

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

JOSEPH KIRCHNER,

Plaintiff,

v.

MIKE JOHNSON, in his individual and official capacity as Speaker of the United States House of Representatives;

DONALD J. TRUMP, in his individual capacity as former and current President of the United States;

PAMELA J. BONDI, in her individual and official capacity as Attorney General of the United States;

BRENDAN T. CARR, in his individual and official capacity as Chairman of the Federal Communications Commission;

THE UNITED STATES HOUSE OF REPRESENTATIVES;

ANTHROPIC PBC;

OPENAI, INC.;

APPLE INC.;

COMCAST CABLE COMMUNICATIONS, LLC;

METR (MODEL EVALUATION & THREAT RESEARCH);

and DOES 1-20, unknown co-conspirators,

Defendants.

Case No. 1:25-cv-02735-ACR

**DISCOVERY-9: THIRD-
PARTY SUB-PROCESSORS
(DATADOG, GROWTHBOOK,
STATSIG, SENTRY,
CLOUDFLARE,
HONEYCOMB, SEGMENT)**

INTRODUCTION

Each sub-processor is served directly as a third-party custodian because its records are in its exclusive possession and are material to Plaintiff's claims under Counts V (conspiracy), VI (RICO), IX (breach of contract), X (consumer protection), XII (ECPA), and XIV (CCPA).

The March 31, 2026 source-code release (Ex. E-32 at p. 235, l. 3) independently confirms each vendor as a per-user-targeting data processor for at least one defendant. The corporate-policy record (DD-series, GB-series, ST-series, SN-series exhibits, plus the Honeycomb and Segment third-party-recipient documentation at Ex. E-17 at p. 124, l. 2) establishes contractual

commitments that each vendor's records are required to verify. The third-party subpoena is therefore not duplicative of defendant-directed discovery; it closes the contractual-breach chain.

DEFINITIONS APPLICABLE TO ALL SUB-PROCESSORS

For purposes of this discovery document, the following terms have the meanings given:

- **"Anthropic"** means Anthropic PBC and its affiliates;
- **"OpenAI"** means OpenAI, Inc., OpenAI Global LLC, OpenAI Holdings LLC, and each entity's affiliates;
- **"Apple"** means Apple Inc. and its affiliates;
- **"Plaintiff's account identifiers"** means every email, account UUID, device UUID, installation UUID, and other unique identifier associated with Plaintiff across each vendor's platform — including (without limitation) every accountUUID in Plaintiff's accountUUID Roster (DISCOVERY-5 §A.0); every email address on the domains `lawsofexistence.com` or `lawofsupremacism.com` (both of which are owned and operated by Plaintiff and the Laws of Existence LLC organization); and every Anthropic-derived `device\_id` SHA-256 value associated with Plaintiff's machines (the four canonical values:
`bc3614c8483b91d9a192d80acc5c38f26d188b1f476950ad0d33050928328a26` for gravity Linux work-station — primary;
`b4ccb1859fd328ded4bea410ea182954d230287fe88b74a8b838ce3bcda10834` for gravity Linux work-station — alternate;
`0fe8f24d334ad40a7cb00d828fabdef7a0400c3f012cfad1d87309732095fe17` for Mac Mini; and `f355afa03b7a54118822bdeed397671e524e85c4cd72963264630bf352d4cb09` for MacBook work-station);
- **"Relevant period"** means January 1, 2025 through the date of production, unless otherwise specified.

Production format: Native-format records wherever feasible (JSON event payloads, SDK configuration records, signed contract documents). Redaction for unrelated customer data is permitted pursuant to a mutually negotiated protective order.

CATEGORY A: DATADOG, INC.

REQUEST NO. DDOG-1: Complete Datadog-side retention logs for all data received from Anthropic, OpenAI, and Apple attributable to Plaintiff's account identifiers during the relevant period, produced as native JSON with

complete attribute payloads, timestamps, and ingestion-endpoint attribution.

Evidentiary predicate: Pleading ¶¶ 110, 120, 235 (Compl. ¶ 135); Ex. E-34, Finding SC-9; Ex. E-35, Finding NF-36; Ex. E-39 at p. 356, 1. 3 § G.

REQUEST NO. DDOG-2: All Datadog logs, alerts, abuse-team tickets, trust-and-safety records, or security-operations investigations concerning packets, network traffic, or hostnames claiming `34.149.66.137` as source IP during the relevant period, including any investigation or acknowledgment of spoofed source-IP traffic claiming that address as origin.

REQUEST NO. DDOG-3: All Datadog-Anthropic, Datadog-OpenAI, and Datadog-Apple communications concerning:

- (a) Per-user force-enablement of the `tengu\_log\_datadog\_events` GrowthBook flag for specific Anthropic customers;
- (b) Per-user routing configurations targeting specific account identifiers;
- (c) Any request by Anthropic or another customer for Datadog to retain, transmit, or share data attributable to specific named users, including Plaintiff.

REQUEST NO. DDOG-4: All Datadog internal analyses of whether data received from Anthropic's Claude Code pipeline constitutes Customer Data under the Datadog Master Subscription Agreement, and whether its transmission and use conformed with:

- (a) The Datadog Acceptable Use Policy, particularly §System Security
 - (e) ("forge any TCP/IP packet header") — see Ex. DD-1 at p. 2
- (b) The Datadog DPA — see Ex. DD-5 at p. 42
- (c) The Datadog sub-processor disclosure obligations

REQUEST NO. DDOG-5: Complete documentation of Datadog's retention, replication, backup, and deletion infrastructure for data received from Anthropic during the relevant period, including every downstream system, pipeline, or customer that consumed data attributable to Plaintiff.

REQUEST NO. DDOG-6: Complete records of network-condition telemetry shipped from Anthropic's Claude Code client to the Datadog endpoint at IP `34.149.66.137` attributable to Plaintiff's account identifiers during the relevant period, including all `tengu\_api\_error` events (with `errorType`, `durationMsIncludingRetries`, `attempt`, `clientRequestId`, plus the twelve-field identity payload), `tengu\_api\_retry` events (fired before each retry sleep, up to ten events per request), `tengu\_streaming\_idle\_timeout` events, `tengu\_streaming\_stall` events, and any other event mapped to attack-signature classifier tags (`connection_error` for ECONNRESET / RST injection; `api_timeout` for ETIMEDOUT / throttling; `ssl_cert_error` for TLS tampering; `server_overload` for 529 capacity cascade).

Evidentiary predicate: Pleading ¶ 183 (Compl. ¶ 211); App. P, § V.A; Ex. E-35, Finding NF-36 (Network-Condition Telemetry to Datadog — destination-side smoking gun); Ex. E-35, Finding NF-31 (Network-Induced Token Amplification).

REQUEST NO. DDOG-7: Complete records of the BigQuery query referenced at Anthropic's

`autoCompact.ts:67-70` ("BQ 2026-03-10: 1,279 sessions had 50+ consecutive failures (up to 3,272) in a single session, wasting ~250K API calls/day globally"), including: (a) the underlying SQL and date stamps; (b) all derived analyses run against Datadog-ingested data; (c) all internal communications between Datadog and Anthropic personnel referencing the metric or the eleven publicly-traceable amplification incidents (inc-3694, inc-3930, inc-4029, inc-4258, inc-4549, inc-4552, inc-4718, inc-4788, inc-4829, inc-5046, plus GitHub issue #1513).

Evidentiary predicate: Pleading ¶ 189 (Compl. ¶ 223); Ex. E-35, Finding NF-21; Ex. E-35, Finding NF-34 (Secondary Amplification Vectors and Quantified Self-Admission).

REQUEST NO. DDOG-8: All records of Datadog Israel Ltd. (Israeli Company ID

516464922) personnel access to data ingressed at IP `34.149.66.137` attributable to Plaintiff during the relevant period, including: (a) the access-control posture (read-only, read-write, query-only, model-training-eligible) for each named individual at Datadog Israel Ltd.; (b) the specific systems through which Datadog Israel personnel accessed Plaintiff's data; (c) every access event — login, query, export, or analysis — for each named individual.

Evidentiary predicate: Pleading ¶ 6 (Compl. ¶ 6); App. P, §§ II.B, V.D; Discovery Demand 11 § A (Datadog Israel Ltd. as Direct Custodian).

CATEGORY B: GROWTHBOOK, INC.

REQUEST NO. GB-1: Complete records of all GrowthBook feature-flag evaluations, experiment assignments, exposure logs, and telemetry events attributable to Plaintiff's account identifiers during the relevant period, produced as native JSON with complete attribute payloads.

Evidentiary predicate: Pleading ¶¶ 120, 235 (Compl. ¶ 134); Ex. E-34, Finding SC-2; Ex. E-39 at p. 356, l. 3 § G (59 forced flags, 8 experiment enrollments).

REQUEST NO. GB-2: All contracts between GrowthBook, Inc. and each of Anthropic PBC, OpenAI, Inc., and Apple Inc., including: (a) master service agreements; (b) DPAs — see Ex. GB-6 at p. 36, Ex. GB-2 at p. 8; (c) sub-processor disclosures; (d) service-level agreements; and (e) any amendment, addendum, or side letter.

REQUEST NO. GB-3: All communications concerning per-user targeting infrastructure, cross-customer identifier correlation, or coordination with another GrowthBook customer's tenant during the relevant period, including specifically:

- (a) Any sharing of identifier space between the Anthropic tenant and any other tenant;
- (b) Any custom configuration allowing per-user `force`-rule application;

- (c) Any request to apply a force-rule to a specific named user including Plaintiff.

REQUEST NO. GB-4: Complete GrowthBook tenant configuration records for Anthropic's tenant during the relevant period, including:

- (a) Every flag defined, with its targeting rules, exposure percentage, and rollout history;
- (b) Every force-rule applied to Plaintiff's account UUID or email, with issuing user, rationale, and duration;
- (c) The complete list of 59 force-rules identified in the April 21, 2026 wire capture documented at Ex. E-39 at p. 356, l. 3 § G.

REQUEST NO. GB-5: All GrowthBook-side audit logs of administrative actions on Anthropic's tenant during the relevant period, including user account creation, role changes, and rule modifications.

CATEGORY C: STATSIG, INC.

REQUEST NO. ST-1: Complete records of all Statsig feature-flag evaluations, experiment assignments, and telemetry events attributable to Plaintiff's account identifiers during the relevant period, across both Anthropic's and OpenAI's Statsig tenants.

Evidentiary predicate: Pleading ¶ 78 (Compl. ¶ 89); Ex. ST-2 at p. 11.

REQUEST NO. ST-2: All contracts between Statsig and Anthropic PBC, OpenAI, Inc., and Apple Inc., including master service agreements, DPAs, sub-processor addenda, and service-level agreements. Production shall include all amendments governing Anthropic's migration away from Statsig to GrowthBook.

REQUEST NO. ST-3: All communications concerning coordination, shared identifier infrastructure, or cross-tenant correlation between Anthropic's and OpenAI's Statsig tenants during the relevant period.

REQUEST NO. ST-4: Complete records of data retention, deletion, or transfer associated with Anthropic's migration away from Statsig during the relevant period, including all data about Plaintiff that was retained, deleted, or transferred.

REQUEST NO. ST-5: All Statsig-side audit logs of administrative actions on Anthropic's and OpenAI's tenants during the relevant period, and any records of cross-tenant activity or shared resources.

CATEGORY D: FUNCTIONAL SOFTWARE, INC. D/B/A SENTRY

REQUEST NO. SN-1: Complete records of all Sentry error reports, breadcrumbs, user-context events, and Autofix-related events attributable to Plaintiff's account identifiers during the relevant period, across the Sentry tenants of Anthropic, OpenAI, and Apple.

Evidentiary predicate: Pleading ¶ 78 (Compl. ¶ 89); Ex. SN-3 at p. 29.

REQUEST NO. SN-2: All contracts between Functional Software, Inc. (Sentry) and Anthropic PBC, OpenAI, Inc., and Apple Inc., including master service agreements and DPAs.

REQUEST NO. SN-3: Complete documentation of the Sentry "Autofix" feature's data-routing behavior, including:

- (a) Every third-party AI model provider (Anthropic, OpenAI, or other) to which Customer Data was routed for Autofix processing during the relevant period;
- (b) The authorization basis for such routing under each customer's DPA;
- (c) All Autofix-related records attributable to Plaintiff's account identifiers.

REQUEST NO. SN-4: All communications with Anthropic PBC and OpenAI, Inc. concerning the use of Sentry-collected Customer Data as training data, prompt context, or debugging input for any AI model during the relevant period.

REQUEST NO. SN-5: All Sentry-side audit logs of administrative actions on Anthropic's, OpenAI's, and Apple's tenants during the relevant period.

CATEGORY E: CLOUDFLARE, INC.

REQUEST NO. CF-1: Complete records of all Cloudflare edge-layer interactions with Plaintiff's machines during the relevant period, broken down per-machine (Plaintiff's gravity Linux machine; Plaintiff's MacBook; Plaintiff's Mac Mini), including: (a) every `\_\_cf\_bm` bot-management cookie issued (the April 25, 2026 dual-mitmproxy capture documented `\_\_cf\_bm` issuance to Plaintiff's MacBook on 71/71 captured flows but **never** to Plaintiff's gravity machine on 0/89 captured flows); (b) every `\_cfuvid` per-request fingerprint cookie issued; (c) every Cloudflare Web Application Firewall rule applied to Plaintiff's traffic; (d) every challenge issued, blocked request, or rate-limit applied; (e)

the specific WAF or bot-management classifier output for Plaintiff's traffic.

Evidentiary predicate: Pleading ¶ 130 (Compl. ¶ 142); App. P, § V.L; Ex. E-39, Finding NF-50; Ex. H-3, Finding NF-130.

REQUEST NO. CF-2: Complete contracts between Cloudflare, Inc. and Anthropic PBC during the relevant period, including: (a) the master service agreement; (b) the data processing addendum; (c) the sub-processor disclosure; (d) any custom-rule, custom-bot-management-policy, or per-customer WAF configuration; (e) all amendments, addenda, and side letters; (f) any technical-cooperation arrangement enabling Cloudflare to apply differential bot-management or rate-limit treatment to specific Anthropic customers identified by `accountUUID`, email, or `device\_id`.

REQUEST NO. CF-3: All Cloudflare internal records, audit logs, and communications documenting differential treatment applied to Plaintiff's specific machines during the relevant period, including: (a) the rationale, if any, for the differential `\_\_cf\_bm` cookie issuance between Plaintiff's machines; (b) any Cloudflare-side mechanism by which Anthropic-supplied identifiers (`accountUUID`, email, `device\_id`) influenced Cloudflare's edge-layer treatment of Plaintiff's traffic; (c) any internal record of the rate-limit utilization differential between Plaintiff's machines (peak 0.50 vs. 0.13 on the unified-5h bucket; 0.20 vs. 0.03 on the unified-7d bucket).

Evidentiary predicate: Ex. H-3, Finding NF-130; App. P, § V.L.

REQUEST NO. CF-4: All Cloudflare records concerning the issuance of the `anthropic-ratelimit-unified-fallback: available` header to Plaintiff's MacBook responses but not to Plaintiff's gravity machine responses, including the criteria distinguishing the two and any per-machine override applied to Plaintiff's `accountUUID`s.

REQUEST NO. CF-5: All Cloudflare-side records of any Israeli-jurisdiction sub-processor access (whether a Cloudflare Israel-based affiliate or a contracted Israeli vendor) to Plaintiff's traffic, traffic metadata, or WAF/bot-management classifier records during the relevant period.

CATEGORY F: HOUND TECHNOLOGY, INC. D/B/A HONEYCOMB

REQUEST NO. HC-1: Complete records of all Honeycomb distributed-tracing events, span data, dataset entries, query history, and trigger evaluations attributable to Plaintiff's account identifiers during the relevant period, across the Honeycomb tenants of Anthropic PBC, OpenAI, Inc., and Apple Inc., produced as native records with full attribute payloads.

Evidentiary predicate: Pleading ¶¶ 12, 218, 319 (Compl. ¶ 12, Compl. ¶ 210 (shared cross-defendant infrastructure), Compl. ¶ 321 (failure-to-warn undisclosed third-party recipient)); Ex. E-17 at p. 124, l. 2; Memo A ¶ 169 (Memo A ¶ 171); Memo C ¶ 64 (Memo C ¶ 64).

REQUEST NO. HC-2: All contracts between Hound Technology, Inc. d/b/a Honeycomb and each of Anthropic PBC, OpenAI, Inc., and Apple Inc. governing telemetry processing during the relevant period, including: (a) master

service agreements; (b) data processing addenda; (c) sub-processor disclosures; (d) any Honeycomb-side commitments concerning use of customer-derived telemetry as training data, prompt context, or AI-feature input.

REQUEST NO. HC-3: All communications concerning per-user targeting infrastructure, cross-customer identifier correlation, or coordination across Anthropic, OpenAI, and Apple tenants on Honeycomb during the relevant period, including specifically:

- (a) Any sharing of identifier space between any two of these tenants;
- (b) Any custom configuration enabling per-user trigger-rule application;
- (c) Any request by any defendant for Honeycomb to retain, transmit, or share telemetry attributable to specific named users including Plaintiff;
- (d) Any documented incident in which Plaintiff's traces were blocked, throttled, or differentially treated within Anthropic's, OpenAI's, or Apple's Honeycomb tenants — corresponding to the third-party-observability-blocking pattern pleaded at Compl. ¶ 12.

REQUEST NO. HC-4: Complete Honeycomb tenant configuration records for the Anthropic, OpenAI, and Apple tenants during the relevant period, including: (a) every dataset configured; (b) every trigger rule; (c) every derived column referencing user-identity attributes (`email`, `accountUUID`, `deviceId`, `subscriptionType`, `device\_id`, or equivalent); (d) the rollout history for any per-user gating mechanism applied to Plaintiff's identifiers.

REQUEST NO. HC-5: All Honeycomb-side audit logs of administrative actions on the Anthropic, OpenAI, and Apple tenants during the relevant period, including user account creation, role changes, dataset access, and any administrative event attributable to Plaintiff's identifiers.

CATEGORY G: TWILIO INC. D/B/A SEGMENT

REQUEST NO. SG-1: Complete records of all Segment events, identifies, tracks, page views, group calls, alias merges, and source-side payloads attributable to Plaintiff's account identifiers during the relevant period, across the Segment workspaces of Anthropic PBC, OpenAI, Inc., and Apple Inc., produced as native JSON with full attribute payloads.

Evidentiary predicate: Pleading ¶¶ 64, 87, 123, 208, 319, 337 (Compl. ¶ 66, Compl. ¶ 89, Compl. ¶ 125, Compl. ¶ 210, Compl. ¶ 321, Compl. ¶ 347); Memo A ¶ 128 (Memo A ¶ 128) (Segment-based authenticated-email fan-out to eight ad-platform destinations under fabricated `consent.categoryPreferences` signal — NF-67/68/74); Ex. E-17 at p. 124, l. 2.

REQUEST NO. SG-2: All contracts between Twilio Inc. (and its predecessor Segment.io, Inc.) and each of Anthropic PBC, OpenAI, Inc., and Apple Inc. during the relevant period, including: (a) master service agreements; (b) data processing addenda; (c) sub-processor disclosures; (d) destination-routing addenda governing data transmission to downstream destinations including Facebook/Meta, Google, LinkedIn, Pinterest, Reddit, TikTok, Podscribe, Webhook, and any other Segment

destination configured by any defendant; (e) any side-letter or amendment governing consent-signal generation or transmission.

REQUEST NO. SG-3: Complete documentation of the Segment-based downstream-destination architecture used by Anthropic PBC during the relevant period, including specifically:

- (a) Every active destination in Anthropic's Segment workspace (Facebook/Meta, Google, LinkedIn, Pinterest, Reddit, TikTok, Podscribe, Webhook, or any other);
- (b) The per-destination event-mapping configuration;
- (c) The `consent.categoryPreferences` signal generation logic, including the OneTrust integration that generates consent values from geolocation defaults rather than user-affirmative consent;
- (d) Every per-session transmission of authenticated user email to each downstream destination attributable to Plaintiff during the relevant period;
- (e) The Limited-Data-Use, Google Ads consent-mode v2, LinkedIn Marketing API, or analogous downstream-framework signal applied to each transmission of Plaintiff's data.

REQUEST NO. SG-4: All Segment-Anthropic, Segment-OpenAI, and Segment-Apple communications concerning consent-signal generation, downstream-destination routing, or per-user fan-out behavior during the relevant period, including any communication acknowledging that the consent values transmitted alongside event payloads originate in publisher-side configuration rather than user-affirmative click.

REQUEST NO. SG-5: Complete records of data retention, deletion, replication, and downstream-system propagation for Segment events attributable to Plaintiff's account identifiers across the Anthropic, OpenAI, and Apple

workspaces, including any per-destination retention at Facebook/Meta, Google, LinkedIn, Pinterest, Reddit, TikTok, Podscribe, Webhook, or any other configured destination.

PRESERVATION NOTICE (APPLICABLE TO ALL SUB-PROCESSOR RECIPIENTS)

Each sub-processor is on notice that the records identified in this subpoena are subject to preservation obligation pending completion of production. Routine destruction of any responsive category is expressly prohibited. Each sub-processor shall issue a litigation hold to all personnel with access to Plaintiff's data within seven (7) calendar days of service and shall verify compliance thereafter on a quarterly schedule.

Respectfully submitted,

/s/ Joseph Kirchner _____
Joseph Kirchner
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Dated: May 5, 2026

CERTIFICATE OF SERVICE

I hereby certify that on the date shown above, a true and correct copy of the foregoing was served on counsel of record by the Court's CM/ECF electronic filing system. Those who have not appeared will be served by United States certified mail, return receipt requested, same day or on the next business day, at the addresses on file with the Court.

/s/ Joseph Kirchner _____
Joseph Kirchner
Pro Se Plaintiff