

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLUMBIA

JOSEPH KIRCHNER,
Plaintiff,

v. Civil Action No. 1:25-cv-02735-ACR

MIKE JOHNSON, in his individual and official capacity as Speaker of the United States House of Representatives; **PAM BONDI**, in her individual and official capacity as Attorney General of the United States; **THE UNITED STATES HOUSE OF REPRESENTATIVES**; **ANTHROPIC PBC**; **OPENAI, INC.**; and **DOES 1-20**, unknown co-conspirators,
Defendants.

AFFIDAVIT OF Cynthia Kirchner

I, Cynthia Kirchner, being first duly sworn, depose and state as follows:

1. I am over eighteen years of age and competent to testify to the matters contained in this affidavit.
2. I make this affidavit based on my personal knowledge, and if called as a witness, I could and would testify competently to the matters stated herein.
3. I am the mother of Plaintiff Joseph Kirchner and have personal knowledge of the events described herein.
4. On April 12, 2025, at approximately 4:30 PM, my son Joseph Kirchner went to Crowded Tavern 23 for happy hour.
5. I arrived at the establishment approximately two minutes after Joseph and joined him at the bar.
6. When I arrived, I observed that an unknown individual was already seated to the left of Joseph at the bar and appeared to be listening to conversations.
7. I began visiting with my son Joseph, discussing his recent vacation to Florida during which he explained that he enjoyed his trip but felt compelled to make it a working vacation due to a recent breakthrough and had to balance pleasure and business.
8. I immediately noticed that the individual who later identified himself as "Lee" was actively listening to our conversation.
9. I remember this explicitly because I felt it necessary to turn my back and lean my shoulder to create a barrier that prevented his eavesdropping.
10. When Joseph went to the restroom, Lee initiated conversation with me, asking "do you like to Golf" and "are you from around here."
11. I answered affirmatively to both questions, and we began exchanging pleasantries wherein he explained that he is from the Bay Area and is looking to move to Minnesota to purchase a house, asking "do you know the area."
12. I recommended the Lake Minnetonka region of Minnesota during this conversation.
13. When Joseph returned from the restroom, he joined our conversation, and I caught him up on Lee's circumstances of being from the Bay Area and looking to purchase a house.

14. We discussed the Minnetonka Lake area for a few more minutes while Lee explained that he does not know anyone in Minnesota and is just "checking it out to see if he wants to move here" and how terrible the housing market is in San Francisco.
15. Lee then abruptly moved to discussing his profession, stating he works "in AI," whereupon my son Joseph and Lee began discussing this topic passionately.
16. While I cannot claim to understand the technical aspects of their discussion, I observed that Lee became visibly frustrated and almost angry because he was not successfully making his point.
17. My son's counterpoints left Lee stumped, and at one point when my son stated "you are contradicting yourself" and Lee refuted this, I confirmed to Lee that "no, you are contradicting yourself."
18. I specifically remember that Lee insisted that AI technology was not patentable and that "math cannot be patented."
19. My son Joseph responded with "I am not patenting the math, I am patenting the application of that math."
20. This statement made Lee visibly shaken and upset.
21. Lee began to leave the establishment and almost forgot to take his credit card before being reminded by the bartender.
22. After Lee left, Joseph and I also departed the establishment.
23. In the parking lot, I explained to my son that I believed "the whole interaction that just happened was too suspicious to be coincidence" and that "I think he was there to surveil you."
24. Based on the suspicious timing of Lee's arrival, his eavesdropping behavior, his specific focus on discouraging patent protection, and his visible agitation when Joseph explained the patentability of AI applications, I believe this encounter was not coincidental but rather a deliberate approach designed to surveil and discourage Joseph's work.
25. I have personal knowledge that my son Joseph is engaged in significant artificial intelligence research and development work.
26. The individual "Lee" appeared to be approximately 200 pounds, athletic build, with dirty blonde hair and a quarter-sleeve tattoo on his right arm.

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

Executed this 4th day of September, 2025, at St. Louis Park, Minnesota.

Cynthia Kirchner
Cynthia Kirchner

SUBSCRIBED AND SWORN to before me this 4 day of Sept, 2025.

[Signature]
Notary Public
My Commission Expires: 1-31-26

