## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

CITIZENS UNITED,	)
Plaintiff,	)
v.	) Civil No. 18-1862-RDM
UNITED STATES DEPARTMENT OF STATE,	)
Defendant.	)

## SECOND DECLARATION OF JEREMIAH L. MORGAN

- 1. My name is Jeremiah L. Morgan. I am counsel for Citizens United ("CU"), the plaintiff in the above-captioned case filed against defendant, the U.S. Department of State, under the Freedom of Information Act, 5 U.S.C. § 552 ("FOIA").
- 2. This Declaration is submitted pursuant to Rule 56(c)(4), Federal Rules of Civil Procedure, in support of Citizens United's Memorandum in Opposition to Defendant's Renewed Motion for Summary Judgment ("CU Memo"), filed today. The statements made herein are based on information learned in my research and upon conclusions reached based on that information.
- 3. A publicly available research document, which has been reported to be contained in Document 7, claims that there were internet communications between the Trump Organization and a Russian bank. That document states: "Network logs show a distinctively human pattern of communications between a hidden server dedicated for use by the Trump Organization and the Russian financial company Alfa Bank, which has close ties to the Kremlin." *See* J.

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Solomon, "Steele, State and the Alfa Bank conspiracy theory exposed," Jan. 22, 2020, JusttheNews.com.

- 4. The network logs upon which the research document was based contains data that is reported to be "artificially created [network] activity" which could "constitute a potential violation of various US federal laws." Ankura, "Covert Channel Allegation: New Data Analysis Results," April 2020.
- 5. The research document contains information which, if the contained in Document 7, would be segregable without risking the disclosure of non-public information about the specific research at issue and without risking the revelation of the intelligence source.
- 6. The research document appears to have been available on a publicly accessible website since at least October 4, 2016.

See <a href="http://www.mediafire.com/file/qc68pt5k6wn9f64/gdd.zip/file">http://www.mediafire.com/file/qc68pt5k6wn9f64/gdd.zip/file</a> (last accessed July 31, 2020). A printoff of a portion of that research document is attached here as Exhibit B.

I declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed, this 31st day of July, 2020.

/s/	
Jeremiah L. Morgan	