EXHIBIT 55

TAMANY J. VINSON BENTZ (SBN 258600)
tamany.bentz@us.dlapiper.com
JASON T. LUEDDEKE (SBN 279242)
jason.lueddeke@us.dlapiper.com
MICHAEL PATRICK BROWN (SBN 328579)
michael.p.brown@us.dlapiper.com
BENJAMIN GRUSH (SBN 335550)
benjamin.grush@us.dlapiper.com
DLA PIPER LLP (US)
2000 Avenue of the Stars
Suite 400 North Tower
Los Angeles, California 90067-4735
Telephone: 310.595.3000
Facsimile: 310.595.3300

Attorneys for Plaintiff
BREAKING CODE SILENCE

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

BREAKING CODE SILENCE, a California 501(c)(3) nonprofit, Plaintiff, v. KATHERINE MCNAMARA, an individual, JEREMY WHITELEY, an individual, and DOES 1 through 50, inclusive, Defendants.	Case No. 2:22-cv-02052-SB-MAA **PLAINTIFF BREAKING CODE SILENCE'S FIRST AMENDED RESPONSES TO DEFENDANT JEREMY WHITELEY'S THIRD SET OF REQUESTS FOR PRODUCTION** Judge: Hon. Maria A. Audero Complaint Filed: March 28, 2022 Trial Date: October 17, 2023

PROPOUNDING PARTY:	Defendant JEREMY WHITELEY
RESPONDING PARTY:	Plaintiff BREAKING CODE SILENCE
SET NO.:	Four

Pursuant to Federal Rule of Civil Procedure 34, Plaintiff Breaking Code Silence ("Plaintiff") provides its first amended response to Defendant Jeremy Whiteley's Fourth Set of Requests for Production of Documents (the "Requests") as follows:

PRELIMINARY STATEMENT

1. Although Plaintiff has conducted a good faith investigation in order to respond to the Requests, Plaintiff has not completed its investigation or discovery in this matter. By responding to these Requests, Plaintiff is not precluded from providing supplemental responses or from using at trial or other proceedings, information that is obtained subsequent to the date of these responses.

2. By these responses, Plaintiff makes no admission concerning the relevance or admissibility of any of the information sought and reserves its right to make all pertinent evidentiary objections at trial or at any other stage of these proceedings.

GENERAL STATEMENT AND OBJECTIONS

Plaintiff's responses are subject to the General Objections set forth below. These General Objections form a part of each response to each Request and are set forth here to avoid the duplication and repetition that would follow from restating them in each response. The General Objections may be specifically referred to in response to the Requests for the purpose of clarity; however, the failure to specifically reference a General Objection in a response should not be construed as a waiver of the objection in connection therewith.

1. Plaintiff objects to these Requests to the extent they are overbroad, unduly burdensome, and seek documents that are not reasonably calculated to lead to the discovery of admissible evidence.

2. Plaintiff objects to these Requests to the extent that they are vague, ambiguous, overbroad, or oppressive, or seek information for which the burden or expense of the proposed discovery outweighs the likely benefit. Any response or

production by Plaintiff is not an admission by Plaintiff of the relevance or admissibility of the records or information produced, and all objections to the further use of any information or documents or to further production are specifically preserved.

3. Plaintiff objects to these Requests to the extent that they are not limited to a reasonable time period and are therefore overbroad, seek information for which the burden or expense of the proposed discovery outweighs the likely benefit, and seek information beyond the scope of permissible discovery.

4. Plaintiff objects to these Requests to the extent that they seek information and documents that are protected from discovery by the attorney-client privilege and/or attorney work-product doctrine, protected by the right to privacy, or protected by any other applicable privilege or protection. Any inadvertent production of privileged or protected information or documents shall not constitute, or be deemed, a waiver of any applicable statutory, regulatory, common law, or other privilege. Plaintiff reserves the right to demand the return or destruction of any privileged or protected document, copies thereof, and any materials containing information derived therefrom.

5. Plaintiff objects to these Requests to the extent that they seek the disclosure of information or documents that contain private, proprietary, confidential, trade secret, sensitive financial, or otherwise protected information.

6. Plaintiff objects to these Requests to the extent that they call for speculation because Plaintiff lacks sufficient foundation to provide a response.

7. Plaintiff objects to these Requests to the extent that they seek information or documents that: (i) are already in the possession of, or equally available to, Defendants; (ii) are more easily and efficiently obtained from other sources, including from other federal agencies or regulatory bodies; or (iii) are not in the possession, custody, or control of Plaintiff.

8. Plaintiff objects to these Requests to the extent that Defendants purport to impose on Plaintiff any obligation different from, or greater than, those set forth in the Federal Rules of Civil Procedure, the Local Rules of the Central District of California, or other applicable rules or standing orders of the Court. Plaintiff is not obligated to, and declines to, comply with any instructions or directions that conflict with the Federal Rules of Civil Procedure, the Local Rules of the Central District of California, or other applicable rules or standing orders of the Court.

9. Plaintiff objects to these Requests to the extent that they seek the disclosure of information that calls for an expert witness opinion.

10. Plaintiff objects to these Requests to the extent that they seek information that addresses purely legal issues, contains legal conclusions, implies or assumes facts or circumstances which do not or did not exist, or seeks an admission of liability.

11. Plaintiff's responses shall not be deemed to constitute incidental or implied admissions. Plaintiff's response to all or any part of a Request should not be taken as an admission that: (i) any particular document or thing exists, is in Plaintiff's possession, custody, or control, is relevant, non-privileged, or admissible in evidence; (ii) any statement or characterization in the Requests is accurate or complete; (iii) Plaintiff's response constitutes admissible evidence; or (iv) Defendant accepts or admits the existence of any alleged fact(s) set forth or assumed by the Request.

12. Plaintiff objects to these Requests to the extent they seek to restrict the facts on which Plaintiff may rely at summary judgment, trial, or any other proceeding in this matter. Discovery has yet to be completed in this case. By responding and objecting to these Requests, Plaintiff does not intend to, and does not, limit the evidence upon which it may rely to support its contentions, denials, and defenses, or to rebut or impeach contentions, assertions, and evidence presented

by Defendants. Further, Plaintiff reserves the right to supplement or amend its responses.

These General Objections are explicitly incorporated into each of the responses hereinafter provided as if the same were fully set forth therein at length.

RESPONSES TO REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 29 [SIC]:

Please PRODUCE all timekeeping, invoicing, billing, and payment records reflecting or RELATING TO the "[t]ime incurred by [BCS's] lawyers" (as set forth in YOUR Amended Response to Interrogatory No. 9(a)(2)), and the associated costs to BCS.

RESPONSE TO REQUEST FOR PRODUCTION NO. 29 [SIC]:

Plaintiff hereby incorporates by reference its Preliminary Statement and Objections as though set forth herein. Plaintiff further objects to this Request on the grounds that it is duplicative of RFP 1. Plaintiff also objects to this request as overbroad, unduly burdensome, and seeks information that it is not relevant to the claims or defenses of any party and/or not proportional to the needs of the case because, among other reasons, it seeks "all timekeeping, invoicing, billing, and payment records." Plaintiff further objects to this Request to the extent that it seeks the disclosure of information or documents subject to the attorney-client privilege, the attorney work-product doctrine, and/or any other applicable privilege or protection, including any common interest privilege.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff is unaware of any non-privileged documents that are responsive to this request.

AMENDED RESPONSE TO REQUEST FOR PRODUCTION NO. 29 [SIC]:

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff will produce non-privileged documents sufficient to show the

time incurred by BCS attorneys as part of the investigation into the alleged hacking of BCS's website.

REQUEST FOR PRODUCTION NO. 31:

For each of YOUR employees/volunteers/ agents investigating DEFENDANTS' actions, please PRODUCE all DOCUMENTS which reflect or evidence the amounts actually paid by BCS for the work performed.

RESPONSE TO REQUEST FOR PRODUCTION NO. 31:

Plaintiff hereby incorporates by reference its Preliminary Statement and Objections as though set forth herein. Plaintiff further objects to this Request on the grounds that is overbroad, unduly burdensome, and seeks information that it is not relevant to the claims or defenses of any party and/or not proportional to the needs of the case because, among other reasons, it purports to require Plaintiff to turn over all records related to all payments irrespective of whether they relate to this case or the tasks in an investigation that took several months' time.. Plaintiff further objects to this Request on the ground that it is vague and ambiguous in general, and specifically, with respect to the undefined phrase "actually paid." Plaintiff further objects to this Request to the extent that it seeks the disclosure of information or documents subject to the attorney-client privilege, the attorney work-product doctrine, and/or any other applicable privilege or protection, including any common interest privilegePlaintiff further objects to this Request on the ground that it seeks information protected from disclosure by the right to privacy under the constitutions of the United States of America and/or California, including with respect to Plaintiff and/or any third party.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff is unaware of any non-privileged documents responsive to this request.

AMENDED RESPONSE TO REQUEST FOR PRODUCTION NO. 31:

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff is unaware of any documents responsive to this request.

REQUEST FOR PRODUCTION NO. 32:

For each of YOUR lawyers investigating DEFENDANTS' actions, please PRODUCE all DOCUMENTS which reflect or evidence the specific tasks performed RELATED TO the investigation and the dates each task was performed.

RESPONSE TO REQUEST FOR PRODUCTION NO. 32:

Plaintiff hereby incorporates by reference its Preliminary Statement and Objections as though set forth herein. Plaintiff further objects to this Request on the grounds that is overbroad, unduly burdensome, and seeks information that it is not relevant to the claims or defenses of any party and/or not proportional to the needs of the case because, among other reasons, it is not limited as to time and/or scope. Plaintiff further objects to this Request on the ground that it is vague and ambiguous in general, and specifically, with respect to the undefined terms and/or phrases "specific tasks performed." Plaintiff further objects to this Request because it seeks the disclosure of information or documents subject to the attorney-client privilege, the attorney work-product doctrine, and/or any other applicable privilege or protection.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff is unaware of any non-privileged documents responsive to this request.

AMENDED RESPONSE TO REQUEST FOR PRODUCTION NO. 32:

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff will produce non-privileged documents sufficient to show the time incurred by BCS attorneys as part of the investigation into the alleged hacking of BCS's website.

REQUEST FOR PRODUCTION NO. 34:

Please PRODUCE all Google Search Console logs for the <breakingcodesilence.com> domain.

RESPONSE TO REQUEST FOR PRODUCTION NO. 34:

Plaintiff hereby incorporates by reference its Preliminary Statement and Objections as though set forth herein. Plaintiff further objects to this Request on the grounds that is overbroad, unduly burdensome, and seeks information that it is not relevant to the claims or defenses of any party and/or not proportional to the needs of the case because, among other reasons, it is not limited as to time and/or scope. Plaintiff further objects to this Request on the ground that it is vague and ambiguous in general. Plaintiff further objects to this Request on the ground that it is duplicative of Defendants' earlier requests.

AMENDED RESPONSE TO REQUEST FOR PRODUCTION NO. 34:

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff will produce the Google Search Console logs that it is able to obtain or are in its possession custody and control.

REQUEST FOR PRODUCTION NO. 38:

Please PRODUCE the Google Tag Manager version history of the <breakingcodesilence.com> website for any and all tags used between March 22, 2021 and the present.

RESPONSE TO REQUEST FOR PRODUCTION NO. 38:

Plaintiff hereby incorporates by reference its Preliminary Statement and Objections as though set forth herein. Plaintiff further objects to this Request on the grounds that is overbroad, unduly burdensome, and seeks information that it is not relevant to the claims or defenses of any party and/or not proportional to the needs of the case because, among other reasons, it seeks information from in irrelevant time period. Plaintiff further objects to this Request on the ground that it is vague and ambiguous in general, and specifically, with respect to the undefined phrase(s)

"Google Tag Manager version history," and "any and all tags." Plaintiff further objects to this Request on the ground that it is duplicative of earlier requests served by either Defendant.

AMENDED RESPONSE TO REQUEST FOR PRODUCTION NO. 38:

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff will produce the Google Tag Manager records that it is able to obtain or are in its possession custody and control.

REQUEST FOR PRODUCTION NO. 39:

Please PRODUCE all DOCUMENTS RELATED TO any and all DNS Records related to the domain <breakingcodesilence.com> and on the breakingcodesilence.com website.

RESPONSE TO REQUEST FOR PRODUCTION NO. 39:

Plaintiff hereby incorporates by reference its Preliminary Statement and Objections as though set forth herein. Plaintiff further objects to this Request on the grounds that is overbroad, unduly burdensome, and seeks information that it is not relevant to the claims or defenses of any party and/or not proportional to the needs of the case because, among other reasons, it is not limited as to time and/or scope. Plaintiff further objects to this Request on the ground that it is vague and ambiguous in general, and specifically, with respect to the undefined phrase "DNS Records." Plaintiff further objects to this Request on the ground that it is duplicative of earlier requests served by either Defendant.

AMENDED RESPONSE TO REQUEST FOR PRODUCTION NO. 39:

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff will produce records that show any change, alteration, or de-indexing alleged in the Complaint that Plaintiff can obtain or are in its possession, custody or control.

Dated: March 10, 2023

DLA PIPER LLP (US)

By: /s/Tamany Vinson Bentz

TAMANY J. VINSON BENTZ
JASON T. LUEDDEKE
MICHAEL P. BROWN
BENJAMIN GRUSH

Attorneys for Plaintiff
BREAKING CODE SILENCE

PROOF OF SERVICE BY MAIL
(Fed. R. Civ. Proc. 5(b))

I declare that I am employed with the law firm of DLA Piper LLP (US), whose address is 2000 Avenue of the Stars, Suite 400 North Tower, Los Angeles, California 90067-4704; I am not a party to the within cause; I am over the age of eighteen years and I am readily familiar with DLA Piper's practice for collection and processing of correspondence for mailing with the United States Postal Service and know that in the ordinary course of DLA Piper's business practice the document described below will be deposited with the United States Postal Service on the same date that it is placed at DLA Piper with postage thereon fully prepaid for collection and mailing.

I further declare that on the date hereof I served a copy of:

PLAINTIFF BREAKING CODE SILENCE'S FIRST AMENDED RESPONSES TO DEFENDANT JEREMY WHITELEY'S THIRD SET OF REQUESTS FOR PRODUCTION

on the following by placing a true copy thereof enclosed in a sealed envelope addressed as follows for collection and mailing at 2000 Avenue of the Stars, Suite 400 North Tower, Los Angeles, California 90067-4704, in accordance with DLA Piper's ordinary business practices:

Catherine A. Close
JULANDER BROWN BOLLARD
9110 Irvine Center Drive
Irvine, CA 92618
Tel: (949) 477-2100
Fax: (949) 477-6355
Email: cac@jbblaw.com

I declare under penalty of perjury that the above is true and correct. Executed at Los Angeles, California, March 10, 2023.

Tamany Vinson Bentz	*/s/ Tamany Vinson Bentz*
(typed)	(signature)