UNITED STATESOF AMERICA
Federal T

Office of Commissioner
Rohit Chopra

obligations when it was a participant, including one of the core pillars: providing users with the ability to file complaints and disputes about their personal data. An administrative proceeding commenced, and NTT denied most of the Commission's allegations.[3]

The Commission now proposes to end the administrative litigation through a no-money, no-fault settlement that does not include any of the additional remedies available under the FTC Act for "dishonest" conduct. I believe the proposed settlement should be renegotiated given that the additional evidence gathered suggests that the company's conduct was dishonest.

It is clear that the company's misrepresentations about Privacy Shield were not limited to a reference in its [illegible]

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DECLARATION OF CHRISTOPHER GHAZARIAN
PURSUANT TO 28 U.S.C. § 1746

I, Christopher Ghazarian, have personal knowledge of the following facts and matters discussed in this declaration. If called as a witness, I would testify as follows:

1. I am over age 18 years old and reside in California.

2. I am the General Counsel of DreamHost, LLC ("DreamHost"). DreamHost provides a variety of webhosting services that allow customers to create websites and host them on DreamHost's servers.

3. DreamHost has housed some of those servers in facilities owned and operated by RagingWire Data Centers, Inc. ("RagingWire"). DreamHost most recently renewed its contract with RagingWire in 2017. The term of the contract is five years.

4. Starting in 2017, DreamHost started working towards meeting the requirements for GDPR compliance. DreamHost complies with GDPR, and ensures that all of its [illegible] with personally identifiable information from residents in the European Economic Area are also compliant. DreamHost vets all of its partners from security, legal and privacy standpoints, which includes checking the partner's privacy policy.

5. For partners implicated by GDPR, one of the many things we check for is to see if the partner is Privacy Shield certified. If a company is not Privacy Shield certified, we pursue other methods to ensure GDPR compliance, such as model contract clauses. [illegible] company's representations about being a Privacy Shield participant is a big deal to DreamHost.

6. Working with Privacy Shield-certified partners is attractive because the partner's certification gives us more peace of mind when considering whether or not to partner with that company. RagingWire's Privacy Shield certification was therefore a plus for us in deciding to work with RagingWire.

7. There was a discussion about DreamHost's GDPR or Privacy Shield compliance in one of DreamHost's community forum discussion groups on or around May 2018. A true and correct copy of a screenshot of this [illegible]sion is attached to this declaration as Exhibit A.

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

Date: December 10, 2019

Christopher Ghazarian