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*Of Attorneys for Defendant  
DarkMatter Group*

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

**LOUJAIN HATHLOUL  
ALHATHLOUL,**

Plaintiff,

vs.

**DARKMATTER GROUP, MARC  
BAIER, RYAN ADAMS, AND DANIEL  
GERICKE,**

Defendants.

No. 3:21-cv-01787-IM

**DEFENDANT DARKMATTER GROUP'S  
ANSWER TO PLAINTIFF'S FIRST  
AMENDED COMPLAINT**

Defendant DarkMatter Group (“DarkMatter”), through undersigned counsel, answers Plaintiff Loujain Hathloul Alhathloul’s (“Plaintiff”) First Amended Complaint (the “Complaint”). Any allegation in the Complaint that is not expressly admitted, including allegations contained in headings and subheadings, is denied.

### **PRELIMINARY STATEMENT**

1. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in the first sentence of Paragraph 1. The remainder of the paragraph is denied.

2. DarkMatter denies the allegations set forth in Paragraph 2 of the Complaint.

3. Paragraph 3 consists of Plaintiff’s characterization of the Deferred Prosecution Agreement and corresponding Factual Statement attached to the Complaint. DarkMatter respectfully refers the Court to that Deferred Prosecution Agreement and Factual Statement, which speak for themselves and are the best evidence of their contents, and denies the allegations to the extent they are inconsistent with the Deferred Prosecution Agreement or the corresponding Factual Statement.

### **PARTIES**

4. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 4 of the Complaint and therefore denies the same.

5. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 5 of the Complaint and therefore denies the same.

6. DarkMatter denies allegations set forth in Paragraph 6 of the Complaint.

7. DarkMatter denies the allegations set forth in Paragraph 7 of the Complaint.

8. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in the first two sentences of Paragraph 8 of the Complaint and therefore denies the same. DarkMatter avers that Defendant Baier held supervisory positions at DarkMatter between about January 2016 until or about November 2019 and denies the third sentence of Paragraph 8 to the extent it is inconsistent with DarkMatter's averment. DarkMatter denies the allegations set forth in the fourth sentence of Paragraph 8. The fifth and sixth sentences of Paragraph 8 consist of Plaintiff's characterization of the Deferred Prosecution Agreement and corresponding Factual Statement attached to the Amended Complaint. DarkMatter respectfully refers the Court to the Deferred Prosecution Agreement and Factual Statement, which speak for themselves and are the best evidence of their contents, and denies the remaining allegations set forth in Paragraph 8 to the extent they are inconsistent with the Deferred Prosecution Agreement or the Factual Statement.

9. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in the first two sentences of Paragraph 9 of the Complaint and therefore denies the same. DarkMatter denies the allegations set forth in the third and fourth sentences of Paragraph 9. The fifth and sixth sentences of Paragraph 9 consist of Plaintiff's characterization of the Deferred Prosecution Agreement and corresponding Factual Statement attached to the Amended Complaint. DarkMatter respectfully refers the Court to the Deferred Prosecution Agreement and Factual Statement, which speak for themselves and are the best evidence of their contents, and denies the remaining allegations set forth in Paragraph 9 to the extent they are inconsistent with the Deferred Prosecution Agreement or the Factual Statement.

10. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in the first sentence of Paragraph 10 of the Complaint and therefore

denies the same. DarkMatter denies the allegations set forth in the second and third sentences of Paragraph 10. The fourth and fifth sentences of Paragraph 10 consist of Plaintiff's characterization of the Deferred Prosecution Agreement and corresponding Factual Statement attached to the Amended Complaint. DarkMatter respectfully refers the Court to the Deferred Prosecution Agreement and Factual Statement, which speak for themselves and are the best evidence of their contents, and denies the remaining allegations set forth in Paragraph 10 to the extent they are inconsistent with the Deferred Prosecution Agreement or the Factual Statement.

### **JURISDICTION AND VENUE**

11. Paragraph 11 contains legal conclusions to which no response is required. To the extent a response is required, DarkMatter denies the allegations in Paragraph 11 of the Complaint.

12. DarkMatter denies the allegations set forth in Paragraph 12 of the Complaint.

13. DarkMatter denies the allegations set forth in Paragraph 13 of the Complaint.

### **STATEMENT OF FACTS**

#### **A. Response to Section Titled: "Plaintiff Alhathloul's Promotion of Women's Rights in Saudi Arabia"**

14. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 14 of the Complaint and therefore denies the same.

15. Paragraph 15 consists of Plaintiff's characterization of the referenced U.S. Department of State 2020 Country Report on Human Rights Practices in Saudi Arabia. DarkMatter respectfully refers the Court to that report, which speaks for itself and is the best evidence of its contents, and denies the allegations to the extent they are inconsistent with the report.

16. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 16 of the Complaint and therefore denies the same.

17. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 17 of the Complaint and therefore denies the same.

18. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in the first sentence of Paragraph 18 of the Complaint and therefore denies the same. The remainder of Paragraph 18 consists of Plaintiff's characterization of the referenced statements from *NBC News* and the *Washington Post*. DarkMatter respectfully refers the Court to those statements, which speak for themselves and are the best evidence of their contents, and denies the allegations to the extent they are inconsistent with the statements.

19. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 19 of the Complaint and therefore denies the same.

20. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 20 of the Complaint and therefore denies the same.

21. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 21 of the Complaint and therefore denies the same.

22. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 22 of the Complaint and therefore denies the same.

23. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 23 of the Complaint and therefore denies the same.

24. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 24 of the Complaint and therefore denies the same.

25. Paragraph 25 consists of Plaintiff's characterization of a *New York Times* documentary. DarkMatter respectfully refers the Court to the referenced *New York Times*

documentary, which speaks for itself and is the best evidence of its contents, and denies the allegations to the extent they are inconsistent with the documentary.

26. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 26 of the Complaint and therefore denies the same.

27. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 27 of the Complaint and therefore denies the same.

28. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 28 of the Complaint and therefore denies the same.

29. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 29 of the Complaint and therefore denies the same.

30. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 30 of the Complaint and therefore denies the same.

31. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 31 of the Complaint and therefore denies the same.

32. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 32 of the Complaint and therefore denies the same.

33. Paragraph 33 consists of Plaintiff's characterization of the referenced 2021 Human Rights Watch report. DarkMatter respectfully refers the Court to that report, which speaks for itself and is the best evidence of its contents, and denies the allegations to the extent they are inconsistent with the statements.

34. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in the first sentence of Paragraph 34 of the Complaint and therefore denies the same. The remainder of Paragraph 34 consists of Plaintiff's characterization of the U.S.

Department of State 2020 Country Report on Human Rights Practices in Saudi Arabia. DarkMatter respectfully refers the Court to that report, which speaks for itself and is the best evidence of its contents, and denies the allegations to the extent they are inconsistent with the report.

35. Paragraph 35 consists of Plaintiff's characterization of statements from *The New York Times* and Amnesty International. DarkMatter respectfully refers the Court to those statements, which speak for themselves and are the best evidence of their contents, and denies the allegations to the extent they are inconsistent with the statements.

**B. Response to Section Titled: "The UAE and Saudi Arabia's Persecution of Perceived Dissidents"**

36. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 36 of the Complaint and therefore denies the same.

37. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 37 of the Complaint and therefore denies the same.

38. Paragraph 38 consists of Plaintiff's characterization of the referenced Human Rights Watch's World Report in 2019. DarkMatter respectfully refers the Court to that report, which speaks for itself and is the best evidence of its contents, and denies the allegations to the extent they are inconsistent with the report.

39. Paragraph 39 consists of Plaintiff's characterization of the referenced U.S. Department of State 2020 Country Report on Human Rights Practices in the UAE. DarkMatter respectfully refers the Court to that report, which speaks for itself and is the best evidence of its contents, and denies the allegations to the extent they are inconsistent with the report.

40. Paragraph 40 consists of Plaintiff's characterization of the referenced U.S. Department of State 2020 Country Report on Human Rights Practices in the UAE. DarkMatter

respectfully refers the Court to that report, which speaks for itself and is the best evidence of its contents, and denies the allegations to the extent they are inconsistent with the report.

41. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 41 of the Complaint and therefore denies the same.

42. Paragraph 42 consists of Plaintiff's characterization of the referenced Amnesty International's 2020 report on the UAE. DarkMatter respectfully refers the Court to that report, which speaks for itself and is the best evidence of its contents, and denies the allegations to the extent they are inconsistent with the report.

43. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in the first sentence of Paragraph 43 of the Complaint and therefore denies the same. The remainder of Paragraph 43 consists of Plaintiff's characterization of the referenced *Opinion No. 33/2020*, issued by the United Nations Working Group on Enforced or Involuntary Disappearances. DarkMatter respectfully refers the Court to *Opinion No. 33/2020*, which speaks for itself and is the best evidence of its contents, and denies the allegations to the extent they are inconsistent with that opinion.

44. Paragraph 44 consists of Plaintiff's characterization of *Opinion No. 33/2020*, issued by the United Nations Working Group on Enforced or Involuntary Disappearances. DarkMatter respectfully refers the Court to *Opinion No. 33/2020*, which speaks for itself and is the best evidence of its contents, and denies the allegations to the extent they are inconsistent with that opinion.

45. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 45 of the Complaint and therefore denies the same.

46. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in the first three sentences of Paragraph 46 of the Complaint and therefore denies the same. The remainder of Paragraph 46 consists of Plaintiff's characterization of an uncited communication from the Vice-Chair of the United Nations Working Group on Arbitrary Detention and various United Nations Special Rapporteurs to the United Nations Human Rights Council. DarkMatter respectfully refers the Court to this communication, which speaks for itself and is the best evidence of its contents, and denies the allegations to the extent they are inconsistent with the communication.

**C. Response to Section Titled: "The UAE and Saudi Arabia's Cooperation in Persecuting Perceived Dissidents"**

47. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 47 of the Complaint and therefore denies the same.

48. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth the first five sentences of Paragraph 48 of the Complaint and therefore denies the same. The remainder of Paragraph 48 consists of Plaintiff's characterization of a communication from United Nations Special Rapporteurs to "UAE authorities." DarkMatter respectfully refers the Court to that communication, which speaks for itself and is the best evidence of its contents, and denies the allegations to the extent they are inconsistent with the communication.

49. Paragraph 49 consists of Plaintiff's characterization of the referenced U.S. Department of State 2020 Country Report on Human Rights Practices in Saudi Arabia. DarkMatter respectfully refers the Court to that report, which speaks for itself and is the best evidence of its contents, and denies the allegations to the extent they are inconsistent with the report.

50. Paragraph 50 consists of Plaintiff's characterizations of the referenced First and Third Riyadh Agreements. DarkMatter respectfully refers the Court to those agreements, which speak for themselves and are the best evidence of their contents, and denies the allegations to the extent they are inconsistent with the agreements.

51. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 51 of the Complaint and therefore denies the same.

52. Paragraph 52 consists of Plaintiff's characterizations of the referenced 2021 Freedom House Report titled *Saudi Arabia: Transnational Repression Case Study*. DarkMatter respectfully refers the Court to that report, which speaks for itself and is the best evidence of its contents, and denies the allegations to the extent they are inconsistent with the report.

53. Paragraph 53 consists of Plaintiff's characterization of the referenced report. DarkMatter respectfully refers the Court to that report, which speaks for itself and is the best evidence of its contents, and denies the allegations to the extent they are inconsistent with the report.

54. Paragraph 54 consists of Plaintiff's characterizations of the referenced June 2020 report by the United Nations Working Group on Enforced or Involuntary Disappearances. DarkMatter respectfully refers the Court to that report, which speaks for itself and is the best evidence of its contents, and denies the allegations to the extent they are inconsistent with the report.

**D. Response to Section Titled: "The UAE's Use of U.S. Corporations to Target Perceived Dissidents"**

55. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 55 of the Complaint and therefore denies the same.

56. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 56 of the Complaint and therefore denies the same.

57. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 57 of the Complaint and therefore denies the same.

58. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 58 of the Complaint and therefore denies the same.

59. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 59 of the Complaint and therefore denies the same.

60. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 60 of the Complaint and therefore denies the same.

61. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 61 of the Complaint and therefore denies the same.

62. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 62 of the Complaint and therefore denies the same.

63. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 63 of the Complaint and therefore denies the same.

64. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 64 of the Complaint and therefore denies the same.

**E. Response to Section Titled: “The UAE Utilized Project Raven and U.S. Contractors to Target Human Rights Activists as Part of Its Campaign of Persecution”**

65. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 65 of the Complaint and therefore denies the same.

66. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 66 of the Complaint and therefore denies the same.

67. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 67 of the Complaint and therefore denies the same.

68. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 68 of the Complaint and therefore denies the same.

69. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 69 of the Complaint and therefore denies the same.

70. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 70 of the Complaint and therefore denies the same.

71. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 71 of the Complaint and therefore denies the same.

72. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 72 of the Complaint and therefore denies the same.

**F. Response to Section Titled: “Project Raven’s Targeting of Perceived Dissidents, Including Human Rights Activists, Continued Under DarkMatter”**

73. DarkMatter denies the allegations set forth in Paragraph 73 of the Complaint.

74. DarkMatter denies the allegations set forth in Paragraph 74 of the Complaint.

75. DarkMatter admits the second sentence insofar as it alleges that Defendants Baier, Adams, and Gericke became employees of DarkMatter. Darkmatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in the remainder of Paragraph 75 of the Complaint and therefore denies the same.

76. DarkMatter denies the allegations set forth in Paragraph 76 of the Complaint.

77. DarkMatter denies the allegations set forth in Paragraph 77 of the Complaint.

78. DarkMatter denies the allegations set forth in Paragraph 78 of the Complaint.

79. DarkMatter denies the allegations set forth in Paragraph 79 of the Complaint.

80. DarkMatter denies the allegations set forth in Paragraph 80 of the Complaint.

81. DarkMatter denies the allegations set forth in Paragraph 81 of the Complaint.

82. DarkMatter denies the allegations set forth in Paragraph 82 of the Complaint.

83. DarkMatter denies the allegations set forth in the first two sentences of Paragraph 83 of the Complaint. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in the third sentence of Paragraph 83 of the Complaint and therefore denies the same.

84. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in the first sentence of Paragraph 84 of the Complaint and therefore denies the same. The remainder of Paragraph 84 consists of Plaintiff's characterizations of the referenced statements from United Nations Special Rapporteurs and Human Rights Watch. DarkMatter respectfully refers the Court to these statements, which speak for themselves and are the best evidence of their contents, and denies the allegations to the extent they are inconsistent with the statements.

85. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 85 of the Complaint and therefore denies the same.

86. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 86 of the Complaint and therefore denies the same.

**G. Response to Section Titled: "Defendants Acquired U.S. Technology to Carry Out Hacks on Apple Devices in Furtherance of Project Raven's Objectives"**

87. DarkMatter denies the allegations set forth in Paragraph 87 of the Complaint.

88. DarkMatter denies the allegations set forth in Paragraph 88 of the Complaint insofar as they relate to DarkMatter. DarkMatter otherwise lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 88 of the Complaint and therefore denies the same.

89. DarkMatter denies the allegations set forth in Paragraph 89 of the Complaint.

90. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 90 of the Complaint and therefore denies the same.

91. DarkMatter denies the allegations set forth in Paragraph 91 of the Complaint insofar as they relate to DarkMatter. DarkMatter otherwise lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 91 of the Complaint and therefore denies the same.

92. DarkMatter denies the allegations set forth in Paragraph 92 of the Complaint insofar as they relate to DarkMatter. DarkMatter otherwise lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 92 of the Complaint and therefore denies the same.

93. DarkMatter denies the allegations set forth in Paragraph 93 of the Complaint.

94. DarkMatter denies the allegations set forth in Paragraph 94 of the Complaint.

95. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 95 of the Complaint and therefore denies the same.

96. DarkMatter denies the allegations set forth in Paragraph 96 of the Complaint.

97. DarkMatter denies the allegations set forth in Paragraph 97 of the Complaint.

98. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 98 of the Complaint and therefore denies the same.

99. DarkMatter denies the allegations set forth in Paragraph 99 of the Complaint.

100. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 100 of the Complaint and therefore denies the same.

101. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 101 of the Complaint and therefore denies the same.

102. DarkMatter denies the allegations set forth in Paragraph 102 of the Complaint.

103. DarkMatter denies the allegations set forth in Paragraph 103 of the Complaint.

104. DarkMatter denies the allegations set forth in Paragraph 104 of the Complaint.

105. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 105 of the Complaint and therefore denies the same.

106. Paragraph 106 contains legal conclusions to which no response is required. To the extent a response is required, DarkMatter denies the allegations in Paragraph 106 of the Complaint.

107. DarkMatter denies the allegations set forth in Paragraph 107 of the Complaint insofar as they relate to DarkMatter. DarkMatter otherwise lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 107 of the Complaint and therefore denies the same.

108. DarkMatter denies the allegations set forth in Paragraph 108 of the Complaint insofar as they relate to DarkMatter. DarkMatter otherwise lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 108 of the Complaint and therefore denies the same.

109. DarkMatter denies the allegations set forth in Paragraph 109 of the Complaint insofar as they relate to DarkMatter. DarkMatter otherwise lacks knowledge or information

sufficient to form a belief about the truth of the allegations set forth in Paragraph 109 of the Complaint and therefore denies the same.

110. DarkMatter denies the allegations set forth in Paragraph 110 of the Complaint.

**H. Response to Section Titled: “Defendants’ Hacking Activity Utilized Servers Located in the United States”**

111. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 111 of the Complaint and therefore denies the same.

112. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 112 of the Complaint and therefore denies the same.

113. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 113 of the Complaint and therefore denies the same.

114. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 114 of the Complaint and therefore denies the same.

115. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 115 of the Complaint and therefore denies the same.

116. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 116 of the Complaint and therefore denies the same.

117. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 117 of the Complaint and therefore denies the same.

118. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 118 of the Complaint and therefore denies the same.

119. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 119 of the Complaint and therefore denies the same.

120. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 120 of the Complaint and therefore denies the same.

121. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 121 of the Complaint and therefore denies the same.

122. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 122 of the Complaint and therefore denies the same.

123. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 123 of the Complaint and therefore denies the same.

124. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 124 of the Complaint and therefore denies the same.

125. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 125 of the Complaint and therefore denies the same.

126. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 126 of the Complaint and therefore denies the same.

127. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 127 of the Complaint and therefore denies the same.

128. DarkMatter denies the allegations set forth in Paragraph 128 of the Complaint insofar as they relate to DarkMatter. DarkMatter otherwise lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 128 of the Complaint and therefore denies the same.

129. DarkMatter denies the allegations set forth in Paragraph 129 of the Complaint.

130. DarkMatter denies the allegations set forth in Paragraph 130 of the Complaint.

131. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 131 of the Complaint and therefore denies the same.

132. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 132 of the Complaint and therefore denies the same.

**I. Response to Section Titled: “As Part of Its Persecution of Perceived Dissidents, Project Raven Targeted and Hacked Plaintiff Alhathloul”**

133. Paragraph 133 consists of Plaintiff’s characterizations of reporting by *Reuters*. DarkMatter respectfully refers the Court to that reporting, which speaks for itself and is the best evidence of its contents, and denies the allegations to the extent they are inconsistent with the reporting.

134. The first sentence of Paragraph 134 consists of Plaintiff’s characterization of reporting by *Reuters*. DarkMatter respectfully refers the Court to the reporting, which speaks for itself and is the best evidence of its contents, and denies the allegations to the extent they are inconsistent with the reporting. DarkMatter denies the remaining allegations set forth in Paragraph 134 of the Complaint.

135. DarkMatter denies the allegations set forth in Paragraph 135 of the Complaint.

136. DarkMatter denies the allegations set forth in Paragraph 136 of the Complaint.

137. DarkMatter denies the allegations set forth in Paragraph 137 of the Complaint.

138. DarkMatter denies the allegations set forth in Paragraph 138 of the Complaint.

139. DarkMatter denies the allegations set forth in Paragraph 139 of the Complaint.

**J. Response to Section Titled: “Project Raven Exfiltrated Data From Ms. Alhathloul’s Device While She Was Physically Present in the United States”**

140. DarkMatter denies the allegations set forth in Paragraph 140 of the Complaint.

141. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 141 of the Complaint and therefore denies the same.

142. DarkMatter denies the allegations set forth in Paragraph 142 of the Complaint.

143. DarkMatter denies the allegations set forth in Paragraph 143 of the Complaint.

144. Paragraph 144 consists of Plaintiff's characterization of the referenced November 17, 2017, Tweet by the Arab Gulf States Institute in Washington. DarkMatter respectfully refers the Court to the Tweet, which speaks for itself and is the best evidence of its contents, and denies the allegations to the extent they are inconsistent with the Tweet.

145. Paragraph 145 consists of Plaintiff's characterization of the referenced November 18, 2017, Tweet by Nora Abdulkarim. DarkMatter respectfully refers the Court to the Tweet, which speaks for itself and is the best evidence of its contents, and denies the allegations to the extent they are inconsistent with the Tweet.

146. Paragraph 146 consists of Plaintiff's characterization of the referenced November 28, 2017, Tweet by Plaintiff. DarkMatter respectfully refers the Court to the Tweet, which speaks for itself and is the best evidence of its contents, and denies the allegations to the extent they are inconsistent with the Tweet.

147. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 147 of the Complaint and therefore denies the same.

148. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 148 of the Complaint and therefore denies the same.

149. DarkMatter denies the allegations set forth in Paragraph 149 of the Complaint insofar as they relate to DarkMatter. DarkMatter otherwise lacks knowledge or information

sufficient to form a belief about the truth of the allegations set forth in Paragraph 149 of the Complaint and therefore denies the same.

150. DarkMatter denies the allegations set forth in Paragraph 150 of the Complaint insofar as they relate to DarkMatter. DarkMatter otherwise lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 150 of the Complaint and therefore denies the same.

151. DarkMatter denies the allegations set forth in Paragraph 151 of the Complaint insofar as they relate to DarkMatter. DarkMatter otherwise lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 151 of the Complaint and therefore denies the same.

152. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 152 of the Complaint and therefore denies the same.

153. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 153 of the Complaint and therefore denies the same.

154. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 154 of the Complaint and therefore denies the same.

155. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 155 of the Complaint and therefore denies the same.

**K. Response to Section Titled: “Following the Hacking of Her iPhone, Plaintiff Alhathloul was Forcibly Rendered by the UAE to Saudi Arabia Where She Was Tortured by the Saudi Security Services”**

156. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 156 of the Complaint and therefore denies the same.

157. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 157 of the Complaint and therefore denies the same.

158. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 158 of the Complaint and therefore denies the same.

159. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 159 of the Complaint and therefore denies the same.

160. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 160 of the Complaint and therefore denies the same.

161. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 161 of the Complaint and therefore denies the same.

162. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 162 of the Complaint and therefore denies the same.

163. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 163 of the Complaint and therefore denies the same.

164. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 164 of the Complaint and therefore denies the same.

165. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 165 of the Complaint and therefore denies the same.

166. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 166 of the Complaint and therefore denies the same.

167. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 167 of the Complaint and therefore denies the same.

168. Paragraph 168 consists of Plaintiff's characterization of Plaintiff's "charging document" and the referenced statement from the Chair and Vice Chair of a United Nations Working Group. DarkMatter respectfully refers the Court to the "charging document" and the referenced statement, which speak for themselves and are the best evidence of their contents, and denies the allegations to the extent they are inconsistent with the "charging document" or the referenced statement.

169. Paragraph 169 consists of Plaintiff's characterization of Plaintiff's "charging document." DarkMatter respectfully refers the Court to the "charging document," which speaks for itself and is the best evidence of its contents, and denies the allegations to the extent they are inconsistent with the "charging document."

170. Paragraph 170 consists of Plaintiff's characterization of Plaintiff's "charging document." DarkMatter respectfully refers the Court to the "charging document," which speaks for itself and is the best evidence of its contents, and denies the allegations to the extent they are inconsistent with the "charging document."

171. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 171 of the Complaint and therefore denies the same.

**L. Response to Section Titled: "Defendants Baier, Adams, and Gericke Entered into a Deferred Prosecution Agreement Concerning the Conduct Alleged in This Complaint"**

172. Paragraph 172 consists of Plaintiff's characterization of the Deferred Prosecution Agreement and corresponding Factual Statement attached to the Complaint. DarkMatter respectfully refers the Court to that Deferred Prosecution Agreement and Factual Statement, which speak for themselves and are the best evidence of their contents, and denies the allegations to the

extent they are inconsistent with the Deferred Prosecution Agreement or the corresponding Factual Statement.

173. Paragraph 173 consists of Plaintiff's characterization of the Deferred Prosecution Agreement attached to the Complaint. DarkMatter respectfully refers the Court to that Deferred Prosecution Agreement, which speaks for itself and is the best evidence of its contents, and denies the allegations to the extent they are inconsistent with the Deferred Prosecution Agreement.

174. Paragraph 174 consists of Plaintiff's characterization of the Deferred Prosecution Agreement attached to the Complaint. DarkMatter respectfully refers the Court to that Deferred Prosecution Agreement, which speaks for itself and is the best evidence of its contents, and denies the allegations to the extent they are inconsistent with the Deferred Prosecution Agreement.

**M. Response to Section Titled: "Defendants Baier, Adams, and Gerick Entered into Consent Agreements with the U.S. Department of State Concerning the Conduct Alleged in This Complaint"**

175. Paragraph 175 consists of Plaintiff's characterization of Consent Agreements with the Directorate of Defense Trade Controls, Bureau of Political-Military Affairs of the U.S. Department of State and related Proposed Charging Letters attached to the Complaint. DarkMatter respectfully refers the Court to those Consent Agreements and Proposed Charging Letters, which speak for themselves and are the best evidence of their contents, and denies the allegations to the extent they are inconsistent with the Consent Agreements or Proposed Charging Letters.

176. Paragraph 176 consists of Plaintiff's characterization of Proposed Charging Letters attached to the Complaint. DarkMatter respectfully refers the Court to those Proposed Charging Letters, which speak for themselves and are the best evidence of their contents, and denies the allegations to the extent they are inconsistent with the Proposed Charging Letters.

177. Paragraph 177 consists of Plaintiff's characterization of Proposed Charging Letters attached to the Complaint. DarkMatter respectfully refers the Court to those Proposed Charging Letters, which speak for themselves and are the best evidence of their contents, and denies the allegations to the extent they are inconsistent with the Proposed Charging Letters.

**RESPONSE TO FIRST CLAIM FOR RELIEF  
VIOLATION OF THE COMPUTER FRAUD AND ABUSE ACT  
(All Defendants)**

178. DarkMatter incorporates by reference its responses to Paragraphs 1–177.

179. Paragraph 179 contains legal conclusions to which no response is required. To the extent a response is required, DarkMatter denies the allegations in Paragraph 179 of the Complaint.

180. Paragraph 180 contains legal conclusions to which no response is required. To the extent a response is required, DarkMatter denies the allegations in Paragraph 180 of the Complaint.

181. Paragraph 181 contains legal conclusions to which no response is required. To the extent a response is required, DarkMatter denies the allegations in Paragraph 181 of the Complaint.

182. Paragraph 182 contains legal conclusions to which no response is required. To the extent a response is required, DarkMatter denies the allegations in Paragraph 182 of the Complaint.

183. DarkMatter denies the allegations set forth in Paragraph 183 of the Complaint insofar as they relate to DarkMatter. DarkMatter otherwise lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 183 of the Complaint and therefore denies the same.

184. DarkMatter denies the allegations set forth in Paragraph 184 of the Complaint insofar as they relate to DarkMatter. DarkMatter otherwise lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 184 of the Complaint and therefore denies the same.

185. DarkMatter denies the allegations set forth in Paragraph 185 of the Complaint insofar as they relate to DarkMatter. DarkMatter otherwise lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 185 of the Complaint and therefore denies the same.

**A. Violation 1 – 18 U.S.C. § 1030(a)(2)(C)**

186. DarkMatter denies the allegations set forth in Paragraph 186 of the Complaint insofar as they relate to DarkMatter. DarkMatter otherwise lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 186 of the Complaint and therefore denies the same.

187. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in the first sentence of Paragraph 187 of the Complaint and therefore denies the same. DarkMatter denies the remaining allegations set forth in Paragraph 187 of the Complaint.

**B. Violation 2 – 18 U.S.C. § 1030(a)(5)(A)**

188. Paragraph 188 contains legal conclusions to which no response is required. To the extent a response is required, DarkMatter denies the allegations in Paragraph 188 of the Complaint.

189. DarkMatter denies the allegations set forth in Paragraph 189 of the Complaint insofar as they relate to DarkMatter. DarkMatter otherwise lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 189 of the Complaint and therefore denies the same.

190. DarkMatter denies the allegations set forth in Paragraph 190 of the Complaint insofar as they relate to DarkMatter. DarkMatter otherwise lacks knowledge or information

sufficient to form a belief about the truth of the allegations set forth in Paragraph 190 of the Complaint and therefore denies the same.

191. DarkMatter denies the allegations set forth in Paragraph 191 of the Complaint insofar as they relate to DarkMatter. DarkMatter otherwise lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 191 of the Complaint and therefore denies the same.

192. DarkMatter denies the allegations set forth in Paragraph 192 of the Complaint.

193. DarkMatter denies the allegations set forth in Paragraph 193 of the Complaint insofar as they relate to DarkMatter. DarkMatter otherwise lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 193 of the Complaint and therefore denies the same.

**C. Violation 3 – 18 U.S.C. § 1030(a)(5)(B)**

194. Paragraph 194 contains legal conclusions to which no response is required. To the extent a response is required, DarkMatter denies the allegations in Paragraph 194 of the Complaint.

195. DarkMatter denies the allegations set forth in Paragraph 195 of the Complaint insofar as they relate to DarkMatter. DarkMatter otherwise lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 195 of the Complaint and therefore denies the same.

196. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 196 of the Complaint and therefore denies the same.

**D. Violation 4 – 18 U.S.C. § 1030(a)(5)(B)**

197. Paragraph 197 contains legal conclusions to which no response is required. To the extent a response is required, DarkMatter denies the allegations in Paragraph 197 of the Complaint.

198. DarkMatter denies the allegations set forth in the first and third sentences of Paragraph 198 of the Complaint insofar as they relate to DarkMatter. DarkMatter denies the allegations set forth in the second sentence of Paragraph 198 of the Complaint.

199. DarkMatter denies the allegations set forth in Paragraph 199 of the Complaint insofar as they relate to DarkMatter. DarkMatter otherwise lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 199 of the Complaint and therefore denies the same.

**E. Plaintiff Alhathloul Suffered Loss and Damage Under the CFAA**

200. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 200 of the Complaint and therefore denies the same.

201. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 201 of the Complaint and therefore denies the same.

202. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 202 of the Complaint and therefore denies the same.

203. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 203 of the Complaint and therefore denies the same.

204. DarkMatter denies the allegations set forth in Paragraph 204 of the Complaint insofar as they relate to DarkMatter. Paragraph 204 is also internally inconsistent and irreconcilable as between “hacks” and hack. DarkMatter otherwise lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 204 of the Complaint and therefore denies the same.

205. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 205 of the Complaint and therefore denies the same.

206. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 206 of the Complaint and therefore denies the same.

207. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 207 of the Complaint and therefore denies the same.

208. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 208 of the Complaint and therefore denies the same.

209. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 209 of the Complaint and therefore denies the same.

210. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 210 of the Complaint and therefore denies the same.

211. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 211 of the Complaint and therefore denies the same.

212. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 212 of the Complaint and therefore denies the same.

213. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 213 of the Complaint and therefore denies the same.

214. DarkMatter denies the allegations set forth in Paragraph 214 of the Complaint insofar as they relate to DarkMatter. DarkMatter otherwise lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 214 of the Complaint and therefore denies the same.

**RESPONSE TO SECOND CLAIM FOR RELIEF  
CONSPIRACY TO VIOLATE THE COMPUTER FRAUD AND ABUSE ACT  
(All Defendants)**

215. DarkMatter incorporates by reference its responses to Paragraphs 1–214.

216. DarkMatter denies the allegations set forth in Paragraph 216 of the Complaint.

217. DarkMatter denies the allegations set forth in Paragraph 217 of the Complaint.

218. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 218 of the Complaint and therefore denies the same.

219. DarkMatter denies the allegations set forth in Paragraph 219 of the Complaint.

220. DarkMatter denies the allegations set forth in Paragraph 220 of the Complaint.

221. DarkMatter denies the allegations set forth in Paragraph 221 of the Complaint insofar as they relate to DarkMatter. DarkMatter otherwise lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 221 of the Complaint and therefore denies the same.

222. The first sentence of Paragraph 222 contains legal conclusions to which no response is required. To the extent a response is required, DarkMatter denies the allegations in the first sentence of Paragraph 222 of the Complaint. DarkMatter denies the allegations set forth in the second sentence of Paragraph 222 of the Complaint insofar as they relate to DarkMatter. DarkMatter otherwise lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 222 of the Complaint and therefore denies the same.

223. DarkMatter denies the allegations set forth in Paragraph 223 of the Complaint.

224. Paragraph 224 contains legal conclusions to which no response is required. To the extent a response is required, DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 224 of the Complaint and therefore denies the same.

225. DarkMatter denies the allegations set forth in Paragraph 225.

226. DarkMatter denies the allegations set forth in Paragraph 226 of the Complaint insofar as they relate to DarkMatter. DarkMatter otherwise incorporates by reference its responses to paragraphs 200–214.

**RESPONSE TO THIRD CLAIM FOR RELIEF  
PERSECUTION AS A CRIME AGAINST HUMANITY UNDER THE ALIEN TORT  
STATUTE  
(Defendants Baier, Adams, and Gericke)**

227. DarkMatter incorporates by reference its responses to Paragraphs 1–226.

228. The Court has dismissed the ATS claim, and therefore no response is required. Paragraph 228 also contains legal conclusions to which no response is required. To the extent a response is required, DarkMatter denies the allegations in Paragraph 228.

229. The Court has dismissed the ATS claim, and therefore no response is required. To the extent a response is required, DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 229 of the Complaint and therefore denies the same.

230. The Court has dismissed the ATS claim, and therefore no response is required. To the extent a response is required, DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 230 of the Complaint and therefore denies the same.

231. The Court has dismissed the ATS claim, and therefore no response is required. To the extent a response is required, DarkMatter denies the allegations set forth in the first two sentences of Paragraph 231 of the Complaint. DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in the third sentence of Paragraph 231 of the Complaint and therefore denies the same.

232. The Court has dismissed the ATS claim, and therefore no response is required. To the extent a response is required, DarkMatter lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in Paragraph 232 of the Complaint and therefore denies the same.

233. The Court has dismissed the ATS claim, and therefore no response is required. To the extent a response is required, DarkMatter denies the allegations set forth in Paragraph 233 of the Complaint.

234. The Court has dismissed the ATS claim, and therefore no response is required. Paragraph 234 also contains legal conclusions to which no response is required. To the extent a response is required, DarkMatter denies the allegations in paragraph 234.

The unnumbered Paragraphs following Paragraph 234 consist of Plaintiff's prayer for relief and jury trial demand to which no response is required. To the extent a response is required, DarkMatter denies that Plaintiff is entitled to the requested relief or any relief whatsoever.

#### **AFFIRMATIVE AND OTHER DEFENSES**

Without conceding that DarkMatter has the burden of proof or persuasion as to any of Plaintiff's claims, DarkMatter states as follows:

##### **FIRST DEFENSE** (No Injury)

Plaintiff has not sustained loss or damages caused by any conduct by DarkMatter.

##### **SECOND DEFENSE** (Statute of Limitations)

Insofar as Plaintiff's claims arose outside the applicable limitations period, those claims are time-barred.

**THIRD DEFENSE**  
(No Causation)

DarkMatter denies that Plaintiff has suffered damages, but to the extent damages have been incurred, such damages were not directly or proximately caused by DarkMatter.

**FOURTH DEFENSE**  
(Personal Jurisdiction)

The Court lacks personal jurisdiction over DarkMatter.

**FIFTH DEFENSE**  
(Laches)

All of Plaintiff's claims are barred by the doctrine of laches.

**SIXTH DEFENSE**  
(Venue)

Plaintiff failed to bring this case in a proper venue, based on its shift with respect to the acts it alleges constituted violations.

**SEVENTH DEFENSE**

DarkMatter had nothing to do with, nor did it have knowledge of, any operations of the UAE government that involved Plaintiff. DarkMatter seconded employees to the UAE government as a government contractor of the UAE.

**EIGHTH DEFENSE**

DarkMatter acted as an agent of the UAE and is entitled to common law conduct-based immunity.

**RESERVATION OF RIGHTS**

DarkMatter reserves the right to assert additional affirmative defenses or defenses of which it becomes knowledgeable during the course of this litigation.

**WHEREFORE**, DarkMatter prays for judgment as follows:

1. That Plaintiff is denied the requested relief and that the same be dismissed with prejudice;
2. That judgment be entered for DarkMatter;
3. That DarkMatter recover the costs of suit herein, including attorneys' fees as allowed by law; and
4. That DarkMatter be granted such further relief as the Court deems just and proper.

Dated this 1st day of October, 2025.

Respectfully submitted,

SCHWABE, WILLIAMSON & WYATT, P.C.

s/ Nika Aldrich

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