IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

WIKIMEDIA FOUNDATION,)
Plaintiff,))
v.)
NATIONAL SECURITY AGENCY, et al.,)
Defendants.)

Exhibit 8

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

WIKIMEDIA FOUNDATION,)
Plaintiff,)
V	No. 1:15-cv-0662 (TSE)
NATIONAL SECURITY AGENCY, et al.,)
Defendants.)
)

SECOND DECLARATION OF JAMES J. GILLIGAN

Pursuant to 28 U.S.C. § 1746, I, James J. Gilligan, hereby declare:

- 1. I am Special Litigation Counsel in the Civil Division, Federal Programs
 Branch, of the United States Department of Justice. I serve as lead counsel for the
 Defendants in the above-captioned case. The statements made herein are based on my
 personal knowledge, and on information made available to me in the course of my duties
 and responsibilities as Government counsel in this case.
- 2. I submit this declaration in support of the Defendants' concurrently filed reply in support of their motion for summary judgment.
- 3. Filed herewith as Defendants' Exhibits 9-15 are true and correct copies of the following documents:¹

Exhibit No.	Exhibit Name
9	Wikimedia Foundation, Inc.'s Responses and Objections to DOJ's First Set of Interrogatories, dated January 11, 2018

¹ Defendants' Exhibits 1-5 were filed together with the Brief in Support of Defendants' Motion for Summary Judgment, ECF No. 161 (public versions available at ECF No. 166). Defendants' Exhibits 6-7 are separately filed along with this declaration.

10	Relevant Portions of the Deposition of James Alexander, Wikimedia Foundation witness taken pursuant to Fed. R. Evid. 30(b)(6)
11	Relevant Portions of the Deposition of Michelle Paulson, Wikimedia Foundation witness taken pursuant to Fed. R. Evid. 30(b)(6)
12	Wikimedia Foundation, Securing access to Wikimedia sites with HTTPS, June 12, 2015 (WIKI0007108-7114)
13	Wikipedia: Village pump (technical)/Archive 138 (WIKI0006872-6938)
14	Jimmy Wales and Lila Tretikov, "Stop Spying on Wikimedia Users" (N.Y. Times, March 10, 2015), available at https://www.nytimes.com/2015/03/10/opinion/stop-spying-on-wikipedia-users.html
15	Wikimedia Foundation, Wikimedia v. NSA: Wikimedia Foundation files suit against NSA to challenge upstream mass surveillance, March 10, 2015, available at https://blog.wikimedia.org/2015/03/10/wikimedia-v-nsa/

4. I obtained both Exhibits 14 and 15 by downloading them from the websites listed above.

I declare under penalty of perjury that the foregoing is true and correct. Executed in Washington, D.C., this 15th day of February, 2019.

<u>/s/ James J. Gilligan</u> JAMES J. GILLIGAN

Counsel for Defendants