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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION
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11 J. DOE, M. ROE,

12 Plaintiffs,

13 v.

14 COUNTY OF SAN BENITO,

15 Defendant.
16

Case No. 5:25-cv-10237

**DECLARATION OF DAVID LOY IN
SUPPORT OF MOTION TO QUASH
ADMINISTRATIVE SUBPOENA AND
GRANT TEMPORARY RESTRAINING
ORDER**

17 I, David Loy, declare as follows.

18 1. I am an individual over 18 years of age and counsel to Plaintiffs in this action. I can
19 testify to the following matters from personal knowledge.

20 2. I have in my possession a copy of a signed declaration of J. Doe (“Doe”), which is
21 dated November 25, 2025 and signed in Doe’s real name, not Doe’s pseudonym. I have prepared a
22 pseudonymous declaration of Doe that is identical in content to the signed version, but which
23 replaces Doe’s name with a pseudonym. That pseudonymous declaration is also signed using “/s/
24 J. Doe” rather than Doe’s real name. To protect the anonymity of Doe, I am filing a true and
25 correct copy of Doe’s pseudonymous declaration as **Exhibit 1** hereto.

26 3. I have in my possession a copy of a signed declaration of M. Roe (“Roe”), which is
27 dated November 25, 2025 and signed in Roe’s real name, not Roe’s pseudonym. I have prepared a
28 pseudonymous declaration of Roe that is identical in content to the signed version, but which

1 replaces Roe's name with a pseudonym. That pseudonymous declaration is also signed using "/s/
2 M. Roe" rather than Roe's real name. To protect the anonymity of Roe, I am filing a true and
3 correct copy of the pseudonymous declaration of Roe as **Exhibit 2** hereto.

4 4. Attached hereto as **Exhibit 3** is a true and correct copy of the report of San Benito
5 County Counsel ("Report") to the San Benito County Board of Supervisors ("Board") in
6 connection with item number 3.7 on the agenda for the Board's meeting of November 18, 2025.
7 I obtained this copy of the Report from the portion of San Benito County's website dedicated to
8 posting agendas and other records of the Board's meetings.

9 5. Attached hereto as **Exhibit 4** is a true and correct copy of the administrative
10 subpoena approved by the Board at its meeting of November 18, 2025 to seek to compel Meta
11 Platforms, Inc. ("Meta") to produce records identifying the anonymous authors and publishers of
12 Benito Beet Beat, <https://www.facebook.com/BenitoBeetBeat/> ("Subpoena"). I obtained this copy
13 of the Subpoena from a link embedded in the Report. The Subpoena directs Meta to comply by
14 December 2, 2025

15 6. I have corresponded and spoken with Doe and Roe. I am confident that they are the
16 persons whose Facebook account is targeted by the Subpoena.

17 7. I understand that once it is served with the Subpoena, Meta will comply with it and
18 disclose records to the County identifying Plaintiffs as the authors and publishers of Benito Beet
19 Beat unless Plaintiffs take legal action to quash the Subpoena and require the County to
20 withdraw it.

21 8. Given the imminence of the Subpoena's deadline for compliance, it is imperative to
22 take legal action now to avoid the irreparable harm to Plaintiffs that would result from disclosure
23 of their identities. Because the Subpoena is not directed at Plaintiffs, they have no other means to
24 protect their First Amendment rights than to take legal action seeking to quash the Subpoena and
25 compel the County to withdraw it.

26 9. I emailed a letter to County Counsel attempting to resolve this matter on November
27 24, 2025, but I received no response. In addition to directing service on the County of the
28 summons and complaint and all papers related to Plaintiff's motion to quash the Subpoena and

1 grant a temporary restraining order, I emailed all of the foregoing documents to County
2 Counsel today.

3 I declare under penalty of perjury under the laws of the United States of America that the
4 foregoing is true and correct.

5 Dated: November 26, 2025

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7 /s/ David Loy

8 DAVID LOY
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