

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION**

FIX WILSON YARD, INC., et al.

Plaintiff,

vs.

CITY OF CHICAGO, et al.

Defendants.

Docket No. 2008-CH-45023

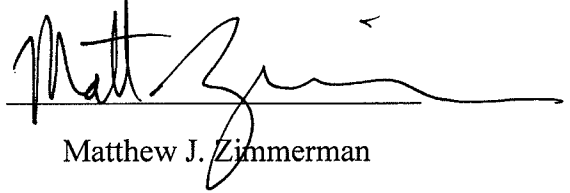
**SUPPLEMENTAL DECLARATION OF MATTHEW ZIMMERMAN IN SUPPORT OF
ANONYMOUS SPEAKERS' RENEWED MOTION TO QUASH WILSON YARD
DEFENDANTS' SUBPOENAS OF JANUARY 12, 2009**

I, Matthew Zimmerman, of full age, certify, declare and state:

1. I am an attorney at law, duly licensed and admitted to practice in the State of California. I am a staff attorney at the Electronic Frontier Foundation, a non-profit legal services organization. The facts contained in the following affidavit are known to me of my own personal knowledge and if called upon to testify, I could and would competently do so.
2. Attached hereto as Exhibit A are true and correct copy of registration pages for Blogger.com and Yuku.com, showing that users need not reveal their real names during the registration process.
3. Attached hereto as Exhibit B is a true and correct copy of an E-mail of September 11, 2009, from Defendants' counsel Tom Johnson to Matthew Zimmerman.
4. Attached hereto as Exhibit C is a true and correct copy of an E-mail of September 28, 2009, from Defendants' counsel Tom Johnson to Matthew Zimmerman.
5. Attached hereto as Exhibit D is a true and correct copy of a subsequent E-mail of September 28, 2009, from Defendants' counsel Tom Johnson to Matthew Zimmerman.
6. After Defendants filed their Response to Anonymous Speakers' Renewed Motion to Quash on September 15, 2009, in which they stated as a fact that the Anonymous Speakers "are" the Plaintiffs in this case, I repeatedly asked Defendants' counsel Tom Johnson to identify the factual justification for that statement. Between September 17, 2009, and September 27, 2009, I asked Mr. Johnson this question six times by e-mail and once over the phone but to no avail.
7. On September 28, 2009, the day before Anonymous Speakers' Reply brief was due, Mr. Johnson forwarded me an e-mail in response that did not directly

address my question about his basis for stating as a fact that the Anonymous Speakers “are” the Plaintiffs. His e-mail included what purported to be a screenshot from the Buena Park Neighbors message board from 2003 by Plaintiff Katherine Boyda.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed this 29th day of September, 2009, in San Francisco, California.



Matthew J. Zimmerman