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

PETER TODD, an individual,

Plaintiff,

v.

SARAH MICHELLE REICHWEIN *aka*
ISIS AGORA LOVECRUFT, an
individual,

Defendant.

Case No. 4:19-cv-01751-DMR

**DECLARATION OF JACOB APPELBAUM
IN SUPPORT OF PLAINTIFF'S
OPPOSITION TO DEFENDANT'S SPECIAL
MOTION TO STRIKE PLAINTIFF'S
COMPLAINT (ANTI-SLAPP MOTION)**

Date: August 22, 2019

Time: 1:00 p.m.

Location: Courtroom 4

Complaint Filed: April 3, 2019

1 I, Jacob Appelbaum, do hereby declare:

2 1. I am a US citizen and a legal resident of Germany for the last six years. I
3 executed this declaration in Germany. I am not a party to this lawsuit. Unless otherwise
4 stated, I have personal knowledge of the facts set forth in this declaration.

5 2. I am an investigative journalist and an academic researcher in the fourth
6 year of my doctoral studies in mathematics at the Eindhoven University of Technology
7 (TU/e) in Eindhoven, Netherlands. I was a contractor and an employee for approximately
8 eight years with The Tor Project non-profit, a primarily U.S. and European government
9 funded free software project designed to provide online anonymity.

10 3. I met the Defendant Sarah Michelle Reichwein a/k/a Isis Agora Lovecraft
11 (“Defendant” or “Lovecraft”) through a mutual acquaintance in a non-work context, they
12 later joined the Tor Project as a contractor.

13 4. I have been a target of Defendant’s pattern of malicious behavior, in a
14 manner mirroring that described by Plaintiff Peter Todd (“Plaintiff” or “Todd”). Lovecraft’s
15 malicious behavior has included Lovecraft’s publication of a number of public statements
16 falsely claiming that I had sexually assaulted and raped Lovecraft and others.

17 5. For example, on June 3, 2016, the website <jacobappelbaum.net> was
18 published. The website as originally launched was written as an impersonation of me,
19 and then rewritten to pretend that the authors were concerned about my well-being after
20 it received extremely negative feedback. A true and correct copy of an incomplete,
21 archived version of the <jacobappelbaum.net> website as it originally appeared is
22 attached hereto as **Exhibit A**.

23 6. As later modified, the website displayed several false and primarily
24 pseudonymous stories by a “victims collective” alleging that I had “harassed, plagiarized,
25 humiliated, and abused — sexually, emotionally, and physically.” True and correct copies
26 of complete pages from this website are attached hereto as **Exhibit B**.

27 7. A true and correct copy of one of the false claims of sexual assault against
28 me, which was initially published under the pseudonym “Forest” on

1 <jacobappelbaum.net>, is attached hereto as **Exhibit C**.

2 8. On June 13, 2016, Lovecraft stated on their personal blog located at
3 <blog.patternsinthevoid.net>, that Lovecraft was Forest in Forest's claim of sexual assault
4 on <jacobappelbaum.net>. A true and correct copy of Lovecraft's June 13, 2016 blog post
5 is attached hereto as **Exhibit D**. Further, Lovecraft stated that they had spent two years
6 "seeking out other victims, in order to develop the collective capacity to defend ourselves
7 and to have the simple ability to speak out in a manner which would be heard and not
8 discarded."

9 9. Lovecraft later escalated their allegations against me to include claims of
10 rape. A true and correct copy of an August 15, 2016 Tweet by Lovecraft falsely accusing
11 me of rape is attached hereto as **Exhibit E**. Based on my prior personal and professional
12 relationship with Lovecraft, I am familiar with Lovecraft's Twitter account and handle.

13 10. Lovecraft also falsely claimed that I had harassed them, threatened them,
14 and sought to retaliate against them. A true and correct copy of a chain of Tweets that
15 Lovecraft posted on October 11, 2016 containing a sampling of these false claims against
16 me is attached hereto as **Exhibit F**.

17 11. Lovecraft's statements accusing me of rape and sexual assault are
18 absolutely false.

19 12. Further, Lovecraft's statements accusing me of retaliation in any form,
20 including harassment and threats, are also absolutely false.

21 13. Following Lovecraft's publication of false claims against me, I repeatedly
22 and publicly expressed my commitment to working to resolve any conflict or
23 misunderstanding arising from my personal and professional conduct through mediation
24 or other means. A true and correct copy of one such public statement (comprising a
25 Twitter chain and linked blog post) is attached hereto as **Exhibit G**.

26 14. As stated in Exhibit G and reiterated here:

27 "Inevitably, there may have been moments in my professional or private life
28 when I may have inadvertently hurt or offended others' feelings. Whenever
I was aware of these instances, I have, and will continue to, apologize to

1 the friends and colleagues in question and to continually learn how to be a
2 better person.”

3 15. Despite my efforts to resolve Lovecraft’s false accusations against me,
4 Lovecraft has refused any and all attempts at mediation. A true and correct copy of a May
5 12, 2017 Tweet by Lovecraft, publicly refusing to attempt to resolve this conflict, is
6 attached hereto as **Exhibit H**.

7 16. While Lovecraft has repeatedly and falsely accused me of multiple crimes
8 (including rape, sexual assault, threats, and harassment), Lovecraft never pursued civil
9 or legal recourse against me either in Germany or any other country, thereby denying me
10 the opportunity to clear my name through due process in a court of law.

11 17. As discussed above, Lovecraft has claimed that I perpetrated crimes
12 against Lovecraft in Germany. However, Lovecraft has publicly rejected the use of the
13 German legal system (see Declaration of Isis Lovecraft) and additionally, reportedly
14 stated their intention to commit perjury in the event of court proceedings. Attached hereto
15 as **Exhibit I** is a publication on 18 Oct 2016 by my former university colleague Kit, who
16 uses the handle @SchrodingersK1t, discussing Lovecraft’s intent to prevaricate in legal
17 proceedings.

18 18. Since initially making these allegations against me, Lovecraft’s accusations
19 have been inconsistent in their severity. For example, in Lovecraft’s Declaration, they
20 represent their allegations as “sexual harassment” and “assault.” However, in other fora,
21 including a number of Tweets, Lovecraft accuses me of “rape” and specifically of raping
22 her. A true and correct copy of a February 6, 2017 Tweet by Lovecraft falsely accusing
23 me of rape is attached hereto as **Exhibit J**.

24 19. Lovecraft’s accusations have also since escalated from “rape” to “serial
25 rapist” and “gang rape” in different contexts. Attached hereto as **Exhibit K** are: a) a true
26 and correct copy of an earlier, archived version of a blog post by Lovecraft, obtained from
27 <<https://archive.fo/qRvDF>>, in which Lovecraft made accusations of “gang rape”; and b)
28 a true and correct copy of a February 20, 2019 Tweet by Lovecraft, in which Lovecraft
accused me of being a “serial rapist.”



20. In mid-2016, as a result of Lovecraft's false statements and refusal to mediate with me regarding their false claims, I had no choice but to retain legal counsel. My legal counsel proactively reached out to the relevant authorities in Germany and offered my full cooperation with any investigation which might arise from Lovecraft's false allegations. The German authorities did not pursue any charges against me. True and correct copies of two articles originally published in German and English in the German news publication Zeit Online, as well as an article published by the Guardian on October 11, 2016, entitled *Power, secrecy and cypherpunks: how Jacob Appelbaum ripped Tor apart*, are attached hereto as **Exhibit L**.

21. Since initially making false claims against me in June 2016, Lovecraft has repeatedly courted the press to repeat their false claims against me. In these instances, journalists subsequently contacted me for comment, and I have categorically denied Lovecraft's false accusations. See Exhibit L.

22. I have otherwise striven to remain silent about Lovecraft's false accusations against me to avoid inciting or provoking further false publications by Lovecraft. I have proactively withdrawn from any event where I understood there was a chance of inflaming this or any related conflicts. When I am required to attend professional events for my doctoral research, I coordinate with the relevant parties in advance to explain that I am willing to accommodate others relating to this or any other conflict. The simplest accommodation is the easiest: I commit to follow the rules of their conference and additionally offer to leave if my presence is a problem.

23. Lovecraft's pattern of malicious behavior has included, but is not limited to, defamation, threats, and persistent harassment of myself, my romantic partners, my family, my friends, and my professional colleagues, as well as defamation of my character to uninvolved third parties. These third parties include community and professional conference organizers, employers, potential employers, and academic collaborators.

24. Lovecraft has sought to exclude me from any event they want to attend as well as other events, and Lovecraft has reportedly stated that they would like me to be

1 removed from all countries where they might want to live. This would appear to include
2 the country of my residence, Germany. See Exhibit I.

3 25. Lovecraft has encouraged others to target and exclude me in a similar
4 manner. A true and correct copy of a June 7, 2016 Tweet by Lovecraft encouraging others
5 to exclude me from the professional community is attached hereto as **Exhibit M**.

6 26. Lovecraft has targeted my doctoral research advisors, Professor Daniel J.
7 Bernstein and Professor Tanja Lange. True and correct copies of Tweets posted by
8 Lovecraft from October 2016 and October 2017, threatening and disparaging Professor
9 Bernstein and Professor Lange are attached hereto as **Exhibit N**.

10 27. Lovecraft's pattern of malicious behavior and false allegations in the above-
11 captioned case is consistent with their pattern of malicious behavior and false allegations
12 against me and a number of individuals I know.

13 28. Lovecraft has frequently bragged about their reputation and ability to bully,
14 assault, threaten, and lie to and about individuals. True and correct copies of Tweets
15 posted by Lovecraft evidencing this behavior are attached hereto as **Exhibit O**.

16 29. Several individuals have told me that they are afraid of speaking against
17 Lovecraft, lest they be targeted or further targeted by Lovecraft's pattern of malicious
18 behavior. This reflects my state of mind as well. However, I could not live with myself if I
19 had remained silent while Plaintiff was seriously harmed by the same malicious behavior
20 that I have experienced and continue to experience.

21 30. Lovecraft's false statements have significantly harmed me and others and
22 continue to harm me to this day.

23 31. Lovecraft's false statements and malicious behavior have resulted in my
24 departure from a rewarding and remunerative position, my exclusion from professional
25 conferences, and damage to my economic prospects. A true and correct copy of a GitHub
26 article detailing the effects of Lovecraft's false statements and malicious behavior is
27 attached hereto as **Exhibit P**.

28 32. I am of sound mind and body, though I am injured. I have relied on years of

1 therapy sessions with medical professionals to cope with the trauma caused by
2 Defendant's actions.

3 33. I consider Lovecraft's inclusion of their previously disputed and defamatory
4 claims about me in this case to be another instance of the pattern of their malicious
5 behavior toward me and toward other people whom Lovecraft perceives as supporting
6 me.

7 34. That they will continue to mention me in this case is all but assured. I ask
8 the Court to note my experience of that behavior as ongoing harassment and that I
9 request it to stop immediately.

10 35. This declaration is not a full enumeration of the harms caused to me and
11 others by Lovecraft.

12 36. I have requested that Lovecraft cease their malicious campaign of
13 defamation and harassment. I reiterate this request and my offer to engage in good-faith
14 professional mediation with whomever should desire it.

15 I declare under penalty of perjury under the laws of the United States of America
16 that the foregoing is true and correct. Executed on July 26th, 2019.

17
18 By:

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Jacob Appelbaum