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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 PLAINTIFF PETER
TODD 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

KRONENBERGER ROSENFELD

150 Post Street, Suite 520 San Francisco, CA 94108



I, Peter Todd, do hereby declare:

1. I am a citizen of Canada and Australia, and I reside in Canada. I executed this declaration in Canada. I am the plaintiff in the above-captioned lawsuit. I have personal knowledge of the facts stated below, and I would competently testify regarding these facts if called to do so.

2. I am a Bitcoin enthusiast and a leading developer of cryptocurrency and blockchain software. I consider myself to be highly respected in the cryptography and cryptocurrency sectors for my expertise in the security properties of the Bitcoin network and other decentralized technologies.

3. I am personally familiar with Defendant Sarah Michelle Reichwein *aka* Isis Agora Lovecraft ("Defendant" or "Lovecraft"), with whom I have interacted personally and professionally on numerous occasions.

4. Attached hereto as **Exhibit A** is a true and correct excerpt from Lovecraft's Twitter account, which appears in connection with the Twitter handle "@isislovecraft," and which is located at <<https://twitter.com/isislovecraft>>. I have personal knowledge that this Twitter account (i.e. @isislovecraft) is Lovecraft's personal account. Because Lovecraft's complete, publicly viewable Twitter posts are voluminous, I have only included Lovecraft's Tweets from between February 5, 2019 and February 20, 2019, along with Lovecraft's most recent posts within Exhibit A. For the February 20, 2019 post, beginning "Nadim Kobeissi is a serial rapist," the thread is expanded. As Exhibit A shows, Lovecraft describes themselves as an "anarchist; hacker; once-upon-a-time theoretical physicist."

5. Lovecraft previously worked for The Tor Project, Inc., the goal of which is to provide a way of using the internet with as much privacy as possible.

6. Like myself, Lovecraft regularly attends cryptography conferences.

7. I first met Lovecraft on July 4, 2014 in Paris, France at the Tor Development Meeting. Lovecraft presented at a small group session entitled "Bridging the Gap." After Lovecraft completed their session, I introduced myself to Lovecraft, and the two of us spoke about Bitcoin micropayments and Lovecraft's cryptographic work.

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8. Thereafter, Lovecraft and I developed a friendship, and we regularly communicated through social media platforms about personal and professional matters.

9. I next saw Lovecraft in person on December 27, 2014 at the Chaos Communication Congress in Hamburg, Germany. After the conference sessions, Lovecraft and I went out to dinner and dancing with others. Lovecraft, a few others, and I (including one of Lovecraft's then-romantic partners) purchased tickets to travel to Berlin to celebrate New Year's Eve together.

10. Over the next several months, Lovecraft and I regularly communicated by email, XMPP (OTR), and social media and occasionally met in person. Contrary to Lovecraft's declaration, I did not make "explicit, verbal sexual advances toward [Lovecraft] during conferences and meetings, such as the Tor Developer Meeting in Paris." Also contrary to Lovecraft's declaration, Lovecraft never asked me to stop making sexual advances (which would not have made sense since I had not made sexual advances).

11. In January and early February 2015, I visited the San Francisco area, where Lovecraft and Lovecraft's romantic partner, Mike Perry, were residing. On January 30, Lovecraft, Perry, and I went hiking and out to dinner. Lovecraft and Perry invited me to spend the night at Lovecraft and Perry's apartment, which I did. I slept on the couch in the living area of the apartment, while Lovecraft and Perry slept in the bedroom. On February 2, Lovecraft invited me to attend a cryptographers meetup with Lovecraft and Perry that day, which I did.

12. I returned to San Francisco in March 2015. Again, Lovecraft and Perry invited me to stay at their apartment, where we drank, danced, and listened to music.

13. Contrary to Lovecraft's declaration, I was not in San Francisco on or around September 5, 2015. While I did travel to San Francisco in August 2015, Lovecraft's description of their interactions with me during this time is false.

14. On August 22, 2015, I travelled to San Francisco to attend the SF Bitcoin Devs Meetup and other professional reasons. While in San Francisco, I stayed with friends, including Elizabeth Stark. On the night of August 24, I went out to dinner with

Lovecraft, Perry, and others. After dinner, Lovecraft, Perry, others, and I went to the SF Bitcoin Devs meetup.

15. On August 26, 2015, I planned to meet Lovecraft at the Workshop Café in San Francisco to work on Bitcoin Core's Tor support. I arrived at the café at around 6:00 p.m., with Lovecraft arriving approximately an hour-and-a-half later. Lovecraft and I briefly discussed computer code at the café. When the café closed at around 10:00 p.m., Lovecraft and I walked to Taqueria Cancun for dinner. Lovecraft and I ordered food in the restaurant, but we ate in the public courtyard of the Social Security Administration building. While we ate, Lovecraft and I discussed both personal and professional matters, and Lovecraft fed spare nachos to the rats. At 11:30 p.m., Lovecraft hailed a cab, stating that they were going home, and I walked to Elizabeth Stark's apartment. I made no sexual statements to Lovecraft or anybody else during this time. Moreover, I did not initiate any physical contact with Lovecraft during this time.

16. After this interaction, Lovecraft and I regularly communicated with each other both publicly and privately, and Lovecraft's communications reflected no fear or dislike of me. In fact, on August 28, 2015 (two days after Lovecraft had dinner with me at Taqueria Cancun), Lovecraft invited me to go to the beach. The next day, Lovecraft, Perry, and I went to the beach and then to Lovecraft's apartment, where we watched the cartoon Gravity Falls and consumed alcohol.

17. Attached hereto as **Exhibit B** is a true and correct copy of a set of Pond messages sent from Lovecraft to me after August 26, 2015. Pond is an email-like messaging application with cryptographic features. Attached hereto as **Exhibit C** is a true and correct copy of the set of Twitter Direct Messages exchanged between Lovecraft and me after August 26, 2015.

18. On September 5, 2015, Lovecraft invited me to attend the 2015 Summer Tor Dev Conference in Berlin, Germany. Attached hereto as **Exhibit D** is a true and correct copy of an email exchange between Lovecraft and me, dated September 5, 2015, in which Lovecraft stated, "But I leave on the 20th for the Tor developer meeting in Berlin. Although, given enough funding... you're totally welcome to crash it like time

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before last! \o/." I travelled to Germany for the conference, and between September 29, 2015 and October 8, 2015, Lovecraft and I interacted in personal and professional settings, including attending meetings, going to nightclubs, dancing, and dining at restaurants. As an example, and as Exhibit C reflects, on October 8, 2015, Lovecraft asked me to "hang out" with them in person in Berlin.

19. After the Berlin meeting, and as Exhibits B and C reflect, Lovecraft continued to communicate with me via email, Pond, XMPP (OTR), and social media about a variety of personal and professional topics, including buying tickets to a conference, advice for travelling in China, how Lovecraft's presentations went, and job prospects.

20. As Exhibit B reflects, on May 1, 2016 Lovecraft requested that I timestamp Lovecraft's blog post about supposed FBI harassment.

21. And as Exhibit B also reflects, on May 25, 2016, Lovecraft informed me that rape allegations against journalist and computer security researcher Jacob Appelbaum ("Appelbaum") were to be made public in the near future. At the time Lovecraft entrusted me with this knowledge, the allegations were not publicly known.

22. On August 18, 2016 I posted the following statement on Twitter about Lovecraft's allegations against Appelbaum: "See, as a relative outsider to that community I can't tell what is true and what isn't. That's a big problem." A true and correct copy of my August 18, 2016 Tweet is attached hereto as **Exhibit E**.

23. Lovecraft is close friends with declarant Bryce Wilcox aka "Zooko" ("Wilcox").

24. Wilcox is the founder and CEO of Zcash, a cryptocurrency business, and Lovecraft herself has done work for Zcash. Attached hereto as **Exhibit F** is a true and correct copy of a November 17, 2014 email from Lovecraft to me, in which Lovecraft states, "I'm at Zooko's house this week in a 'secret meeting' to discuss Zerocash hacking, and also some general Tahoe-LAFS/Tor geekery."

25. On May 14, 2018, I published a Tweet criticizing the security of Zcash. Attached hereto as **Exhibit G** is a true and correct copy of my May 14, 2018 Tweet

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criticizing Zcash, and which is located at:
<<https://twitter.com/peterktodd/status/996128543242366976>>.

26. Within hours after I published the Tweet in Exhibit G, Lovecraft published a Tweet, a true and correct copy of which is attached hereto as **Exhibit H**, and which is located at <<https://twitter.com/isislovecruft/status/996263395602055168>>; this Tweet states:

“peter todd is complete trash, and not just for his idiotic takes on privacy and security, he’s also an abuser who doesn’t seem to understand the word ‘no’ and harasses rape victims (and he’s managed to be the only person I’ve ever had to block on github).”

(emphasis in original).

27. On February 5, 2019, I again published several statements on Twitter identifying vulnerabilities in Zcash’s cryptocurrency model. A true and correct copy of my set of my February 5, 2019 Tweets regarding Zcash is attached hereto as **Exhibit I** and are located at <<https://twitter.com/peterktodd/status/1092828450023456768>>.

28. As Exhibit A reflects, just a few hours later, Lovecraft published the Tweet:

“this is not even touching upon the stories of the rape and assault survivors of you and @petertodd and @ioerror and you all have been seen to behave conveniently alike and seen to dutifully protect one another 🙄”

29. As Exhibit A further reflects, three days (and five Tweets) later, Lovecraft published the following Tweet:

“i love watching the men in my industry who’ve sexually abused me and many others squirm as i take them out one by one while they nervously await their turn [1] hahahahahahahaha eat goat dung you epoxy brained cowards”

30. As Exhibit A further reflects, on February 20, 2019, Lovecraft published the following Tweet:

“Nadim Kobeissi is a serial rapist and abuser who defends other rapists including Jacob Appelbaum and Peter Todd and in 2012 he grabbed my face and force kissed me at a conference and i absolutely believe the multiple survivors i’ve personally spoken with since then.”

31. As Exhibit A further reflects, on February 20, 2019, Defendant published the following Tweet in response to a Tweet question from @_willish:

[@_willish]: “Peter todd is a rapist?”

"yes, similar to Nadim, i personally have a story about Peter Todd and i've personally spoken with survivors with absolutely awful and horrifying reports who are terrified of him and of coming forward (rightly so) [¶] i however am not afraid and shitty dudes are going down"

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32. I will refer to the Tweets identified in Paragraphs 28-31 as the "Tweets at Issue."

33. The Tweets at Issue are false. Contrary to the Tweets at Issue, I have never raped or sexually assaulted Lovecraft or anybody else. Lovecraft made up the accusations in the Tweets at Issue and in their declaration. Similarly, I believe that Lovecraft and Wilcox, or alternatively just Lovecraft, fabricated the declaration of Jane Doe, as the declaration is false. Contrary to Jane Doe's declaration, I did not rape, assault, or coerce anybody into having sex with me.

34. Attached hereto as **Exhibit J** is a true and correct copy of a biography of Shari Steele from the Electronic Frontier Foundation's website, located at: <<https://www.eff.org/about/staff/shari-steele>>.

35. Attached hereto as **Exhibit K** is a true and correct copy of a December 26, 2017 Tweet by Shari Steele, which was published at: <<https://twitter.com/ssteele1234/status/945850989113786369>>.

36. Attached hereto as **Exhibit L** is a true and correct copy of a series of Tweets by Lovecraft about Electronic Frontier Foundation John Gilmore, which Lovecraft posted on October 16, 2017, and which are available at: <<https://twitter.com/isislovecraft/status/920150647445401601>>.

37. Attached hereto as **Exhibit M** is a true and correct copy of an article published in the Guardian on October 11, 2016, entitled *Power, secrecy and cypherpunks: how Jacob Appelbaum ripped Tor apart*, and which is available at <<https://www.theguardian.com/technology/2016/oct/11/jacob-appelbaum-tor-project-sexual-assault-allegations>>.

38. Attached hereto as **Exhibit N** is a true and correct copy of a webpage from Lovecraft's blog, located at <<https://blog.patternsinthevoid.net/the-forest-for-the-trees.html>>, and which accuses Jacob Appelbaum of sexual assault.

39. Attached hereto as **Exhibit O** is a true and correct copy of a webpage that previously appeared on Lovecraft's blog, located at <blog.patternsinthevoid.net/the-ccc-men-who-hate-women.html>, and which accused a pseudonymous individual of a "horrific assault." Attached hereto as **Exhibit P** is a true and correct copy of an earlier, archived version of Lovecraft's blog post, obtained from <https://archive.fo/qRvDF>, and which shows that Lovecraft had previously identified the pseudonymous alleged perpetrator as "Will Scott" and had accused him of "gang rape."

40. Attached hereto as **Exhibit Q** is a true and correct copy of a Tweet published by Lovecraft on June 15, 2016, which accused Jacob Appelbaum of sexual assault, and which is available at <https://twitter.com/isislovecraft/status/743131291093209089>.

41. Attached hereto as **Exhibit R** is a true and correct copy of a Zcash Protocol Specification, which is available at <https://pdfs.semanticscholar.org/4363/fc884880a826aa64a65aa15de9f7c07f458e.pdf>, and which identifies Lovecraft as a contributor to the Zerocash protocol design.

42. During at least 2015 and 2016 (and perhaps later), Lovecraft and Henry de Valence were romantic partners.

43. Attached hereto as **Exhibit S** is a true and correct copy of an article by Henry de Valence, published on multiple online fora, and available at <medium.com/@hdevalence/when-hell-kept-on-payroll-somewhere-is-where-you-are-f419d3022d0> with a publication date of March 16, 2017.

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on July 29, 2019.

By: Peter Todd
Peter Todd