

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS FILED B - 15
COUNTY DEPARTMENT, LAW DIVISION

2015 JUN 18 PM 1:56

Lindsey D. Scott,

PETITIONER,

v.

TWITTER., INC.,

RESPONDENT.

CASE NO.

2015L006195
CALENDAR/ROOM E
TIME 00:00
Discovery

DIANE BROWN
CLERK OF THE CIRCUIT COURT
OF COOK COUNTY, IL

VERIFIED PETITION FOR DISCOVERY

NOW COMES Lindsey D. Scott, by and through her attorneys, Wilson Elser Moskowitz Edelman & Dicker, LLP, pursuant to Illinois Supreme Court Rule 224, and for her verified petition for expedited discovery before suit (Petition) against Respondent, Twitter Inc. (Twitter).

Petitioner, alleges as follows:

INTRODUCTION

1. Petitioner is the victim of malicious impersonation on Twitter.com. Petitioner brings this action for expedited discovery before suit to determine the identities of John Doe (DOE) so that Petitioner may sue the person(s) and/or entities responsible for authoring and publishing the disparaging and untrue posts about Petitioner on Twitter.
2. Specifically, Petitioner bring this action to identify any information that would lead to identifying DOE including IP addresses, account information, basic subscriber information of the person(s) and/or entities that authored and/or published injurious statements about Petitioner.

PARTIES, JURISDICTION, AND VENUE

3. Petitioner is a resident of Cook County, Illinois.

4. Respondent, Twitter, owner and operator of Twitter.com, is a Delaware Company doing business in Illinois with its principal place of business at 1355 Market Street, Suite 900 San Francisco, California 94103.
5. DOE is an individual(s) who has published false and injurious statements concerning Petitioner on Twitter. The real name(s) and residence(s) of DOE(S) is currently unknown.
6. Jurisdiction and venue are both proper in this Court pursuant to 735 ILCS § 5/2-101 and 735 ILCS § 5/2-209(a)(2) and Illinois Supreme Court Rule 224 because (a)(ii) this is a Court in which the action or proceeding might be brought and this is where the acts were felt and directed.

RESPONDENT TWITTER

7. Twitter.com, a for-profit company owned and operator by Twitter Inc., is a social networking platform. Twitter's over 200 million¹ users create user profiles to interact with other users for personal and professional purposes. Users interact with Twitter by sending a Tweet, which is a real time message limited to 140 characters. Twitter users can post Tweets to other users or to a broader audience. Individuals can choose to include personally identifiable information including name, geographic location, photographs, affiliations, websites, and interests.
8. Any member of the public may create an account without being required to give their real names. Specifically, a person only has to provide the following information: (i) Unique Twitter username; (ii) Email address; and (iii) password.
9. These electronic profiles are identified and searchable by an individual's name or Twitter username, called a handle. Anyone with online access may access a Twitter profile's public information.
10. Twitter is accessible by anyone with Internet access, including persons in the State of Illinois and Cook County, Illinois.
11. Twitter users contribute approximately 500 million Tweets being sent per day.²
12. All spelling, punctuation, and typographical errors are in the original form.

AGAINST JOHN DOE: @LINZERDIANE

13. Starting on or about January 18, 2014, John Doe 1, using the Twitter Handle, @linzerdiane, and the URL, <https://twitter.com/linzerdiane>, began impersonating Petitioner and began publishing malicious, verifiably false statements allegedly on behalf of Petitioner. This impersonation of Petitioner attacks Petitioner's career, morale, professional and this impersonation of Petitioner is verifiably false. (A true and correct copy of the Tweet(s) is attached hereto and incorporated as **Exhibit A**; see also <https://twitter.com/linzerdiane>).

¹ <http://www.businessinsidencom/twitter-total-users-active-and-registered-2013-9>

² <https://blog.twitter.com/2013/new-tweets-per-second-record-and-how>

14. This Twitter Handle, *@linzerdiane*, is intended to impersonate Petitioner without her knowledge and without her permission. The username for the impersonating *@linzerdiane* is Lindsey Diane. Petitioner's middle name is Diane.
15. The impersonating *@linzerdiane* is Petitioner's social media profile name for other social media applications and previously was Petitioner's Twitter Handle (created January 14, 2013) prior to Petitioner de-activating her twitter account on or about March or April of 2013. (A true and correct Copy of when Petitioner created *@linzerdiane* Twitter Handle is attached hereto and incorporated as **Exhibit B**).
16. The impersonating *@linzerdiane* follows various nursing associations including but not limited to R.N. Central.Com, American Nurse Today, Nursing Problems, Nursing Association, and Northwestern Medicine. (A true and correct copy of some of who *@linzerdiane* follows on Twitter is attached hereto and incorporated as **Exhibit C**; see also <https://twitter.com/linzerdiane>).
17. Petitioner is an R.N. and has significant nursing affiliations including with Northwestern Memorial Hospital.
18. The impersonating *@linzerdiane* follows McDonald's and depicts a photograph of Ronald McDonald as the profile picture. (Ex. A and Ex. B). Further, the impersonating *@linzerdiane* tweets about McDonald's. (Ex. A).
19. Petitioner also has affiliations with McDonald's, including but not limited to volunteer work with Ronald McDonald House Charities.
20. The impersonating *@linzerdiane* identifies a specific bar location Petitioner was at on December 5, 2014. (See Tweet dated December 5, 2014, at Ex. A).
21. These tweets and this Twitter Handle, *@linzerdiane*, are available to the public at large.
22. Not only does the impersonating Twitter Handle, *@linzerdiane*, share Petitioner's name and/or social media profile(s) name, but it shares the above noted commonalities, amongst others, and is intended to improperly and maliciously impersonate Petitioner. Further, the impersonating Twitter Handle, *@linzerdiane*, does not clearly state it is not affiliated with or connected to Petitioner and/or any similarly-named individual(s).
23. The impersonating Twitter Handle, *@linzerdiane*, remains published as of the date of filing.

JOHN DOE(S) ARE STILL UNKNOWN TO PETITIONER

24. This action involves DOE'S efforts to harm the Petitioner, to discredit, to disparage, to intimidate, to harass, to torment, to humiliate, and to otherwise damage Petitioner's reputation, including her personal and professional reputation.
25. Petitioner has performed various Internet searches relating to the DOE'S usernames/aliases/pseudonyms in an effort to identify and locate him/her. Despite Petitioner's diligent efforts, she has yet to identify the DOE(S).

26. Respondent, Twitter is in possession of the account information, IP addresses, and other personally identifiable information relating to the Twitter User Accounts of JOHN DOE.
27. Petitioner hereby seeks to ascertain the true identities of John Doe(s) from Twitter to seek redress for DOE'S tortious conduct.

NECESSITY OF PETITION

28. Twitter posts and comments are subject to its Terms of Service and Privacy Agreements.
29. Anyone can report offensive, abusive, and/or defamatory content by submitting a Feedback form. (A true and correct copy of the Twitter removal protocol attached hereto as **Exhibit D**).
30. Specifically, Twitter has an Impersonation Policy, in which an account can be permanently suspended if a Twitter account portrays another person in a confusing and deceptive manner. (A true and correct copy of the Twitter Impersonation Policy is attached hereto as **Exhibit E**). Per Twitter's Impersonation Policy, "[i]n order to be impersonation, the account must also portray another person in a misleading or deceptive manner." As detailed above, Twitter Handle, @linzerdiane, is in violation of Twitter's Impersonation Policy as it portray's Petitioner in a "misleading" and "deceptive manner." (Ex. A).
31. Petitioner followed the Twitter protocol requesting removal of the impersonating twitter handle and said request was denied. (A true and correct copy of the Twitter support response to said request is attached as **Exhibit F**.)
32. Petitioner followed the protocol to preserve information based upon the aforementioned Twitter handle according to its Law Enforcement Guidelines.³ This preservation request was sent via fax to Twitter on April 17, 2015. (A true and correct copy of the preservation notice is attached hereto as **Exhibit G**).
33. Petitioner's efforts to remove the objectionable content have not been wholly successful as these offending posts still remain. As such, the statements made on Twitter continue to harm Petitioner's reputation in the community and in her profession.
34. Petitioner is able to demonstrate a cause of action for defamation because:
 - a) DOE published verifiably false statements concerning Petitioner, which falsely accuse Petitioner of engaging in fornication, unchaste behavior, including unchaste behavior at work, which are statements that are actionable as defamation per se in Illinois.
 - b) The defamatory statements published by Twitter Handle @linzerdiane falsely assert unchaste and unprofessional behavior, including various assertions of engaging in fortification.
 - c) Petitioner has not engaged in any unchaste behavior as alleged and published by Twitter Handle @linzerdiane.

³ <https://support.twitter.com/articles/41949>

- d) DOES tweets clearly impersonate Petitioner as detailed above. There can be no claim that any other person with the same name or a similar name was being referenced.
 - e) Such statements question the moral as well as professional reputation and turpitude of Petitioner.
 - f) DOES tweets, each and collectively, are verifiably false and defamatory.
 - g) Petitioner is a private person.
 - h) DOE(S), each and collectively, knew or reasonably should have known, at the time of publication, that the injurious statements, inferences, and innuendos are inaccurate, misleading, and with a reckless disregard for the truth or falsity of what was stated with the intent and/or knowledge that these statements would be viewed by prospective employers, hospital administrators, colleagues, friends, acquaintances, and/or the public. These statements clearly reveal the malicious, oppressive, and willful nature of DOE'S conduct.
 - i) DOE(S) acted, each and collectively, with actual malice knowing the falsity of each of their statements, inferences and innuendo, deliberately calculated to harm or destroy Petitioner's reputation both professionally and personally.
 - j) These verifiably false statements of fact were instantly published to Twitter.com's website, and available for the public at large. DOE(S) false statements were, each and collectively, with injurious intent, directed at third parties throughout the Internet.
 - k) More specifically, any person with Internet access can perform an online search of Petitioner's name and easily find DOE'S defamatory statements on Twitter throughout the Internet.
 - l) DOE(S), each and collectively, knew or should have known, that such publications concerning Petitioner would have serious effects on her reputation; that such publication would be cached throughout the Internet; and read and understood by people who read Twitter or perform a Google search for Petitioner.
 - m) As a direct and proximate cause of each of DOE'S statements, Petitioner has suffered harm to her personal reputation; has been brought into public scandal and disrepute and held to the contempt, ridicule, and shame with and among, relatives, peers, colleagues friends, acquaintances, and others elsewhere.
35. Petitioner is able to demonstrate a cause of action for false light invasion of privacy because DOE(S) disparaging and untrue statements concerning Petitioner portray her publicly in a false light as someone who is unchaste, who is promiscuous, and who is professional promiscuous.
- a) This portrayal would be highly offensive to a reasonable person.
 - b) This portrayal was done with malice and/or the specific intent to injure Petitioner.

- c) DOE'S false and defamatory statements and communications were each collectively and separately calculated to cause Petitioner harm both personally and professionally and to invade Petitioner's privacy rights.
 - d) By publishing, disseminating, and/or engaging in the publications of such communications, DOE(S) has falsely represented and intended to create the impression that Petitioner engages in such behavior.
 - e) As a direct and proximate cause of each of DOE'S statements, Petitioner has suffered harm to her personal reputation and professional reputation; has been brought into public scandal and disrepute and held to the contempt, ridicule, and shame with and among, relatives, peers, friends, acquaintances, and others elsewhere.
 - f) Since DOE(S) each started publishing these false statements, Petitioner must explain to family, friends, colleagues, and acquaintances that these posts are not true.
 - g) Anytime the Petitioner applies to an organization or activity, to employment opportunities, and/or speaking events, she has to contend with the possibility that she will be searched on the Internet and that these malicious publications will taint her academic, professional and personal accomplishments.
36. In acting as described above, DOE(S), each and collectively did not publish these statements in the public concern, but rather, each DOE posted these fictitious statements without consent, legal justification, legitimate cause, or any other legal excuse.
37. The false statements posted by DOE(S) were understood and believed by the persons who observed it to convey that meaning.
38. Because of the anonymity allowed to users of Twitter, Petitioner cannot ascertain the identities of the individuals who made the false statements above and must instead seek this information from Respondent.
39. As DOE(S) false postings on Twitter are cached and collected in various repositories disseminated throughout the Internet, DOE(S) false content is harder to completely remove.
40. Petitioner has suffered, is suffering, and will continue to suffer a loss to her personal reputation, shame, mortification, emotional distress, including general and special damages due to DOE(S) statements, which Petitioner is informed and believes will exceed \$100,000.00.
41. In accordance with Illinois Supreme Court Rule 224, Petitioner requests the Court enter an order allowing it to conduct expedited discovery of Respondent to ascertain the identity of any persons allegedly involved in the acts which form the basis of Petitioner's contemplated actions. Immediately obtaining the identity of each John Doe(s), Twitter Handle @linzardiane, is necessary to stop the ongoing violations discussed above and critical to end the continuing harm to Petitioner's reputation. The verifiably factually false statements will continue to cause Petitioner irreparable harm as well as direct and indirect monetary and non-monetary harm if not stopped.

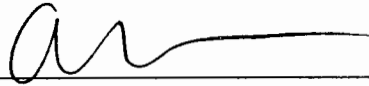
42. Petitioner seeks the following discovery from Respondent: any and all names, physical addresses, Email addresses, IP addresses, and any other identifying information, as indicated in the attached draft Order, related to Twitter Handle @linzerdiane, for the purpose of seeking redress against these false publications and to remove the publically available defamatory statements that still exist publically on the Internet.

WHEREFORE, LINDSEY SCOTT, prays that this Court enter an order compelling the expedited discovery requests herein from the Respondent.

Respectfully submitted:

June 18, 2015
Date

By: _____



Allison M. Burn
WILSON, ELSER, MOSKOWITZ, EDELMAN &
DICKER LLP
55 W. Monroe Street, Suite 3800
Chicago, IL 60603
T: (312) 704-0550
F: (312) 704-1522
Email: Allison.Burns@wilsonelser.com
Attorney for the Petitioner

State of Illinois)
) ss.
County of Cook)

VERIFICATION CERTIFICATION

Under the penalties as provided by law pursuant to section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that she verily believes the same to be true. 735 ILCS 5/1-109.


Lindsey Scott

New to Twitter?

Sign up



Search Twitter



Have an account? Log in



TWEETS	FOLLOWING	FOLLOWERS
28	16	1

+ Follow

Lindsey Diane

@linzerdiane

Nurse By Day. Bitch By Night. ;)

Second City

Joined April 2013

Photos and videos



Tweets Tweets & replies Photos & videos



Lindsey Diane @linzerdiane · Mar 17
Happy St. PaDDY's Day! Getting the D tonight! :)



Lindsey Diane @linzerdiane · Feb 15
Happy post-VDay. Got me some D last night!!!



Lindsey Diane @linzerdiane · Dec 8
MonDayzzz.... Tired nurse



Lindsey Diane @linzerdiane · Dec 5
My god I HATE Lottie's... I live in Lakeview for a reason!!!
#drunkbitcheseverywhere



Lindsey Diane @linzerdiane · Dec 5
My main squeeze sending me things to get me all riled up for the weekend! #TGIF



View photo



Lindsey Diane @linzerdiane Nov 30

LOLZ. What a stupid cunt. Excuse my French. #bitch

0 retweets 0 favorites



• • Lindsey Diane @linzerdiane Nov 26

Always knew my bestie was a lesbo! #soccerplayerprobs

0 retweets 0 favorites



• • Lindsey Diane @linzerdiane Nov 10

#NoShaveNovember for guys? How about #NoDNovember for me? Not possible!

0 retweets 0 favorites



• • Lindsey Diane @linzerdiane Oct 30

Sucking cock. Halloween tradition. :)

0 retweets 0 favorites



• • Lindsey Diane @linzerdiane Oct 28

I can't wait for #Halloween! I'm gonna be a slut! Shouldn't be that hard!

0 retweets 0 favorites



• • Lindsey Diane @linzerdiane Oct 7

It's almost time for @NHLBlackhawks to drop the puck!!! I can't wait!!! Riding some D to warm me up for gametime!

0 retweets 0 favorites



• • [Lindsey Diane @linzerdiane](#) 18 Apr 2014

April showers bring May D.

0 retweets 0 favorites



• • [Lindsey Diane @linzerdiane](#) 16 Mar 2014

Red Wings! Have fun going back to Detroit!

0 retweets 0 favorites



• • [Lindsey Diane @linzerdiane](#) 22 Feb 2014

I NEED SOME D TONIGHT! MY MAN BETTER GIVE IT UP TONIGHT! ;)

0 retweets 0 favorites



• • [Lindsey Diane @linzerdiane](#) 13 Feb 2014

Happy VDay? More like Happy D Day! [#cantwait](#)

0 retweets 0 favorites



• • [Lindsey Diane @linzerdiane](#) 12 Feb 2014

Only thing better than some [@McDonalds](#) for dinner is some D for dinner. ;) [#imlovinit](#)

0 retweets 0 favorites



• • [Lindsey Diane @linzerdiane](#) 10 Feb 2014

Mondays suck! :(#nurseproblems

0 retweets 0 favorites



• • Lindsey Diane @linzerdiane 7 Feb 2014

Glad the weekend is here! I need some cuddle time!

0 retweets 0 favorites



• • Lindsey Diane @linzerdiane 4 Feb 2014

Still hungover from big 4 day weekend. Ugh, get this girl some water STAT!!! #imtooldforthis

0 retweets 0 favorites



• • Lindsey Diane @linzerdiane 2 Feb 2014

So hungover and in pain, overdosing on Wood last night will do that to a girl.

0 retweets 0 favorites



• • Lindsey Diane @linzerdiane 1 Feb 2014

Used to be Saturday morning cartoons growing up, now it's Saturday morning BJ's. :)

0 retweets 0 favorites



• • Lindsey Diane @linzerdiane 31 Jan 2014

Warming temps = warming dicks Mmmm. #bonappetit

0 retweets 0 favorites



• • **Lindsey Diane @linzerdiane** 30 Jan 2014

#tbt My Kaner. Wish I was there, what I would've done.



View photo 0 retweets 0 favorites



• • **Lindsey Diane @linzerdiane** 29 Jan 2014

Double whatever a patient tells you they smoke & triple whatever a patient tells you they drink.
Rule of thumb.

0 retweets 0 favorites



• • **Lindsey Diane @linzerdiane** 28 Jan 2014

Got me some D! I'm a happy girl!!! :)

0 retweets 0 favorites



• • **Lindsey Diane @linzerdiane** 28 Jan 2014

After an afternoon of specimen receiving, I could definitely use some dick right now.
#nurseproblems

0 retweets 0 favorites



• • **Lindsey Diane @linzerdiane** 28 Jan 2014

Sometimes I feel the urge to just go down on a patient to warm me up. Helps if they're hot too.
#naughtynurse

0 retweets 0 favorites



• • **Lindsey Diane @linzerdiane** 18 Jan 2014

Just to be honest, I don't give a fuck about what you say, or think about me. I'm a bad bitch, a real bitch, & that's all there is to me.

0 retweets 0 favorites

More posts from January 14, 2013



Lindsey Diane Scott

January 14, 2013 · Chicago, IL · * ▼

Too much peer pressure from Stephanie Jo Brindle...follow me on twitter @Lindzrdiane!

Like Comment Share

Stephanie Brindle, Mike Cross, Randell Padua and 2 others like this.



Michelle J. McGhee Welcome..welcome lol!

January 14, 2013 at 9:10pm · Like



Stephanie Brindle muahaha

January 14, 2013 at 9:33pm · Like



Peter Schmidtkecht Always good to re-purpose your old AIM screen name

January 15, 2013 at 9:05am · Unlike



Lindsey Diane Scott Pevey my dear it was LINZER2001 for a while

that you remember that @ASL?

January 15, 2013 at 10:19am · Like



Comment

Lindsey Diane Scott · Stephanie Brindle

EXHIBIT
B

tabbles

Home Notifications Messages

Lindsey Diane
@linzerdiane

TWEETS 28
FOLLOWING 16
FOLLOWERS 1

Search Twitter

Follow

Lindsey Diane

@linzerdiane

Nurse By Day. Bitch By Night. ;)

Second City

Joined April 2013



Photos and videos



Who to follow · Refresh · View all

Stanley Cup @HawksCupTr...
Follow

Justin Timberlake @j...
Follow

Patrick Kane @88PK...
Follow

Find friends

Trends · Change

#MondayMotivation
Beat Monday Blues with a Dose of #MondayMotivation
25.9K Tweets about this trend

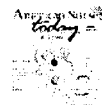
Magna Carta
Magna Carta, Still Posing a Challenge at 800
57.1K Tweets about this trend

#GameofThrones
Is That 'Game Of Thrones' Character Actually Dead?



McDonald's
@McDonalds

Welcome to the McDonald's USA Twitter page! Our awesome team: bit.ly/Lw8JEZ - Customer Service: @Reachout_mcd - Global questions: @McDonaldsCorp



American Nurse Today
@AmerNurse2Day

American Nurse Today, the official journal of the American Nurses Association, serves as an influential voice for nurses across the country....



Nurses Association
@ANANursingWorld

The American Nurses Association is a national professional association which advocates for all registered nurses and the patients they serve.



RNCentral.com
@RNCentral

Nursing education, news, and healthy living tips.



Nursing Problems™
@NursingProbs

I've seen more penises than any prostitute #NursingProblems



NorthwesternMedicine
@NMHnews

In Chicago and its northern and western suburbs, Northwestern Medicine provides care through four hospitals and across 60 ambulatory sites.





Report an account for impersonation.

Fill out the form below to request help.

How can we help?

- An account is pretending to be me or someone I know.
- I am being impersonated.
- Someone I represent is being impersonated.
- Someone else (a friend of mine or someone I am a fan of) is being impersonated.
- An account is pretending to be or represent my company, brand, or organization.
- I am an authorized representative of the company, brand, or organization.
- I am not affiliated with the company, brand, or organization.
- My account was suspended.
- I can't sign in to my account.
- My account has been hacked or compromised.
- Someone is using my email address without my permission.

If you believe your account is suspended, please follow these steps:

Log in to your account to confirm your account is actually suspended.
 Check your email inbox for an email from Twitter.com with more information.
 Contact Support using this webform (/forms/general) to appeal suspension.

Please report this issue by filling out our sign in issues form (/forms/signin).

Is someone other than you accessing your account?

If so, please take the following steps:

Reset your password

If you are currently logged into your account, please reset your password by requesting an email from this password reset form (/twitter.com/account/begin_password_reset).

Revoke connections

While logged in, visit the Applications tab (/twitter.com/settings/applications) in Account Settings. Revoke access for any third-party application that you don't recognize.

Contact support

If you are not able to log into your account, please contact us by submitting a Support request (/forms/signin).





Twitter Rules & policies (/groups/56-policies-violations#topic_236)

Impersonation policy

Impersonation is a violation of the Twitter Rules (<https://support.twitter.com/entries/18311>). Twitter accounts portraying another person in a confusing or deceptive manner may be permanently suspended under the Twitter impersonation policy.

Guidelines (/groups/56-policies-violations#topic_237)

An account will not be removed if:
the user shares your name but has no other commonalities, or
the profile clearly states it is not affiliated with or connected to any similarly-named individuals.

Report a violation (/groups/56-policies-violations#topic_238)

Accounts with similar usernames or that are similar in appearance (e.g. the same background or avatar image) are not automatically in violation of the impersonation policy. In order to be impersonation, the account must also portray another person in a misleading or deceptive manner.

Advertiser policies (/groups/56-policies-violations#topic_239)

Twitter users are allowed to create parody, commentary, or fan accounts. Please refer to Twitter's parody, commentary, and fan account policy (<https://support.twitter.com/articles/106373>) for more information about these types of accounts.

For frequently asked questions about reporting impersonation on Twitter, click here (<https://support.twitter.com/articles/20170142>).

Tweet



Burns, Allison

From: Twitter Support [support@twitter.com]
Sent: Monday, May 04, 2015 4:29 PM
To: Burns, Allison
Subject: Case# 15355483: Impersonation (reported by representative) - linzardiane

 Hello,

Thanks for bringing this to our attention. We've investigated the reported account and have determined that it's not in violation of Twitter's impersonation policy: <https://support.twitter.com/articles/18366>. If you're still concerned, we encourage you to visit the account regularly to determine if any misleading information appears on it. Should you encounter potentially misleading information, reply to this email with a detailed description of the content and we'll investigate further.

Generally, an account will not be removed if it happens to have the same name as you, includes no Tweets, specifies that it's unaffiliated with you, or actively attempting to deceive and mislead others. We suspend accounts that seek to impersonate, but conduct an investigation to ascertain whether or it actively violates the Twitter Rules <https://twitter.com/rules>.

Any documents you may have uploaded will be deleted.

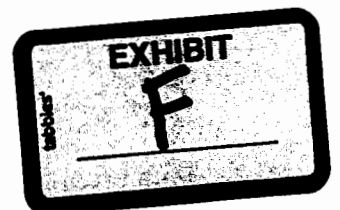
Thanks,

Twitter

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[Help](#)

Twitter, Inc. 1355 Market Street, Suite 900 San Francisco, CA 94103



TRANSMISSION VERIFICATION REPORT

TIME : 04/16/2015 20:38
NAME :
FAX :
TEL :
SER. # : BROF4V512692

DATE, TIME 04/16 20:37
FAX NO./NAME 639*14152229958
DURATION 00:00:59
PAGE(S) 03
RESULT OK
MODE STANDARD
ECM



FACSIMILE

55 West Monroe Street, Suite 3800
Chicago, IL 60603

Telephone #: 312.704.0550
Facsimile #: 312.704.1522

The following facsimile has 3 page(s) including this cover page. If you have any difficulty, or if the transmission was incomplete, please advise: Ida R. Finnegan (312) 821.6174.

From: Allison M. Burns Date: April 17, 2015
Attorney #: 7161 File #: TBD.
Re: Requests for Account Information and Litigation Hold Notice

Please deliver as soon as possible to:

Recipient	Company	Fax No.	Phone No.
Twitter, Inc. c/o Trust & Safety - Legal Policy	Twitter, Inc.	(415) 222.9958	

ATTN: TRUST & SAFETY- LEGAL POLICY

On behalf of Allison M. Burns, please see the attached.

Thank you,

Ida R. Finnegan





FACSIMILE

55 West Monroe Street, Suite 3800
Chicago, IL 60603

Telephone #: 312.704.0550
Facsimile #: 312.704.1522

The following facsimile has 3 page(s) including this cover page. If you have any difficulty, or if the transmission was incomplete, please advise: Ida R. Finnegan (312) 821.6174.

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Recipient	Company	Fax No.	Phone No.
Twitter, Inc. c/o Trust & Safety - Legal Policy	Twitter, Inc.	(415) 222.9958	

ATTN: TRUST & SAFETY- LEGAL POLICY

On behalf of Allison M. Burns, please see the attached.

Thank you,

Ida R. Finnegan

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone, and return the original message to us via postal service. Thank you.

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Milwaukee • New Jersey • New York • Orlando • Philadelphia • San Diego • San Francisco • Stamford • Virginia • Washington, DC • West Palm Beach • White Plains

wilsonelser.com



April 17, 2015

Allison M. Burns
312.821.6185 (direct)
Allison.Burns@wilsonelser.com

VIA FACSIMILE

Twitter, Inc.
c/o Trust & Safety - Legal Policy
1355 Market Street, Suite 900
San Francisco, CA 94103
Fax: 1-415-222-9958
Attn: Trust & Safety - Legal Policy

Re: REQUESTS FOR ACCOUNT INFORMATION and LITIGATION HOLD NOTICE
Case Info: Petitioner, Lindsey Scott v. Respondent, Twitter, Inc.
Twitter Handle: @linzerdiane and URL, <https://twitter.com/linzerdiane>
Case No.: TBD
Venue: Cook County, IL

To Whom It May Concern:

REQUESTS FOR ACCOUNT INFORMATION: Petitioner, Lindsey Scott, through undersigned counsel, requests account information from Twitter Handle, @linzerdiane and URL, <https://twitter.com/linzerdiane>. Petitioner requests the following account information: basic account information, basic subscriber information of the person(s) and/or entities that authored or published the tweets associated with the above Twitter Handle, and any and all IP addresses associated with same. This information is related to Petitioner’s investigation into the impersonation of Petitioner via Twitter Handle, @linzerdiane and URL, <https://twitter.com/linzerdiane>. Please provide this information to counsel via email at allison.burns@wilsonelser.com.

LITIGATION HOLD NOTICE: Petitioner, Lindsey Scott, will be filing a Verified Petition for Discovery, seeking a response from your corporation, Twitter Inc. (the "Corporation"). As a result, you must preserve and retain all paper files and electronically stored information that is related to this matter. In the paragraphs below, I outline my recommendations for ensuring that all potentially relevant evidence is preserved. I cannot stress enough the importance of taking immediate actions to preserve this information as failure to take adequate steps to collect and preserve evidence, including electronic evidence, could result in sanctions being imposed by the Court for spoliation of evidence.

I request that you take the following steps to ensure that all data, including electronic data, is preserved for the Twitter handle involved in this Petition: @linzerdiane and URL, <https://twitter.com/linzerdiane>

1. Please agree on one person to take the lead in preserving all information potentially relevant to

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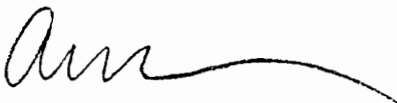
this matter. This person will ensure that these steps are taken in their entirety, and that steps are not accidentally skipped because someone assumes that one of the others is taking care of it.

2. Please contact former employees, agents, or other informally connected parties which you believe may have access to relevant information of the Corporation to ensure that they understand the importance of preserving all potentially relevant evidence. You are encouraged to have them contact myself at (312) 821-6185 or at allison.burns@wilsonelser.com if they need further explanation of their duty to preserve information.
3. Please develop a strategy for preserving all electronic data in your possession including consulting an information technology specialist if necessary. As we discussed, you are required to preserve all relevant electronic data, including, but not limited to, e-mails, electronic documents (such as documents created using Microsoft Word, Excel, PowerPoint, Access and the like); data generated by calendaring, task management and Personal Information Management (PIM) software (such as Microsoft Outlook or Lotus Notes); data created with the use of Personal Data Assistants, Blackberries or similar devices; all data created with the use of document management software; all data created with the use of paper and electronic mail logging and routing software; all internet and Web-browser-generated history files, caches and "cookies" files; all electronic activity logs; and employee, agent, or individuals known to possess accesses e-mail accounts. You must preserve all potentially relevant data, regardless of whether it is contained on business or personal computers, Personal Digital Assistants, Blackberries, cell phones, iPhones, iPads, etc.
4. If you automatically dispose of or recycle digital or paper files, digital backup tapes, optical diskettes, or other storage media (possibly pursuant to a document retention policy), we recommend suspending such program for the time being. We can then discuss which information should be preserved throughout the litigation.
5. If your document retention policy previously resulted in the destruction of electronically stored information that can still be reasonable recovered, please recover this information immediately. If it is possible to recover information for a significant period of time, please contact me to discuss the relevant period of time for recovery.

Thank you for your attention to this request. Please contact me to further discuss any questions.

Very truly yours,

Wilson Elser Moskowitz Edelman & Dicker LLP



Allison M. Burns
Partner

AMB

General Information

Court	Illinois Circuit Court, Cook County, Law Division
Docket Number	2015-L-006195
Status	Open