

1 WHITE & CASE LLP
2 J. JONATHAN HAWK (SBN 254350)
3 jhawk@whitecase.com
4 555 S. Flower Street, Suite 2700
5 Los Angeles, CA 90071-2433
6 Telephone: (213) 620-7700
7 Facsimile: (213) 452-2329

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County of Los Angeles
8/28/2023 5:34 PM
David W. Slayton,
Executive Officer/Clerk of Court,
By V. Sino-Cruz, Deputy Clerk

8 Attorneys for NON-PARTY X CORP.

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11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **FOR THE COUNTY OF LOS ANGELES**

13 ALLIANCE OF LOS ANGELES COUNTY
14 PARENTS, an unincorporated association

15 Petitioner and Plaintiff,

16 v.

17 COUNTY OF LOS ANGELES COUNTY
18 DEPARTMENT OF PUBLIC HEALTH;
19 MUNTU DAVIS, in his official capacity as
20 Health Officer for the County of Los Angeles;
21 BARBARA FERRER, in her official capacity
22 as Director of the County of Los Angeles
23 Department of Public Health; and DOES 1
24 through 25, inclusive,

25 Respondents and
26 Defendants.

Case No. 22STCP02772

**DECLARATION OF J. JONATHAN
HAWK IN SUPPORT OF MOTION TO
SEAL EXHIBIT 21 TO THE
COMPENDIUM OF EXHIBITS IN
SUPPORT OF ALLIANCE OF LOS
ANGELES COUNTY PARENTS'
OPPOSITION TO DEFENDANTS'
MOTION FOR SUMMARY
JUDGMENT**

Date: September 21, 2023

Time: 9:30 am

Dept.: 69

Judge: William F. Fahey

Complaint Filed: July 26, 2022

Trial Date: October 16, 2023

1 **DECLARATION OF J. JONATHAN HAWK**

2 I, J. Jonathan Hawk, declare:

3 1. I am an attorney at law duly licensed to practice before all courts of the State of
4 California and a partner at the law firm of White & Case LLP, attorneys of record for X Corp.,
5 successor in interest to Twitter, Inc. (“X Corp.”). I submit this declaration in support of X Corp.’s
6 Motion (the “Motion”) to Seal Exhibit 21 to the Compendium of Exhibits in Support of Alliance
7 of Los Angeles County Parents’ Opposition to Defendants’ Motion for Summary Judgment (the
8 “Opposition”).

9 2. On May 12, 2023, X Corp. was served with a Deposition Subpoena for Production
10 of Business Records from the Alliance of Los Angeles County Parents (the “Alliance”), containing
11 15 requests seeking extensive document production from X Corp. (the “Subpoena”). For example,
12 the Subpoena included requests, asking X. Corp to produce:

- 13 • All Communications regarding Brett Morrow from March 1, 2020 through the date
14 of production.
- 15 • All Communications between You and any person using an email address ending in
16 @ph.lacounty.gov from March 1, 2020 through the date of production.
- 17 • All Communications regarding Barbara Ferrer from March 1, 2020 through the date
18 of production.
- 19 • All Communications between Lauren Culbertson (lculbertson@twitter.com) and
20 any other person regarding the Los Angeles County Department of Public Health.
- 21 • All Communications regarding the Twitter account known as @lapublichealth from
22 March 1, 2020 through the date of production.

23 3. On June 14, 2023, I timely sent an objection letter to the Subpoena via mail and e-
24 mail to counsel for the Alliance, Julie Hamill, which detailed X Corp.’s objections and associated
25 legal bases. In my cover email attaching X Corp.’s responses to the Subpoena, I also offered to
26 meet and confer with the Alliance regarding next steps and to discuss a potential path forward. Ms.
27 Hamill responded via email, “I will feign shock and surprise that yet another big law firm is working
28 to keep government censorship information from the public.” A true and accurate copy of this

1 email exchange is attached as **Exhibit B**.

2 4. Ms. Hamill did not send me any further response to my June 14, 2023 email,
3 including my invitation to meet and confer, for one more week. She then emailed me on June 22,
4 2023. Her email did not respond to my offer to meet and confer and instead demanded that X Corp.
5 capitulate to the Alliance’s demand that X Corp. produce documents in response to the Subpoena,
6 without any amendments to its requests. She ended her email with “Do we need to go to court over
7 this, or will you produce the exhibits?” I responded, reminding Ms. Hamill of her obligation to
8 meet and confer with X Corp., including as a prerequisite to filing a motion to compel, and
9 emphasized that X Corp. was not willing to wholesale abandon its well-grounded objections to the
10 Subpoena. Ms. Hamill responded, accusing me of “playing games,” simply because X Corp.
11 asserted valid objections to a third-party subpoena, asking for, e.g., “All Communications regarding
12 Barbara Ferrer” (who is a public figure). A true and accurate copy of this email exchange is
13 attached as **Exhibit F**.

14 5. I and my colleague Kathryn Kuethman (also from White & Case) met and conferred
15 with Ms. Hamill via telephone on June 26, 2023. During this meet and confer, I explained the
16 reasons that Subpoena’s document requests were, among other things, overbroad, and asked Ms.
17 Hamill to propose more narrowly tailored requests, particularly with temporal and subject matter
18 limitations. Ms. Hamill stated that she had a right to seek production of documents to the requests
19 as written, threatened to engage in “*ex parte* motion practice,” and then told me that X Corp. should
20 propose narrowed requests if X Corp. thought it was necessary. Ms. Hamill sent me a letter the
21 next day misrepresenting our discussion, and proposing slight (albeit insufficient) revisions to the
22 requests in the Subpoena that were devoid of meaningful subject matter limitations, as I told Ms.
23 Hamill on June 26, 2023 were required for X Corp. to undertake a search for potentially responsive
24 documents.

25 6. I responded to Ms. Hamill’s June 26 letter, explaining that X Corp. was amenable
26 to undertaking a search for potentially responsive documents, but that she would need to propose
27 search terms, as X Corp. was not in the position to guess what terms the Alliance wanted. In
28 response, Ms. Hamill sent me a list of 12 separate, generic search terms, such as “Misinformation,”

1 “Post,” “Harassment,” and “Threats.”

2 7. Because these terms were overbroad and not tailored to the requests in the Subpoena,
3 I devised a list of different search terms in an attempt to reach a manageable universe of documents
4 pulled from X Corp.’s internal systems. Ms. Hamill and I exchanged various rounds of proposed
5 edits to those search terms until we agreed.

6 8. During the course of my discussions with Ms. Hamill regarding the proposed search
7 terms, Ms. Hamill demanded that additional platforms be searched, including Slack, JIRA, Blind,
8 direct messages, and email. When I advised Ms. Hamill that I would need to confer with X Corp.
9 to see if that new request was possible -- putting aside that some of the platforms were provided by
10 third parties and others, such as direct messages, raised serious concerns under the Stored
11 Communications Act --, Ms. Hamill threatened to file a motion to compel “early next week absent
12 production of documents” and demanded that I “let [her] know if [I] require any further meet and
13 confer before [she] file[s].” I explained to Ms. Hamill that her threatened motion was inappropriate,
14 and that I had already confirmed X Corp. could search email, Slack, and JIRA. Ms. Hamill
15 responded by (again) threatening to bring a motion to compel. A true and accurate copy of these
16 email exchanges are attached as **Exhibit A**.

17 9. X Corp. ran the agreed upon searches and White & Case reviewed the documents
18 that resulted from that search for responsiveness, privilege, and confidentiality. On August 14,
19 2023, while X Corp. was finalizing the production, Ms. Hamill sent me an email stating “If I don’t
20 receive anything from you before [Friday, August 18] I will notify the court and request an
21 extension...I hope to avoid having to move to compel...but it looks like I’ve been strung
22 along.” On August 15, 2023, I informed Ms. Hamill that we were working with a newer document
23 review and production platform, and should be ready to produce that same day.

24 10. In my August 15, 2023 email, I also asked Ms. Hamill if we could agree to a protocol
25 in the event the Alliance wanted to file any documents with the Court that X Corp. would designate
26 “CONFIDENTIAL.” In my email, I asked Ms. Hamill: “Can we agree that you would only
27 potentially use those documents to file them with the court -- and that if you intend to file any of
28 those documents, you first discuss with me as to whether X Corp. will agree to lift the “confidential”

1 tag on those specified documents so they can be publicly filed or, if we will not agree to that, you
2 will request to file them under seal?” Ms. Hamill responded, “Yes, agreed. Thanks.” True and
3 accurate copies of these email exchanges are also contained in **Exhibit A**.

4 11. On August 16, 2023, X Corp. produced over 2,000 documents to the Alliance via
5 Ms. Hamill. Ms. Hamill responded later that day that she reviewed the documents and “intended
6 to include 12 documents in [her] filing tomorrow,” i.e., August 17, 2023. She also asked for X
7 Corp. to provide a declaration from a custodian of records that she could use to accompany her
8 filing. I responded to Ms. Hamill’s email, asking her to file any documents marked as
9 “CONFIDENTIAL” under seal so they are not publicly viewable and agreed to ask X Corp. about
10 the declaration.

11 12. The next day, on August 17, 2023, Ms. Hamill sent me an email at 9:00 am, stating
12 that she did not “see[] any legal justification for sealing the documents,” and “wanted to give [me]
13 an opportunity to file a motion if [I] felt it is necessary.” I told Ms. Hamill that she agreed to file
14 the motion to seal, not for X Corp. to do so, and that X Corp. could provide an explanation as to
15 why sealing was justified to include in a declaration from her in support of the motion. Ms. Hamill
16 refused to file a motion to seal despite my efforts to remind her of our prior agreement. Ms. Hamill
17 then informed me that she would be filing our email exchanges with the Court, and that she had to
18 file her motion “today” (August 17), so X Corp. needed to provide her with a rationale for why the
19 documents should be sealed within the “next three hours.”

20 13. Ms. Hamill had previously represented that the Alliance’s Opposition to the
21 defendants’ summary judgment motion was due on August 18, not August 17. Regardless, I sent
22 Ms. Hamill an email, attaching a signed custodian of records declaration from X Corp. and written
23 justification for sealing the records. At 5:11 pm that same day, Ms. Hamill responded, asking X
24 Corp. to provide an additional declaration with the justification for sealing to file with her motion
25 papers, and that she was “finalizing the documents right now.” I responded that X Corp. could not
26 put together that declaration under such short notice. A true and accurate copy of these email
27 exchanges is attached as **Exhibit E**.

28 14. Ms. Hamill appears to have filed the Alliance’s Opposition and supporting papers

1 shortly thereafter. At 9:40 pm, she sent me an email containing links to the documents that she
2 filed, and stated that I should “consider this [email] your ten-day notice to file a motion to seal the
3 records pursuant to CRC 2.551(b)(3)(A)(iii).” A true and accurate copy of the email I received from
4 Ms. Hamill is attached as **Exhibit G**.

5 15. The next morning, on August 18, 2023, my colleague, Kathryn Kuethman, an
6 associate at White & Case LLP, emailed Ms. Hamill to seek assistance downloading the documents
7 that Ms. Hamill had emailed me the night before. Ms. Kuethman sent the email to Ms. Hamill with
8 me copied, and received an autogenerated out-of-office email in response. A true and accurate
9 copy of the out-of-office email from Ms. Hamill is attached as **Exhibit C**.

10 16. Ms. Hamill later responded that she “was traveling all day and won’t be in front of
11 my computer with internet until tomorrow.” A true and accurate copy of that email from Ms. Hamill
12 is attached as **Exhibit D**.

13 17. Ms. Hamill never informed me about this travel schedule and led me to believe the
14 filing deadline for the Alliance’s Opposition was August 17, 2023. Upon reviewing the Alliance’s
15 Opposition, I noticed that Ms. Hamill dated the filing August 18, 2023 -- despite having seemingly
16 filed it on August 17, 2023 and having told me that she needed to file on August 17, 2023.

17 18. Upon reviewing the Alliance’s Opposition, I saw that not only did Ms. Hamill
18 breach our agreement for the Alliance to file a motion to seal the confidential documents produced
19 by X Corp., but she wrote in her Declaration in Support of the Opposition (the “Hamill Decl.”) that
20 she conveyed to me that she does not believe sufficient grounds exist to ask the Court to seal the X
21 Corp. documents. Hamill Decl. ¶¶ 24-26. For the reasons stated below, I disagree with Ms.
22 Hamill’s conclusion and believe good cause exists to seal the documents given that they contain X
23 Corp.’s non-public, confidential, and proprietary business information.

24 19. In Exhibit 21 to the Alliance’s Compendium of Exhibits in Support of its
25 Opposition, Ms. Hamill lodged eight documents that X Corp. produced to the Alliance in response
26 to the Subpoena (the “X Corp. Emails”). X Corp. marked all of the X Corp. Emails as
27 “CONFIDENTIAL.”

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20. I have reviewed the unredacted documents that comprise Exhibit 21. They are a series of emails and communications between former X Corp. personnel and third parties about accounts that were reported for purported violations of X Corp.'s policies, as well as X Corp.'s rationale for decisions that it made with regard to such reported accounts. The X Corp. Emails contain information that goes beyond X Corp.'s general, public explanation of its terms of service and policies. The emails also reflect X Corp.'s contextual analysis of reported, specific user-generated content under the circumstances at the time the reports were submitted. If this information was made public and accessible by third parties, those third parties may misunderstand the nuances of the particular content that is reported, the circumstances surrounding the content at that time, and the application of then-effective rules. Those unintended third parties could then potentially levy misguided criticisms at X Corp. based on comparisons to separate, incongruous pieces of content that they mistakenly believe should receive the same treatment as the content being discussed in the X Corp. Misguided criticisms of online platforms in the context of content moderation decisions can cause serious competitive harm to a platform provider X Corp. could suffer competitive harm if this information were to be revealed to the public.

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

Executed on August 28, 2023, at Los Angeles, California.



J. Jonathan Hawk

EXHIBIT C

From: Hawk, J. Jonathan
Sent: Tuesday, August 15, 2023 10:20 PM
To: Julie Hamill
Cc: Kuethman, Kathryn
Subject: RE: Alliance of Los Angeles County Parents Subpoena to X Corp. - Meet and Confer

Hi, Julie. We're working on it. We're having an issue with the production platform we're using but are trying to work through it. I'll keep you posted.

Jon

From: Julie Hamill <julie@juliehamill-law.com>
Date: Tuesday, Aug 15, 2023 at 7:28 PM
To: Hawk, J. Jonathan <jhawk@whitecase.com>
Subject: Re: Alliance of Los Angeles County Parents Subpoena to X Corp. - Meet and Confer

Where and when should I expect to receive the documents?

Sent from my iPhone

On Aug 15, 2023, at 10:45 AM, Hawk, J. Jonathan <jhawk@whitecase.com> wrote:

Thanks, Julie.

J Jonathan Hawk | Partner
T +1 213 620 7741 **M** +1 626 755 1400 **E** jhawk@whitecase.com
White & Case LLP | 555 South Flower Street, Suite 2700 | Los Angeles, CA 90071-2433

From: Julie Hamill <julie@juliehamill-law.com>
Sent: Tuesday, August 15, 2023 7:44 AM
To: Hawk, J. Jonathan <jhawk@whitecase.com>
Subject: Re: Alliance of Los Angeles County Parents Subpoena to X Corp. - Meet and Confer

Yes, agreed. Thanks.

Sent from my iPhone

On Aug 15, 2023, at 10:39 AM, Hawk, J. Jonathan <jhawk@whitecase.com> wrote:

Julie, we should be ready to produce today. It's taken some time to finalize the production with our review / production tool. You have not been strung along. Our correspondence shows that, including that we even had to devise and propose search terms.

Regarding the lack of a protective order, we'll have documents marked "confidential." Those should not be publicly disseminated, including not on your website. The only potentially valid use for the documents would be in direct connection with the litigation, i.e., filing them with the court.

Can we agree that you would only potentially use those documents to file them with the court -- and that if you intend to file any of those documents, you first discuss with me as to whether X Corp. will agree to lift the "confidential" tag on those specified documents so they can be publicly filed or, if we will not agree to that, you will request to file them under seal?

Jon

J Jonathan Hawk | Partner

T +1 213 620 7741 **M** +1 626 755 1400 **E** jhawk@whitecase.com

White & Case LLP | 555 South Flower Street, Suite 2700 | Los Angeles, CA 90071-2433

From: Julie Hamill <julie@juliehamill-law.com>

Sent: Monday, August 14, 2023 2:55 PM

To: Hawk, J. Jonathan <jhawk@whitecase.com>

Subject: Re: Alliance of Los Angeles County Parents Subpoena to X Corp. - Meet and Confer

Jonathan,

As you know, my brief deadline is Friday. If I don't receive anything from you before then I will notify the court and request an extension of my deadline to respond to the County's motion for summary judgment. I hope to avoid having to move to compel response to my subpoena, but it looks like I've been strung along.

Julie Hamill

Hamill Law & Consulting

julie@juliehamill-law.com

(424) 265-0529

www.juliehamill-law.com

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On Sun, Aug 13, 2023 at 6:43 AM Hawk, J. Jonathan <jhawk@whitecase.com> wrote:

Hi, Julie. We were finalizing the production as of Friday. I'll check w the team first thing tomorrow morning re status.

Also, is there a protective order in this case?

Jon

From: Julie Hamill <julie@juliehamill-law.com>
Date: Sunday, Aug 13, 2023 at 8:39 AM
To: Hawk, J. Jonathan <jhawk@whitecase.com>
Subject: Re: Alliance of Los Angeles County Parents Subpoena to X Corp. - Meet and Confer

Jonathan,

Can you please provide a status update?

Julie Hamill
Hamill Law & Consulting
julie@juliehamill-law.com
(424) 265-0529
www.juliehamill-law.com

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On Wed, Aug 9, 2023 at 12:56 PM Julie Hamill <julie@juliehamill-law.com> wrote:
Checking in on the status of this.

Julie Hamill
Hamill Law & Consulting
julie@juliehamill-law.com
(424) 265-0529
www.juliehamill-law.com

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On Wed, Jul 26, 2023 at 10:24 AM Julie Hamill <julie@juliehamill-law.com> wrote:
Appreciate that, thanks.

Sent from my iPhone

On Jul 26, 2023, at 10:20 AM, Hawk, J. Jonathan
<jhawk@whitecase.com> wrote:

Julie, apologies for missing this. We're into our review process already. We're aiming to start delivering documents the week of August 7. We are treating this as a priority. I'm happy to discuss of course.

Jon

J Jonathan Hawk | Partner
T +1 213 620 7741 M +1 626 755 1400 E jhawk@whitecase.com
White & Case LLP | 555 South Flower Street, Suite 2700 | Los Angeles, CA 90071-2433

From: Julie Hamill <julie@juliehamill-law.com>
Sent: Sunday, July 23, 2023 7:28 PM
To: Hawk, J. Jonathan <jhawk@whitecase.com>
Cc: Kuethman, Kathryn <kathryn.kuethman@whitecase.com>
Subject: Re: Alliance of Los Angeles County Parents Subpoena to X Corp. - Meet and Confer

I am checking in to see whether you have any updates on this subpoena response.

Best regards,

Julie Hamill
Hamill Law & Consulting
julie@juliehamill-law.com
(424) 265-0529
www.juliehamill-law.com

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On Fri, Jul 14, 2023 at 11:02 AM Hawk, J. Jonathan
<jhawk@whitecase.com> wrote:

Thanks. We'll proceed and keep you posted re timing.

J Jonathan Hawk | Partner
T +1 213 620 7741 M +1 626 755 1400 E jhawk@whitecase.com
White & Case LLP | 555 South Flower Street, Suite 2700 | Los Angeles, CA 90071-2433

From: Julie Hamill <julie@juliehamill-law.com>
Sent: Friday, July 14, 2023 10:51 AM
To: Hawk, J. Jonathan <jhawk@whitecase.com>

Cc: Kuethman, Kathryn <kathryn.kuethman@whitecase.com>
Subject: Re: Alliance of Los Angeles County Parents Subpoena to X Corp. - Meet and Confer

Yes. Thank you.

Sent from my iPhone

On Jul 14, 2023, at 10:34 AM, Hawk, J. Jonathan <jhawk@whitecase.com> wrote:

Julie,

JIRA does not allow for complex searches (we just checked). As to JIRA in connection with Search 2, we'd propose running the following terms, for a date period March 1, 2020-present:

1. Brett Morrow
2. Morrow
3. Laurent Culbertson
4. Culbertson

Are you ok with that?

Jon

J Jonathan Hawk | Partner
T +1 213 620 7741 M +1 626 755
1400 E jhawk@whitecase.com
White & Case LLP | 555 South Flower Street, Suite 2700 | Los Angeles, CA 90071-2433

From: Julie Hamill <julie@juliehamill-law.com>
Sent: Friday, July 14, 2023 10:19 AM
To: Hawk, J. Jonathan <jhawk@whitecase.com>
Cc: Kuethman, Kathryn <kathryn.kuethman@whitecase.com>
Subject: Re: Alliance of Los Angeles County Parents Subpoena to X Corp. - Meet and Confer

OK - I agree. Thanks.

I do not want to bring a motion, but it is something I will have to do if forced. We've spent a substantial amount of time splitting hairs over details in a very limited subpoena served over two months ago.

Julie Hamill
Hamill Law & Consulting
julie@juliehamill-law.com
(424) 265-0529
www.juliehamill-law.com

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On Fri, Jul 14, 2023 at 10:14 AM Hawk, J. Jonathan <jhawk@whitecase.com> wrote:

Julie, Twitter can search email and Slack. JIRA is not a messaging system. We need to check this.

Twitter cannot search Blind. It's not a Twitter platform or official Twitter work product. If you want information from Blind, you need to subpoena Blind. Twitter DMs are also not a Twitter work product. It is an individual's account, and there are SCA concerns.

If you agree, we will check into JIRA re Search 2, as part of the scope re email and Slack.

As for your threatened motion, we've objected to the breadth of these terms. You just clarified in your email below despite our repeated requests. We're working towards resolution but, as I've also explained, we need time to run these searches. If you rush your motion, we'll have to oppose, including in that you failed to meet and confer in good faith, and will seek sanctions. Your timing restrictions are not of our creation, including that you did not set up a time to meet and confer for a week after we sent our responses.

We likely will not be in a position to start producing early next week. We need to agree to the searches (with only Search 2 still outstanding; and we / Twitter had to propose actual search terms), then begin to review for responsiveness and privilege. This takes time. We're working towards it, and are moving fast. You, however, are not trying to set out a proposed schedule. You're just continually threatening an expedited motion against a third party. The more appropriate approach – rather than unduly burdening a third party with urgency and motion practice of your creation – would be to try to move your deadlines, including on the basis that you're trying to work

with a third party to produce documents. Ultimately it's your contemplated motion. I think under the circumstances it would be entirely inappropriate, and we'd oppose and seek sanctions for reasons discussed. The more productive approach would be for you to collaborate, give us time to check, and then try to discuss a reasonable schedule for document production that I can take to Twitter and continue working on resolution.

Jon

J Jonathan Hawk | Partner

T +1 213 620 7741 **M** +1 626 755

1400 **E** jhawk@whitecase.com

White & Case LLP | 555 South Flower Street, Suite
2700 | Los Angeles, CA 90071-2433

From: Julie Hamill <julie@juliehamill-law.com>

Sent: Friday, July 14, 2023 10:00 AM

To: Hawk, J. Jonathan <jhawk@whitecase.com>

Cc: Kuethman, Kathryn
<kathryn.kuethman@whitecase.com>

Subject: Re: Alliance of Los Angeles County
Parents Subpoena to X Corp. - Meet and Confer

Thanks, Jonathan. You've had the subpoena since mid-May, and it is quite simple, straightforward, and extremely limited. I've limited the original subpoena substantially over two months of back and forth communications. Unfortunately, I am now in a position where I will have to bring a motion early next week absent production of documents. Please let me know if you require any further meet and confer before I file.

Best regards,

Julie Hamill

Hamill Law & Consulting

julie@juliehamill-law.com

(424) 265-0529

www.juliehamill-law.com

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On Fri, Jul 14, 2023 at 9:19 AM Hawk, J. Jonathan <jhawk@whitecase.com> wrote:

Julie, you're now specifying additional things you want. And we objected to the term "communications." I now need to go back to Twitter and see about those other channels, and check. It helps if you specify up front, and below you said emails and Slack. This takes time to now go check, which I'll do.

J Jonathan Hawk | Partner
T +1 213 620 7741 M +1 626 755
1400 E jhawk@whitecase.com
White & Case LLP | 555 South Flower Street, Suite
2700 | Los Angeles, CA 90071-2433

From: Julie Hamill <julie@juliehamill-law.com>
Sent: Friday, July 14, 2023 9:16 AM
To: Hawk, J. Jonathan <jhawk@whitecase.com>
Cc: Kuethman, Kathryn
<kathryn.kuethman@whitecase.com>
Subject: Re: Alliance of Los Angeles County
Parents Subpoena to X Corp. - Meet and Confer

Thanks, Jonathan. The subpoena defines "communications" in point 1, and we reserve the right to seek compliance with the subpoena in accordance with that definitions. In the interest of resolving this matter in a timely way, please search Slack, Jira, Blind, Twitter direct messages, and email. Thank you.

Julie Hamill
Hamill Law & Consulting
julie@juliehamill-law.com
(424) 265-0529
www.juliehamill-law.com

The information contained in this e-mail and any attachments to it may be legally privileged and include confidential information. If you have received this e-mail in error, please notify the sender immediately of that fact by return e-mail and permanently delete the e-mail and any attachments. Thank you.

On Fri, Jul 14, 2023 at 8:02 AM Hawk, J. Jonathan <jhawk@whitecase.com> wrote:

Julie, re Search 2 we've confirmed Slack is ok. But we still need to limit "communications." Since we're aligned on everything else per our thread below, are you also agreeable that search 2 be as follows? This would capture emails and Slacks.

1. Search 2: **emails and Slacks** between Lauren Culbertson and anyone else with search terms ("brett morrow" or "morrow"), with a date range of March 1, 2020-present.

Let me know. Thanks.

Jon

J Jonathan Hawk | Partner
T +1 213 620 7741 M +1 626 755 1400 E jhawk@whitecase.com
White & Case LLP | 555 South Flower Street, Suite 2700 | Los Angeles, CA 90071-2433

From: Hawk, J. Jonathan <jhawk@whitecase.com>
Sent: Wednesday, July 12, 2023 2:11 PM
To: Julie Hamill <julie@juliehamill-law.com>
Cc: Kuethman, Kathryn <kathryn.kuethman@whitecase.com>
Subject: RE: Alliance of Los Angeles County Parents Subpoena to X Corp. - Meet and Confer

Julie, we're generally fine with these proposed edits except that we're still working on the "communications" piece. I think that phrase itself is too broad. If you're interested in Slack in addition to email, we can potentially be more specific — but we're looking now into what we may be able to get from Slack. Wanted to let you know we're still working on this.

Jon

From: Julie Hamill <julie@juliehamill-law.com>
Date: Tuesday, Jul 11, 2023 at 4:24 PM
To: Hawk, J. Jonathan <jhawk@whitecase.com>
Cc: Kuethman, Kathryn <kathryn.kuethman@whitecase.com>
Subject: Re: Alliance of Los Angeles County Parents Subpoena to X Corp. - Meet and Confer

TY

Sent from my iPhone

On Jul 11, 2023, at 4:14 PM,
Hawk, J. Jonathan
<jhawk@whitecase.com>
wrote:

I'll run these by Twitter and see
what they think.

From: Julie Hamill
<julie@juliehamill-law.com>
Date: Tuesday, Jul 11, 2023 at
4:13 PM
To: Hawk, J. Jonathan
<jhawk@whitecase.com>
Cc: Kuethman, Kathryn
<kathryn.kuethman@whitecase.com>
Subject: Re: Alliance of Los
Angeles County Parents Subpoena
to X Corp. - Meet and Confer

Those are the only changes I
made, plus the removal of "and
("suspend" or "suspension")"
from search 2.

Julie Hamill
Hamill Law & Consulting
julie@juliehamill-law.com
(424) 265-0529
www.juliehamill-law.com

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received this e-mail in error,
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delete the e-mail and any
attachments. Thank you.

On Tue, Jul 11, 2023 at 4:10 PM
Hawk, J. Jonathan
<jhawk@whitecase.com>
wrote:

Thanks. Are the spelling and
"communications" the only
two proposed changes? If not
can you highlight the others?

From: Julie Hamill
<julie@juliehamill-law.com>
Date: Tuesday, Jul 11, 2023 at
4:06 PM
To: Hawk, J. Jonathan
<jhawk@whitecase.com>
Cc: Kuethman, Kathryn
<kathryn.kuethman@whitecase.com>
Subject: Re: Alliance of Los
Angeles County Parents
Subpoena to X Corp. - Meet and
Confer

Thank you. I made a few small
changes, reflected below. I
fixed the spelling
of [@frascornmunications.co
m](mailto:@frascornmunications.com) and revised search #2 to
"communications" instead of
just emails. I want to make
sure internal messaging
services (e.g. Slack) are
searched for comms with
Lauren Culbertson
regarding Mr. Morrow.

Best regards,

Julie Hamill
Hamill Law & Consulting
julie@juliehamill-law.com
(424) 265-0529
www.juliehamill-law.com

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On Tue, Jul 11, 2023 at 3:30 PM
Hawk, J. Jonathan
<jhawk@whitecase.com>
wrote:

Julie, thanks again for these. We've worked with the search terms and date range you proposed, and they proved unwieldy, particularly given the breadth of some of the terms (e.g., "Post"). That said, we gave some thought to how we could try to capture what I think you're after using your context / terms, and had better results getting to a manageable universe of documents to, as next steps, review for responsiveness and privilege, with the below six searches:

1. Search 1: emails between a Twitter employee and the below email domains (bulleted list) with search terms words "misinformation, or morrow, or threats, or harassment, or intimidating, or Los Angeles County Department of Public Health, or Ferrer, or Culbertson, or Twitter Case Number 0282691988," with a date range of March 1, 2020-present.

1. @ph.lacounty.gov
2. @bos.lacounty.gov
3. [@sheppardmullin.com](http://sheppardmullin.com)
4. Bmorrow@ph.lacounty.gov
5. [@frasercommunications.com](http://frasercommunications.com)
6. boland@mail.house.gov

1. Search 2: communications between Lauren Culbertson and anyone else with search terms ("brett morrow" or "morrow"), with a date range of March 1, 2020-present.

1. Search 3: emails between Twitter employees with search terms search terms ("brett morrow" or "morrow") and ("suspend" or "suspension"), with a date range of March 1, 2020-present.

1. Search 4: emails discussing "@alt_lacph," with a date range of March 1, 2020-present.

1. Search 5: emails discussing "@lapublichealth" and "misinformation," with a date range of March 1, 2020-present.

1. Search 6: for emails between Twitter employees and ("babara ferrer" /3 "ferrer" and "suspend" or "suspension"), with a date range of is March 1, 2020-present.

I still believe request nos. 4, 8, 10, and 11, even in light of your letter, are overbroad and unclear. And request nos. 13 and 15 don't need addressing, since we don't have anything beyond what you already have based on our call re the reason for suspension and because your client is trying to request her information and appeal using the links I provided. That said, I believe the scope of the searches above capture the scope envisioned in your letter / most requests, including what nos. 4, 8, 10, and 11 may be after (if anything non-privileged and responsive exists), particularly in light of what you've explained your case is about.

If you agree with the above search terms, we can run them and start to review for responsiveness and privilege (without agreeing to a privilege log). We'd certainly need more time than Friday to run the search and document

review, but can move quickly once I have your agreement to this scoping.

Happy to discuss, and look forward to your response.

Jon

J Jonathan Hawk | Partner
T +1 213 620 7741 M +1 626 755
1400 E jhawk@whitecase.com
White & Case LLP | 555 South
Flower Street, Suite 2700 | Los
Angeles, CA 90071-2433

From: Julie Hamill
<julie@juliehamill-law.com>
Sent: Monday, July 10, 2023
12:17 PM
To: Hawk, J. Jonathan
<jhawk@whitecase.com>
Cc: Kuethman, Kathryn
<kathryn.kuethman@whitecase.com>
Subject: Re: Alliance of Los
Angeles County Parents
Subpoena to X Corp. - Meet
and Confer

OK:

1. Misinformation
2. Post
3. Morrow
4. Threats
5. Harassment
6. Intimidating
7. Los Angeles County
Department of Public
Health
8. Ferrer
9. Culbertson
10. Twitter Case Number
0282691988
11. @alt_jacph

Julie Hamill
Hamill Law & Consulting
julie@juliehamill-law.com
(424) 265-0529
www.juliehamill-law.com

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On Mon, Jul 10, 2023 at 12:04 PM Hawk, J. Jonathan <jhawk@whitecase.com> wrote:

Julie, Twitter has asked that you propose search terms. I think that's an entirely reasonable request so we can start to see what we have. Can you please do that? We're not in a position to guess at what terms you'd want if we have to pull them from the letter.

J Jonathan Hawk | Partner
T +1 213 620 7741 **M** +1 626 755 1400 **E** jhawk@whitecase.com
White & Case LLP | 555 South Flower Street, Suite 2700 | Los Angeles, CA 90071-2433

From: Julie Hamill <julie@juliehamill-law.com>
Sent: Monday, July 10, 2023 12:03 PM
To: Hawk, J. Jonathan <jhawk@whitecase.com>
Cc: Kuethman, Kathryn <kathryn.kuethman@whitecase.com>
Subject: Re: Alliance of Los Angeles County Parents Subpoena to X Corp. - Meet and Confer

Thanks, Jonathan. My letter dated June 26 (attached here) contains limited date ranges and subject matter for each of the subpoena

requests. I believe the requests are self-limiting on their own, but if for some reason the search turns up a significant number of results I can add more terms.

My client appealed the suspension multiple times and was denied. I will have her follow the process you provided to obtain personal information.

Will you be able to provide responsive documents (if any exist) by this Friday?

Best regards,

Julie Hamill
Hamill Law & Consulting
julie@juliehamill-law.com
(424) 265-0529
www.juliehamill-law.com

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On Fri, Jul 7, 2023 at 2:09 PM
Hawk, J. Jonathan
<jhawk@whitecase.com>
wrote:

Julie,

I've discussed with Twitter. Without waiving any of our objections or rights, we are amenable to looking for

potentially relevant documents following our discussions. To do that, however, we first need you to propose search terms based on your letter, and a relevant date range. Can you send over proposed search terms + date range, and we can see what that looks like?

Also re your client's account, a user with a suspended account can request a copy of her / his personal information. A link explaining how to do that is here

(<https://help.twitter.com/en/managing-your-account/suspended-twitter-accounts#request-copy-personal-info>). Also, if a

user wants to appeal a suspension, s / he can appeal using the link here (<https://help.twitter.com/en/forms/account-access/appeals/redirect>).

Has your client tried these avenues, as I understand Twitter doesn't have anything beyond what you told me your client already knows re the reasons for the account suspension?

Jon

J Jonathan Hawk | Partner
T +1 213 620 7741 **M** +1 626 755 1400 **E** jhawk@whitecase.com
White & Case LLP | 555 South Flower Street, Suite 2700 | Los Angeles, CA 90071-2433

From: Hawk, J. Jonathan
Sent: Saturday, July 1, 2023 8:13 PM
To: 'Julie Hamill'
<julie@juliehamill-law.com>
Cc: Kuethman, Kathryn
<kathryn.kuethman@white

[case.com](#)>

Subject: RE: Alliance of Los Angeles County Parents Subpoena to X Corp. - Meet and Confer

Julie,

We have received your letter. While we object to several of your characterizations in the letter and your purported summary of our conversations, in particular, we'd like to make clear that Twitter has not "agreed to limit the scope to the extent possible for all requests" (page 2) as revised in your letter. On our call, we simply noted to you that your overbroad requests would need to be more specific for Twitter to consider them, and we asked that you propose more narrowly tailored requests with subject matter limitations. For the avoidance of any doubt, Twitter has not agreed to anything except to consider narrowed, more specific requests in the context of this third party subpoena. As we explained to you over the phone, all of your proposed requests are subject to client approval, and our client is out of office until after July 4. We cannot agree to produce any documents, even in response to your revised requests, without client approval.

We'll discuss your proposals with Twitter once our client is back in the office, and will

revert. Have a good 4th holiday.

Jon

J Jonathan Hawk | Partner
T +1 213 620 7741 **M** +1 626
755
1400 **E** jhawk@whitecase.com
White & Case LLP | 555 South
Flower Street, Suite 2700 | Los
Angeles, CA 90071-2433

From: Julie Hamill
<julie@juliehamill-law.com>
Sent: Tuesday, June 27,
2023 12:29 PM
To: Hawk, J. Jonathan
<jhawk@whitecase.com>
Subject: Alliance of Los
Angeles County Parents
Subpoena to X Corp. - Meet
and Confer

Mr. Hawk,

Please find attached my
letter of today.

Best regards,

Julie Hamill
Hamill Law & Consulting
julie@juliehamill-law.com
(424) 265-0529
www.juliehamill-law.com

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Thank you.

=====

EXHIBIT B

From: Julie Hamill <julie@juliehamill-law.com>
Sent: Wednesday, June 14, 2023 1:45 PM
To: Hawk, J. Jonathan
Cc: Kuethman, Kathryn
Subject: Re: Alliance / Twitter - subpoena

I will feign shock and surprise that yet another big law firm is working to keep government censorship information from the public.

Julie Hamill
Hamill Law & Consulting
julie@juliehamill-law.com
(424) 265-0529
www.juliehamill-law.com

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On Wed, Jun 14, 2023 at 10:28 AM Hawk, J. Jonathan <jhawk@whitecase.com> wrote:

Julie, thanks for talking through this with me. Attached is Twitter's response to the subpoena. A hard copy will follow by mail. Re next steps, I imagine you'd like to discuss. Let me know when may work for you next week, and we can find a time to chat to see if we can find a way forward.

Jon

J Jonathan Hawk | Partner

T +1 213 620 7741 **M** +1 626 755 1400 **E** jhawk@whitecase.com

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WHITE & CASE

=====
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Our external privacy policy is available on <https://www.whitecase.com/privacy-policy>.

=====

EXHIBIT C

From: Julie Hamill <julie@juliehamill-law.com>
Sent: Friday, August 18, 2023 11:37 AM
To: Kuethman, Kathryn
Subject: Out of Office RE: X Corp Documents - Custodian of Records Declaration, Confidential Auth to File, Privilege Log

Thank you for your email. I am currently out of the office and will return August 21. If you have an emergency, please text me on my cell phone.

Best regards,
Julie Hamill

--

Julie Hamill
Hamill Law & Consulting
julie@juliehamill-law.com
(424) 265-0529
www.juliehamill-law.com

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EXHIBIT D

From: Julie Hamill <julie@juliehamill-law.com>
Sent: Friday, August 18, 2023 12:29 PM
To: Kuethman, Kathryn
Cc: Hawk, J. Jonathan
Subject: Re: X Corp Documents - Custodian of Records Declaration, Confidential Auth to File, Privilege Log

Kathryn,
I'm traveling all day and won't be in front of my computer with internet until tomorrow. I can try then if you're still unable to view them.
They should be available on the court's website now as well.

Sent from my iPhone

On Aug 18, 2023, at 11:36 AM, Kuethman, Kathryn <kathryn.kuethman@whitecase.com> wrote:

Julie,

We are unable to access the documents you sent Jon links to last night. Can you please grant me access and resend the links?

Kathryn Kuethman | Associate
Pronouns: she/her
T +1 212 819 7667 **M** +1 646 309 1236 **E** kathryn.kuethman@whitecase.com
White & Case LLP | 1221 Avenue of the Americas | New York, NY 10020-1095

From: Hawk, J. Jonathan <jhawk@whitecase.com>
Sent: Thursday, August 17, 2023 9:00 PM
To: Julie Hamill <julie@juliehamill-law.com>
Cc: Kuethman, Kathryn <kathryn.kuethman@whitecase.com>
Subject: RE: X Corp Documents - Custodian of Records Declaration, Confidential Auth to File, Privilege Log

Julie, the timing is not our doing at all. Please request to file under seal without a declaration from us, as there is no way we can get one completed with your filing deadline.

Jon

From: Julie Hamill <julie@juliehamill-law.com>
Date: Thursday, Aug 17, 2023 at 5:37 PM
To: Hawk, J. Jonathan <jhawk@whitecase.com>
Subject: Re: X Corp Documents - Custodian of Records Declaration, Confidential Auth to File, Privilege Log

I'm really not sure what to tell you, Jonathan. You did not tell me you were going to label an entire production of 11k pages of documents that on their face do not appear to be subject to seal, let alone

produce them the day before my brief is due. The timing issue is yours not mine, and if you truly want the documents sealed, you will make a motion. I am making the request, but I am not making any misrepresentations to the court. Should I take out the reference to your declaration?

Just let me know if you are planning to provide a declaration or not - that's all I need to know.

Julie Hamill
Hamill Law & Consulting
julie@juliehamill-law.com
(424) 265-0529
www.juliehamill-law.com

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On Thu, Aug 17, 2023 at 3:16 PM Hawk, J. Jonathan <jhawk@whitecase.com> wrote:

Julie, this is the day of. You've provided no advance notice. And again you're trying to breach the clear agreement you made just days ago. You can say in your declaration in support of your request to file under seal that you understand from X Corp.'s counsel, and as shown from the face of the documents themselves, that... [from my email below] , and to that effect X Corp. has marked those documents as "CONFIDENTIAL."

Given the unacceptably short notice (ie you asking today), it will be exceedingly difficult, if at all possible, to get a declaration together. Moreover and I reiterate that you agreed to file the request to file under seal. You're latest last minute attempt to breach your agreement is yet again inappropriate.

There is a clear path forward that is consistent with your agreement, and I've explained that several times today.

Jon

From: Julie Hamill <julie@juliehamill-law.com>
Date: Thursday, Aug 17, 2023 at 5:11 PM
To: Hawk, J. Jonathan <jhawk@whitecase.com>
Cc: Kuethman, Kathryn <kathryn.kuethman@whitecase.com>
Subject: Re: X Corp Documents - Custodian of Records Declaration, Confidential Auth to File, Privilege Log

Are you planning to provide a declaration re: facts as to why these documents should be sealed in compliance w/ Cal Rules of Court? I am finalizing the documents right now.

Again, that rule says:

The court may order that a record be filed under seal only if it expressly finds facts that establish:

- (1) There exists an overriding interest that overcomes the right of public access to the record;
- (2) The overriding interest supports sealing the record;

EXHIBIT E

Kuethman, Kathryn

From: Hawk, J. Jonathan
Sent: Thursday, August 17, 2023 6:16 PM
To: Julie Hamill
Cc: Kuethman, Kathryn
Subject: RE: X Corp Documents - Custodian of Records Declaration, Confidential Auth to File, Privilege Log

Julie, this is the day of. You've provided no advance notice. And again you're trying to breach the clear agreement you made just days ago. You can say in your declaration in support of your request to file under seal that you understand from X Corp.'s counsel, and as shown from the face of the documents themselves, that... [from my email below] , and to that effect X Corp. has marked those documents as "CONFIDENTIAL."

Given the unacceptably short notice (ie you asking today), it will be exceedingly difficult, if at all possible, to get a declaration together. Moreover and I reiterate that you agreed to file the request to file under seal. You're latest last minute attempt to breach your agreement is yet again inappropriate.

There is a clear path forward that is consistent with your agreement, and I've explained that several times today.

Jon

From: Julie Hamill <julie@juliehamill-law.com>
Date: Thursday, Aug 17, 2023 at 5:11 PM
To: Hawk, J. Jonathan <jhawk@whitecase.com>
Cc: Kuethman, Kathryn <kathryn.kuethman@whitecase.com>
Subject: Re: X Corp Documents - Custodian of Records Declaration, Confidential Auth to File, Privilege Log

Are you planning to provide a declaration re: facts as to why these documents should be sealed in compliance w/ Cal Rules of Court? I am finalizing the documents right now.

Again, that rule says:

The court may order that a record be filed under seal only if it expressly finds facts that establish:

- (1) There exists an overriding interest that overcomes the right of public access to the record;
- (2) The overriding interest supports sealing the record;
- (3) A substantial probability exists that the overriding interest will be prejudiced if the record is not sealed;
- (4) The proposed sealing is narrowly tailored; and

(5) No less restrictive means exist to achieve the overriding interest. *See* Cal. R. Ct. 2.550(d).

I've left a place for your declaration in my filing. Again, I do not see how the documents comply with the rule and I will not be making a declaration of those facts.

Alternatively, this problem can be solved by removing the confidential stamp.

Julie Hamill
Hamill Law & Consulting
julie@juliehamill-law.com
(424) 265-0529
www.juliehamill-law.com

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On Thu, Aug 17, 2023 at 11:01 AM Hawk, J. Jonathan <jhawk@whitecase.com> wrote:

Julie,

The documents we've provided and marked "CONFIDENTIAL" are all non-public, internal, business documents at X Corp., reflecting a variety of confidential and proprietary information. They include, for example, custom news alerts that then-Twitter personnel set up for specified accounts so they could have internal discussions about the types of content being disseminated by users on the platform. They also show emails between then-Twitter personnel and third parties that are (again) non-public, and discuss the Company's rationale for decisions made with regard to certain reported accounts and content. These types of materials reflect the Company's internal business workings and we believe should be kept confidential. Further, you told me that you already had some of the documents from defendants' own productions, and that you were seeking documents from X Corp. to corroborate that defendants had produced what they had; I haven't seen those you claim to have from defendants but imagine if you do have such documents you could file those rather than the documents we've marked "CONFIDENTIAL."

Also as a recall, X Corp. is a third party to your litigation and has gone to great lengths to comply with your demands. We have, for example, proposed ways to narrow your document requests when you refused to. We then proposed search terms when you refused to. And we've pushed to finalize and get you the production in time for your filing deadline, all while you've made repeated threats of motions to compel and other inappropriate accusations on various email threads. We are again now -- on a mere few hours' notice, and to accommodate your filing deadline -- providing the above explanation as to why the documents should be filed under seal.

I see no need to file this email with the Court. There is good reason for the documents to be filed under seal that can be explained in your papers making that request, and filing only this email thread would be an glaringly incomplete story. It does not, for example, show our emails where you agreed just earlier this week to file "CONFIDENTIAL" documents under seal. It does not show all of X Corp.'s search term proposals after you refused to make any. It does not show your repeated threats and other inappropriate accusations in still other email threads.

We are trying yet again, as we have been, to work with you on this. We are providing the explanation to facilitate your obligation under our agreement to request that "CONFIDENTIAL" documents be filed under seal. We are happy to discuss if you think you need something further, but we expect our agreement will be followed, particularly because there is good reason for the "CONFIDENTIAL" documents to remain non-public.

I'm working on the custodian declaration. Happy to discuss.

Jon

J Jonathan Hawk | Partner

T +1 213 620 7741 M +1 626 755 1400 E jhawk@whitecase.com

White & Case LLP | 555 South Flower Street, Suite 2700 | Los Angeles, CA 90071-2433

From: Julie Hamill <julie@juliehamill-law.com>
Sent: Thursday, August 17, 2023 10:07 AM
To: Hawk, J. Jonathan <jhawk@whitecase.com>
Cc: Kuethman, Kathryn <kathryn.kuethman@whitecase.com>
Subject: Re: X Corp Documents - Custodian of Records Declaration, Confidential Auth to File, Privilege Log

Jonathan,

I am making the request, and filing this exchange with the Court. I have to file today, so pls provide whatever rationale you have within the next three hours. Again, as stated in my emails below, I wanted to provide you an opportunity to make a formal motion. I never agreed to do that on your behalf.

Thanks,

Julie Hamill

Hamill Law & Consulting

julie@juliehamill-law.com

(424) 265-0529

www.juliehamill-law.com

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On Thu, Aug 17, 2023 at 10:00 AM Hawk, J. Jonathan <jhawk@whitecase.com> wrote:

Again, that's not our agreement. It's in writing in our emails and copied / pasted below. The documents are internal X Corp. documents. You agreed to ask to file them under seal if we didn't agree to lift the designation. You knew what your filing deadline was when you made that agreement. I'm offering to provide you language for a rationale, and I see no reason why you cannot file your request to seal simultaneous with your motion (and with the documents proposed to be under seal as not publicly available). It is common practice. If the court disagrees, it then orders you to file them not under seal.

What you are trying to do is breach a clear and unequivocal agreement you made. Neither X Corp. nor I take that lightly, and we absolutely oppose your wrongful and improper efforts. You can abide by your agreement, let me get you proposed language for a rationale, and see what the court does with it.

Jon

J Jonathan Hawk | Partner

T +1 213 620 7741 **M** +1 626 755 1400 **E** jhawk@whitecase.com

White & Case LLP | 555 South Flower Street, Suite 2700 | Los Angeles, CA 90071-2433

From: Julie Hamill <julie@juliehamill-law.com>
Sent: Thursday, August 17, 2023 9:24 AM
To: Hawk, J. Jonathan <jhawk@whitecase.com>
Cc: Kuethman, Kathryn <kathryn.kuethman@whitecase.com>
Subject: Re: X Corp Documents - Custodian of Records Declaration, Confidential Auth to File, Privilege Log

Jon,

Please take a breath. You marked the entire production of 11,000 documents as confidential. The vast majority of these documents are public newsletters and communications I already have in my possession. If you have legitimate reasons to keep the documents I identified in my email below as confidential and need them sealed, then please provide justification. I can make the request but I am telling you I cannot file them under seal without a court order. I did not make that rule. It says documents cannot be sealed pursuant to an agreement of the parties. Our agreement cannot supersede the court rule.

I suggest removing the confidential seal so I can proceed with filing. If you have legitimate legal reasons for seeking the sealing of the records, provide those to me.

Thanks

Sent from my iPhone

On Aug 17, 2023, at 12:17 PM, Hawk, J. Jonathan <jhawk@whitecase.com> wrote:

Julie, that is not what you agreed to and we have it in writing. What you agreed to is as follows from our email thread:

Can we agree that you would only potentially use those documents to file them with the court -- and that if you intend to file any of those documents, you first discuss with me as to whether X Corp. will agree to lift the "confidential" tag on those specified documents so they can be publicly filed or, if we will not agree to that, you will request to file them under seal?

You responded:

Yes, agreed. Thanks.

You can file a simultaneous request to submit under seal with your motion and you are required to do just that under our agreement. I can get you language explaining why these internal documents should be sealed, so you can submit it with your declaration. But if you proceed to breach the agreement that you made, X Corp. will reserve all rights as against you and your client. I frankly have never had an attorney go back on their word in this way, and it's appalling. I don't think a court will appreciate it either if we need to bring your conduct to its attention.

Jon

J Jonathan Hawk | Partner

T +1 213 620 7741 **M** +1 626 755 1400 **E** jhawk@whitecase.com

White & Case LLP | 555 South Flower Street, Suite 2700 | Los Angeles, CA 90071-2433

From: Julie Hamill <julie@juliehamill-law.com>

Sent: Thursday, August 17, 2023 9:12 AM

To: Hawk, J. Jonathan <jhawk@whitecase.com>

Cc: Kuethman, Kathryn <kathryn.kuethman@whitecase.com>

Subject: Re: X Corp Documents - Custodian of Records Declaration, Confidential Auth to File, Privilege Log

What I am telling you is that I physically cannot file under seal absent a court order. And looking at the documents, I do not believe a court will order them sealed, and I am not going to file a motion to seal them because I do not have the legal justification to do so. I said that I would discuss with you before filing, and that I would not post them on the website.

If you have legal justification for filing under seal, then please provide that to me and I can provide it to the court, but it is not up to me whether the documents are under seal - it is up to the court. Please review the Court rules I provided in my last email.

Julie Hamill

Hamill Law & Consulting

julie@juliehamill-law.com

(424) 265-0529

www.juliehamill-law.com

The information contained in this e-mail and any attachments to it may be legally privileged and include confidential information. If you have received this e-mail in error, please notify the sender immediately of that fact by return e-mail and permanently delete the e-mail and any attachments. Thank you.

On Thu, Aug 17, 2023 at 9:08 AM Hawk, J. Jonathan <jhawk@whitecase.com> wrote:

Julie, that is not our agreement. You agreed to file under seal, not to have us file a motion. I expect you not to breach your agreement. If you need a justification, I can provide you an explanation that you can include in a declaration in support of your motion.

J Jonathan Hawk | Partner

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From: Julie Hamill <julie@juliehamill-law.com>

Sent: Thursday, August 17, 2023 9:00 AM

To: Hawk, J. Jonathan <jhawk@whitecase.com>

Cc: Kuethman, Kathryn <kathryn.kuethman@whitecase.com>

Subject: Re: X Corp Documents - Custodian of Records Declaration, Confidential Auth to File, Privilege Log

Thank you. I also found the following documents marked as withheld for privilege - can you please identify the names of the parties involved, the dates, and the subject matter for these as well:

X_CORP_010201 - X_CORP_010240

Re: filing under seal, California Rules of Court, Rule 2.551(a) says: "[a] record must not be filed under seal without a court order. The court must not permit a record to be filed under seal based solely on the agreement or stipulation of the parties."

The court may order that a record be filed under seal only if it expressly finds facts that establish:

- (1) There exists an overriding interest that overcomes the right of public access to the record;
- (2) The overriding interest supports sealing the record;
- (3) A substantial probability exists that the overriding interest will be prejudiced if the record is not sealed;
- (4) The proposed sealing is narrowly tailored; and
- (5) No less restrictive means exist to achieve the overriding interest. *See* Cal. R. Ct. 2.550(d).

I am not seeing any legal justification for sealing the documents identified in items 1-12 in my email below, but I want to give you an opportunity to file a motion if you feel it is necessary.

Best regards,

Julie Hamill

Hamill Law & Consulting

julie@juliehamill-law.com

(424) 265-0529

www.juliehamill-law.com

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On Wed, Aug 16, 2023 at 5:45 PM Hawk, J. Jonathan <jhawk@whitecase.com> wrote:

Julie, please seek to file any documents marked "confidential" under seal so they are not publicly viewable. As for the custodian of records decl I will ask X Corp. - they are offline now but will pass it along first thing in the morning.

Re the priv log, I'll discuss the request with X Corp. and revert.

Jon

From: Julie Hamill <julie@juliehamill-law.com>

Date: Wednesday, Aug 16, 2023 at 7:36 PM

To: Hawk, J. Jonathan <jhawk@whitecase.com>, Kuethman, Kathryn <kathryn.kuethman@whitecase.com>

Subject: X Corp Documents - Custodian of Records Declaration, Confidential Auth to File, Privilege Log

Jonathan,

Thank you for producing the responsive documents. I've done an initial review and intend to include the following documents in my filing tomorrow:

1. X_CORP_010993 – 010998
2. X_CORP_010985
3. X_CORP_010970
4. X_CORP_010956
5. X_CORP_010955- X_CORP_010969
6. X_CORP_002556
7. X_CORP_002559
8. X_CORP_002999
9. X_CORP_003037 - X_CORP_003038
10. X_CORP_005807- X_CORP_005809
11. X_CORP_009394- X_CORP_009395
12. X_CORP_004627- X_CORP_004628

As these are marked confidential, I want to know if there is anything you need me to do before filing them with the court.

Also, X_CORP_11159-X_CORP_11194 are marked as withheld for privilege. Can you please identify the names of the parties involved, the dates, and the subject matter?

Finally, can you please provide a custodian of records declaration for these documents?

Best regards,

Julie Hamill

Hamill Law & Consulting

julie@juliehamill-law.com

(424) 265-0529

www.juliehamill-law.com

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EXHIBIT F

Kuethman, Kathryn

From: Hawk, J. Jonathan
Sent: Thursday, June 22, 2023 10:37 PM
To: Julie Hamill
Cc: Kuethman, Kathryn
Subject: RE: Alliance / Twitter - subpoena

Julie, your email is inappropriate, unprofessional, and incorrect. You only emailed today to attempt to initiate a meet and confer. I responded today (Thursday) and we've set up a call for Monday. I am not "dragging out" this process. You, as counsel for the party issuing the requests, have not followed up on our discovery responses until today, despite them having been served on you over one week ago.

Moreover, as set out in detail in Twitter's responses, your requests all suffer from some of the same deficiencies, thus warranting the same objections. That is not "copying and pasting." It is asserting valid objections, where appropriate and in direct response to the requests.

Most egregiously in your email — absolutely no one is "churn[ing] bills" by protecting my client's rights. Your requests are deficient for reasons set forth in our responses. Twitter will not wholesale abandon its valid objections, as you initially demanded today, upon threat of a motion and without a meet and confer. It is false and incredibly unprofessional for you to make that baseless allegation, and I'm happy to raise this type of conduct by you with the Court if it comes to motion practice.

We can meet and confer on the substance of your discovery requests on Monday and perhaps can find some resolution. But I'd suggest your correspondence and statements stick to the substance of the discovery requests, and not stray so far afield as to assert the kind of meritless, unproductive, and unprofessional allegations you have in your latest email.

Jon

From: Julie Hamill <julie@juliehamill-law.com>
Date: Thursday, Jun 22, 2023 at 7:12 PM
To: Hawk, J. Jonathan <jhawk@whitecase.com>
Cc: Kuethman, Kathryn <kathryn.kuethman@whitecase.com>
Subject: Re: Alliance / Twitter - subpoena

In my opinion, copying and pasting objections, refusing to produce a single document, and insisting on dragging out a meet and confer process in order to churn bills is unproductive. Looking forward to speaking Monday.

Thanks,

Julie Hamill
Hamill Law & Consulting
julie@juliehamill-law.com
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On Thu, Jun 22, 2023 at 7:09 PM Hawk, J. Jonathan <jhawk@whitecase.com> wrote:

Julie,

We can disagree about your incorrect and unproductive characterizations of Twitter's responses to your discovery requests. We'll speak Monday.

Jon

From: Julie Hamill <julie@juliehamill-law.com>
Date: Thursday, Jun 22, 2023 at 7:03 PM
To: Hawk, J. Jonathan <jhawk@whitecase.com>
Cc: Kuethman, Kathryn <kathryn.kuethman@whitecase.com>
Subject: Re: Alliance / Twitter - subpoena

Jonathan,

As you can imagine, I'm quite tired of the games played by firms like yours. I refuse to play along. Let's talk at 1:30. My cell is (619) 318-5822.

Best regards,

Julie Hamill
Hamill Law & Consulting
julie@juliehamill-law.com
(424) 265-0529
www.juliehamill-law.com

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On Thu, Jun 22, 2023 at 6:53 PM Hawk, J. Jonathan <jhawk@whitecase.com> wrote:

Julie, your emails speak for themselves. I'm free Monday afternoon between 1:30 and 3:30. If there's a time that works in there, let me know and we can chat then.

Thanks,
Jon

From: Julie Hamill <julie@juliehamill-law.com>
Date: Thursday, Jun 22, 2023 at 6:35 PM
To: Hawk, J. Jonathan <jhawk@whitecase.com>
Cc: Kuethman, Kathryn <kathryn.kuethman@whitecase.com>
Subject: Re: Alliance / Twitter - subpoena

I have zero interest in playing games. I am happy to talk on the phone next week. Do you have time Monday morning?

I would not bring a motion absent talking to you about it first. Your objections are over the top. As I stated in my email, we are talking about Items 13-15. You provided zero documents. I am not asking for wholesale abandonment of your objections - I am asking you to conduct yourself in good faith.

Julie Hamill
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julie@juliehamill-law.com
(424) 265-0529
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On Thu, Jun 22, 2023 at 6:17 PM Hawk, J. Jonathan <jhawk@whitecase.com> wrote:

Julie, I'm happy to meet and confer regarding our responses to see if there's some compromise. But if you're demanding complete capitulation upon threat of bringing a motion — which is not a good faith meet and confer effort as required by Code, including as a prerequisite to bringing a motion to compel — we aren't going to simply, wholesale abandon our well-grounded objections. And we'd reserve all rights, including to seek sanctions for an improper motion to compel without attempting any meaningful meet and confer. I'm around next week if you'd like to talk about our objections and if there's any way to work through them, as I already flagged in my cover email to you when I sent Twitter's responses.

Jon

From: Julie Hamill <julie@juliehamill-law.com>
Date: Thursday, Jun 22, 2023 at 1:45 PM
To: Hawk, J. Jonathan <jhawk@whitecase.com>
Cc: Kuethman, Kathryn <kathryn.kuethman@whitecase.com>
Subject: Re: Alliance / Twitter - subpoena

Jonathan,

The motion for summary judgment filed by the County of Los Angeles (attached) puts Twitter's policies, communications, and actions directly at issue. I would love nothing more than to move on, but at a minimum we need the documents requested in Items 13-15 in order to oppose the motion.

Please also note our trial date of October 16, at which we will seek attendance of Twitter/X employees qualified to testify regarding suspension policies, appeals, and operation of Twitter's Government & Elections division.

Do we need to go to court over this or will you produce the documents?

Best regards,

Julie Hamill
Hamill Law & Consulting
julie@juliehamill-law.com
(424) 265-0529
www.juliehamill-law.com

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On Wed, Jun 14, 2023 at 10:28 AM Hawk, J. Jonathan <jhawk@whitecase.com> wrote:

Julie, thanks for talking through this with me. Attached is Twitter's response to the subpoena. A hard copy will follow by mail. Re next steps, I imagine you'd like to discuss. Let me know when may work for you next week, and we can find a time to chat to see if we can find a way forward.

Jon

J Jonathan Hawk | Partner

T +1 213 620 7741 M +1 626 755 1400 E jhawk@whitecase.com

White & Case LLP | 555 South Flower Street, Suite 2700 | Los Angeles, CA 90071-2433

WHITE & CASE

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EXHIBIT G


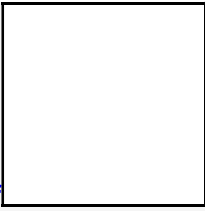



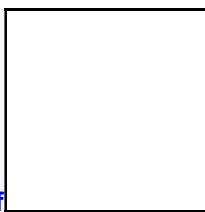
From: Kuethman, Kathryn
Sent: Friday, August 25, 2023 12:05 PM
To: Kuethman, Kathryn
Subject: 10 Day Notice

From: Julie Hamill <julie@juliehamill-law.com>
Sent: Thursday, August 17, 2023 9:40 PM
To: Hawk, J. Jonathan <jhawk@whitecase.com>
Subject: 10 Day Notice

Jonathan,

The below documents were filed today. Please consider this your ten-day notice to file a motion to seal the records pursuant to CRC 2.551(b)(3)(A)(iii). I redacted the filed documents, but I do not believe the court will order them sealed absent a motion from you.

Best regards,

 _8.18.23 REDACTED COMPENDIUM OF EXHIBITS.pdf	
 _8.18.23 Separate Statement in Opposition REDACT...	
 _ALLIANCE OPP TO MSJ - REDACTED.pdf	

Julie Hamill
Hamill Law & Consulting
julie@juliehamill-law.com
(424) 265-0529
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PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 555 S. Flower Street, Suite 2700, Los Angeles, California 90071-2007. I am employed by a member of the Bar of this Court at whose direction the service was made.

On August 28, 2023, I served the foregoing document(s) described as:

DECLARATION OF J. JONATHAN HAWK IN SUPPORT OF MOTION TO SEAL EXHIBIT 21 TO THE COMPENDIUM OF EXHIBITS IN SUPPORT OF ALLIANCE OF LOS ANGELES COUNTY PARENTS’ BRIEF IN OPPOSITION TO DEFENDANTS’ MOTION FOR SUMMARY JUDGMENT

on the person(s) below, as follows:

Julie A. Hamill, Esq. HAMILL LAW & CONSULTING 904 Silver Spur Road, #287 Rolling Hills Estates, California 90274 Telephone: (424) 265-0529 Email: julie@juliehamill-law.com	Attorneys for Petitioner and Plaintiff ALLIANCE OF LOS ANGELES COUNTY PARENTS
Kent R. Raygor, Esq. Valerie E. Alter, Esq. Zachary J. Golda, Esq. SHEPPARD MULLIN RICHTER & HAMPTON LLP 1901 Avenue of the Stars, Suite 1600 Los Angeles, California 90067-6055 Telephone: (310) 228-3700 Email: kraygor@sheppardmullin.com valter@sheppardmullin.com zgolda@sheppardmullin.com	Attorneys for Respondents and Defendants COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC HEALTH, MUNTU DAVIS, M.D., and BARBARA FERRER, PhD

(BY MAIL) I caused the foregoing document(s) to be sent to the addressees named above. The document(s) were placed in a sealed envelope or package addressed to the person(s) at the address(es) listed above and placed the envelope for collection and mailing at White & Case LLP, Los Angeles, California, following our ordinary business practices. I am readily familiar with White & Case LLP’s practice for collection and processing of correspondence for mailing with the United States Postal Service. Under that practice, the correspondence would be deposited in the United States Postal Service on that same day in the ordinary course of business.

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

Executed August 28, 2023, at Los Angeles, California.

/s/ Cindy Lopez de Santa Anna
Cindy Lopez de Santa Anna