

# EXHIBIT 9

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

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	)	
<i>In Re</i> Third Party Subpoena to Fusion GPS	)	
	)	Misc. Case No. _____
c/o Zuckerman Spaeder LLP	)	
1800 M Street, NW	)	
Washington, D.C. 20036	)	
_____	)	
Aleksej Gubarev, XBT Holding S.A., and	)	
Webzilla, Inc.,	)	
Plaintiffs,	)	
	)	Case No. 17-cv-60426-UU
v.	)	
	)	
Buzzfeed, Inc and Ben Smith.,	)	
	)	
Defendants.	)	
_____	)	

**DECLARATION OF FUSION GPS IN SUPPORT OF NON-PARTY FUSION GPS'S  
MOTION TO QUASH THIRD-PARTY SUBPOENA OR, IN THE ALTERNATIVE,  
FOR A PROTECTIVE ORDER**

I, Peter Fritsch, declare as follows:

1. My name is Peter Fritsch, and I am of legal age and competent to give this declaration.
2. I am a partner at Fusion GPS.
3. Previously, I worked for the Wall Street Journal for fifteen years.
4. Fusion GPS was founded by experienced investigative journalists who apply investigative reporting skills to Fusion's clients' projects and needs.
5. Fusion GPS engages in research and investigation on behalf of its clients. Our clients include private sector businesses and individuals, as well as political organizations and politicians

on both the left and the right. Our engagements frequently relate to political matters of public importance, including but not limited to research about political candidates and issues.

6. Our techniques and investigative tools for our research and investigation go beyond standard open-source methods. Fusion GPS has an extensive network of domestic and international contacts, built up over many years of reporting.

7. Fusion GPS maintains the confidentiality of the identity of our clients and our sources, unless a client or source instructs otherwise.

8. During the U.S. presidential race, Fusion GPS was hired to research and investigate then-candidate Donald J. Trump. As part of the engagement, Fusion GPS hired Christopher Steele to investigate Trump's ties to Russia. In the course of that work, Mr. Steele produced a series of memoranda that have become known as the "Trump Dossier." One of these memorandum contains a paragraph about the Plaintiffs ("December Memo").

9. The identity of Fusion's clients in the engagement is confidential and has remained confidential.

10. Fusion GPS did not publish the Trump Dossier to the world; BuzzFeed did. Nevertheless, Fusion GPS has received a subpoena from Aleksej Gubarev, XBT Holding S.A., and Webzilla, Inc. ("Plaintiffs").

11. The subpoena seeks extensive and intrusive discovery from Fusion GPS about our clients, confidential sources of information, documents and information about the Plaintiffs, our work related to the December Memo and the Dossier, and our internal communications and work product, among other topics. Requiring us to reveal this information would chill our and our clients' First Amendment rights to engage in political activity, political speech, to speak anonymously, to associate freely with others, and to petition the government.

12. Being compelled to comply with the subpoena will make it harder for Fusion GPS to

attract clients, collaborate with other like-minded organizations and individuals, and hire contractors and others to assist Fusion GPS in its work.

13. Forced disclosure of our internal communications and documents would make our organization less willing to communicate freely with our clients, our contractors and collaborators, and amongst ourselves.

14. Forced disclosure of our internal communications and documents would also make it more difficult for us to research and investigate matters of public concern. Sources will be less likely to confide in us. Collaborators will be less likely to associate with us. Clients will be less likely to hire us. And we will be less likely to undertake sensitive political research assignments for fear of having to disclose our sources, clients, work product and/or internal communications or documents.

15. As a result of the publicity around the Trump Dossier, Fusion GPS has been maligned in the media as “a disinformation firm,” as improperly receiving money from Russians, as a professional smear organization, as partisan operatives, and far worse. The organization and its principals have received threatening communications.

16. If Fusion GPS was forced to expose our clients’ identity, those clients would be exposed to the kind of harassment to which Fusion GPS has been subjected.

17. Lastly, if the identity of the confidential sources in the Trump Dossier were revealed, I believe that their lives would be put in immediate danger.

18. On August 22, 2017, Glenn Simpson was interviewed by staff on the Senate Judiciary Committee. He invoked the First Amendment and attorney-client/attorney work product privileges, as well as obligations to his clients, to questions that sought privileged information. He did not reveal the identity of Fusion GPS’s clients or any of the sources for the Dossier or the December Memo.

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

Executed on: August 30, 2017



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Peter Fritsch