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14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**
 16 **SAN FRANCISCO DIVISION**

17 FIRST UNITARIAN CHURCH OF LOS
 18 ANGELES, *et al.*

19 Plaintiffs,

20 v.

21 NATIONAL SECURITY AGENCY, *et al.*,

22 Defendants.
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Case No: 3:13-cv-03287 JSW

**DECLARATION OF MATTHEW F.
 WOOD FOR FREE PRESS IN
 SUPPORT OF PLAINTIFFS'
 MOTION FOR PARTIAL SUMMARY
 JUDGMENT**

Date: February 7, 2014
 Time: 9:00 A.M.
 Hon. Jeffrey S. White
 Courtroom 11 - 19th Floor

1 I, MATTHEW F. WOOD, hereby declare:

2 1. I am the Policy Director of Free Press. The facts contained in the following affidavit
3 are known to me of my own personal knowledge and if called upon to testify, I could and would
4 competently do so.

5 2. Free Press is a non-profit, advocacy organization building a nationwide movement to
6 change media and technology policies. We work with our 625,000 activists throughout the United
7 States and around the world to ensure that technological tools empower people and strengthen
8 democracy rather than undermining it. We call for universal and affordable access to an open
9 Internet, freedom of the press, and other policies that promote free communication, access to
10 information, and individual privacy. Our advocacy depends on organizing our members and
11 amplifying their voices in policy debates, either by gathering written petitions from them, or by
12 facilitating their direct interaction via phone and in person with their elected representatives and
13 other decision makers.

14 3. The collection of our phone records by the government has resulted in (1) harassment,
15 membership withdrawal, and/or discouragement of new members, and (2) other consequences which
16 objectively suggest an impact on, or “chilling” of, the members’ associational rights.

17 4. I say this because our members who wish to speak about the Associational Tracking
18 Program and other such government programs have conveyed to me, and to other members of our
19 staff, their reservations and increased concern about discussing such topics in the knowledge that the
20 same government is tracking their communications – and in the belief that speaking out against these
21 programs could, perversely, result in additional scrutiny and monitoring of such members’
22 communications with our organization, government officials, and our members’ friends and family
23 members.

24 5. The Associational Tracking Program activities have thus harmed Free Press because
25 we have experienced a decrease in telephone communications from members and constituents who
26 had desired the fact of their communication to our organization and to their elected representatives
27 either to remain secret or to remain free from such tracking and monitoring.

1 6. Since the disclosure of the Associational Tracking Program, we have lost the ability
2 to assure our members, as well as all others who seek to communicate with us to discuss our
3 advocacy efforts generally as well as our specific advocacy against these programs, that the fact of
4 their communications to and with us will be kept confidential.

5 7. Prior to the disclosure, we assured confidentiality to those who telephoned us. But it
6 now appears that it was not correct to do so.

7 8. Moreover, the pattern of distortion and lawless conduct by the NSA, exacerbated by
8 the intense secrecy of its activities, have left us unable to reassure our members and associates that
9 additional forms of surveillance, as yet unconfirmed or actively denied by the government are not
10 also occurring, leaving us with no alternative forms of confidential communication.

11 I declare under penalty of perjury under the laws of the United States of America that
12 the foregoing is true and correct. Executed on October __, 2013 at Washington, D.C.

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MATTHEW F. WOOD

