

<p>DISTRICT COURT, DENVER COUNTY,          COLORADO          1437 Bannock Street          Denver, CO 80202</p>	<p>DATE FILED: September 17, 2021 8:12 PM          FILING ID: E9E5DD591D201          CASE NUMBER: 2020CV34319</p>
<p>ERIC COOMER, Ph.D.,          Plaintiff</p> <p>vs.</p> <p>DONALD J. TRUMP FOR PRESIDENT,          INC., et al.,          Defendants</p>	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
<p><b>Attorneys for Plaintiff</b>          Charles J. Cain, No. 51020  <a href="mailto:ccain@cstrial.com">ccain@cstrial.com</a>          Steve Skarnulis, No. 21PHV6401  <a href="mailto:skarnulis@cstrial.com">skarnulis@cstrial.com</a>          Bradley A. Kloewer, No. 50565  <a href="mailto:bkloewer@cstrial.com">bkloewer@cstrial.com</a>          Zachary H. Bowman, No. 21PHV6676  <a href="mailto:zbowman@cstrial.com">zbowman@cstrial.com</a>  <b>CAIN &amp; SKARNULIS PLLC</b>          P. O. Box 1064          Salida, Colorado 81201          719-530-3011/512-477-5011 (Fax)</p> <p>Thomas M. Rogers III, No. 28809  <a href="mailto:trey@rklawpc.com">trey@rklawpc.com</a>          Mark Grueskin, No. 14621  <a href="mailto:mark@rklawpc.com">mark@rklawpc.com</a>          Andrew E. Ho, No. 40381  <a href="mailto:andrew@rklawpc.com">andrew@rklawpc.com</a>          RechtKornfeld PC          1600 Stout Street, Suite 1400          Denver, Colorado 80202          303-573-1900/303-446-9400 (Fax)</p>	<p>Case Number:           2020cv034319</p> <p>Division Courtroom:       409</p>
<p style="text-align: center;"><b>EXHIBIT W          DECLARATION OF DOUG BANIA</b></p>	

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<p><b>DECLARATION OF DOUG BANIA</b></p>	

I, Doug Bania, declare and state as follows:

1. “My name is Doug Bania. I am over the age of twenty-one years, am of sound mind, and am fully competent to make this Declaration. I have personal knowledge of the matters stated in this Declaration, which are true and correct.

2. “I am the founding principal of Nevium Intellectual Property Consultants. Nevium is an intellectual property consulting firm specializing in developing IP strategies, IP valuation and monetization of IP as well as providing expert testimony related to IP damages and licensing customs and practices.

3. “I am a Certified Licensing Professional (CLP), a Google Analytics Certified Individual (GAIQ), a past committee member (2016-2019) for the International Trademark Association (INTA) Internet Committee and the ICANN Complaint and Domain Name Industry Subcommittee, a current member of the INTA Right of Publicity Committee and the American Bar Association (ABA), Copyright and Social Media Committee.

4. “I specialize in analyses for copyright, trade dress, trade secrets and trademark infringement, publicity rights, social media and internet infringement, defamation, marketing strategy analyses, royalty rate determinations and other intangible assets.

5. “I have served as an expert witness in over 75 different cases, at both the state and federal levels. In addition, I have published dozens of articles on intellectual property analysis, and have presented at numerous conferences and other speaking engagements across the country.

6. “I have been retained in this case by Plaintiff Dr. Eric Coomer in order to review, verify, and independently confirm the findings of a report titled “Threats Against Eric Coomer on Twitter” produced by Advance Democracy Inc., on July 2, 2021 (the ADI Report). A true and correct copy of the ADI Report is attached hereto as **Exhibit W-1**.

7. “I conducted a thorough review of the ADI Report, including fact checking and a review of the materials cited in the Report, which has allowed me to confirm the Report’s findings as accurate.

8. “In undertaking the analysis necessary to confirm the ADI Report’s findings, I checked all media source links and active link footnotes to confirm the accuracy of the information they purported to represent.

9. “I also checked every historical deleted tweet using Internet Archive’s Wayback Machine.<sup>1</sup>

10. “To evaluate the volume of tweets over time, I accessed the Twitter Application Programming Interface (the “Twitter API”). This allowed me to replicate the research of ADI based on their specific hashtag and terminology queries. Most importantly, I was able to look back at tweet volume and specific mentions over historical time periods. To do that, I recreated the query in Postman<sup>2</sup> and queried the Twitter API to produce a JavaScript Object Notation (JSON) response.<sup>3</sup> Analysis on this response file allowed me to reproduce the Tweet Count or Mention Counts referenced in the report.

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<sup>1</sup> <http://web.archive.org/>

<sup>2</sup> <https://www.postman.com/>

<sup>3</sup> JSON is a text-based, language-independent data interchange format.


11. “Repeated querying of the specifics in this report allowed me to recreate the specified counts with near exactitude of the counts in the ADI Report.

12. “Specifically, my analysis allowed me to confirm that nearly nine thousand QAnon-related Twitter accounts mentioned the term “Coomer” in the months following the November 2020 election, and that these references peaked on November 24, 2020, when there were approximately 2,500 posts containing the term “Coomer” in a single day. In addition, I was able to verify that between November 8, 2020, and June 30, 2021, more than a thousand unique accounts on Twitter used the terms “kill,” “die,” “shoot,” “treason,” “hang,” “traitor,” “arrest,” and/or “attack” in posts containing the term “Coomer.” I was also able to confirm the authenticity of the various tweets used as examples of the violent and threatening language directed at Dr. Coomer in the ADI Report.

13. “Pursuant to C.R.S. § 13-27-101, *et. seq.*, I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.”

Further Declarant sayeth naught.

Executed on the 15 day of September 2021 at San Diego [city],  
California.

  
\_\_\_\_\_  
Doug Bania, Declarant

# Advance Democracy Inc.

*Advance Democracy, Inc. (ADI) is a non-partisan, non-profit organization that conducts public-interest research & investigations.*

*ADI Spot Report: July 2, 2021*

## Threats Against Eric Coomer on Twitter

### *ADI Findings*

1. **At least 8,970 QAnon-related accounts<sup>1</sup> mentioned Eric Coomer on Twitter after the election and prior the Capitol insurrection, with many posting content calling for Coomer to be hanged, killed, and/or arrested.**

On January 11, 2021, Twitter announced it had suspended over 70,000 accounts that shared QAnon-related content.<sup>2</sup> Prior to Twitter's actions, approximately 99,000 QAnon-related accounts were active on Twitter and had posted content between January 1, 2020, at 12:00am EDT and January 7, 2021, at 8:00am EDT. While ADI lost data for thousands of QAnon-related accounts after Twitter's actions, ADI retains the historical data for the majority of posts<sup>3</sup> of approximately 96,500 QAnon-related accounts as of July 2, 2021.

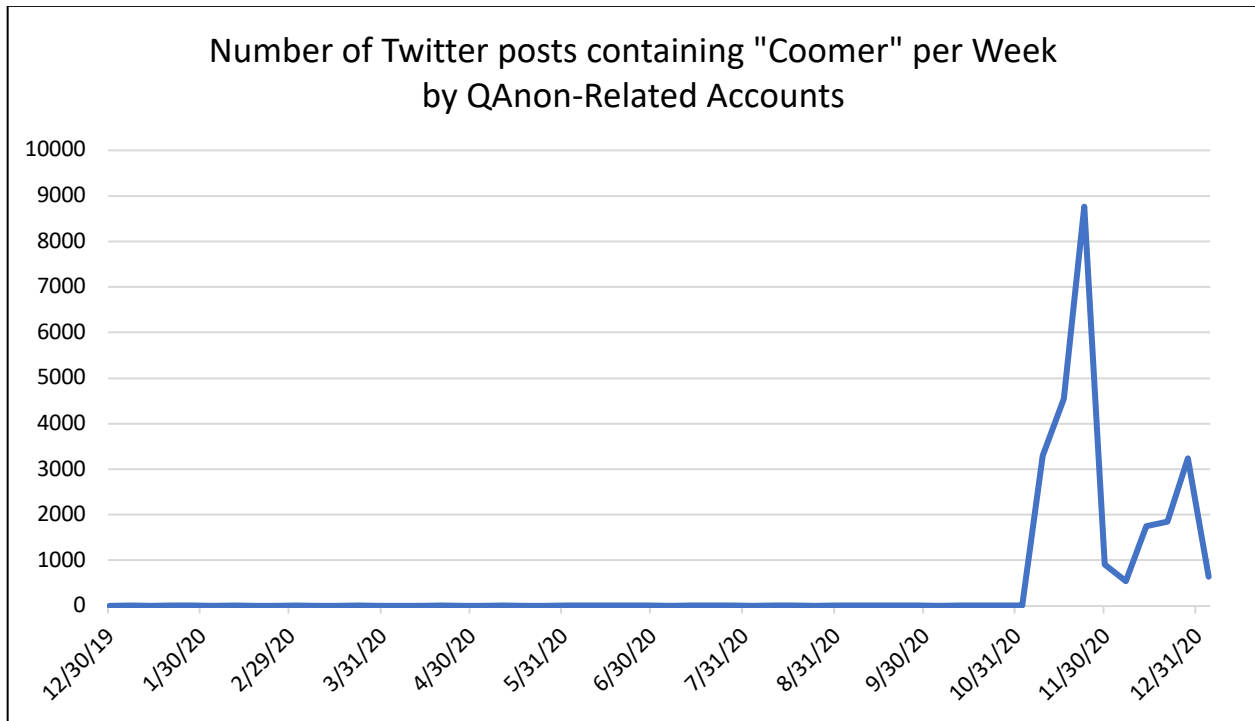
Approximately 9,000 of the QAnon-related accounts in our dataset posted the term "Coomer" on Twitter between January 1, 2020, at 12:00 am EDT, and January 7, 2021, at 8:00am EDT. Approximately 8,970 of these accounts posted the term "Coomer" after November 8, 2020, at 12:00am EDT. Posts containing the term "Coomer" by QAnon-related accounts peaked on November 24, 2020, when there were approximately 2,500 posts containing the term "Coomer" in a single day. During that week, between November 23, 2020, at 12:00am EDT, and November 29, 2020, at 11:59pm EDT, there were close to 8,770 posts containing the term "Coomer" by QAnon-related accounts in our dataset.

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<sup>1</sup> QAnon-related accounts are defined as Twitter accounts with any of the following terms in their bios: *QAnon, #QAnon, wwg1wga, #wwg1wga, the great awakening, #thegreatawakening, #q, #oathkeeper, #greatawakening, #wwg1wgaworldwide, #wwgowga, where we go one we go all, QSentMe, qfamily, #QArmy, #Qanons, qanons, #taketheoath.*

<sup>2</sup> <https://www.nytimes.com/2021/01/11/technology/twitter-removes-70000-qanon-accounts.html>

<sup>3</sup> Posts are defined as tweets, retweets, quote tweets, or replies.



Number of Twitter posts containing "Coomer" per week by QAnon-related accounts in our dataset between January 1, 2020, at 12:00 am EDT, and January 7, 2021, at 8:00am EDT.

Approximately 370 QAnon-related accounts in our dataset used the terms "kill," "die," "shoot," "treason," "hang," "traitor," "arrest," and/or "attack" in posts containing the term "Coomer" between November 8, 2020, at 12:00am EDT, and January 7, 2021, at 8:00am EDT.

A manual review of these posts shows that many of them contained violent and/or threatening language. A sample of these are included below:

A fuckin traitor.A hemp necklace will fit perfectlyHang the treasonous bastards.Every one of them in front of the stadiums 1 hour before kick off.MAGA 🇺🇸 🇺🇸 🇺🇸

**Lin Wood**  
@linwood

Eric Coomer sued Sidney Powell @SidneyPowell1 & others for defamation (not Dominion). Can you imagine how interesting it will be to take his deposition AND discover all of his emails, texts, & other documents? How do you spell treasure trove & ensnared? <https://t.co/tw0QSMS0tm>

6 months ago

@garybenoit63 6 months ago

ADI archive of a December 28, 2020, tweet.<sup>4</sup> Note this tweet can also be found on the Internet Archive.<sup>5</sup>

<sup>4</sup> <https://twitter.com/GaryBenoit63/status/1343729386059485186>

<sup>5</sup> <https://web.archive.org/web/20201229142041/https://twitter.com/GaryBenoit63/status/1343729386059485186>

Those who testify "no corruption" are committing TREASON..Penalty for treason is..  
Justice must be served..!!

**Kyle Becker**

 @kylenabecker

DOMINION. 🇺🇸 "THIS IS EXPLOSIVE INFORMATION." "What Dr. Coomer told the Board is that Dominion Voting does not go back for recertification of software when threats to their code are discovered..." More truth to the BIG LIE that this was "the most secure election in history." 🗳️ <https://t.co/sUNGg56pjP>

7 months ago

 @timber\_wolfman 6 months ago

*ADI archive of a December 17, 2020, tweet.<sup>6</sup> Note this tweet can also be found on the Internet Archive.<sup>7</sup>*


RT @BOX\_B2: Now let's call him to a hearing and talk to him. Do you think you can continue to escape?Hurry up, Eric Coomer, before you die in an accident!

 @annie90883953 6 months ago

*ADI archive of a December 28, 2020, retweet.<sup>8</sup> Note while the retweet by the QAnon-related account is no longer available, the original tweet can also be found on the Internet Archive.<sup>9</sup>*

He's goin' to GITMO! No one escapes this. Pain is comin'!

**David Burke**

 @conservativeth

We now know that Antifa supporter Eric Coomer, who posted this Facebook attack on Pres. Trump in June, is head of Security & Product Strategy at Dominion Voting Systems (#Dominion is trying to scrub Coomer's connections). What NORMAL firm would hire a Marxist as head of Security? <https://t.co/CPO3NDtyzh>

8 months ago

 @cqpatriot 8 months ago

*ADI archive of a November 12, 2020, tweet.<sup>10</sup> Note this tweet can also be found on the Internet Archive.<sup>11</sup>*

<sup>6</sup> [https://twitter.com/Timber\\_Wolfman/status/1339651275097579521](https://twitter.com/Timber_Wolfman/status/1339651275097579521)

<sup>7</sup> [https://web.archive.org/web/20201217191920/https://twitter.com/Timber\\_Wolfman/status/1339651275097579521](https://web.archive.org/web/20201217191920/https://twitter.com/Timber_Wolfman/status/1339651275097579521)

<sup>8</sup> <https://twitter.com/Annie90883953/status/1343415509140664320>

<sup>9</sup> <https://web.archive.org/web/20201228043653/https://twitter.com/Annie90883953/status/1343415509140664320>

<sup>10</sup> <https://twitter.com/CQpatriot/status/1327143954568110085>

<sup>11</sup> <https://web.archive.org/web/20201113071609/https://twitter.com/CQpatriot/status/1327143954568110085>



Where is Coomer...you can run but cannot hide...Mr. Big Shot and his threat to our President...TREASON

**Ron**

 [@codemonkeyz](#)

Watch Coomer explain with his own words how to change votes using the Dominion system.

7 months ago

 [@saucy3george](#) 7 months ago

*ADI archive of a November 23, 2020, tweet.<sup>12</sup> Note this tweet can also be found on the Internet Archive.<sup>13</sup>*

As Clint Eastwood would say Hang'em high...

 **Douglass** 🇺🇸

 [@dougsjourney7](#)

And the Plot Thickens... Developing: Dominion's Anti-Trump Executive Eric Coomer Owns Patents on Adjudication Process That Investigators Found Skimmed Votes From Trump in Michigan <https://t.co/AdpRZC8FFr> via

[@gatewaypundit](#)

6 months ago

 [@cmon\\_man2020](#) 6 months ago

*ADI archive of a December 27, 2020, tweet.<sup>14</sup> Note this tweet can also be found on the Internet Archive.<sup>15</sup>*

Arrest this Satanic piece of sh\*t!

**Eric Trump**

 [@erictrump](#)

Eric Coomer - Dominions Vice President of U.S. Engineering – "Don't worry about the election, Trump's not gonna win. I made f\*cking sure of that!" <https://t.co/EK8fcEwQIH>

7 months ago

 [@erinfreedom](#) 7 months ago

*ADI archive of a November 17, 2020, tweet.<sup>16</sup>*

<sup>12</sup> <https://twitter.com/saucy3george/status/1331034385328562176>

<sup>13</sup> <https://web.archive.org/web/20201124004131/https://twitter.com/saucy3george/status/1331034385328562176>

<sup>14</sup> [https://twitter.com/Cmon\\_Man2020/status/1343385397225684997](https://twitter.com/Cmon_Man2020/status/1343385397225684997)

<sup>15</sup> [https://web.archive.org/web/20201228023708/https://twitter.com/Cmon\\_Man2020/status/1343385397225684997](https://web.archive.org/web/20201228023708/https://twitter.com/Cmon_Man2020/status/1343385397225684997)

<sup>16</sup> <https://twitter.com/erinfreedom/status/1328848481054814209>

Comer, being scrubbed from internet as you read this, holds the actual patents to cheat! This sick criminal makes \$\$\$ while putting the steal on nations & steering the futures of humanity. Crimes against humanity? You bet! Treason? You better believe it.

  Michele   

 @majmo50

👉 Developing: Dominion's Anti-Trump Executive Eric Coomer Owns Patents on Adjudication Process That Investigators Found Skimmed Votes From Trump in Michigan <https://t.co/FBV41tfLYh>

6 months ago

 @tahntahn76 6 months ago

*ADI archive of a December 27, 2020, tweet.<sup>17</sup> Note this tweet can also be found on the Internet Archive.<sup>18</sup>*

RT @TLRPOWER: Convict Dr. Eric Coomer of treason, then we the ppl can hang him for robbing the ppl of our control of our Constitutional Republic.

 @chicfriends 7 months ago

*ADI archive of a December 9, 2020, retweet.<sup>19</sup>*

Yea, where is Coomer??? He had So Much to Say about how he Fixed it...So President Trump Would NOT Be Re Elected. I think , Eric CooperHunted Down..and Arrested!

**Machiavelli**

 @theriseofrod

Dominion Executive: Trump is not going to win. I made f\*\*\*ing sure of that! <https://t.co/aRMBwcWNOI>

7 months ago

 @chafinminnie 7 months ago

*ADI archive of a November 26, 2020, tweet.<sup>20</sup>*

<sup>17</sup> <https://twitter.com/tahntahn76/status/1343247541622644736>

<sup>18</sup> <https://web.archive.org/web/20201227172931/https://twitter.com/tahntahn76/status/1343247541622644736>

<sup>19</sup> <https://twitter.com/chicfriends/status/1336541310057148416>

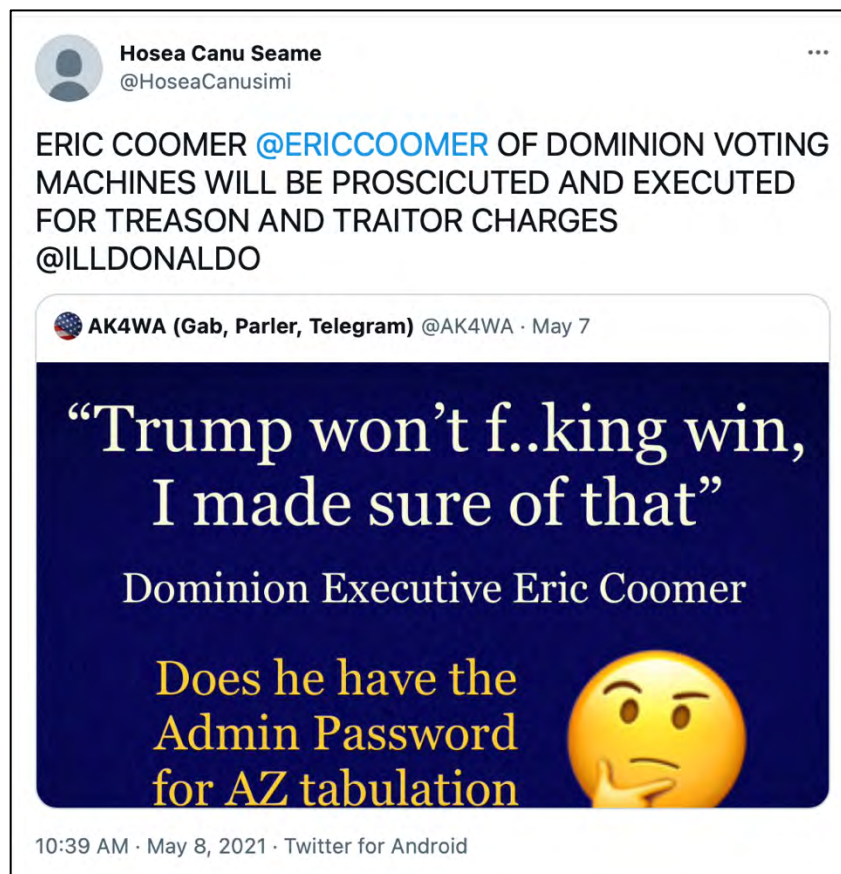
<sup>20</sup> <https://twitter.com/ChafinMinnie/status/1332010141902925825>

2. Since Twitter’s takedowns of QAnon accounts on January 11, 2021,<sup>21</sup> there have been approximately 20,480 accounts have mentioned Eric Coomer on Twitter, with many continuing to post content calling for Coomer to be killed or arrested.

Between January 12, 2021, at 12:00 am EDT, and June 30, 2021, at 11:59 pm EDT, approximately 20,480 Twitter accounts have posted the term “Coomer” in public tweets.<sup>22</sup>

Approximately 1,040 accounts used the terms “kill,” “die,” “shoot,” “treason,” “hang,” “traitor,” “arrest,” and/or “attack” in posts containing the term “Coomer,” between January 12, 2021, at 12:00 am EDT, and June 30, 2021, at 11:59 pm EDT.

A manual review of these posts shows that many of them contain violent and/or threatening language. A sample of these are included below:



*Screenshot taken July 2, 2021, at 3:59 pm EDT.<sup>23</sup>*

<sup>21</sup> <https://www.nytimes.com/2021/01/11/technology/twitter-removes-70000-qanon-accounts.html>

<sup>22</sup> Tweets gathered following Twitter’s removal of QAnon accounts were via a Twitter search for “Coomer” and only include public, undeleted tweets that are searchable on Twitter.

<sup>23</sup> <https://twitter.com/HoseaCanusimi/status/1391040149048332288>



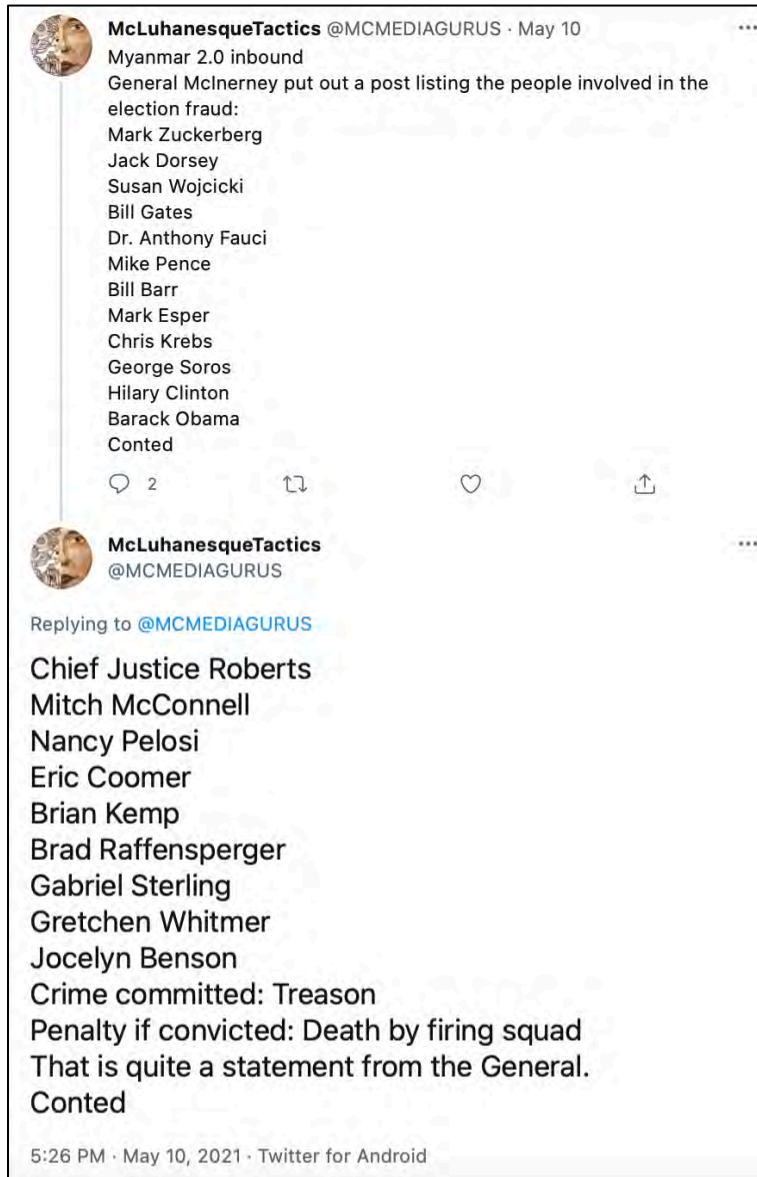
Screenshot taken July 2, 2021, at 4:00 pm EDT.<sup>24</sup>



Screenshot taken July 2, 2021, at 4:03 pm EDT.<sup>25</sup>

<sup>24</sup> <https://twitter.com/GAODwyer/status/1393151821015826436>

<sup>25</sup> <https://twitter.com/RogaJolly/status/1393659019248685059>



Screenshot taken July 2, 2021, at 4:04 pm EDT.<sup>26</sup>

<sup>26</sup> <https://twitter.com/MCMEDIAGURUS/status/1391867220192546822>

**Unpurgeable**  
@Unpurgeable18

Replying to @EmeraldFire1967

Walls are closing in on Coomer slowly but he'd be sweating and not in the same confident frame of mind when he was hiding away mounting off his TDS and impending Treason

Now he is under the pump, we should see him squirm and f'k up

The most arrogant are always the most ignorant

1:23 AM · May 26, 2021 · Twitter Web App

Screenshot taken July 2, 2021, at 4:05 pm EDT.<sup>27</sup>

<sup>27</sup> <https://twitter.com/Unpurgeable18/status/1397423099331575808>

## Appendix – Methodology

**QAnon-related accounts** are defined as Twitter accounts with any of the following terms in their bios: *QAnon, #QAnon, wwg1wga, #wwg1wga, the great awakening, #thegreatawakening, #q, #oathkeeper, #greatawakening, #wwg1wgaworldwide, #wwgowga, where we go one we go all, QSentMe, qfamily, #QArmy, #Qanons, qanons, #taketheoath.*

On January 11, 2021, Twitter announced it had suspended over 70,000 accounts that shared QAnon-related content.<sup>28</sup> Prior to Twitter’s actions, approximately 99,000 QAnon-related accounts were active on Twitter and had posted content between January 1, 2020, at 12:00am EDT and January 7, 2021, at 8:00am EDT. While ADI lost data for thousands of QAnon-related accounts after Twitter’s actions, ADI retains the historical data for the majority of posts<sup>29</sup> of approximately 96,500 QAnon-related accounts as of July 2, 2021.

Tweets gathered following Twitter’s removal of QAnon accounts were collected between January 12, 2021, at 12:00 am EDT and June 30, 2021, at 11:59 pm EDT. Tweets were gathered via a Twitter search for “Coomer” and only include public, undeleted tweets that are searchable on Twitter.

## Background on ADI

Advance Democracy, Inc. (ADI)<sup>30</sup> is an independent, non-partisan, non-profit organization that conducts public-interest research in the United States and around the world.

Please contact ADI at [info@advdem.org](mailto:info@advdem.org) with any questions.

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<sup>28</sup> <https://www.nytimes.com/2021/01/11/technology/twitter-removes-70000-qanon-accounts.html>

<sup>29</sup> Posts are defined as tweets, retweets, quote tweets, or replies.

<sup>30</sup> <https://advancedemocracy.org/>