

# **EXHIBIT 43**

**From:** Catherine Close  
**Sent time:** 07/13/2022 12:50:48 PM  
**To:** Bentz, Tamany <Tamany.Bentz@us.dlapiper.com>; Lueddeke, Jason <Jason.Lueddeke@us.dlapiper.com>; Grush, Benjamin <Benjamin.Grush@us.dlapiper.com>  
**Cc:** Helene P. Saller; Adam Tate; Dirk Julander  
**Subject:** RE: 3MCW01-01 Credit Card Issue  
**Attachments:** 20210607-143145-0001902-nonprofit-kmcnamara-Update\_from\_Hootsuite\_Help\_Desk\_Ticket\_2093488\_Application\_Non\_Profit\_Discount\_Breaking\_Code\_Silence.htm.pdf

Hi Tamany,

To follow up regarding CBS's Facebook notification, it appears that after Jeremy Whiteley's access to the account was cut-off, your client never removed his email address as one of the "Financial Administrators" (the account owner is Vanessa Hughes). Thus, though he has no administrative access (other than view-only), he still received the email I sent you yesterday because his email address was never removed. Mr. Whiteley does not dare even attempt to remove himself, lest he be falsely accused of cyber-hacking again by BCS. Please confirm in writing that he has been removed from all of BCS's accounts and let BCS know that Facebook has apparently been trying since March to transfer funds into BCS's bank account and that it only has 9 more days to fix the issue.

Regarding Hootsuite, BCS qualified for a non-profit discounted rate in June 2021. Please see the attached email from the Hootsuite Help Desk. In it, Hootsuite advised that BCS would be charged \$831 annually (instead of \$1,548). Consistent with this, on the one-year anniversary of the account opening, May 25, 2022, Ms. McNamara's CapitalOne card was charged exactly \$831. So the account was not free. Your clients are misinformed. I will ask you again to please confirm in writing that Ms. McNamara's credit cards have been deleted as an available payment method from all of BCS's accounts, regardless of whether your client believes the accounts are free.

Thanks, Catherine

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**From:** Bentz, Tamany <Tamany.Bentz@us.dlapiper.com>  
**Sent:** Wednesday, July 13, 2022 12:20 PM  
**To:** Catherine Close <cac@jbblaw.com>; Lueddeke, Jason <Jason.Lueddeke@us.dlapiper.com>; Grush, Benjamin <Benjamin.Grush@us.dlapiper.com>  
**Cc:** Helene P. Saller <helene@jbblaw.com>; Adam Tate <Adam@jbblaw.com>; Dirk Julander <doj@jbblaw.com>  
**Subject:** RE: 3MCW01-01 Credit Card Issue

Hi Catherine,

We confirmed that BCS does not have access to any paid features on Hootsuite and, therefore, there should be no charges to Ms. McNamara's credit card that are related to BCS. Attached is a screen shot confirming BCS has a free plan. Let me know if you have any questions.

We are looking into the Facebook issue too.

Thanks,  
Tamany

**Tamany Vinson Bentz**

Partner

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DLA Piper LLP (US)  
dlapiper.com

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**From:** Catherine Close <cac@jbblaw.com>  
**Sent:** Tuesday, July 12, 2022 1:09 PM  
**To:** Bentz, Tamany <Tamany.Bentz@us.dlapiper.com>; Lueddeke, Jason <Jason.Lueddeke@us.dlapiper.com>; Grush, Benjamin <Benjamin.Grush@us.dlapiper.com>  
**Cc:** Helene P. Saller <helene@jbblaw.com>; Adam Tate <Adam@jbblaw.com>; Dirk Julander <doj@jbblaw.com>  
**Subject:** RE: 3MCW01-01 Credit Card Issue



Hi Tamany,

I just wanted to touch base with you to get confirmation that your client has removed all of Ms. McNamara’s credit card information from any BCS accounts before the next billing cycle. Please advise.

In addition, today Mr. Whiteley received a strange notification from Facebook Support indicating that something is wrong with BCS’s account and requiring a response within 10 days. A screenshot of the message is attached. As your client knows, contrary to the allegations in the Complaint, Mr. Whiteley removed himself from the Facebook account immediately after his resignation and no longer has any access to that account. The confirmation of his removal from the Facebook account more than a year ago is also attached. As a result, it is unclear why he received the notification today instead of BCS’s new account manager. Most likely it was due to a glitch in Facebook’s system. Anyway, I sincerely hope your client is able to resolve the issue.

Yours, Catherine

**From:** Bentz, Tamany <[Tamany.Bentz@us.dlapiper.com](mailto:Tamany.Bentz@us.dlapiper.com)>  
**Sent:** Tuesday, June 7, 2022 1:27 PM  
**To:** Catherine Close <[cac@jbblaw.com](mailto:cac@jbblaw.com)>; Lueddeke, Jason <[Jason.Lueddeke@us.dlapiper.com](mailto:Jason.Lueddeke@us.dlapiper.com)>; Grush, Benjamin <[Benjamin.Grush@us.dlapiper.com](mailto:Benjamin.Grush@us.dlapiper.com)>  
**Cc:** Helene P. Saller <[helene@jbblaw.com](mailto:helene@jbblaw.com)>; Adam Tate <[Adam@jbblaw.com](mailto:Adam@jbblaw.com)>; Dirk Julander <[doj@jbblaw.com](mailto:doj@jbblaw.com)>  
**Subject:** RE: 3MCW01-01 Credit Card Issue

Thanks, Catherine. We will connect with our client on this right now.  
Tamany

**From:** Catherine Close <[cac@jbblaw.com](mailto:cac@jbblaw.com)>  
**Sent:** Tuesday, June 7, 2022 1:20 PM  
**To:** Lueddeke, Jason <[Jason.Lueddeke@us.dlapiper.com](mailto:Jason.Lueddeke@us.dlapiper.com)>; Grush, Benjamin <[Benjamin.Grush@us.dlapiper.com](mailto:Benjamin.Grush@us.dlapiper.com)>; Bentz, Tamany <[Tamany.Bentz@us.dlapiper.com](mailto:Tamany.Bentz@us.dlapiper.com)>  
**Cc:** Helene P. Saller <[helene@jbblaw.com](mailto:helene@jbblaw.com)>; Adam Tate <[Adam@jbblaw.com](mailto:Adam@jbblaw.com)>; Dirk Julander <[doj@jbblaw.com](mailto:doj@jbblaw.com)>  
**Subject:** 3MCW01-01 Credit Card Issue



Counsel,

My client, Katherine McNamara, continues to receive charges on her personal credit card for the Hootsuite account which, as your clients know, is not registered to her and to which she has not had any access whatsoever since her resignation from BCS. She intends to dispute the recent charge. To prevent your clients from incurring further liability to her, and from perpetrating credit card fraud, please remove Ms. McNamara’s credit card information from the account and from any other accounts in BCS’s control.

I look forward to your prompt confirmation that this request has been complied with.  
Yours, Catherine



**Catherine A. Close**  
Attorney

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SUBJECT: Update from Hootsuite Help Desk - Ticket #2093488 (Application: Non-Profit Discount [Breaking Code Silence])  
FROM: "Dante (Hootsuite Non-Profit Account Support)" <nonprofit@hootsuite.zendesk.com>  
TO: Katherine McNamara <kmcnamara@breakingcodesilence.org>  
DATE: 06/07/2021 14:31

## Please type your reply above this line ##

Hi Katherine,

Your Hootsuite Help Desk ticket has been closed.

If you feel we haven't solved your issue, you can re-open this ticket by simply replying to this email, or by following this link:  
[help.hootsuite.com/hc/requests/2093488](https://help.hootsuite.com/hc/requests/2093488)

Hootsuite Help Desk | [@hootsuite\\_help](https://twitter.com/hootsuite_help) | <https://hootsuite.com/help>

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**Application: Non-Profit Discount [Breaking Code Silence]**

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**Dante** (Hootsuite Help Desk)

Jun 7, 2021, 14:31 PDT

Hello,

The non-profit discount has been applied to your Hootsuite account associated with the email [kmcnamara@breakingcodesilence.org](mailto:kmcnamara@breakingcodesilence.org) and will provide you with an annual price of **\$831 USD**.

Additionally, I have processed a refund for the amount of **\$717 USD**. You'll see this reflected from 5 -7 business days, depending on your bank.

You can also take advantage of our **exclusive non-profit 50% discount** and become a certified pro on the fundamentals of social media marketing or the Hootsuite dashboard, with recognized industry credentials from Hootsuite. [Click to learn more.](#)

Here's how to redeem this exclusive discount:

1. Log into [Academy site](#).
2. Click on Certifications from the top menu.
3. Select the preferred Certification to purchase.
4. Click **Take the Exam**.
5. Click **Have a coupon?**
6. Apply the code "**hootgiving**" to reduce shopping cart by 50% off before checking out.
7. Click **Purchase**.

**\*\*Please understand this coupon is not applicable to ASMS Certification or Social Media for Healthcare**

If there are any outstanding questions, please feel free to get back in touch.

We wish you all the best in your social media endeavors.

Kind regards,

[hootsuite.com/help](https://hootsuite.com/help)

[Download our mobile app](#)

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## emailautomation

Jun 7, 2021, 10:53 PDT

Hi there,

This is an auto notification that someone has applied for the Hootsuite Non-Profit Discount. Lead details are below.

Plan Type: professional

First Name: Katherine

Last Name: McNamara

Email: [kmcnamara@breakingcodesilence.org](mailto:kmcnamara@breakingcodesilence.org)

Organization Name: Breaking Code Silence

Organization Website: <https://www.breakingcodesilence.org>

Country: United States

Non-Profit Registration Number: US 501 c(3)

Organization Mission: The mission of Breaking Code Silence is to prevent institutional child abuse in residential facilities and to empower adult survivors to engage in positive self-advocacy. We utilize education, outreach, research, and community organizing to protect the civil and human rights of youth in congregate care.

Phone Number: [REDACTED]

Industry: Education

Monthly Social Media Budget: Under \$500 / month

This is automated, but if you have any questions you can reply to this email.

Ron

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Hootsuite's Non Profit Application

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This email is a service from Hootsuite Help Desk. Delivered by [Zendesk](#)

[899D8P-MY0K]