

Subject: Urgent Update on Gab's Stand Against German Censorship

From: Gab 🐸 <GabNews@mailier.gab.com>

Date: 10/30/2024, 11:29 AM

To: XXXXXXXXXXXXXXXXXXXXXXXXXX



U.S. Department of Justice

Criminal Division

VAA:MDR:SAR:DER:mdc

Office of International Affairs

Washington, D.C. 20530

October 25, 2024

VIA FedEx



Re: Request from Germany for Assistance in the Matter of Gab AI Inc.
German Reference Number: VIII 2 - 4090/2 -1 II – Netz DG 10/2023
U.S. Reference Number: CRM-182-96166

Dear

I am employed by the Office of International Affairs, a component of the Criminal Division of the U.S. Department of Justice. This office is responsible for the transmission and execution of requests for assistance in criminal matters between the United States and Germany.

German authorities have submitted a request for assistance asking us to serve you with the enclosed documents. We are forwarding the enclosed documents to you at the request of German authorities and are not otherwise involved in the proceedings in Germany and take no position concerning them.

You should review these documents carefully for instructions and deadlines. If you have any questions concerning this matter, please contact the German court directly or the German consulate in your area.

Sincerely,

Dear Gab Community,

I write to you today with a heavy heart, as we face an unprecedented attack on our freedom of speech by a foreign nation. This week we received correspondence from the German government via the Biden-Harris DOJ, threatening court proceedings against Gab for refusing to comply with their demands for censorship. This is a direct assault on our core values and the very principles upon which the United States was founded.

The German government is attempting to use the Mutual Legal Assistance Treaty (MLAT) to force American companies like Gab to comply with their censorship laws. This is a blatant abuse of power, and the Biden-Harris DOJ is complicit in this attack on our rights. We have communicated our stance to them for several years now, but they have chosen to ignore our concerns.



EU

Bonn Local Court



[Redacted]

Attorney

11-04-2023

Page 1 of 2

File reference
709 OWI 16123 [b]
please specify when answering

processed by
Ms Orakci
Extension
0228-702-2344

[Redacted]

In the proceedings
against Gab Ai, Inc.,

you have appealed the rejection of your objection by the
administrative authority imposing the fine. This is now before the
court for a decision.

The court intends to reject your application. The decision by the
administrative authority imposing the fine is not objectionable. The
filing of the objection by e-mail is not compliant with formal
requirements. Furthermore, you did not file the objection in German.
This is also not compliant with formal requirements. As there was no
timely submission of an objection which is compliant with formal
requirements, the objection had to be rejected.

You can respond to this within a 3-week period. The court expressly
suggests that you withdraw your application for a court decision, as
a court decision would cause further procedural costs.

Yours sincerely,

Dr Schneider
Judge at the Local Court

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53111 Bonn
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Thurs.
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In response to the German government's demands and threats, our legal team has issued a firm statement to the German government, reaffirming our commitment to the First Amendment and our right to free speech. We will not comply with foreign censorship laws, and we will fight this battle in the courts if necessary.

We believe in the importance of standing up for our beliefs and values, even in the face of adversity. This is a critical moment for Gab and for all those who value free speech. **We need your support now more than ever.** Please consider making a donation to Gab or upgrading to GabPRO to help us cover legal fees involved in responding to this threat.

Here is the text of our legal team's response to the German government:

This e-mail replies to your letter with reference 709 OWi 16123 [b], fine proceedings vs. Gab AI Inc.. dated 11-04-2023 and received today.

There is no "nation-state exception" to the First Amendment of the U.S. Constitution. European censorship codes are the very reason the First Amendment exists.

The simple fact remains that the First Amendment protects my client's right to receive and impart any information it wishes, to or from anywhere in the world, without interference, restriction, or registration.

My client operates a perfectly lawful business with no presence outside of the United States. The sanctions you seek to impose would be both unconstitutional and barred by 47 U.S. Code Section 230 if the German Ministry of Justice sought to enforce them in the United States. My client is prepared to vindicate its rights in a U.S. court if it comes to that.

As to the matter of our previous communications, this was not intended as a formal appeal or an application for a decision, but rather as a communication of my client's position for the record. My client does not consent to jurisdiction, nor does it acknowledge the validity of service purportedly made on it, for reasons previously stated. My client's position on those issues remains unchanged.

As this is the third time my client has stated its position on this matter and Germany has ignored it, this will also be the last communication you receive from my client on this matter.

We reserve all rights and waive none.

Let us stand together in defense of our rights and our freedoms. Please share this update with your friends, family, and fellow Gab users. Together, we can ensure that the principles of free speech and continue to thrive in the face of those who seek to silence us.

God bless you all, and God bless Gab.

Andrew Torba CEO, Gab.com
Christ is King

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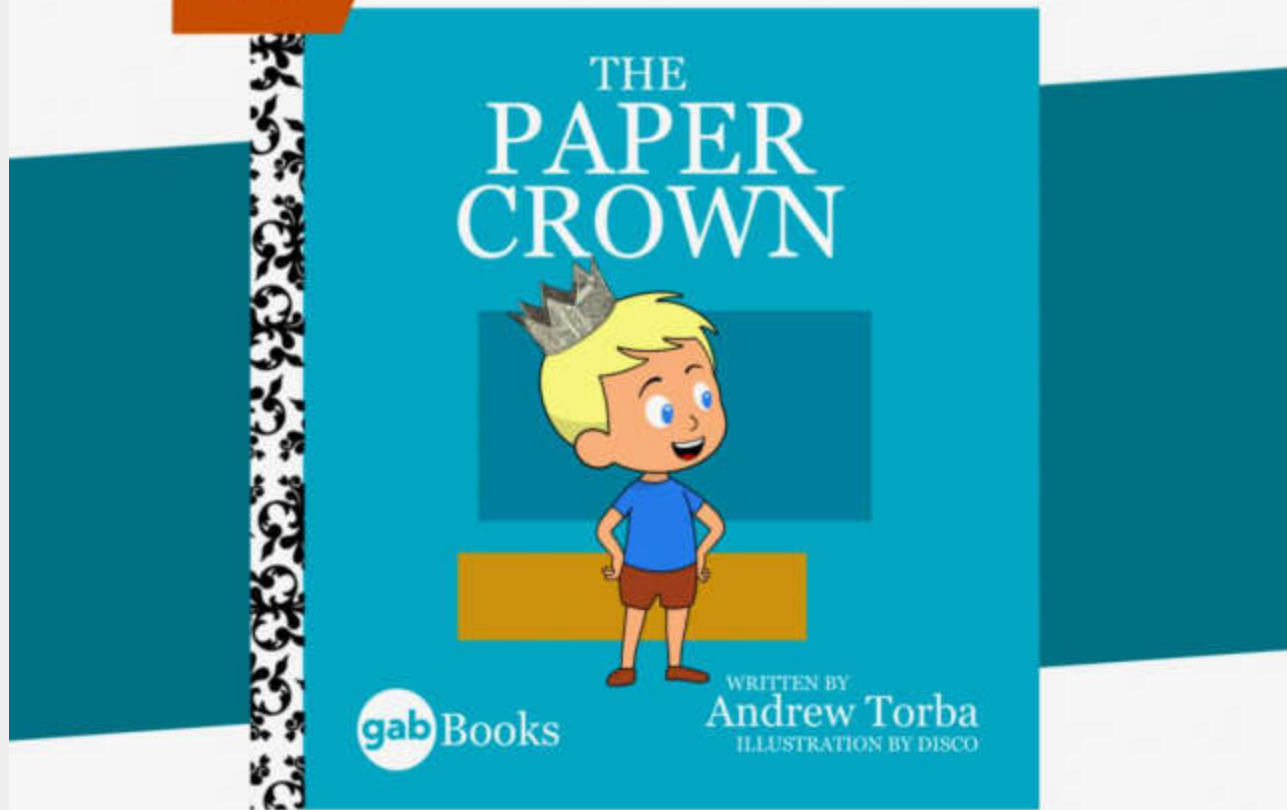
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