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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.

No. 2:10-cv-00664-MJP

**DECLARATION OF JANE DOE 6 IN  
SUPPORT OF MOTION TO FILE  
COMPLAINT IN INTERVENTION  
USING PSEUDONYMS**

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.

JANE DOE 6 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 6,<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 retired attorney and a resident of Asheville, North Carolina.

8 4. I have purchased numerous items from Amazon since August 2003.

9 5. The products I have purchased reveal very sensitive, personal, and private  
10 information about me.

11 6. Items that I have purchased from Amazon include books with potentially  
12 controversial, sensitive and revealing subject matters, such as "The Stages of Meditation," by the  
13 Dalai Lama, and "The Things They Carried," by Tim O'Brien, a book about the Vietnam War.

14 7. My records about the items that I have chosen to purchase through Amazon  
15 contain very personal and private information, and I have not publicly disclosed that information  
16 to others.

17 8. I did not know that my purchasing records from Amazon would be accessible to  
18 the State of North Carolina. Had I known that this information would be accessible to DOR, I  
19 would have considered purchasing the items from another source.

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

JANE DOE 6 DECLARATION -- 2  
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           9.     I would like to and intend to continue purchasing and receiving expressive and  
2 private items through Amazon in the future. That may change, however, at least for certain  
3 items, if my records are turned over to the State of North Carolina. At a minimum, my behavior  
4 will be changed as each time I purchase certain items, I will seriously have to consider whether to  
5 purchase those items through Amazon and to consider what it would mean if the State obtained  
6 that information.  
7

8           10.    I have purchased numerous expressive and private items from websites other than  
9 Amazon in the past, and I would like to and intend to continue doing that in the future. That may  
10 also change, however, if the State is permitted to obtain my Amazon purchasing records. At a  
11 minimum, my behavior will be changed as I will seriously have to consider whether to purchase  
12 certain items through websites and to consider what it would mean if the State obtained that  
13 information.  
14

15           11.    Although I want to protect my right to free speech and privacy in what I read,  
16 watch, listen to, or purchase, I also want to be able to assert my right to free speech and privacy  
17 in court in order to ensure that DOR does not receive personally identifying information from  
18 Amazon that reveals my private and expressive information about which items I have purchased.  
19 The only way for me to do that is to proceed under a pseudonym, because otherwise, DOR will  
20 obtain the very information – my name and the specific items I have purchased through Amazon  
21 – that my Complaint in Intervention is seeking to protect.  
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12. Neither my name nor any other personally identifying information about me (including my image) will be revealed in any public statements that I or my representatives make about this case.

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

DATED this 21 day of June, 2010

Jane Doe 6  
Jane Doe 6<sup>2</sup>

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<sup>2</sup> As noted above, this is a pseudonym.