

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

GENEVIEVE MAHONEY,)	
a/k/a @genmahoney19,)	
an individual,)	
)	
Plaintiff,)	NO. 3:21-cv-00607
v.)	
)	Judge Campbell
)	Magistrate Judge Frensley
FACEBOOK, INC.,)	
a Delaware corporation,)	JURY DEMAND
)	
Defendant.)	
)	
)	

DECLARATION OF TORI OTT

I, Tori Ott, declare as follows:

1. I am a legal assistant employed by the law firm of Duncan, Hatcher, Holland & Fleenor, P.C. (“DHHF”) at its Chattanooga, Tennessee office. I am over eighteen years of age and if called upon to testify to the facts set forth in this declaration, I could and would testify competently thereto.

2. As part of my duties, obligations, and responsibilities, I have provided legal assistance to attorney M. E. Buck Dougherty III, an attorney employed by DHHF and lead counsel on this case, on behalf of the plaintiff, Genevieve Mahoney, @genmahoney19 (“Genevieve”).

3. I have access to all of the files and records and pleadings regarding this case in both the state court action filed in Davidson County Circuit Court, as well as the removal to the Middle District of Tennessee.

4. On July 1, 2021, I filed electronically the complaint of *Mahoney v. Facebook, Inc.* in the Davidson County Circuit Court Clerk's office. The case was assigned the Case No. 21C1107.

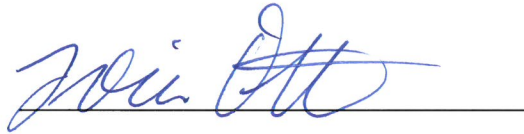
5. I received an electronic notice on July 1, 2021, indicating that the Honorable Joseph P. Binkley, Jr. had been assigned the case. Attached hereto as Exhibit 1 is a copy of this receipt assigning Judge Binkley to the case.

6. Prior to filing the case in Circuit Court on July 1, 2021, Mr. Dougherty assigned me to prepare a UPS overnight delivery letter including an attached Instagram terms of use ("Terms"), to be delivered to Facebook, Inc. in order that Genevieve could opt-out of arbitration. A copy of that letter and accompanying UPS delivery information is attached hereto as Exhibit 2.

7. This arbitration notice opt-out letter and associated documents were sent via UPS overnight on January 14, 2021, and delivered to Facebook, Inc. at its headquarters in Menlo Park, California, the following day on January 15, 2021.

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

Executed on September 20, 2021, in Chattanooga, Tennessee.



Tori Ott

CERTIFICATE OF SERVICE

I hereby certify that on September 20, 2021, a copy of the foregoing *Declaration of Tori Ott* was filed electronically via the court's CM/ECF filing system. Notice of this filing will be sent by operation of the court to all parties indicated on the electronic filing receipt, including counsel below.

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/s/ M. E. Buck Dougherty III
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