

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

[REDACTED]  
AMERICAN CIVIL LIBERTIES UNION; and  
AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION;

Plaintiffs,

v.

JOHN ASHCROFT, in his official capacity as  
Attorney General of the United States;  
ROBERT MUELLER, in his official capacity as  
Director of the Federal Bureau of Investigation;  
and MARION E. BOWMAN, in his official  
capacity as Senior Counsel to the Federal  
Bureau of Investigation,

Defendants.

04 Civ. 2614 (VM)

**SEALED**

The government originally gagged the ACLU from disclosing the text that appears below in white on black background, arguing that its disclosure would pose a threat to national security. After the ACLU objected, the Court lifted the gag order on that text. The ACLU remains gagged from disclosing the blacked out text below.

DECLARATION OF [REDACTED]

I, [REDACTED] of [REDACTED] do declare:

1. I am the President and sole employee of [REDACTED] which is an Internet access and consulting business incorporated and located in [REDACTED]

2. [REDACTED] provides a variety of Internet-related services for its clients. For example, we provide space on the Web where people can post their own sites and store electronic files. [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED] We also provide some clients with e-mail accounts and the ability to access the Internet.

strategy to challenge NSLs through litigation.

28. The gag provision has also made it difficult to maintain normal communications with business colleagues, friends and family members. I have to make up excuses about where I am going when I need to meet with my lawyers about this case. I have been on edge [REDACTED]

[REDACTED] Because of the gag provision, however, I cannot to talk to friends and family about the stress that I have experienced [REDACTED]

29. Because of the gag provision, I have not disclosed information about [REDACTED] this lawsuit to the press and the public. I believe that the government may be abusing its power by targeting people with politically unpopular views. I also think that I should have the right to challenge [REDACTED] But I am afraid to talk about the NSL power in [REDACTED] generic terms out of fear that the government could accuse me of violating the gag provision. Furthermore, even though I have taken every precaution to comply with the gag, I am afraid that I may be prosecuted and even jailed if I inadvertently violate the gag provision.

30. I find it ironic that [REDACTED] I freely engaged in political debate on the government's use of the Patriot Act. [REDACTED] I know much more about the way the Patriot Act works [REDACTED] [REDACTED] the public should be able to [REDACTED] monitor how the government is using these new powers so that it can police against possible [REDACTED] abuses.