

Wikimedia Foundation v. NSA
No. 15-cv-0062-TSE (D. Md.)

Plaintiff's Exhibit 4

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

WIKIMEDIA FOUNDATION,

Plaintiff,

v.

NATIONAL SECURITY AGENCY /
CENTRAL SECURITY SERVICE, *et al.*,

Defendants.

No. 1:15-cv-00662-TSE

SECOND DECLARATION OF TILMAN BAYER

I, Tilman Bayer, declare:

1. I am a resident of San Francisco, California, over the age of eighteen. I have personal knowledge of the facts stated in this declaration, and, if called to testify, I could and would testify competently thereto. I am providing this declaration in my capacity as an employee of the Wikimedia Foundation, Inc. (“Wikimedia”).

2. I am a Senior Analyst in Wikimedia’s Product Analytics team, and have been a full-time employee of the organization since 2012. My responsibilities include the reporting of pageview statistics and other key web traffic metrics to Wikimedia’s executives and board. I hold degrees in mathematics from the University of Cambridge (Certificate of Advanced Study in Mathematics) and the University of Bonn (diploma, equivalent to a Master’s degree in the US).

3. As explained in my previous Declaration in support of Wikimedia’s Opposition to Defendants’ Motion for Summary Judgment, Wikimedia provides technical infrastructure to twelve free-knowledge “Projects” on the Internet. (Pl.’s Ex. 5 ¶¶ 3-4.) Wikimedia users edit specific Wikimedia Project pages via “Edit” pages, which contain a text box with editable versions of the online article. As of March 2018, there have been approximately 3.4 billion edits over the

lifespan of the Wikimedia Projects. (*Id.* ¶¶ 12-13.) Edits are transmitted from users to Wikimedia servers as HTTP and HTTPS communications, part of the previously described *Category 1 – Wikimedia communications with its community members.* (*Id.* ¶ 26.)

4. When a user edits Wikimedia Project pages, the final changes to the master versions of Wikimedia’s content databases are stored on Wikimedia’s servers located in the United States, not Wikimedia’s caching servers located abroad. (*See id.* ¶ 4 (noting country locations of Wikimedia’s servers).) For this reason, all edits to Wikimedia Project pages from users located in foreign countries are routed to Wikimedia’s servers in the United States.

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

Executed on March 8, 2019 in San Francisco, California.



Tilman Bayer