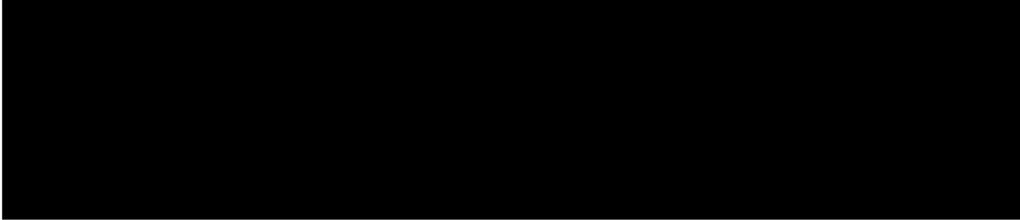


July 6, 2022



**Re: Protected Lawful Disclosures of Legal Violations and Fraud by
Twitter, Inc.**

To 

1. We are lawyers representing **Peiter “Mudge” Zatkan**, the former “Security Lead”, member of the senior executive team responsible for Information Security, Privacy, Physical Security, Information Technology, and “Twitter Service” (the corporate division responsible for global content moderation enforcement) at **Twitter, Inc.** Mr. Zatkan worked at Twitter from November 16, 2020, until the morning of January 19, 2022, when CEO Parag Agrawal terminated Mr. Zatkan.
2. Earlier today on behalf of our client, we filed protected, lawful disclosures with the Securities and Exchange Commission (“SEC”), Federal Trade Commission (“FTC”), and Department of Justice (“DOJ”), based on Mr. Zatkan’s reasonable belief that Twitter has been, at all relevant times including today, in violation of numerous laws and regulations. For the reasons described in the enclosures, we respectfully request that your Committee initiate an investigation into legal violations by Twitter, Inc.
3. We request your assistance in ensuring that Mr. Zatkan never faces retaliation for making disclosures to your Committee or any other lawful recipient. Mr. Zatkan is entitled to legal protections against retaliation under statutes, regulations, and common law authorities including, but not limited to, the Sarbanes-Oxley Act,¹ the Dodd-Frank Act,² and New Jersey’s Conscientious Employee Protection Act.

¹ 18 U.S.C. § 1514A. See also 29 CFR 1980.102.

² 15 U.S.C. § 78u-6(h)(1). See also 17 C.F.R. 240.21F-2.

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³ If a whistleblower were to experience post-employment retaliation for making lawful disclosures, these laws provide causes of action for litigation in a U.S. District Court of competent jurisdiction.

4. Moreover, federal criminal law designates witness intimidation as a felony offense.⁴ In particular, 18 U.S. Code § 1512(b) establishes that any person who attempts to retaliate against Mr. Zatkan could be individually subject to criminal conviction and imprisonment:

Whoever knowingly uses intimidation, threatens, or corruptly persuades another person, or attempts to do so, or engages in misleading conduct toward another person, with intent to...cause or induce any person to...withhold testimony, or withhold a record, document, or other object, from an official proceeding...shall be fined under this title or imprisoned not more than 20 years, or both.

5. **No privileged materials included:** With assistance of independent filter counsel, we conducted a review of every Exhibit to the disclosure in order to identify any materials that may be subject to a claim of attorney-client privilege. We determined that following redactions, none of the exhibits are protected by attorney-client privilege.⁵
6. **Limited Disclosure to Agencies:** For the SEC/FTC/DOJ disclosure, Mr. Zatkan carefully limited disclosure of internal corporate documents to those that are relevant and “reasonably necessary”⁶ to demonstrate Twitter’s legal violations. Moreover, we applied substantial redactions before sharing internal Twitter information with law enforcement agencies.

³ N.J. Stat. Ann. § 34:19-3.

⁴ See, e.g., 18 U.S.C. § 1513(e), which states:

Whoever knowingly, with the intent to retaliate, takes any action harmful to any person, including interference with the lawful employment or livelihood of any person, for providing to a law enforcement officer any truthful information relating to the commission or possible commission of any Federal offense, shall be fined under this title or imprisoned not more than 10 years, or both

⁵ See detailed privilege analysis in agency disclosure enclosed.

⁶ Cf. *Cafasso v. General Dynamics C4 Systems, Inc.*, 637 F.3d 1047, 1062 (9th Cir. 2011) (dicta suggesting that realtors under a different whistleblower statute, the False Claims Act, should limit disclosure of internal corporate documents to those documents “reasonably necessary” to pursue their whistleblower claim).

January 6, 2022, further redacted for Congress

- Selected exhibits to SEC + FTC + DOJ disclosure, further redacted for Congress