

1 Mark A. Kleiman (SBN 115919)
2 KLEIMAN / RAJARAM
3 2907 Stanford Ave. Venice, CA 90292
4 Telephone: (310) 306-8094
5 Facsimile: (310) 306-8491
6 Email: mkleiman@quitam.org

7 Ben Gharagozli (SBN 272302)
8 Law Offices of Ben Gharagozli
9 2907 Stanford Avenue
10 Marina del Rey, California 90292
11 Telephone: (661) 607-4665
12 Facsimile: (855) 628-5517
13 Email: ben.gharagozli@gmail.com

14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**

16 OMAR ABDULAZIZ,
17 Plaintiff,
18 v.

19 TWITTER, Inc.; McKINSEY & Co.; and
20 DOES 1-10; inclusive,
21 Defendants.

) Case No.:
)
) **COMPLAINT AND DEMAND FOR**
) **JURY TRIAL**
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22 1. This is an action to vindicate the rights of Omar Abdulaziz, a political refugee
23 who has been granted political asylum in Canada from the despotic regime in the Kingdom of
24 Saudi Arabia (“KSA”). Because of the tremendous wealth of key figures in KSA, major
25 corporations have enabled, collaborated with, and turned a blind eye to KSA’s efforts to
26 suppress, torture, falsely imprison, terrorize, and murder dissenters both within Saudi Arabia
27 and around the world. Twitter, Inc., and McKinsey & Co. have individually invaded Plaintiff’s
28 privacy and exposed him, his family members, friends and political associates to
imprisonment, torture, and even death.

COMPLAINT AND DEMAND FOR JURY TRIAL

1 **PARTIES**

2 2. Plaintiff Omar Abdulaziz (hereinafter “Plaintiff”) is a graduate student and
3 political dissident who has been granted asylum in Canada because he faced likely persecution
4 were he to return to his native country, Saudi Arabia.

5 3. Defendant Twitter, Inc., (hereinafter “Twitter”) is incorporated in Delaware with
6 its headquarters in San Francisco, California. In 2011 Saudi Prince Alwaleed Bin Talal
7 purchased \$300 million worth of stock in Twitter. In 2015 Bin Talal made an additional
8 investment, owning 5.2% of the company, more than Twitter’s founder and CEO.

9 4. Defendant McKinsey & Co. (hereinafter “McKinsey”) describes itself as an
10 incorporated partnership established in the State of Illinois. It does have offices in and
11 transacts business in San Francisco, California and Redwood City, California.

12 5. The true and identity of each defendant denominated as a “Doe” is unknown to
13 plaintiff at this time, so said defendants are sued in this capacity. As each such defendant
14 becomes known to Plaintiff he shall seek leave amend this Complaint to set forth that
15 defendant’s true identity.

16
17 **JURISDICTION**

18 6. Jurisdiction is proper because this action includes claims that Twitter violated or
19 ratified it’s employee’s violation of the Stored Communications Act, 18 U.S.C. §2701, *et. seq.*

20 7. To the extent that the conduct giving rise to this action also implicates state law
21 claims, this Court is requested to exercise supplemental jurisdiction over those claims pursuant
22 to 28 U.S.C. §1367. Alternatively, diversity jurisdiction exists pursuant to 28 U.S.C. §1332.

23
24 **VENUE**

25 8. Venue is proper in this district under 28 U.S.C. §1391(b) because a substantial
26 part of the events or omissions giving rise to this action occurred in this district.

FACTUAL ALLEGATIONS

1
2 9. In 2009 Plaintiff moved from Saudi Arabia to Canada after he was admitted to
3 study at a Canadian university. While he was in Montreal as a student, Plaintiff, who is
4 talented in the use of social media, began to discuss the internal political affairs of KSA.
5 Plaintiff began to provide political commentary using Twitter and other media websites. His
6 main contribution was criticism of the way the country was run, criticism of the royal family,
7 corruption, and the foreign policy of KSA. Plaintiff was especially vocal about the grave
8 violations of human rights in KSA, the disregard for Saudi citizens, and their rights and
9 freedoms.

10 10. Saudi authorities retaliated by harassing Plaintiff. As a result, Plaintiff applied
11 for asylum in Canada on or about December 31, 2013. The application was approved on
12 February 21, 2014.

13 11. In response to this political persecution, Plaintiff increased his political activities
14 as a harsh critic of the rule of KSA, and he was especially popular among the youth in Saudi
15 Arabia. Today Plaintiff has over 400,000 followers on Twitter and the over 163,000
16 subscribers on YouTube channel he runs and on which he broadcasts his political views. In
17 addition, Plaintiff contributes to and manages, together with other pro-democracy activities, a
18 number of websites, Twitter accounts and YouTube channels.

19 12. Plaintiff was also a close friend of Jamal Khashoggi who was murdered in
20 Istanbul in the beginning of October 2018 by a group of assassins related to the security and
21 intelligence services of KSA. After Mr. Khashoggi left Saudi Arabia and moved to the United
22 States, a friendship developed between plaintiff and Mr. Khashoggi. The two started to
23 cooperate on a range of political activities with the objective of targeting public opinion in Saudi
24 Arabia. The political partnership became stronger and the two cooperated on various projects.
25 However, most of the projects did not materialize because this partnership and friendship was
26 suddenly cut short when Mr. Khashoggi was brutally murdered in the Saudi Consulate in
27 Istanbul, Turkey.

1 13. Plaintiff has been recognized as one of the most influential voices contributing to
2 the shaping of public opinion in KSA, especially among the youth. In December 2016 or
3 January 2017, McKinsey identified Plaintiff as one of the top three voices shaping public
4 opinion about developments in KSA. The other two individuals were Mr. Khaled Al-Alkami
5 and an individual named “Ahmad.” A true and accurate copy of what Plaintiff believes is the
6 McKinsey’s report is attached as Exhibit A. McKinsey provided a copy of this report to MBS.

7 14. McKinsey has played a critical role in MBS’ drive to consolidate power in KSA.
8 McKinsey has earned many millions of dollars in projects in Saudi Arabia. Between 2010 and
9 2016, McKinsey’s project portfolio in Saudi Arabia has grown exponentially. McKinsey has
10 directly advised government agencies in KSA to the point that KSA’s Ministry of Planning has
11 acquired the nickname “Ministry of McKinsey” by some Saudis, including KSA’s royal court.
12 In 2017, McKinsey purchased a politically connected Saudi consultancy, which added 140 more
13 employees to McKinsey’s already 300 employees in the region.

14 15. McKinsey has maintained an office in Riyadh, the capitol of Saudi Arabia. The
15 company’s website boasts that its “Saudi Arabia Practice helps Saudi leaders.”

16 16. The Brookings Institute attributes “the Kingdom’s new economic direction” and
17 a major government cabinet reshuffling of high-ranking government ministers to McKinsey .
18 MBS himself has admitted that “McKinsey participates with us in many studies.” McKinsey
19 prepared a December 2015 report entitled “Moving Saudi Arabia’s Economy Beyond Oil.”
20 That December 2015¹ report outlines an ambitious blueprint for KSA’s economic
21 transformation and diversification away from oil. In what the Brookings Institute refers to as a
22 “glaring omission,” the December 2015 report fails to sufficiently explain how KSA “will be
23 able to change the mindset of everyday Saudi Arabia citizens, who have long been accustomed
24 to state largesse that included fuel subsidies, loans, free land, and public sector jobs.” The
25 Brookings Institute goes on to insist that this is a “key issue” and questions how everyday
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28 ¹ The Brookings Institute argues that the December 2015 report inspired MBS’s report entitled
“Saudi Arabia’s Vision 2030”.

1 citizens in Saudi Arabia will react to the reforms, referencing public discontent to a number of
2 higher utility prices, which led to King Salman firing the water minister to appease the public.
3 McKinsey’s PowerPoint report, which identified Plaintiff as one of the three loudest voices of
4 discontent against KSA’s policies sought to “gauge citizen sentiment on recent austerity
5 measures announced in KSA” by closely analyzing “data from twitter feed.” In other words,
6 McKinsey’s PowerPoint presentation filled a crucial blank space in how KSA would be able to
7 pursue delicate and important economic reforms by identifying those who were spreading the
8 most criticism of such reforms.

9 17. A New York Times article published on October 20, 2018, after the McKinsey
10 report was issued, Mr. Alkami was arrested, based on accounts by the Saudi human rights
11 group, ALQST.

12 18. It was not until the publication of the October 20, 2018 New York Times article
13 that Plaintiff learned that a suspected KSA agent had used the computer access Twitter had
14 granted him to hack into Plaintiff’s confidential information.

15 19. In mid May 2018, two individuals working for KSA contacted Plaintiff and
16 asked to meet him. Throughout a series of meetings with Plaintiff, these two individuals
17 identified themselves as agents of the Crown Prince, Mohammad Bin Salman (“MBS”).
18 According to a number of different reports, MBS was the one who gave the order to murder
19 Mr. Khashoggi. The two agents also indicated that they were operating on orders from Saud
20 Al-Qahtani, who was until recently, a senior strategic advisor to MBS until he was dismissed
21 after the murder of Mr. Khashoggi, because his name was entangled with the murder.

22 20. On or about June 29, 2015, Al-Qahtani had emailed a hacking company to ask
23 about its service. Shortly after that, Khashoggi and other Saudi dissidents were subjected to
24 massive Twitter attacks.

25 21. The two agents indicated to Plaintiff that MBS was not happy with Plaintiff’s
26 political activities and criticisms against KSA in general and MBS in particular. The two
27
28

1 agents demanded (a) that Plaintiff stop his criticism of KSA and MBS; (b) that Plaintiff return
2 to Saudi Arabia and return to his family and friends or return and go to prison.

3 22. During the meetings, the two agents demanded that Plaintiff accompany them to
4 the Saudi embassy in Ottawa to continue the discussions. During the meetings, KSA agents
5 brought Plaintiff's younger brother into the room as a message that they can reach and harm
6 Plaintiff's family. Plaintiff did not accede to the agents' demand that he go to the Saudi
7 embassy in Ottawa. It should be noted that assassins working for KSA murdered Mr.
8 Khashoggi in a Saudi embassy just a few months later. Plaintiff also rejected the two agents'
9 demand that he return to Saudi Arabia.

10 23. After the meetings with the two agents, Plaintiff continued his political activities
11 and his friendship with Mr. Khashoggi grew closer. In June and July 2018, plaintiff worked
12 with Mr. Khashoggi on the "electronic bees" project, which was intended to organize the large
13 number of Saudi opposition activists to use Twitter in order to deal with what is called as
14 "electronic flies"². Indeed, Mr. Khashoggi transferred \$5,000 to Plaintiff to support the
15 "electronic bees" project.

16 24. On or about June 23, 2018, agents acting on behalf of KSA using Pegasus
17 software developed by N.S.O Technologies Ltd. And Q Cyber Technologies Ltd., remotely
18 planted malware on Plaintiff's phone.

19 25. Subsequently at the end of July 2018 and early August 2018, authorities acting
20 on behalf of KSA increased their harassment campaign. KSA security forces raided Plaintiff's
21 family home in Jeddah in the middle of the night using search dogs and conducted humiliating
22 searches of the house. Two of Plaintiff's brothers were arrested and are still in prison without
23 having been charged or receiving a trial. Security personnel acting on behalf of KSA have
24 been torturing plaintiff's brothers who are in detention to pressure Plaintiff to stop his activism.

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26
27 ² "Electronic flies" is a group of Twitter activists who take their orders from the Saudi authorities
28 and whose objectives are (1) to attack opposition activities; (2) to smear them; (3) to praise
decisions and actions of MBS.

1 According to a report by Amnesty International, such conduct is consistent with KSA security
2 personnel's mistreatment of imprisoned activists.

3 26. During the first few days of his imprisonment, KSA security personnel would
4 take Plaintiff's younger brother out of his detention cell and ordered him to call Plaintiff to beg
5 Plaintiff to stop his political activities. They specifically mentioned the "electronic bees"
6 project, which the plaintiff worked on with the late Jamal Khashoggi and a small number of
7 trusted close friends. That these KSA security personnel knew about Plaintiff's work to this
8 level of detail was shocking to Plaintiff. Up until then Plaintiff had been unaware that KSA
9 had been spying on him using the Pegasus system on his phone.

10 27. Dozens of Plaintiff's friends who live in Saudi Arabia have also been arrested,
11 tortured and subjected to inhumane and humiliating treatment even though most of them are
12 not involved or even interested in politics. KSA security personnel have done this to pressure
13 Plaintiff to stop his political activities.

14 28. In mid-August 2018, Plaintiff was informed by Citizens Lab, which is part of the
15 University of Toronto, that all of the information on his phone had been compromised by
16 means of the installation of Pegasus malware.

17 29. On October 2, 2018, Mr. Khashoggi entered the Saudi Consulate in Istanbul,
18 Turkey, never to exit. It was subsequently discovered that Mr. Khashoggi had been murdered
19 by an assassination team sent by KSA (specifically by MBS). Mr. Khashoggi, who
20 championed democracy, human rights and anti-corruption efforts, had been a fierce critic of
21 KSA.

22 30. The collaboration between Plaintiff and Mr. Khashoggi had the potential to build
23 a broad political movement for democratic reform in Saudi Arabia. Due to hacking Plaintiff's
24 phone, KSA was aware of the collaboration between Plaintiff and Mr. Khashoggi.

25 31. KSA agents continue to pressure Plaintiff to stop his political activities.

26 32. In December 2016, McKinsey prepared a report that identified three of the most
27 influential individuals on Twitter with respect to criticism of KSA's policies. Plaintiff was one
28

1 of these individuals. On information and belief, McKinsey subsequently gave the report to
2 MBS.

3 **The McKinsey Report.**

4 33. Before McKinsey published the report, Plaintiff was one of many dissidents
5 who protested the corruption and human rights violations of KSA. After the publication of
6 McKinsey's report, Plaintiff became one of three. By publishing this report and furnishing it to
7 MBS, McKinsey effectively put a target on Plaintiff's back.

8 34. On information and belief McKinsey is still working with MBS and conducting
9 training at his MISK Foundation.

10 35. At the drafting of the report, it was foreseeable that such information would be
11 used to target dissidents at least in part because KSA's abysmal human rights record and utter
12 contempt for democratic values, political criticism and freedom of expression is well known.

13
14 **Twitter's Flawed Security and It's Misleading of Plaintiff**

15 36. In 2015, Twitter's terms of service contained a privacy policy. The privacy
16 policy indicates that direct messages and non-public communications on the Twitter platform
17 allow users' to control who saw their content. Twitter, due to the herein alleged conduct, has
18 breached the terms of service and privacy policy.

19 37. Reports indicate Twitter hired Al Zabarrah on or about August of 2013.

20 38. As of 2018 Twitter had 3,900 employees and generated over \$3 billion of
21 yearly revenue, based upon over 320 million active users.

22 39. Known as the "Arab Spring", December 2010 through 2012 saw a wave of
23 popular protests in the Arab world against autocratic governments in the region. According to
24 numerous social scientists and regional experts and analysts familiar with the region, social
25 media in general and Twitter in particular was at least one of the driving forces behind the
26 "Arab Spring." Autocratic governments in the Arab world, including KSA have recognized
27 this.
28

1 40. Twitter has also been used as a platform for those seeking the overthrow of
2 autocratic regimes outside of the Arab world, including Moldova and Ukraine.

3 41. Nevertheless, on information and belief, Twitter, at around the time of hiring
4 Alzabarah, did not investigate potential employees' political alliances or connections to foreign
5 governments to determine whether such potential hires would abuse their positions to hack into
6 the private and sensitive data of Twitter's users.

7 42. When an employee joins Twitter, he or she is supposed to apply for access to
8 certain accounts. Grants of access depend upon the team of which the employee is a member.

9 43. On information and belief, Twitter does not have a practice or policy of
10 periodically investigating the employees to determine whether they pose a danger to the
11 privacy of Twitter's users.

12 44. At or about the time Alzabarah penetrated Twitter he met in California with
13 Ahmed Al-Jabreen. Al-Jabreen founded a Saudi technology company, Samaat, which has
14 ongoing business relationships with MISK, which is an MBS-controlled multi-billion dollar
15 foundation, which later hired Alzabarah as its CEO.

16 45. KSA recruited Alzabarah to access Plaintiff's private Twitter information (e.g.
17 direct messages and other confidential data and information that are not available to the public)
18 and leak it to KSA.

19 46. The private confidential information Plaintiff had trustingly left in Twitter's
20 care included his unique and complex Twitter password, a private email address and private
21 telephone number, neither of which Plaintiff had shared with the public or with KSA.

22 47. Twitter, at the end of 2015, became aware of Alzabarah's activities. After
23 conducting an investigation, Twitter fired Alzabarah in December 2015. After Alzabarah's
24 return to Saudi Arabia, MBS appointed him CEO of one of the multi-billion dollar MISK
25 Foundation.

26 48. On December 11, 2015, Twitter sent out safety notices to the owners of a few
27 dozen accounts Alzabarah had accessed including security and privacy researchers,
28

1 surveillance specialists, policy academics and journalists. The notice included the following:
2 “As a precaution, we are alerting you that your Twitter account is one of a small group of
3 accounts that may have been targeted by state-sponsored actors”. Plaintiff was never sent this
4 safety notice.

5 49. Instead, on February 17, 2016 Twitter sent Plaintiff a message indicating,
6 among other things, that Twitter “recently learned about-and immediately fixed-a bug that
7 affected our password recovery systems for about 24 hours last week. The bug had the
8 potential to expose the email address and phone number associated with a small number of
9 accounts. In our investigation, we discovered that the email address and phone number linked
10 to your account was viewed by another account and we wanted to alert you as soon as
11 possible.” A true and accurate copy of Twitter’s message to Plaintiff is attached as Exhibit B.
12 This message did not warn Plaintiff that his account had been hacked by an agent of KSA
13 despite Twitter having reason to believe that this had happened to Plaintiff’s Twitter account.

14
15 **First Cause of Action Against Twitter, Inc., and Does 1-5 for Violation of the**
16 **Stored Communications Act, 18 U.S.C. §2701, et. seq.**

17 50. Plaintiff repeats and repleads each allegation in Paragraphs 1-49 as though fully
18 set forth herein.

19 51. In hacking into and accessing Plaintiff’s confidential Twitter information,
20 Alzabarah intentionally exceeded his authorization to access that facility and thereby
21 authorized access to electronic communication while it was in electronic storage.

22 52. Plaintiff is informed and believes and based thereon alleges that one or more of
23 Twitter’s managing agents ratified this conduct by concealing from Plaintiff the fact that
24 Alzabarah, while likely acting as an agent for Saudi regime, had singled out Plaintiff’s account
25 and wrongly obtained access to this information.

26 53. As a direct and legal result of Twitter’s violation of 18 U.S.C. §2701, Plaintiff
27 has suffered loss of property and has incurred out-of-pocket expenses in excess of \$75,000.
28

1 Plaintiff had to move out of his apartment, withdraw from his graduate studies, and actually
2 lived in hotels for four months.

3 54. As a direct and legal result of Twitter's violation of 18 U.S.C. §2701, Plaintiff
4 has also suffered stress, anxiety, emotional distress, pain and suffering, inconvenience, mental
5 anguish, loss of enjoyment, and damage to personal and professional reputation.

6 55. Twitter's unlawful actions are intentional, willful, and/or are taken in willful
7 disregard of Plaintiff's rights.

8 56. In addition to general and economic damages, Plaintiff seeks punitive damages
9 in an amount sufficient to punish Twitter and to protect future Twitter users from Defendant's
10 wrongful practices described herein.

11
12 **Second Cause of Action Against Twitter and Does 1-5 for Violation of**
13 **California Business & Professions Code §17200, et. seq.**

14 57. Plaintiff repeats and repleads each allegation in Paragraphs 49 as though fully
15 set forth herein.

16 58. By doing the acts alleged above herein Twitter has violated the Stored
17 Communications Act, and has engaged in an unlawful business practice that is prohibited by
18 §17200.

19 59. By doing the acts alleged above herein Twitter has engaged in a fraudulent or
20 deceptive business practice that is prohibited by §17200.

21 60. By doing the acts alleged above herein Twitter has engaged in an unfair
22 business practice that is prohibited by §17200.

23 61. As a direct and legal result of Defendant's violation of §17200 et. seq., Plaintiff
24 has suffered loss of property and has incurred out-of-pocket expenses in excess of \$75,000.

25 62. As a direct and legal result of Defendant's violation of §17200 et. seq., Plaintiff
26 has suffered Dr. Abdulhadi has suffered humiliation, stress, anxiety, emotional distress, pain
27
28

1 and suffering, inconvenience, mental anguish, loss of enjoyment, loss of dignity, and damage
2 to personal and professional reputation.

3 63. Plaintiff seeks injunctive relief to protect future Twitter users from Defendant's
4 discriminatory employment practices described herein.

5
6 **Third Cause of Action Against Twitter and Does 1-5 for**

7 **Invasion of Privacy**

8 64. Plaintiff repeats and repleads each allegation in Paragraphs 49 as though fully
9 set forth herein.

10 65. Plaintiff had a legally protected privacy interest in the private direct messages he
11 had sent and received via Twitter.

12 66. Plaintiff had a legally protected privacy interest in the personal data he had
13 stored on Twitter that contained information regarding his identity, telephone number, etc.

14 67. Plaintiff's expectation that this information would remain confidential was
15 reasonable in that Twitter had promised its users that they would have control over such
16 information.

17 68. The invasion of Plaintiff's privacy interest in the confidential information and
18 the direct messages was offensive to Plaintiff and would offend a reasonable person.

19 69. Plaintiff is informed and believes and based thereon alleges that one or more of
20 Twitter's managing agents ratified this conduct by concealing from Plaintiff the fact that
21 Alzabarah, while likely acting as an agent for Saudi regime, had singled out Plaintiff's account
22 and wrongly obtained access to this information.

23 70. As a direct and legal result of Defendant's invasion of Plaintiff's privacy,
24 Plaintiff has suffered stress, anxiety, emotional distress, pain and suffering, inconvenience,
25 mental anguish, mental anguish, and loss of dignity.

26 71. Twitter's unlawful actions are intentional, willful, and/or are taken in willful
27 disregard of Plaintiff's 's rights.
28

COMPLAINT AND DEMAND FOR JURY TRIAL

1 72. In addition to general and economic damages, Plaintiff seeks punitive damages
2 in an amount sufficient to punish Twitter and to protect future Twitter users from Defendant’s
3 wrongful practices described herein.

4
5 **Fourth Cause of Action Against McKinsey & Co. and Does 6-10 for**
6 **Intentional Infliction of Emotional Distress**

7 73. Plaintiff repeats and repleads each allegation in Paragraphs 49 as though fully
8 set forth herein.

9 74. McKinsey could not help but know of the vicious and brutal methods KSA has
10 used to suppress dissent, including attacks not only on dissenters, but on their close family
11 members and associates.

12 75. Despite knowing these dangers, McKinsey intentionally, knowingly, or
13 recklessly named Plaintiff as one of the three most effective critics of KSA policies.

14 76. McKinsey’s conduct in subjecting Plaintiff and his family to these dangers was
15 outrageous.

16 77. As a direct and legal cause of consequence of McKinsey’s conduct Plaintiff has
17 suffered severe emotional distress. Plaintiff suffers and continues to suffer humiliation, stress,
18 anxiety, emotional distress, pain and suffering, mental anguish, and loss of enjoyment.

19 78. McKinsey’s unlawful actions are intentional, willful, and/or are taken in willful
20 disregard of Plaintiff’s rights.

21 79. In addition to general and economic damages, Plaintiff seeks punitive damages
22 in an amount sufficient to punish Twitter and to protect future Twitter users from Defendant’s
23 wrongful practices described herein.

24 **Fifth Cause of Action Against Twitter and Does 1-5 for**
25 **Intentional Misrepresentation**

26 80. Plaintiff repeats and repleads each allegation in Paragraphs 1-49 as though fully
27 set forth herein.

28

1 81. Twitter, on or about February 17, 2016, represented to Plaintiff that a bug,
2 that had been fixed, had affected Twitter’s password recovery systems for about 24
3 hours the week prior. This bug, Twitter represented, “had the potential to expose the
4 email address and phone number associated with a small number of accounts. In our
5 investigation, we discovered that the email address and phone number linked to your
6 account was viewed by another account and we wanted to alert you as soon as possible.”

7 82. Such representations were false and/or misleading. The effect of these
8 representations, even if true, misled Plaintiff into believing that his Twitter account had
9 not been hacked by a Twitter employee who had been recruited by the Kingdom of
10 Saudi Arabia to gain access to Plaintiff’s private Twitter information.

11 83. Twitter knew that the representations were false when Twitter made the
12 representations. Alternatively, Twitter made the representations recklessly and without
13 regard for their truth.

14 84. Twitter intended that Plaintiff rely on the representations.

15 85. Plaintiff reasonably relied on Twitter’s representations by not taking the
16 security precautions that he would have done so had he known the truth. .

17 86. As a direct and legal result of Twitter’s intentional misrepresentations to
18 Plaintiff, Plaintiff has suffered loss of property and has incurred out-of-pocket expenses in
19 excess of \$75,000. Plaintiff had to move out of his apartment, withdraw from his graduate
20 studies, and actually lived in hotels for four months

21 87. As a direct and legal result of Twitter’s intentional misrepresentation, Plaintiff has
22 also suffered stress, anxiety, emotional distress, pain and suffering, inconvenience, mental
23 anguish, loss of enjoyment, and damage to personal and professional reputation.

24 88. Twitter’s conduct was intentional, willful, and/or are taken in willful disregard
25 of Plaintiff’s ’s rights. As such, Plaintiff seeks an award of exemplary and/or punitive
26 damages against Twitter in a sum to be determined according to proof at trial.

27
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Sixth Cause of Action Against Twitter and Does 1-5 for
Negligent Misrepresentation

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3 89. Plaintiff repeats and repleads each allegation in Paragraphs 1-49 as though
4 fully set forth herein.

5 90. Twitter, on or about February 17, 2016, represented to Plaintiff that bug,
6 that had been fixed, had affected Twitter’s password recovery systems for about 24
7 hours the week prior. This bug, Twitter represented, “had the potential to expose the
8 email address and phone number associated with a small number of accounts. In our
9 investigation, we discovered that the email address and phone number linked to your
10 account was viewed by another account and we wanted to alert you as soon as
11 possible.”

12 91. Such representations were false and/or misleading. The effect of these
13 representations, even if true, misled Plaintiff into believing that his Twitter account
14 had not been hacked by a Twitter employee who had been recruited by the Kingdom of
15 Saudi Arabia to gain access to Plaintiff’s private Twitter information.

16 92. Although Twitter may have honestly believed that the representations
17 were true, Twitter had no reasonable grounds for believing the representations were
18 true when Twitter made such representations.

19 93. Twitter intended that Plaintiff rely on the representations.

20 94. Plaintiff reasonably relied on Twitter’s representations by not taking the
21 security precautions that he would have done so had he known the truth.

22 95. As a direct and legal result of Twitter’s negligent misrepresentations to
23 Plaintiff, Plaintiff has suffered loss of property and has incurred out-of-pocket expenses in
24 excess of \$75,000. Plaintiff had to move out of his apartment, withdraw from his graduate
25 studies, and actually lived in hotels for four months.

1 96. As a direct and legal result of Twitter’s negligent misrepresentation, Plaintiff
2 has also suffered stress, anxiety, emotional distress, pain and suffering, inconvenience, mental
3 anguish, loss of enjoyment, and damage to personal and professional reputation.

4
5 **Seventh Cause of Action Against Twitter and Does 1-5 for Concealment**

6 97. Plaintiff repeats and repleads each allegation in Paragraphs 1-49 as
7 through fully set forth herein.

8 98. Twitter, on or about February 17, 2016, represented to Plaintiff that bug,
9 that had been fixed, had affected Twitter’s password recovery systems for about 24
10 hours the week prior. This bug, Twitter represented, “had the potential to expose the
11 email address and phone number associated with a small number of accounts. In our
12 investigation, we discovered that the email address and phone number linked to your
13 account was viewed by another account and we wanted to alert you as soon as
14 possible.” However, Twitter did not disclose to Plaintiff that his Twitter account had
15 been hacked by a Twitter employee who had been recruited by the Kingdom of Saudi
16 Arabia to gain access to Plaintiff’s private Twitter information. This misled Plaintiff
17 into believing that his private Twitter information was safe and had not been hacked by
18 a Twitter employee who was an agent of the autocratic regime that Plaintiff criticizes.

19 99. Twitter intentionally failed to disclose to Plaintiff that his Twitter
20 account had been hacked by a Twitter employee who had been recruited by the
21 Kingdom of Saudi Arabia to gain access to Plaintiff’s private Twitter information [this
22 fact was known only to Twitter (and possibly Western intelligence officials) and
23 Plaintiff could not have discovered them on his own]. This misled Plaintiff into
24 believing that his private Twitter information was safe and had not been hacked by a
25 Twitter employee who was an agent of the autocratic regime that Plaintiff criticizes.

1 110. As a direct and legal result of Alzabarah’s unfitness and/or hazard,
2 Plaintiff has suffered loss of property and has incurred out-of-pocket expenses in excess of
3 \$75,000. Plaintiff had to move out of his apartment, withdraw from his graduate studies, and
4 actually lived in hotels for four months.

5 111. As a direct and legal result of Alzabarah’s unfitness and/or hazard, Plaintiff
6 has also suffered stress, anxiety, emotional distress, pain and suffering, inconvenience, mental
7 anguish, loss of enjoyment, and damage to personal and professional reputation.

8 112. Twitter’s negligence in hiring, supervising and/or retaining Alzabarah
9 was a substantial factor in causing Plaintiff’s harm.

10
11 **PRAYER FOR RELIEF**

12 1. Compensatory damages for all economic loss, including but not limited to loss
13 of past or future income, to the extent allowed by law.

14 2. General damages for pain, suffering, humiliation, and emotional distress to the
15 extent allowed by law.

16 3. Punitive or exemplary damages, in an amount sufficient to punish the defendant
17 and to deter future similar misconduct, to the extent allowed by law.

18 4. Injunctive and prospective relief as the Court may order to prevent further
19 wrongful acts, to the extent allowed by law.

20 5. The costs of litigation, including reasonable attorney’s fees, to the extent
21 allowed by law.

22 DATED: October 18, 2019

RESPECTFULLY SUBMITTED

23 **KLEIMAN / RAJARAM**

24 By: /s/ Mark Allen Kleiman, Esq.

25 Mark Allen Kleiman, Esq.

26
27 **LAW OFFICES OF BEN GHARAGOZLI**

28 Ben Gharagozli, Esq.

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DEMAND FOR JURY TRIAL

Plaintiff demands a jury trial on all issues so triable.

DATED: October 18, 2019

RESPECTFULLY SUBMITTED

KLEIMAN / RAJARAM

By: /s/ Mark Allen Kleiman, Esq. _____
Mark Allen Kleiman, Esq.

LAW OFFICES OF BEN GHARAGOZLI
Ben Gharagozli, Esq.

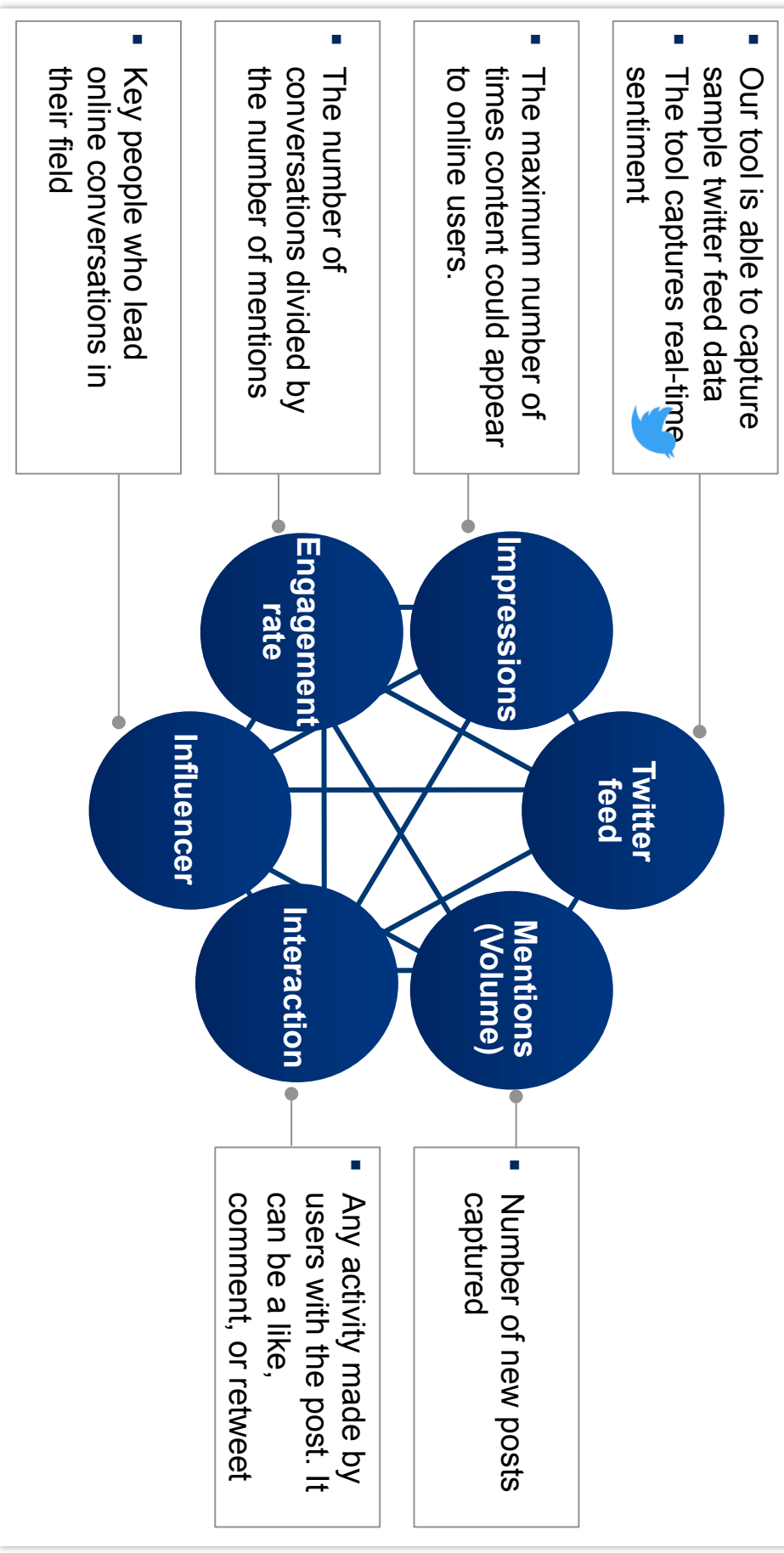
EXHIBIT A

Contents

Sample Scan: Austerity measures in Saudi Arabia

In order to gauge citizen sentiment on recent austerity measures announced in KSA, we closely analyzed data from twitter feed

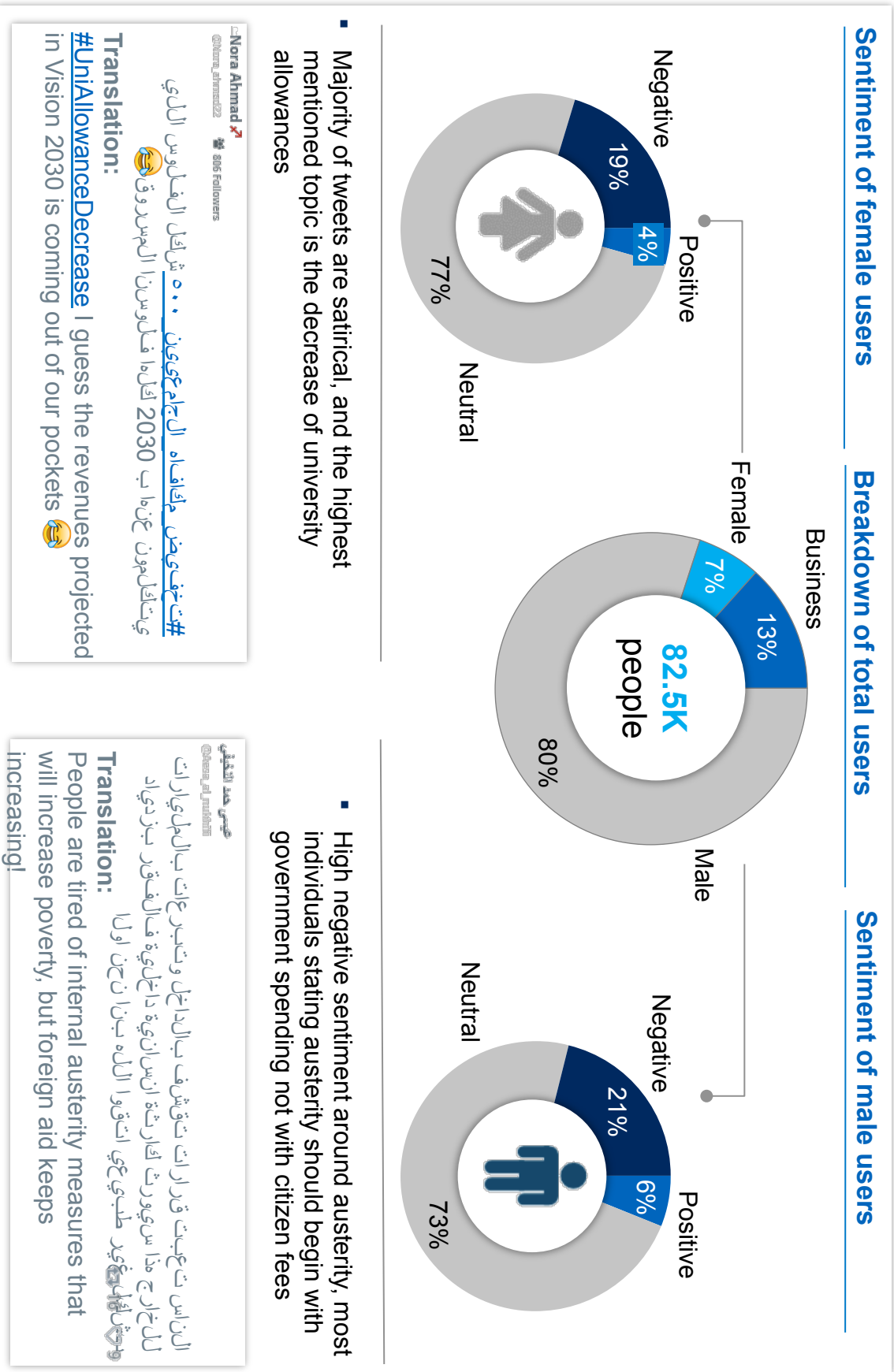
Understanding the terms used in our analysis



Last Modified 11/12/2016 18:36 Arabian Standard Time

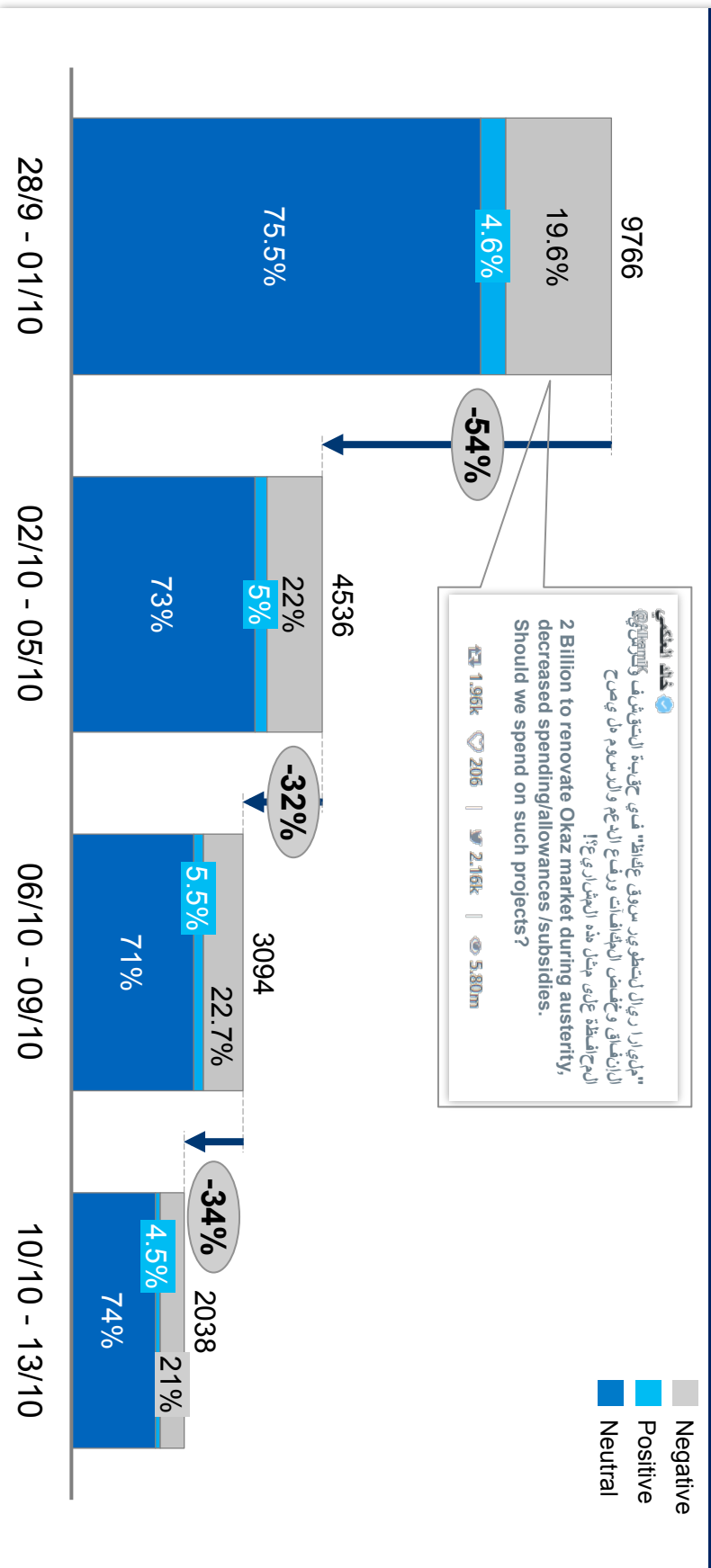
Printed

Female users have been more satirical regarding austerity, whereas male users have higher negative sentiment



Discussion is declining in terms of tweets, however negative sentiment has been consistently high¹

Time series with volume (tweets) with sentiment



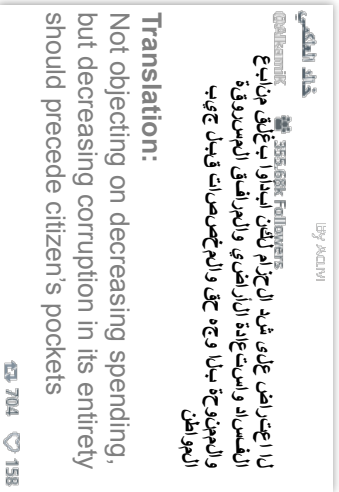
Deep dive: time series

- The first quarter of October saw high discussion on austerity with over **9.8K tweets** in the span of four days
- Tweets throughout mid-October have decreased 20% in volume, however individuals in discussion are mostly negative about the austerity measures, stating that other spending (i.e project spending, foreign aid ...) should be have been decreased

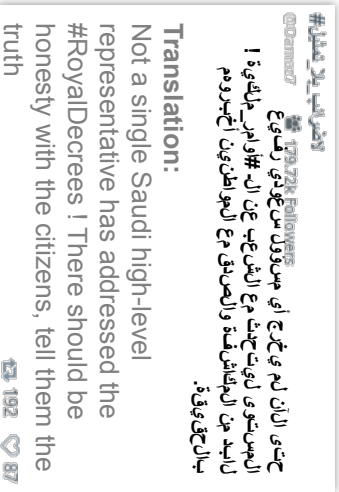
Major influencers in Saudi driving discussion regarding austerity measures

Theme	Khalid AlAlkami	Omar Abdulaziz	Ahmad
Followers	355.9 K	182.65 K	144 K
Interaction	4.45 K	521	877
Example	<ul style="list-style-type: none"> Saudi writer, comments are mostly revolving around the Saudi economy He also discusses different hot topics effecting the Saudi society Wrote multiple negative tweets regarding austerity 	<ul style="list-style-type: none"> Saudi influencer with high following, mainly uses Twitter and Snapchat Omar has a multitude of negative tweets on topics such as austerity and the royal decrees 	<ul style="list-style-type: none"> Ahmed tweets mostly on economic topics as well as Saudi society hot topics He has written 3 tweets that had over 877 likes and retweets

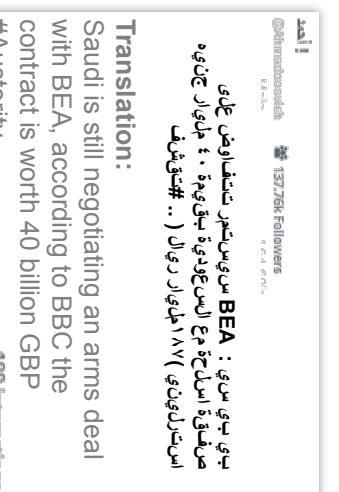
Example

Example: 

Translation: Not objecting on decreasing spending, but decreasing corruption in its entirety should precede citizen's pockets

Example: 

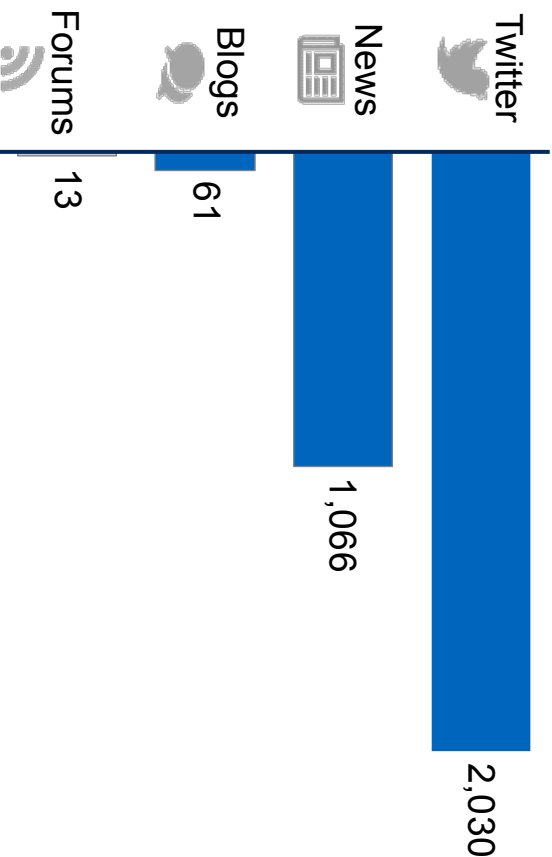
Translation: Not a single Saudi high-level representative has addressed the #RoyalDecrees ! There should be honesty with the citizens, tell them the truth

Example: 

Translation: Saudi is still negotiating an arms deal with BEA, according to BBC the contract is worth 40 billion GBP #Austerity

In addition to twitter, there is a high coverage of austerity measures on various news channels as well

Coverage¹ of 'austerity' across various media channels



Rationale

- According to Twitter’s MENA sales manager, Saudis produce over **500K** tweets daily
- Based on statistics published in 2015, the total Saudi Arabian registered users are **316 million** Twitter users

¹ Social Media analysis 27-09-16 to 27-10-16; number of tweets/ articles etc.
SOURCE: Alyawm, BBC

News: Okaz newspaper

“Even if members of the society reduce their spending, there will still be difficulty managing with the decreased salaries. I know many individuals who have never known luxury but have little to no savings at month’s end. They can barely afford their current expenses but they are most effected.”

-Khalid AlSulaiman



News: Al-Jazirah newspaper

“It’s highly unlikely that the Saudi citizen will transform from a lazy consumer to a productive frugal individual; unless motivated or compelled to do so. We should welcome the austerity measures!”

-Jasser AlHarbasha



EXHIBIT B

