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Attorneys for Movant John Doe

**FILED**  
2011 AUG -4 P 3:54  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**CRB**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

**CV 11 80 184 MISC**

**JOHN DOE,**

Movant,

vs.

**UNITED STATES OF AMERICA  
SECURITIES AND EXCHANGE  
COMMISSION,**

Respondent.

Misc. Case No.: \_\_\_\_\_

**DECLARATION OF MOVANT JOHN  
DOE IN SUPPORT OF MOVANT'S  
MOTION TO QUASH SUBPOENA**

MISC. CASE NO.

**JOHN DOE DECL. ISO MTN TO QUASH  
SUBPOENA**

1 I, \_\_\_\_\_ [name redacted], declare as follows:

2 1. I am the registrant and user of the email address  
3 "aurorapartners@gmail.com" (the "Email Address"). Unless otherwise stated I have  
4 personal knowledge of the matters stated herein.

5 2. I have appeared anonymously in this action to file a motion to quash the  
6 United States of America Securities and Exchange Commission ("SEC")'s subpoena to  
7 Google, Inc., which seeks to reveal the identity of the registrant of the Email Address (the  
8 "Subpoena").

9 3. I use the Email Address to speak anonymously on the Internet.  
10 Specifically, I use the Email Address to post my opinions on various political blogs,  
11 including about the policies of specific members of the U.S. Congress. I have made  
12 these political statements under the belief that my anonymity will be protected.

13 4. The SEC did not notify me of the Subpoena either before or after it was  
14 served on Google. I check the inbox for the Email Address regularly, and would have  
15 learned if the SEC had tried to notify of the Subpoena by email.

16 5. On July 19, 2011 Google sent me an email notifying met of the Subpoena.  
17 A true and correct copy of that email is attached hereto as Exhibit A.

18 6. Upon learning of the subpoena, I engaged counsel to communicate with the  
19 SEC and file a motion to quash the Subpoena if necessary.

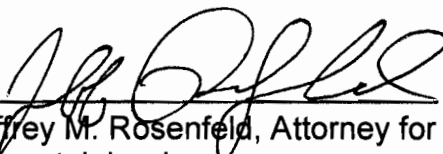
20 I declare under penalty of perjury under the laws of the United States of America  
21 and the State of California that the foregoing is true and correct and that this Declaration  
22 was executed on August 4, 2011.

23

24 *I attest that I have on file a copy of the original signed version of this Declaration. I*  
25 *have redacted identifying information herein to avoid prejudice to the right of the*  
26 *Declarant to anonymity.*

27

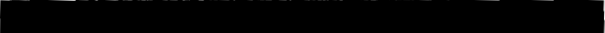
28

  
Jeffrey M. Rosenfeld, Attorney for  
Movant John doe

# **EXHIBIT A**



> Date: Mon, 18 Jul 2011 18:46:09 +0000  
> From: [google-legal-support@google.com](mailto:google-legal-support@google.com)  
> To: [aurorapartners@gmail.com](mailto:aurorapartners@gmail.com)



> Subject: Subpoena notice from Google (Internal Ref #143806)

>  
> Hello,  
>  
> Google has received a subpoena for information related to your Google  
> account in a case entitled In the Matter of Jammin Java Corp., United  
> States Securities and Exchange Commission, C-7826 (Internal Ref. No.  
> 143806).  
>  
> To comply with the law, unless you provide us with a copy of a motion to  
> quash the subpoena (or other formal objection filed in court) via email at  
> [google-legal-support@google.com](mailto:google-legal-support@google.com) by 5pm Pacific Time on August 5, 2011,  
> Google may provide responsive documents on this date.  
>  
> For more information about the subpoena, you may wish to contact the party  
> seeking this information at:  
>  
> Kyle P. De Jong  
> US SEC  
> 175 West Jackson BLVD Ste 900  
> Chicago, IL 60604  
> (312)886-0897  
>  
> Google is not in a position to provide you with legal advice.  
>  
> If you have other questions regarding the subpoena, we encourage you to  
> contact your attorney.  
>  
> Thank you,  
>  
> Google Legal Support  
>