

THE HONORABLE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

AMAZON.COM, LLC,  
Plaintiff,

v.

KENNETH R. LAY, in his official capacity as  
Secretary of the North Carolina Department of  
Revenue,  
Defendant.

JANE DOE 1, JANE DOE 2, JANE DOE 3,  
JANE DOE 4, JANE DOE 5, JANE DOE 6,  
AND CECIL BOTHWELL,  
Plaintiffs-Intervenors,

v.

KENNETH R. LAY, in his official capacity as  
Secretary of the North Carolina Department of  
Revenue, and AMAZON.COM, LLC,  
Defendants in Intervention.

No. 2:10-cv-00664-MJP

**DECLARATION OF JANE DOE 4 IN  
SUPPORT OF MOTION TO FILE  
COMPLAINT IN INTERVENTION  
USING PSEUDONYMS**

JANE DOE 4 DECLARATION -- 1  
No. 2:10-cv-00664-MJP

AMERICAN CIVIL LIBERTIES UNION  
OF WASHINGTON  
901 Fifth Avenue, Suite 630  
Seattle, Washington 98104-1799  
(206) 624-2184

1 I, Jane Doe 4,<sup>1</sup> hereby declare and state as follows:

2 1. I submit this declaration based on my personal knowledge in support of  
3  
4 Intervenor's Motion to File Complaint in Intervention Using Pseudonyms, in the above-captioned  
5 case.

6 2. I am one of the Intervenor's in this action.

7 3. I am a student at the University of North Carolina Law School. I have been living  
8  
9 in Chapel Hill, North Carolina since 2009.

10 4. I have received numerous items from my parents through Amazon since I moved  
11 to North Carolina.

12 5. The products I have received reveal very sensitive, personal, and private  
13 information about me.

14 6. One of my parents is Jane Doe 5 in the above-captioned case.<sup>2</sup> The items that she  
15  
16 has sent me in North Carolina include books with potentially controversial, sensitive and  
17 revealing subject matters, such as "Lies The Government Told You: Myth, Power, and  
18 Deception in American History," by Andrew P. Napolitano, "Obama Zombies: How The Liberal  
19 Machine Brainwashed My Generation," by Jason Mattera, and "Who Killed The Constitution?:  
20  
21

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22  
23  
24 <sup>1</sup> This is not my real name. I am proceeding under a pseudonym in order to protect my  
25 constitutional right to free speech and privacy.

26 <sup>2</sup> The use of the name "Jane Doe 5" and gender pronouns do not signify that this parent is  
male or female.

1 The Federal Government vs. American Liberty From World War I to Barack Obama,” by  
2 Thomas E. Woods, Jr.

3  
4 7. Details about the books that I have received through Amazon contain very  
5 personal and private information, and I have not publicly disclosed that information to others.

6 8. It is especially important to me that my Amazon records remain private because I  
7 am interested in working in the public sector, hopefully in a legislative or public policy capacity,  
8 after I graduate. I do not want my political and personal beliefs – and my reading choices – to  
9 taint my reputation or to cause people to judge me or to think of me in a certain way. I am  
10 concerned that my prospects for working in a legislative or public policy capacity will be  
11 damaged if the State of North Carolina finds out what materials I have received through Amazon  
12 and what types of books I am reading.

13  
14 9. I did not know that information about what I have received through Amazon  
15 would be accessible to the State of North Carolina. Had I known that this information would be  
16 accessible to DOR, I would have considered obtaining the items from another source or I would  
17 not have obtained them at all.

18  
19 10. I would like to and intend to purchase and continue receiving expressive and  
20 private items through Amazon in the future. That will change, however, at least for certain  
21 items, if my records are turned over to the State of North Carolina, as I will no longer obtain  
22 those items from Amazon. My behavior will be changed for all items, as each time I purchase  
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1 anything on Amazon, I will seriously have to consider whether to purchase those items through  
2 Amazon and to consider what it would mean if the State obtained that information.

3  
4 11. I have purchased or received numerous expressive and private items from  
5 websites other than Amazon in the past, and I would like to and intend to continue doing that in  
6 the future. That may also change, however, if the State is permitted to obtain my Amazon  
7 records. It is likely that I will simply not purchase or receive certain items through websites if  
8 the State is able to obtain that information. At a minimum, my behavior will be changed as I will  
9 seriously have to consider whether to purchase or receive certain items through websites and to  
10 consider what it would mean if the State obtained that information.  
11

12  
13 12. Although I want to protect my right to free speech and privacy in what I read,  
14 watch, listen to, or purchase, I also want to be able to assert my right to free speech and privacy  
15 in court in order to ensure that DOR does not receive personally identifying information from  
16 Amazon that reveals my private and expressive information about which items I have received.  
17 The only way for me to do that is to proceed under a pseudonym, because otherwise, DOR will  
18 obtain the very information – my name and the specific items I have received through Amazon –  
19 that my Complaint in Intervention is seeking to protect.  
20

21  
22 13. Neither my name nor any other personally identifying information about me  
23 (including my image) will be revealed in any public statements that I or my representatives make  
24 about this case.  
25  
26

1 Pursuant to 28 U.S.C. § 1746, I hereby declare and state under penalty of perjury that the  
2 foregoing is true and correct to the best of my knowledge, information, and belief.  
3

4 DATED this 18 day of June, 2010

5 Jane Doe 4  
6 Jane Doe 4<sup>3</sup>  
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26 <sup>3</sup> As noted above, this is a pseudonym.

JANE DOE 4 DECLARATION -- 5  
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