits nicely around a large \$143 million round of financing the company took back in 2015. The majority of that round was



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dedicated to a secondary transaction. The company brought in a new private equity investor to replace an old investor that wanted liquidity.

When asked about the potential for an IPO, Jung invoked the SEC that prohibits him from discussing plans, but noted he has taken two companies public that he founded in the past.

“That [going public] is not the highest priority of the company,” added Jung. “We are growing on top line and bottom line but need systems and processes in place to accommodate new growth.”

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Government contracts, like those Accela has with many states and local municipalities, have very low churn rates. Accela has traditionally worked to build SaaS solutions to help governments manage regulatory filings and licensing documents for things like land use permitting and marijuana licensing. The company’s systems are being used for the later today in Colorado. More than 70 percent of the 50 largest U.S. cities use Accela software.

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But to maximize the chances of a healthy acquisition or public offering, [the company really wants to lock down the municipal tech regulation space](#). This not only includes obvious offenders like Uber and Airbnb, but companies like Amazon as they look toward using drones and robots for delivery.

“We need to be the broker and arbitrator between high flying billion dollar companies and cities,” explains Jung.

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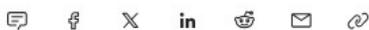
This ultimately means building out relationships with tech companies as well as governments. Unicorns like Uber are willing to pull out of cities that they don't feel share their vision for innovation.

With an infusion of some new executives, Jung hopes his company can build out and execute on those relationships as soon as a year from now — perhaps even integrating inside popular apps for one-tap filings.

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## John Mannes

John Mannes is a student at the University of Michigan.

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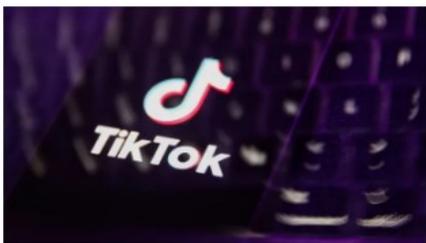
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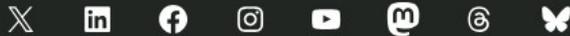
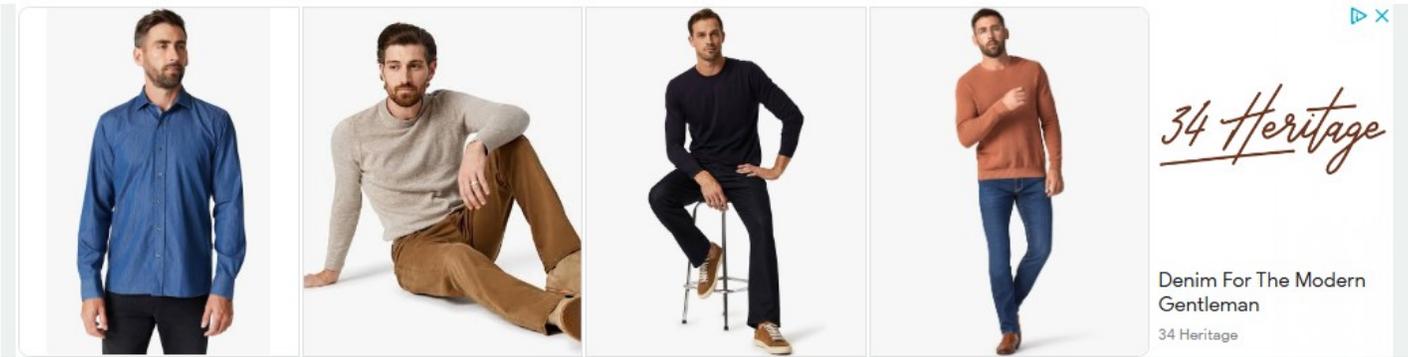
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GOVTECH BIZ

# Former Accela CEO Maury Blackman Jumps into Investing

Blackman has made investments and taken positions on several company boards since leaving Accela.

January 12, 2018 • Ben Miller



After leading Accela for more than 15 years, steering it into a position in which it was later acquired and then stepping down, Maury Blackman has made his next move: He's getting into investing.

Blackman has signed on as a limited partner with the Urban Innovation Fund, a spinoff off the nonprofit investor Tumml, and is working as an investor on his own as well. In the past several months, Blackman has invested in the following companies:

- [GovList](#), which offers request for proposal and bid-writing software to help government agencies prune through procurement faster.
- Forensic Logic, which has built a searchable cross-agency network of police department information.
- DroneDeploy, which makes drone-mapping software. The company doesn't necessarily target government, but its products could be used by government in the future.

Blackman has also taken board positions at GovList and Forensic Logic, and is an advisor to the board of DroneDeploy.

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He's made a couple other investments in stealth-mode startups that he's not willing to name yet. All told, he's invested about \$500,000.

Blackman isn't limiting himself to gov tech investments, though most of the companies he's evaluated have fallen into that category. After all, he thinks it's a good time to be investing in gov tech. For one thing, it appears investors are to back businesses that sell to government, where in the past they've treated public customers as dangerously obstinate.

But there have been several lucrative deals made in the field recently — just look at the Blackman's former company Accela went through in 2017.



“I felt like from a gov tech standpoint, (that deal) really validated the space and I went from being just an entrepreneur in that space 10 years ago as CEO, really just trying to get people’s attention about — ‘Hey, there’s something happening here and its exciting,’ and nobody was really interested. And now ... you can appreciate that the gov tech space is really taking off and people are excited about investing in it,” Blackman said. “I get two to three phone calls every week of people asking my advice about opportunities they’re working on to put money into government technology. And that is a tremendous change from where we were 10 years ago, even five years ago.”

Another factor in his decision to get into investing is social change. In his career, Blackman has seen plenty of how government works. He thinks it can work smarter.

And there are a lot of new tools to help public servants do that. The rise of cloud computing has made it easier for tech companies to build products that work for both small and large customers. Artificial intelligence is **unlocking functionality** that was much more difficult — or practically impossible — for common users to achieve five years ago.

Not all government is jumping onto emerging tech.

“You look at the drone space, you look at AI, all these emerging technologies, eventually they’re going to start to filter their way over to government agencies,” he said.

In so many words, that’s why Blackman sees gov tech as an opportunity.

“If you do a good job for government, they’re willing to pay for that value,” he said.



## Ben Miller

Ben Miller is the associate editor of data and business for Government Technology. His reporting experience includes breaking news, business, community features and technical subjects. He holds a Bachelor’s degree in journalism from the Reynolds School of Journalism at the University of Nevada, Reno, and lives in Sacramento, Calif.

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# WSJ PRO VENTURE CAPITAL

PEOPLE

## Premise Data Taps New CEO for Gig-Based Data Collection Startup

Data-gathering specialist relies on a global gig-economy workforce

By Alexander Davis

Feb. 6, 2018 7:30 am ET | WSJ PRO



Premise Data Inc., a data-gathering specialist that relies on a global gig-economy workforce, has tapped as its new chief executive a former CEO of government-focused tech startup Accela.

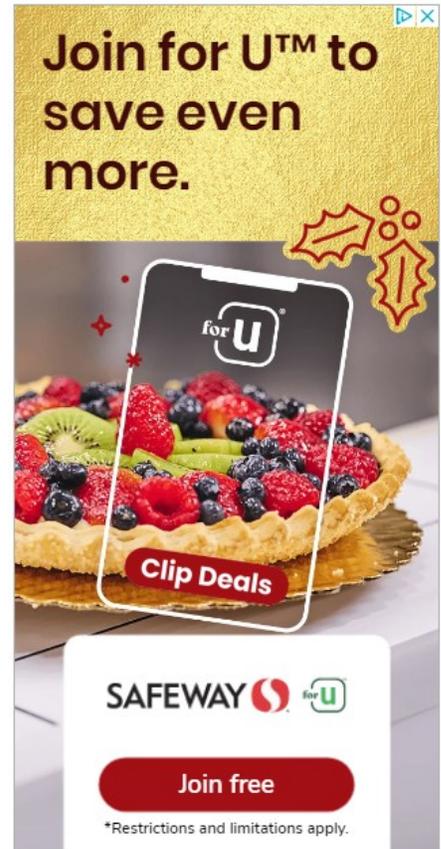
Maury Blackman will replace founder David Soloff, who is staying on as chairman of the board.

Mr. Blackman, who also will hold the title of president, will focus on expansion of Premise Data, which provides data and analytics in real-time to international organizations, governments and companies around the world. The company hires contract employees to collect a variety of data points via its mobile app.

San Francisco-based Premise Data has raised about \$66 million from investors like Andreessen Horowitz, Social Capital and Google Ventures.

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<https://www.wsj.com/articles/premise-data-taps-new-ceo-for-gig-based-data-collection-startup-1517920208>

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Direct lenders, often saviors to private-equity portfolio companies, are turning feisty to get repaid: playing boardroom hardball and wresting control of troubled companies

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DATA & ANALYTICS

## Under new CEO, Premise brings crowdsourced research to government

The company pays users for taking photos, walking certain routes, or answering questions that help government fill knowledge gaps.

BY JASON SHUEH • FEBRUARY 7, 2018



**M**aury Blackman, the former CEO of Accele, has emerged as the new CEO of a rising analytics company that aspires to bring crowdsourced data and predictive capabilities to local government.

Blackman took the helm of the analytics company Premise this week, and at a press event at the company's headquarters in San Francisco on Wednesday he is expected to meet with mayors and other elected officials from major cities to demo the Premise platform.

In an interview with StateScoop, Blackman said he decided to take the position because of the value he saw in Premise to uncover unique insights, a high-valued asset in government.

The Premise platform gives its customers an analytics dashboard to measure crowdsourced data collected through social media and the company's mobile app. The mobile app, currently available on Android, pays residents to submit research in the form of photos, surveys and user tracking data. Residents earn small sums of cash by taking photos of a nearby vending machines, walking a

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BY KEELY QUINLAN

certain route, or filing out questionnaires based a specific issue.

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BY KEELY QUINLAN

“What I saw here at Premise is a horizontal technology that is essentially building a marketplace of contributors.” Blackman said. “I thought that this is great technology because it is flexible, it’s mobile, and from a tech perspective has a supportable platform that can operate almost anywhere in the four corners of the world.”

Mayors reported in attendance at the company’s demo event include:

- Keisha Lance Bottoms of Atlanta
- Dave Bieter of Boise, Idaho
- Stephen Benjamin of Columbia, South Carolina
- Sylvester Turner of Houston, Texas
- Tomás Pedro Regalado of Miami
- Bill Peduto of Pittsburgh
- Libby Schaaf of Oakland, California

Unlike common analytics tools — that typically just process and visualize data — Premise hopes to be dominant player in the data science market with a platform that generates insights through crowdsourced data collected in real time.

Premise says it ensures data accuracy via algorithms that scan for false or duplicate photos and text responses, along with GPS tracking that ensures location accuracy. The company says its network has 80,000-plus contributors and operates in more than 30 countries.

Blackman said that for cities, the Premise analytics dashboard and mobile app could offer a next generation 311 service, a technology that would not only allows residents to report common issues like potholes and graffiti, but through its paid crowdsourcing network, provide real-time updates as well as predictive assessments to city departments.

“For 311, for the longest time, mayor’s offices and city managers were captivated by this idea of connecting with citizens about problems in their neighborhood, but what they had a real challenge doing is getting the citizens to participate in that,” Blackman said. “One of the big opportunities is to use data science to basically predict where people should be looking for these potential challenges.”

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BY STATESCOOP STAFF

- 2 New Jersey shares AI translation tool materials with other states

BY KEELY QUINLAN

Major competitors in the 311 web services market include SeeClickFix, PublicStuff and FixMyStreet, companies that each take their own approach to using crowdsourcing to collect data government needs to solve non-emergency issues in their communities.

Premise says it is marketing itself to governments so they can conduct resident and visitor surveys to track public opinion in social media, measure accessibility compliance and to check on infrastructure like signs, sidewalks and buildings. Outside of the public sector, Premise says it plans to expand its services in international development, security and consumer goods.

Looking at the technology's future, company founder David Soloff said Premise decided to hire Blackman because of his business skills and his experience in government technology, a key market for the company. Though Blackman replaces Soloff as CEO, the founder will continue to serve the company as its chairman.



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Blackman led the civic tech company Accela for 16 years where he expanded the company's many permitting, licensing and asset management services to hundreds of jurisdictions in state, local and federal government. Blackman will use this experience, the company says, and Premise's [\\$61 million in financial backing](#) from investors like Andreessen Horowitz and Google Ventures, to attract new government customers and hire new talent.

Premise was founded in 2012 and has developed its technology internationally to assist governments and non-governmental organizations. In Columbia, the platform helped fight the Zika Virus by assisting the government to analyze photos of standing water, the breeding ground for mosquitos. In Kenya, Premise used patient surveys to aid healthcare providers to administer treatments for HIV. In the Philippines, Premise also helped officials to learn which stores are complying with a national cigarette and alcohol tax via storefront photos.



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 Jason Shueh

Written by Jason Shueh

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- MAURY BLACKMAN
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# EXHIBIT 5

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## OPINION

## MAURY BLACKMAN: Make open data the default policy for government



People use cellphones in downtown San Francisco Wednesday, June 5, 2013. San Francisco's district attorney and New York's attorney general say they will meet with major cell phone manufacturers, as they push the industry to do more to protect consumers from violent street crimes connected to cell phone thefts.



By **PRESS-ENTERPRISE** | Press-Enterprise

PUBLISHED: May 24, 2014 at 8:00 PM PST

Next month, Californians get the chance to vote on a statewide ballot initiative that could fuel a whole new generation of civic-minded entrepreneurs and radically improve the way government works.

Proposition 42 would make access to government information a constitutional requirement in every city and town in the Golden State. California Governor Jerry Brown and a long list of elected officials have come out in support of Prop. 42, but in order for it to meet its full potential, state government needs to lead by example and make open data its default setting. As Thomas Jefferson said, "Information is the currency of democracy." Governor Brown has the opportunity to build the new super highway.

California is home to a tech industry that has transformed the way people across the world share information and helped spur democracy. Twitter, Facebook and Google have created new ways for people to communicate. And we've seen glimpses of what some of these tech folks can do to make government more transparent and responsive when given the tools.

The emerging civic tech industry is estimated to be valued in the billions of dollars. But for these lofty goals to be realized, the industry needs open data and standardization.

This can be done; many local governments and states have adopted open data policies. In 2009, when San Francisco didn't have funds to pay for a system to text its 311 call center, Twitter founders Biz Stone and Evan Williams worked with the city to create the first government integration of Twitter. The collaboration between government and the tech industry made it possible for residents to communicate in real time about potholes, broken streetlights and other issues with a photo or text.

Other municipalities and agencies have followed San Francisco's open data lead. Oakland passed its first open data policy last October. Sacramento, the home of California's state government, allows its residents to access meaningful city data with the click of a button.

My company, Accela, has seen first-hand the benefits open data policies can provide. Our technology platform has helped over 500 state and local governments streamline their operations and realize significant cost savings. Many of the civic startups we partner with, like OpenCounter and BuildingEye, are using open data to make it easier to start a business or track new construction projects.

But for these new tools to work universally, California needs an open data policy.

Although California was one of the first states in the country with a state open data portal ([data.ca.gov](http://data.ca.gov)), it has only added two new feeds in the past three years. Other states, such as Texas, New York, Hawaii, Connecticut, Maryland and Utah, are currently leading the way, while California, home to Silicon Valley, is falling further and further behind.

Prop. 42 gives California the opportunity to lead in the new gold rush of data. If it passes – and current polling indicates that it will – there will be an incentive for local governments and agencies to avoid the arduous burdens associated with complying with public access laws by simply making information available online. Forcing government employees to locate and photocopy documents wastes time and costs taxpayers money – opening a data portal does not.

Gov. Brown and state legislators should use this opportunity to put forward state legislation requiring open data to be uniform and machine-readable on the state and local levels. If the state works with the tech industry to set standards for local governments and state agencies to follow, everyone will benefit. The public will be able to digest and use the information it receives. Governments will increase efficiency and reduce costs. And civic tech businesses in California will boom with new apps and civic-minded products that will work in every zip code in the state.

In California, we've never been afraid of innovation. We have an industry that has changed the way the world interacts on a daily basis. And we have a citizenry that is invested in the future.

Why not make California a model in open data policies for the rest of the country to follow? Why not merge the requirements of California's public access law with the capabilities of California's tech industry? A state open data policy that mandates not only access to government information, but, readability and uniformity of government data statewide, will stimulate the civic tech industry, create jobs, reduce government costs, empower citizens and foster the free flow of information essential to our democracy.

Maury Blackman is president and CEO of Accela, which powers thousands of services and millions of transactions for more than 500 public agencies worldwide.

Contact the writer:



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# Beyond the Tech Industry Drama, Civic Startups Make a Difference

by Maury Blackman



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*A version of this guest post originally appeared on the San Francisco Examiner website. Read more about MediaShift guest posts [here](#).*

A small but vibrant industry is changing the way governments, elected officials and citizens communicate.

**"While the civic tech industry may not have the tabloid headlines...it does have are forward-thinking entrepreneurs and advocates who are trying to improve their governments." - Maury Blackman**

When you think about the tech industry, a lot of images are bound to pop into your head. Product launches unveiling the newest wearable technology, hoodie-wearing startup founders embroiled in million-dollar lawsuits. Rival companies duking it out over who offers the best vegan, paleo, gluten-free free lunches or the most comfortable, ergonomically correct stand-up desks.

Understandably, many are drawn to the drama. Recently, a theme in the coverage of the tech industry is the rising tension between techies and everybody else, especially here in the tech startup epicenter of San Francisco.



“The [current] process usually involves a visit to City Hall, and then a two to three week wait,” OpenCounter co-founder Joel Mahoney said. “Applicants basically have to read raw municipal code to understand where they can go. If the municipal code is like the operating system for a city, then it would be like asking Mac users to read the raw code behind OS X. It’s a crazy way to do this.”

Companies like Kansas City, Mo.-based [MindMixer](#) and San Francisco’s [Neighborland](#) have set out to inspire residents to get more involved and engaged with their governments, bringing the town hall meeting right to local citizens’ computers and mobile devices. Instead of hiring a babysitter and driving all the way to a city office to express their opinions, citizens can participate right from their living rooms.



The 2013 Code for America summit. Photo by [Burt Lum](#) and used here with [Creative Commons license](#).

## Civic Innovation In Action

This community is not only bringing government into the 21st century. It is also becoming well-funded. In September, a new [\\$23 million Govtech Fund](#) was launched by entrepreneur Ron Bouganim, and in August, Bloomberg Philanthropies announced a [\\$45 million investment](#) in civic innovation.

MindMixer [announced in September](#) it raised \$17 million. And another civic startup that builds software allowing governments to visualize their budgets, [OpenGov](#), received [\\$15 million in funding](#) from one of the largest venture capital firms in the world.

These are just a few of the hundreds of companies in the civic technology industry, and their passionate, civic-minded innovators who are trying to make government work better, faster and smarter for all of us.

## A New Breed Of Public Servants

When you ask most people to describe some characteristics of government, whether it’s at the local level or all the way up to Washington, D.C., you will usually hear the same words. Slow. Inefficient. Bureaucratic. Analog. Rarely will you hear someone talk about governments as innovative, pioneering or state-of-the-art.

A new breed of public servants are working to change this narrative. Many of these civic innovators gathered late September at the [annual Code For America Summit](#) at the Yerba Buena Center for the Arts, across the street from where the TV show “Silicon Valley” gets much of its material.

While the growing civic tech industry may not have the tabloid headlines and soap opera drama that we see coming out of the larger tech community, what it does have are forward-thinking entrepreneurs and advocates who are trying to improve their governments — and ultimately the lives — of their fellow citizens.

I am thrilled to be part of this emerging new industry.

*[Maury Blackman](#) is CEO of the civic tech firm [Accela](#), based in San Francisco and San Ramon.*

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POLITICS

# Tech exec sues journalist for \$25M for publishing his sealed arrest report

By **Bob Egelko**, Courts Reporter  
 Oct 29, 2024

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A tech executive is suing a journalist for \$25 million for reporting, accurately, that he had been arrested on suspicion of domestic violence.  
 Getty Images



Tech exec sues journalist for \$25M for publishing his sealed arrest report

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A tech executive is suing a journalist for \$25 million for reporting, accurately, that he had been arrested on suspicion of domestic violence.

The executive, Maury Blackman, was not charged with a crime for the 2021 incident, and police sealed his arrest report from public view in 2022 — which, under California law, made it illegal to publish the report. The judge who signed the sealing order said it meant that Blackman’s arrest was legally “deemed not to have occurred.”

Jack Poulson runs the online news site Tech Inquiry and said he first received the arrest report from a confidential source, then contacted San Francisco police, who confirmed it. Later, he said, another journalist, whom he declined to identify, obtained the same document legally through a records request and forwarded it to him.

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The city of San Francisco has agreed with Blackman that Poulson’s report of the arrest was illegal and demanded that he remove its posting on Substack.

In an Oct. 3, letter to Poulson’s lawyer, Joshua Stokes, Deputy City Attorney Jennifer Choi said that, based on California law and Substack’s “acceptable use policy,” “we expect that you will immediately remove the Incident Report and its contents from Substack and ensure that the index to postings no longer allows for the Incident Report to be viewed or downloaded.” And, she added, “please refrain from publishing this material in the future.”

But a First Amendment lawyer says the Supreme Court has made it clear that any laws punishing journalists for publishing information they obtained legally are unconstitutional.

“Journalists are entitled to publish documents that they lawfully obtained, specifically government documents,” said Seth Stern, advocacy director for the nonprofit Freedom of the Press Foundation and former chair of the American Bar Association’s Media, Privacy and Advocacy Law Committee. He is not involved in the San Francisco case but agrees with Poulson that Blackman’s lawsuit should be dismissed.

Blackman had been chief executive of the San Francisco tech firm Premise Data but says he lost his job after disclosure of the arrest report.

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His lawsuit acknowledged that he had been subjected to “a felony domestic violence arrest.” Poulson described further details of the arrest report in a September 2023 post on Substack.

The city has taken no legal action against Poulson for reporting the arrest or for rejecting Choi's demand to remove his post. But on Oct. 2, the day before Choi's letter, Blackman filed suit accusing Poulson and Substack of maliciously damaging his well-being and his career.

Blackman's "reputation amongst his friends, family and business associates has been forever altered," his lawyer, David Marek, said in the Superior Court filing.

Blackman "has been unable to find subsequent employment, resulting in significant lost employment compensation and benefits; and ... has been forced to spend money to cure this situation that will haunt him the rest of his life," Marek wrote. [Blackman's website](#), however, lists him as managing director of another technology fund, Pierpoint Ventures.

Marek said Poulson's "conduct was outrageous and so extreme as to exceed all bounds of (behavior) ... usually tolerated in a civilized community."

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Stern, of the Freedom of the Press Foundation, said the Supreme Court has refused to enforce comparable laws elsewhere.

He cited the court's 1989 ruling in *Florida Star v. B.J.F.*, overturning a Florida jury's damage award against a newspaper for publishing the name of a sexual assault victim, publication that was prohibited by state law. A 2001 ruling, in *Bartnicki v. Vopper*, rejected a damage suit against a radio commentator who legally obtained and broadcast a recording of a phone conversation between labor negotiators that may have been illegally wiretapped.

And in 1971, the court allowed the *New York Times* and *Washington Post* to publish the Pentagon Papers, the secret history of the Vietnam War that had been disclosed, without legal authorization, by Daniel Ellsberg. The votes in all three rulings were 6-3.

Referring to San Francisco's argument that Poulson's disclosure of the arrest report was illegal, Stern said, "Unless the city wants to take the position that a sealed arrest report is more sensitive than national security or (identifying) victims of terrible crimes, I don't think they are in good standing."

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Poulson and Stokes, his lawyer, did not immediately return requests for comment on the suit.

*Reach Bob Egelko: [beigelko@sfchronicle.com](mailto:beigelko@sfchronicle.com); X: @BobEgelko*

Oct 29, 2024



**Bob Egelko**

COURTS REPORTER



Bob Egelko has been a reporter since June 1970. He spent 30 years with the Associated Press, covering news, politics and occasionally sports in Los Angeles, San Diego and Sacramento, and legal affairs in San Francisco from 1984 onward. He worked for the San Francisco Examiner for five months in 2000, then joined The Chronicle in November 2000.

His beat includes state and federal courts in California, the Supreme Court and the State Bar. He has a law degree from McGeorge School of Law in Sacramento and is a member of the bar. Coverage has included the passage of Proposition 13 in 1978, the appointment of Rose Bird to the state Supreme Court and her removal by the voters, the death penalty in California and the battles over gay rights and same-sex marriage.

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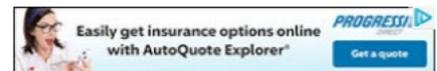


## Futurism

# Tech Exec Sues Journalist for Reporting the Fact That He Was Arrested for Domestic Violence

Noor Al-Sibai

31 October 2024 · 2-min read



## Factual Recourting

In Silicon Valley, accurately reporting on a tech exec's domestic violence arrest seems to be a punishable offense.

As the [San Francisco Chronicle reports](#), venture capitalist and tech exec Maury Blackman has sued independent journalist Jack Poulson for reporting on his Substack that [he'd been arrested](#) on suspicion of beating his much-younger girlfriend in 2021.

San Francisco Police Department officers and Blackman himself admit that the arrest took place — but the issue, it seems, is that Poulson had the audacity to publish it.

After the journalist first [published a report](#) on his blog *TechInquiry* last year, the tech investor lost his job as CEO of Premise Data, a gig app firm that was [gathering data for contractors](#) like the US military. While not arguing with the facts of the reporting, Blackman is clearly seeing red as he seeks \$25 million in damages resulting from the journalist airing his dirty laundry.

Despite officers witnessing, per the [offending TechInquiry report](#), red marks on the 53-year-old's 25-year-old girlfriend's face during the late 2021 arrest, Blackman was never charged with any crime. As such, his record was sealed in 2022 — and in reporting on the apparently leaked arrest file, Poulson is in violation of [California law](#).

Attorneys for the city and Substack itself have demanded Poulson take down his posts about Blackman's arrest. On [one of those posts](#), the journalist notes that months after its initial publication, a Substack employee identified only by the name "Jim" had "temporarily unpublished" his work before reinstating it with redactions.

## Constitutional Question

While the letter of the law seems to state that Poulson was legally in the wrong when revealing that Blackman had been arrested, a First Amendment scholar who spoke to the *SF Chronicle* suggests that any law punishing journalists is unconstitutional.

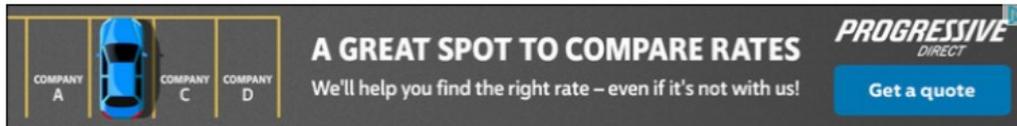
"Journalists are entitled to publish documents that they lawfully obtained, specifically government documents," explained Seth Stern, the Freedom of the Press Foundation nonprofit's advocacy director who used to sit on the American Bar Association's media law committee.

The expert pointed to the notorious "Pentagon Papers" case, in which former government official Daniel Ellsberg revealed to the *Washington Post* and the *New York Times* the illegal nature of the Vietnam War, as just one of several past rulings where the Supreme Court has routinely refused to enforce laws barring journalists from publishing legally-obtained documents.

"Unless the city wants to take the position that a sealed arrest report is more sensitive than national security or [identifying] victims of terrible crimes," Stern said, "I don't think they are in good standing."

**More on the First Amendment:** [SpaceX Sues California for Violating Elon Musk's Right to Free Speech](#)

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Leigh Kimmins

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# Tech exec sues journalist for \$25M for publishing his sealed arrest report

Oct 29, 2024



The executive, Maury Blackman, was not charged with a crime for the 2021 incident, and police sealed his arrest report from public view in 2022 – which, under California law, made it illegal to publish the report. The judge who signed the sealing order said it meant that Blackman's arrest was legally “deemed not to have occurred.”

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## Tech executive files \$25m lawsuit against journalist who revealed shocking secret arrest report

By [RACHEL BOWMAN FOR DAILYMAIL.COM](#)

PUBLISHED: 12:22 EST, 30 October 2024 | UPDATED: 12:43 EST, 30 October 2024



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A wealthy **tech entrepreneur** is suing an independent journalist who published his shocking **domestic violence** arrest report.

On September 14, 2023, the Executive Director of tech accountability nonprofit Tech Inquiry, Jack Poulson, posted an **article on Substack** that revealed Premise Data's then-CEO Maury Blackman was arrested for domestic violence.

According to the report, police were called to a San Francisco apartment on December 21, 2021, and arrested Blackman when they discovered his 25-year-old girlfriend with small cuts to her face and swelling on her left eye after she told police he had 'just started beating me.'

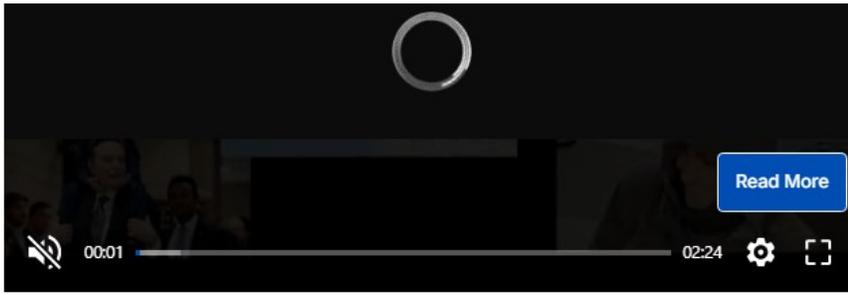


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Blackman was never charged with a **crime** for the incident and police sealed the arrest reported in 2022, which makes it illegal to publish under **California** law, according to the **San Francisco Chronicle**.

The outlet reported the tech executive is seeking \$25 million in damages after filing a lawsuit against Poulson and Substack for negligence, invasion of privacy and defamation over the publication.



© LinkedIn/Maury Blackman

Former Premise Data CEO Maury Blackman (pictured) is suing a journalist for publishing his

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Blackman's attorneys said that the arrest report was sealed by a court order that a judge said was 'deemed not to have occurred.'

They argue that the arrest did not concern matters of public significance and is personal in nature, concerning only private individuals' private lives.

The lawsuit cites California penal code that states disseminating information from a sealed arrest is subject to a civil penalty and people who are not authorized to share that information are guilty of a misdemeanor.

'[Blackman] has suffered severe harm,' the lawsuit said. 'Among other things, [Blackman's] employment ended on December 10, 2023; [his] reputation amongst his friends, family and business associates has been forever altered.'

'[Blackman] has suffered severe emotional distress; [he] has been unable to find subsequent employment, resulting in significant lost employment compensation and benefits; and [he] has been forced to spend money to cure this situation that will haunt him the rest of his life.'

However, Blackman's LinkedIn account shows that he is currently serving as an advisor and board member for several companies.

Court documents state that the City and County of San Francisco, Office of the City

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Attorney sent a letter to Substack on September 19 advising them to take the report down.



The Executive Director of tech accountability nonprofit Tech Inquiry, Jack Poulson (pictured), posted an article on Substack that revealed Blackman was arrested

'The Incident Report was previously sealed by court order... Pursuant to 11 California Penal Code section 851.92(c) and your own 'Acceptable Use Policy,' we expect that you will immediately remove the Incident Report and its contents from your website and ensure that the index to postings no longer allows for the Incident Report to be viewed or downloaded,' the lawsuit said.

Poulson's article with a redacted copy of the arrest report remain available on Substack.

DailyMail.com has contacted Blackman's attorneys, Poulson and Substack for comment.

A First Amendment lawyer told The Chronicle that laws punishing journalists for publishing information they obtained legally are unconstitutional.

'Journalists are entitled to publish documents that they lawfully obtained, specifically

- ▶ Morning Joe broadcasts without firebrand hosts Mika Brzezinski and Scarborough after controversial on-air rant
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government documents,' said Seth Stern, advocacy director for the nonprofit Freedom of the Press Foundation and former chair of the American Bar Association's Media, Privacy and Advocacy Law Committee.

'Unless the city wants to take the position that a sealed arrest report is more sensitive than national security or (identifying) victims of terrible crimes, I don't think they are in good standing.'

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EXCLUSIVE Miss Americana filmmaker opens up about why Taylor Swift's romance with Joe Alwyn was left out of the Netflix doc  
Filmmaker Lana Willson



# EXHIBIT C

Respondent Jack Poulson's Appendix

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PREPARED BY DEFENSE COUNSEL FOR SUBSTACK.

**FILED**  
San Francisco County Superior Court

DEC 13 2024  
CLERK OF THE COURT  
By: *[Signature]* Deputy Clerk  
William Trupek

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SAN FRANCISCO**

JOHN DOE, an individual,  
  
Plaintiff,  
  
v.  
  
SUBSTACK, INC., a Delaware Corporation; AMAZON WEB SERVICES, INC., a Delaware Corporation; JACK POULSON, an individual; TECH INQUIRY, INC., a Delaware corporation; DOES 1-25, inclusive,  
  
Defendants.

Case No.: CGC-24-618681

~~PROPOSED~~ ORDER DENYING PLAINTIFF JOHN DOE'S MOTION SEEKING PERMISSION FOR PLAINTIFF TO PROCEED UNDER A FICTITIOUS NAME

**DATE: December 12, 2024**  
**TIME: 9:30 a.m.**  
**DEPT: 301**

Judge: **JOSEPH M. QUINN**  
Action Filed: October 3, 2024  
Trial Date:

1 PLAINTIFF JOHN DOE'S Motion Seeking Permission For Plaintiff To Proceed Under A  
2 Fictitious Name is before this Court. and the Court having considered the arguments of the parties  
3 rules that the motion is DENIED.  
4

5 Plaintiff John Doe filed his defamation complaint on October 3, 2024, generally alleging  
6 that Defendants unlawfully published false information about him taken from a sealed arrest record.  
7 Plaintiff alleges causes of action for (1) negligence, (2) gross negligence, (3) intentional interference  
8 with prospective economic relations, (4) negligent interference with prospective economic relations,  
9 (5) intentional interference with contractual relations, (6) public disclosure of private facts, (7) false  
10 light, (8) intrusion into private affairs, (9) IIED, (10) NIED, (11) defamation, (12) Bus & Prof. Code  
11 Section 17200, (13) violation of California Constitution Section 1, (14) violation of California Penal  
12 Code Section 851.92, and (15) violation of California Penal Code Section 11143 Plaintiff now  
13 moves to proceed under a fictitious name.  
14

15 Generally, “[i]n the complaint, the title of the action shall include the names of all the  
16 parties.” (CCP Section 422.40.) Where a statute does not specifically allow a party to file the  
17 complaint anonymously, a plaintiff must file a conditionally anonymous complaint. (Dept. of Fair  
18 Employment and Housing v. Superior Court (2022) 82 Cal.App.5th 105, 111 [“DFEH”].) The court  
19 must conduct a hearing and apply the overriding interest test. (Id.) Under that test, “[a] party's  
20 request for anonymity should be granted only if the court finds that an overriding interest will likely  
21 be prejudiced without use of a pseudonym, and that it is not feasible to protect the interest with less  
22 impact on the constitutional right of access.” (Id.) The court “must bear in mind the critical  
23 importance of the public's right to access judicial proceedings. Outside of cases where anonymity is  
24 expressly permitted by statute, litigating by pseudonym should occur ‘only in the rarest of  
25 circumstances.’” (DFEH, supra, 82 Cal.App.5th at 111.) California courts look to the Advanced  
26 Textile factors to evaluate the need for anonymity. (Does I thru XXIII v. Advanced Textile Corp.  
27 (9th Cir. 2000) 214 F.3d 1058, 1068.) Under Advanced Textile, courts consider: (1) severity of  
28

1 harm, (2) reasonableness of fears, and (3) vulnerability. (Does I thru XXIII v. Advanced Textile  
2 Corp., 214 F.3d 1058, 1068 (9th Cir. 2000).)

3  
4 This is not a case where anonymity is expressly permitted. Nor is it a case that presents “the  
5 rarest of circumstances” that would allow Plaintiff to proceed anonymously. (DFEH, supra, 82  
6 Cal.App.5th at 111.) Plaintiff argues he has an overriding privacy interest in not being tied to his  
7 sealed arrest record. Plaintiff, however, admits, “[a]n article in the San Francisco  
8 Chronicle...identified Plaintiff’s actual name and connected him to the incidents described in the  
9 sealed arrest report...” (MPA, 4.) As such, the highly personal details of Plaintiff’s arrest record  
10 have already been publicly disclosed and tied to this complaint. The cat, so to speak, is out of the  
11 bag. Further, Plaintiff’s argument that neither Defendants nor the public interest will be prejudiced  
12 if he proceeds anonymously is unpersuasive. (MPA, 8.) Plaintiff’s identity, his reputation, his  
13 specific economic relationships and opportunities, the extent to which his affairs are private or  
14 public are among the issues raised by his claims and the parties, including the defendants, have an  
15 interest in developing an accurate record specific to Plaintiff. Imposing anonymity requirements  
16 will interfere with this process. “[T]he public has an interest, in all civil cases, in observing and  
17 assessing the performance of its public judicial system, and that interest strongly supports a general  
18 right of access in ordinary civil cases.” (NBC Subsidiary (KNBC-TV), Inc. v. Superior Court  
19 (1999) 20 Cal.4th 1178, 1210. On this record, Plaintiff’s generalized concerns in anonymity do not  
20 predominate.

21  
22 It might be one thing if Plaintiff’s claims were limited to whether the media is (or should be)  
23 prohibited from publishing facts taken exclusively from sealed criminal records and he was seeking  
24 no personal relief. Perhaps affording such a plaintiff anonymity would not prejudice any other  
25 party. But that’s not this case. Plaintiff, here, is seeking relief personal to him that requires  
26 development of a record about him. Additionally, he is alleging that the information published was  
27 false and seeking personal damages resulting from publication of the falsities. Requiring Defendants  
28

To be sure, that a party may have a privacy interest in information related to a sealed arrest. It does not follow, however, that this interest alone precludes this case the rest of cases supporting anonymity. Nor does this interest considered in the context of this case tip the scales in favor of allowing Plaintiff to proceed under a pseudonym.

1 to litigate such claims without disclosing Plaintiff's identity in any way would be to impose an  
2 undue burden, if not make it nearly impossible for Defendants to develop their defenses and protect  
3 their interests.

*At the hearing, Plaintiff seemed to urge that a compelling and overriding privacy interest is articulated in Penal Code section 851.92, which authorizes a civil penalty of \$500 to \$2,500 for dissemination of information relating to a sealed arrest.*

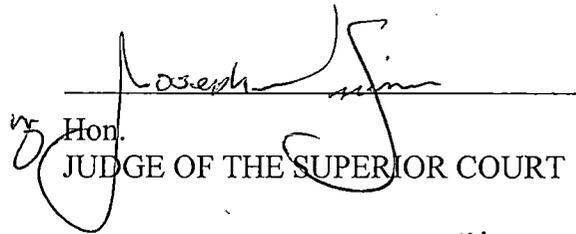
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5 Next, the Advanced Textile factors weigh against Plaintiff's requested relief. First, Plaintiff  
6 has not established he will face severe harm in the form of retaliation if he is named. As his name  
7 and arrest record have been published, Plaintiff cannot show he will encounter any new harm he has  
8 not already encountered or would not likely encounter based on the existing public record. Second,  
9 Plaintiff's fear is unreasonable because no retaliatory harm is threatened against him. Third, naming  
10 Plaintiff would not render him more vulnerable than when this information was first disseminated to  
11 the public. Plaintiff claims he is vulnerable because "Defendants have been unwavering their  
12 position that they can act in direct violation of California Law..." (MPA, 7.) However, this is not a  
13 vulnerability recognized in the cited cases. In DFEH, the plaintiff was scared his family would be  
14 the subject of immediate caste violence in India if his identity were revealed. (DFEH, supra, 82  
15 Cal.App.5th at 108.) In Advanced Textile, the plaintiffs feared immediate physical violence and  
16 deportation for themselves and their families. This case, where a third-party news publication has  
17 already reported the sealed arrest record and the facts surrounding it, is not one where privacy  
18 interests override the public's interest in this information.

19  
20 Loss of employment or employment opportunities cannot generally be "retaliation" green  
21 lighting anonymity for a party. If so, every employment plaintiff who concedes some wrongdoing  
22 but claims his termination was unjustified would be able to proceed anonymously because, for  
23 example, the admitted wrongdoing would give current and future potential employers pause.  
24 Similarly, every fraud defendant would have a claim to anonymity whenever the allegations put  
25 them in a bad light with employers and potential employers. Likewise, here Plaintiff's employment  
26 issues and concerns do not override the general and specific interests in open litigation of this  
27 matter. ✓

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**IT IS HEREBY ORDERED:** PLAINTIFF JOHN DOE'S Motion Seeking Permission For Plaintiff To Proceed Under A Fictitious Name is **DENIED**.

DATED: Dec 12, 2024

  
Hon.  
JUDGE OF THE SUPERIOR COURT

JOSEPH M. QUINN

I, the undersigned, certify that I am an employee of the Superior Court of California, County Of San Francisco and not a party to the above-entitled cause and that on December 13, 2024 I served the foregoing ORDER DENYING PLAINTIFF JOHN DOE'S MOTION SEEKIING PERMISSION FOR PLAINTIFF TO PROCEED UNDER A FICTITIOUS NAME on each counsel of record or party appearing in propria persona by causing a copy thereof to be enclosed in a postage paid sealed envelope and deposited in the United States Postal Service mail box located at 400 McAllister Street, San Francisco CA 94102-4514 pursuant to standard court practice.

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# EXHIBIT D

Respondent Jack Poulson's Appendix

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tori@eff.org  
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BY: JEFFREY FLORES  
Deputy Clerk

7 *Attorneys for Defendant Jack Poulson*

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **COUNTY OF SAN FRANCISCO**

10  
11 MAURY BLACKMAN, an individual,

12 Plaintiff,

13 v.

14 SUBSTACK, INC., a Delaware  
Corporation; AMAZON WEB SERVICES,  
15 INC., a Delaware Corporation; JACK  
POULSON, an individual; TECH  
16 INQUIRY, INC., a Delaware corporation;  
DOES 1-25, inclusive,  
17

18 Defendants.

Case No.: CGC-24-618681

**REQUEST FOR JUDICIAL NOTICE IN  
SUPPORT OF DEFENDANT JACK  
POULSON'S SPECIAL MOTION TO  
STRIKE (CCP § 425.16)**

DATE: February 4, 2025  
TIME: 9:30 a.m.  
DEPT: 301

Judge:

Action Filed: October 3, 2024  
Trial Date: None set

19  
20  
21 **REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF DEFENDANT JACK POULSON'S  
SPECIAL MOTION TO STRIKE (CCP § 425.16)**

22 Pursuant to Evidence Code §§ 452 and 453, Defendant Jack Poulson respectfully requests  
23 that this Court take judicial notice of Exhibit A to this Request for Judicial Notice, listed below,  
24 submitted in support of Defendant Jack Poulson's Motion to Strike under the Anti-SLAPP Statute  
25 (CCP § 425.16), filed December 6, 2024.

26 **Exhibit A** is a true and correct copy of the Declaration of Maury Blackman in Support of  
27 Premise Data Corporation's Motion for Protective Order Limiting PQM Deposition Topic #11, a  
28

1 publicly available document filed on August 28, 2023 in the Superior Court of Santa Clara County  
2 in *Premise Data Corp. v. Pompe*, No. 19CV346678.

3 The Court may take judicial notice of Exhibit A because it is a genuine and accurate record  
4 of a California state court. Cal. Evid. Code § 452 (d); *Thayer v. Kabateck Brown Kellner LLP*, 207  
5 Cal. App. 4th 141, 156 (2012), *as modified* (June 22, 2012) (“a request for judicial notice allows  
6 parties to introduce records of any court of the State of California” in support of or opposition to an  
7 anti-SLAPP motion); *Newport Harbor Offs. & Marina, LLC v. Morris Cerullo World Evangelism*,  
8 23 Cal. App. 5th 28, 50 (2018) (considering judicially noticed court filings in granting anti-SLAPP  
9 motion).

10 Here, Poulson seeks judicial notice of a declaration filed by Blackman in a California court,  
11 for the purpose of showing Blackman’s characterization of his former company, Premise Data, in  
12 this document. The “existence and facial contents” of Exhibit A are properly subject to judicial  
13 notice. *Yvanova v. New Century Mortg. Corp.*, 62 Cal. 4th 919, 924 (2016). The Court may also  
14 take judicial notice of the accuracy of the contents of Exhibit A, because “the truth of statements  
15 may be accepted when made by a party.” *C.R. v. Tenet Healthcare Corp.*, 169 Cal. App. 4th 1094,  
16 1103 (2009), *as modified on denial of reh'g* (Feb. 3, 2009). *Del E. Webb Corp. v. Structural*  
17 *Materials Co.*, 123 Cal. App. 3d 593, 605 (1981) (“court...could properly take judicial notice of any  
18 inconsistent statements made by [Plaintiff]...in the declarations”).

19  
20 DATED January 28, 2025

/s/ Victoria Noble  
Victoria Noble (SBN 337290)  
David Greene (SBN 160107)  
Electronic Frontier Foundation  
815 Eddy Street  
San Francisco, CA 94109  
Tel.: (415) 436-9333  
Fax: (415) 436-9993  
Email: tori@eff.org, davidg@eff.org

21  
22  
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24  
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26 *Attorneys for Defendant Jack Poulson*

# Exhibit A

**Electronically Filed  
by Superior Court of CA,  
County of Santa Clara,  
on 8/28/2023 5:35 PM  
Reviewed By: T. Phan  
Case #19CV346678  
Envelope: 12875214**

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16 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
17 COUNTY OF SANTA CLARA

18 PREMISE DATA CORPORATION, a  
19 Delaware Corporation

20 Plaintiff,

21 v.

22 ALEX POMPE, an individual, DOES 1  
23 through 100, inclusive,

24 Defendants.

Case No.: 19-CV-346678  
(consolidated with Case No.: 21-CV-385478)

**DECLARATION OF MAURY  
BLACKMAN IN SUPPORT OF PREMISE  
DATA CORPORATION'S MOTION FOR  
PROTECTIVE ORDER LIMITING PMQ  
DEPOSITION TOPIC #11**

GRELLAS SHAH LLP  
20400 STEVENS CREEK BLVD, SUITE 280  
CUPERTINO, CA 95014

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1 I, Maury Blackman, declare as follows:

2 1. I am the Chief Executive Officer of Premise Data Corporation (“Premise”).  
3 Premise is the plaintiff in the above-captioned consolidated action *Premise Data Corporation*  
4 *v. Alex Pompe*, Santa Clara Superior Court Case No. 19CV346678 (the “Consolidated  
5 Action”). I have personal knowledge of the facts stated herein. If called upon as a witness, I  
6 could and would testify competently to the following facts.

7 2. Premise has clients in the military and intelligence sectors, which represent a  
8 portion of its overall client base.

9 3. Premise’s engagement agreements with clients in the military and intelligence  
10 sectors contain strict confidentiality provisions which expressly prohibit Premise from  
11 disclosing the engagement, including the identity of the client and the nature of the work  
12 contemplated by the agreement. It is Premise’s understanding, based on communications with  
13 these military and intelligence clients, that confidentiality of these engagements is critical  
14 because many of Premise’s military and intelligence clients and projects deal with sensitive  
15 and highly-confidential information relating to national security.

16 4. Key Premise personnel, including myself, hold security clearance with the  
17 United States Department of Defense and a number of military and intelligence clients require  
18 Premise personnel to maintain a security clearance for the exchange of information. Premise  
19 itself holds a Facility Security Clearance (FCL), which allows it to perform contracts involving  
20 access to classified information. Premise is required to maintain certain internal security  
21 controls, including only discussing classified information within closed meetings of cleared  
22 personnel, in order to maintain the FCL.

23 5. If Premise is unable to maintain the confidentiality of the identities of these  
24 military and intelligence clients in this civil litigation, this would cause Premise incalculable  
25 business harm because it is Premise’s understanding that its ability to obtain work from these  
26 clients is conditioned on its ability to honor its commitment not to divulge this information  
27 under any circumstances.

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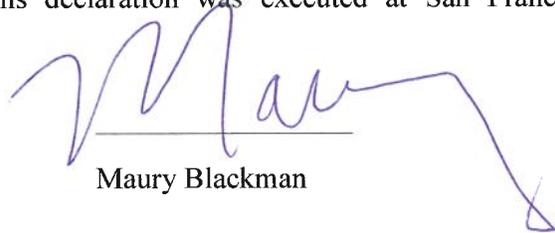
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6. Further, given that these secrecy and confidentiality requirements under which Premise offers services to these clients are to safeguard national security, if Premise is required by this Court to divulge such information, it could compromise national security.

7. Moreover, should this information be disclosed, it could directly endanger Premise’s contributors around the world, who may be wrongly perceived as working for military or intelligence clients simply by virtue of having the Premise app on their phones.

8. As a final point, beyond its confidentiality obligation to these clients and the national security concerns, Premise maintains the identity of these clients and the work done for them as a closely-guarded trade secret. That these particular clients have a need for the data services Premise is providing and the exact scope of these services, as well as the manner in which Premise provides services and meets the needs of these customers, is information that derives its value from not being known to the public or Premise’s competitors because this information can be used to validate non-public market or customer needs and aid competitors in competing against Premise.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed at San Francisco, California, on August 24, 2023.



Maury Blackman

# EXHIBIT E

Respondent Jack Poulson's Appendix

1 David Greene (SBN 160107)  
Victoria Noble (SBN 337290)  
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12 *Attorney for Defendant Tech Inquiry, Inc.*

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

14 **COUNTY OF SAN FRANCISCO**

15  
16 MAURY BLACKMAN, an individual,  
17 Plaintiff,  
18 v.  
19 SUBSTACK, INC., a Delaware  
20 Corporation; AMAZON WEB SERVICES,  
INC., a Delaware Corporation; JACK  
21 POULSON, an individual; TECH  
22 INQUIRY, INC., a Delaware corporation;  
DOES 1-25, inclusive,  
23 Defendants.  
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Case No.: CGC-24-618681

**DEFENDANTS JACK POULSON'S AND  
TECH INQUIRY'S NOTICE OF JOINDER  
AND JOINDER TO AMAZON WEB  
SERVICES, INC.'S OBJECTIONS TO  
EVIDENCE AND REQUEST FOR JUDICIAL  
NOTICE**

DATE: February 4, 2025  
TIME: 9:30 a.m.  
DEPT: 301

Judge: Christine Van Aken

Action Filed: October 3, 2024  
Trial Date: None set

**ELECTRONICALLY  
FILED**

*Superior Court of California,  
County of San Francisco*

**01/29/2025  
Clerk of the Court**

**BY: JEFFREY FLORES  
Deputy Clerk**

1 **NOTICE OF JOINDER**

2 TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

3 PLEASE TAKE NOTICE THAT Defendants Jack Poulson and Tech Inquiry will, and  
4 hereby does, join in the following filed by co-defendants in this matter:

5 **DEFENDANT AMAZON WEB SERVICES, INC.’S OBJECTIONS TO**  
6 **PLAINTIFF’S EVIDENCE SUBMITTED IN SUPPORT OF HIS OPPOSITION TO**  
7 **SPECIAL MOTION TO STRIKE (C.C.P. § 425.16)** (filed January 28, 2025)

8 **DEFENDANT AMAZON WEB SERVICES, INC.’S REQUEST FOR JUDICIAL**  
9 **NOTICE IN SUPPORT OF SPECIAL MOTION TO STRIKE PLAINTIFF’S COMPLAINT**  
10 **PURSUANT TO CALIFORNIA CODE OF CIVIL PROCEDURE SECTION 425.16** (filed  
11 December 6, 2024).

12 This Joinder is based on: (1) this Notice of Joinder and Joinder, (2) the pleadings, records,  
13 and papers on file in this action, (3) arguments of counsel at the hearing, and (4) any matters of  
14 which the Court may take judicial notice.

15  
16 DATED January 29, 2025

ELECTRONIC FRONTIER FOUNDATION

17 /s/ David Greene  
18 David Greene  
19 Victoria Noble

20 *Attorneys for Defendant Jack Poulson*

21 LAW OFFICE OF SUSAN E. SEAGER

22 /s/ Susan E. Seager  
23 Susan E. Seager

24 *Attorneys for Defendant Tech Inquiry, Inc.*

1 **PROOF OF SERVICE**

2 I, Victoria Python, declare as follows:

3 I am over the age of 18 years and not a party to the within action. My business address is  
4 815 Eddy Street, San Francisco, California 94109. I am employed in the office of a member of the  
5 bar of this court at whose direction the service was made.

6 On January 29, 2025, I served the following documents entitled:

7 **DEFENDANTS JACK POULSON’S AND TECH INQUIRY’S NOTICE OF**  
8 **JOINDER AND JOINDER TO AMAZON WEB SERVICES, INC.’S OBJECTIONS**  
9 **TO EVIDENCE AND REQUEST FOR JUDICIAL NOTICE**

10 On the following:

11 David Marek  
12 Ami Sanghvi  
13 THE MAREK LAW FIRM, INC.  
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*Counsel for Defendant Substack, Inc.*

24 *Counsel for Defendant*  
25 *Amazon Web Services, Inc.*

26 Susan E. Saeger  
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*Counsel for Defendant Tech Inquiry, Inc.*

**BY ELECTRONIC TRANSMISSION VIA FILE & SERVEXPRESS:**

I caused a copy of the foregoing document to be sent via File & ServeXpress California to the persons at the email addresses listed above. The above parties and/or counsel of record are designated for electronic service in this matter on the File and Serve California website.

**BY EMAIL:** I caused a copy of the documents to be sent from email address victoria@eff.org to the persons at the email addresses listed above.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on January 29, 2025 at San Francisco, California.

  
\_\_\_\_\_  
Victoria Python