

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

DOC SOCIETY, INTERNATIONAL
DOCUMENTARY ASSOCIATION,

Plaintiffs,

v.

MICHAEL R. POMPEO, in his official capacity as
Secretary of State, CHAD F. WOLF, in his official
capacity as Acting Secretary of Homeland Security,

Defendants.

Case No. 19-cv-03632-TJK

**UNOPPOSED MOTION FOR LEAVE TO FILE *AMICI CURIAE* BRIEF IN SUPPORT
OF PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION TO DISMISS**

Twitter, Inc., Reddit, Inc., and the Internet Association respectfully move for leave to file the accompanying *amici curiae* brief in support of Plaintiffs' opposition (Dkt. 32) to Defendants' motion to dismiss (Dkt. 31). Plaintiffs and Defendants do not oppose the filing of this brief. *Amici* attach to this motion a proposed order pursuant to Local Civil Rule 7(o)(2).

As discussed more fully in the brief accompanying this motion, Twitter and Reddit are leading global online communication platforms. More than 160 million people around the world use Twitter's platform each day, and more than 400 million use Reddit's platform each month. Twitter's and Reddit's services support online communities that are modern-day equivalents of the public square, where individuals come together to learn and share the information that shapes their daily lives. The Internet Association represents over forty of the world's leading Internet companies. Its mission is to foster innovation, promote economic growth, and empower people through the free and open Internet.

This case presents an issue of concern to *amici* because millions of speakers on online platforms, including Twitter and Reddit, choose to participate anonymously. Doing so allows them to disclose information they would not otherwise share, because (among other reasons) they fear retribution for their speech or wish to keep sensitive personal information private. Given the vast quantities of information disclosed on these platforms under the shield of anonymity, and the sensitivity of much of that information, *amici* work vigorously to secure privacy and anonymity for their customers and members, and have a strong interest in ensuring that government policies do not chill the right to anonymous speech on the Internet. The Registration Requirement at issue in this case has exactly that kind of chilling effect, by requiring individuals applying for visas to disclose their identifiers on twenty platforms, including Twitter, Reddit, and a number of the platforms represented by the Internet Association. *See* Compl. ¶ 28. Inadequate protection for online anonymous speech would dissuade countless speakers from using services such as Twitter, Reddit, and those run by other members of the Internet Association.

Amici's brief addresses several issues that are directly relevant to the disposition of this case, and *amici* believe that it will be helpful to the Court. Specifically, the brief describes the vital role that anonymous speech has played in history and in modern America, and particularly on the Internet and on online communication platforms like Twitter and Reddit. It explains the legal framework that has developed to protect this important form of expression under the First Amendment. And it shows that the Registration Requirement and its accompanying retention and dissemination policies violate the crucial First Amendment right to speak anonymously. As online communication platforms (and a trade association representing such platforms), *amici* have firsthand knowledge of the importance of anonymity to those who use such platforms, and

of the ways in which anonymity promotes a vibrant marketplace of ideas. Thus, *amici* have “unique information [and] perspective” beyond what the lawyers for the parties are able to provide. *Arias v. Dyncorp*, No. 01-1908, 2011 WL 13377371, at *1 (D.D.C. Nov. 21, 2011) (internal citation omitted).

For these reasons, *amici* respectfully request leave to file the attached brief.

May 28, 2020

Respectfully submitted,

/s/ Patrick J. Carome

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**Of counsel*

CERTIFICATE OF SERVICE

In accordance with the Federal Rules of Civil Procedure and Local Civil Rule 5.3, the undersigned hereby certifies that, on May 28, 2020, this document was served on all counsel of record via the Court's Electronic Case Filing System.

/s/ Patrick J. Carome

Patrick J. Carome