

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

LARRY KLAYMAN, *et al.*,

Plaintiffs,

v.

JAMES COMEY, *et al.*,

Defendants.

Case No: 17-cv-1074

**AMENDED AFFIDAVIT OF DENNIS MONTGOMERY IN SUPPORT OF  
PLAINTIFFS' MOTION FOR TEMPORARY RESTRAINING  
ORDER AND PRELIMINARY INJUNCTION**

1. My name is Dennis Montgomery, I am over 18 years old. I am an adult citizen of the United States and I am the Plaintiff in the above stated case. I have personal knowledge of the facts stated in this declaration.
2. I am a former National Security Agency ("NSA"), Central Intelligence Agency ("CIA"), and Director of National Intelligence ("DNI") contractor and/or whistleblower. I have worked with each of these groups at all material times on domestic surveillance programs.
3. I have intimate knowledge of Defendants', each and every one them, acting individually and in concert, longstanding pattern and practice of conducting illegal, unconstitutional surveillance on millions of Americans.
4. On August 19, 2015, I was induced by Defendants Comey and the Federal Bureau of Investigation ("FBI") and made to turn over 47 hard drives containing over 600,000,000 pages of

data on 20 plus million Americans that are evidence of the aforementioned illegal, unconstitutional activity. Much of the domestic data I collected on behalf of the US Government was collected on computers supplied by the FBI.

5. I am the owner of the hard drives and their contents.

6. The hard drives alone are valued in excess of \$5,000 dollars.

7. I did not disseminate the classified information contained on the hard drives to the public, and have taken steps to maintain the secrecy of the contents therein.

8. My counsel, Plaintiff Larry Klayman, was told and assured by the former General Counsel of the FBI, James Baker, that Defendant Comey was taking “hands on” supervision and conducting my investigation, given its importance.

9. On or about December 21, 2015, I was interviewed under oath at the FBI Field Office in Washington, D.C. The FBI offered me immunity in exchange for my testimony.

10. There, over the course of an over three-hour interview, recorded on video, with Special Agents Walter Giardina and William Barnett, I described the NSA, CIA, DNI’s, and the other Defendants’ pattern and practice of conducting illegal, unconstitutional surveillance against millions of Americans, including prominent Americans such as the chief justice of the U.S. Supreme Court, other justices, 156 judges, prominent businessmen, and others such as Donald J. Trump, as well as Plaintiffs themselves.

11. I was assured that the FBI, under Defendant Comey, would conduct a full investigation into the grave instances of illegal and unconstitutional activity set forth by the information I provided.

12. However, the FBI, on Defendant Comey’s orders, buried the FBI’s investigation because the FBI itself is involved in an ongoing conspiracy to not only conduct the aforementioned illegal, unconstitutional surveillance, but to cover it up as well.

13. Circa News has disclosed that the FBI has illegally shared raw intelligence about Americans with unauthorized third parties and violated other constitutional privacy protections, according to newly declassified government documents.<sup>1</sup>

14. I have requested for the return of my 47 hard drives confiscated by the FBI, as well as the videos of my interview with the FBI. The FBI has refused my request.

15. I am fearful that, given the implications of my complaint and a possible investigation, the FBI will destroy the hard drives and video interviews.

16. The FBI itself collaborates with, and continues to collaborate with, the Defendant spy agencies to conduct illegal surveillance.

17. I do not pose any threat to national security, nor do I have any ties to terrorism. I am a former contractor for the NSA, CIA, and the DNI who still has a security clearance. Defendants do not have any probable cause to continue to illegally surveil Plaintiffs my phone and internet activity.

18. Since the December 21, 2015 interview with the FBI, I have been the victim of multiple hacking attempts against my home and business computers from Defendants.

19. Upon tracing the IP addresses of the origination of the hacking attempts, I discovered that numerous attempts also came from the FBI's Criminal Justice Information Systems office in Clarksburg, West Virginia.

20. Upon tracing the IP addresses of the origination of the hacking attempts, I discovered that numerous attempts also came from the Department of Defense's Network Information Center in Columbus, Ohio.

21. Upon tracing the IP addresses of the origination of the hacking attempts, I discovered that

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<sup>1</sup> John Solomon, Sara Carter, *Declassified Memos Show FBI Illegally Shared Spy Data On Americans With Private Parties*, Circa, May 25, 2017, available at: <http://circa.com/politics/declassified-memos-show-fbi-illegally-shared-spy-data-on-americans-with-private-parties>.

numerous attempts also came from the CIA in Washington, DC.

22. In March 2017, I was also notified that my Apple account was hacked.

23. Upon tracing the IP addresses of the origination of the hacking attempts, I discovered that the attempt came from the CIA in Langley, Virginia.

24. I have, at all material times, made international phone calls and exchanged correspondence with individuals located in foreign nations within the past two years.

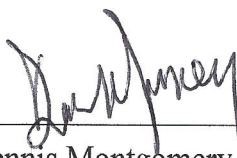
25. Defendants' illegal spying has directly and significantly impacted me and my ability to communicate via telephone, email, and otherwise, given the concerns that confidential, private, and legally privileged communications will be overheard or obtained by Defendant's illegal spying, and use against me and my contacts concerning government abuses and corruption.

26. Defendants' illegal spying has prevented me from being able to speak to my legal counsel, Larry Klayman, which is a breach of my attorney-client privilege.

27. These coercive tactics are designed to compromise me, my family, and my friends' security, silence me and my legal advocacy, and put me in fear of the government and its unconstitutional surveillance that I am trying to stop.

Sworn under penalty of perjury

Dated: June 23, 2017

  
\_\_\_\_\_  
Dennis Montgomery

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed electronically and served through the court's ECF system to all counsel of record or parties on June 23, 2017 and that a true and correct of the copy of the foregoing was sent through U.S. Mail to the following:

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/s/ *Larry Klayman*  
Attorney