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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CAT BROOKS and RASHEED
SHABAZZ, individually and on behalf of
all others similarly situated,

Plaintiffs,

v.

THOMSON REUTERS CORPORATION,
Defendant.

Case No. 3:21-cv-01418-EMC

**DECLARATION OF DEREK MALTZ IN
SUPPORT OF THOMSON REUTERS'
CLASS CERTIFICATION OPPOSITION**

**EXHIBIT
D**



1 I, Derek Maltz, declare as follows:

2 1. I am Executive Director of Government Relations at Pen-Link, Ltd. I make this
3 declaration based upon personal knowledge and if called upon to do so I could and would testify
4 competently to the facts set forth herein.

5 2. I have been at Pen-Link in my role since August 2014. Before working at Pen-
6 Link, I spent 28 years in law enforcement, most recently for over 9 years as Special Agent in
7 Charge of the Drug Enforcement Administration's ("DEA") Special Operations Division.

8 3. In my time in law enforcement, I largely performed a supervisory role for task
9 forces that coordinated law enforcement efforts across federal, state, and local organizations. My
10 expertise is in combating drug trafficking and cartels and in fighting transnational criminal
11 networks around the world. I have also worked on related efforts to combat drug funding used to
12 support the terrorist organization Hezbollah (known as Project Cassandra).

13 4. Since I retired from the DEA, I have remained heavily involved in efforts to
14 combat fentanyl trafficking. Fentanyl is a synthetic opioid that is stronger than traditional opioids
15 and cheap to manufacture, which has led to its widespread use by drug dealers to cut or replace
16 more expensive alternative drugs. The doses of fentanyl included in these cut drugs are often fatal
17 for unsuspecting users. This type of fentanyl cutting has contributed significantly to the thousands
18 of deaths from drug overdoses in this country each month. Today, drug dealers are using social
19 media to sell fentanyl-laced drugs to unsuspecting users. I've spoken to countless parents who
20 have lost children to unexpected fentanyl overdoses and have advocated on their behalf before
21 Congress.

22 5. I am aware that law enforcement investigators use public records platforms like
23 CLEAR to identify criminal networks (including networks of fentanyl distributors). Teams under
24 my supervision used products like CLEAR in this manner during my time in law enforcement. I
25 also worked closely with other drug enforcement teams (including Sheriffs, police departments,
26 and other DEA teams) around the country, and in California in particular, which used CLEAR in
27 a similar manner. Based on my experience, if law enforcement did not have access to CLEAR or
28 public records search tools like it, law enforcement would be severely hamstrung in their efforts



1 to fight drug trafficking and fentanyl distribution and many more children and Americans could
2 die from drug overdoses.

3 6. For the entirety of my law enforcement career, we relied on companies offering
4 public records as an investigative tool. Then and now, these tools are essential to investigators in
5 connecting the dots to track organized crime.

6 7. For example, from 1996 to 1999, I worked as a supervisor in the New York Field
7 Office for the DEA, on the New York Drug Enforcement Task Force. The New York Drug
8 Enforcement Task Force is the largest and oldest drug enforcement task force in the country. In
9 that position, I was able to personally observe not only how the DEA used public records tools
10 like CLEAR,¹ but also how the other task force participants (such as the New York Police
11 Department and the New York State Police) used such tools. As an example of one use case, the
12 task force relied on public records tools like CLEAR to identify individual drug traffickers using
13 stash houses around the country. Though traffickers go to great lengths to disguise their identities
14 and hide from law enforcement, public records tools like CLEAR were able to provide accurate
15 information about the location of these drug traffickers and their stash houses. And once one
16 individual was identified by name and phone number, it formed a valuable piece of information
17 that could be used to identify other associates and locations for stashing contraband, all of which
18 assisted in investigating and disrupting drug distribution and violent gang networks.

19 8. These tools are essential to help law enforcement supplement traditional policing
20 techniques and keep up with increasingly sophisticated criminals. In the internet age, when bad
21 guys have access to instant information, CLEAR and public records platforms like it are essential
22 in giving the good guys a fighting chance.

23 I declare under penalty of perjury that the foregoing is true and correct.

24
25 [continued on next page]
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28 ¹ I say these tools are “like CLEAR” because they provided law enforcement with a means of
searching public records, including driver’s license information, phone numbers, and utility
header data.

Executed on January 23, 2023, in VIRGINIA.


Derek Maltz

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