

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

DR. SHIVA AYYADURAI,

Plaintiff,

v.

WILLIAM FRANCIS GALVIN, in his official  
capacity as the Secretary of the Commonwealth  
of Massachusetts,

Defendant.

CIVIL ACTION  
NO. 1:20-cv-11889-MLW

**AFFIDAVIT OF DEBRA O'MALLEY**

I, Debra O'Malley, on oath depose and state on personal knowledge and based on my review of the records of the Elections Division of the Office of the Secretary of the Commonwealth of Massachusetts (hereinafter, "the Elections Division") as follows:

1. I am the Communications Director for the Office of the Secretary of the Commonwealth. I have served in that capacity since 2017. As such, I have personal knowledge of the matters set forth herein.

2. The Elections Division is responsible for administration of state and presidential primaries and elections in the Commonwealth, including, among other things, responsibility for the printing of nomination papers, the receipt of certified nomination papers, and the printing of candidate lists and ballots, both official and absentee. Michelle Tassinari is the Director and Legal Counsel to the Elections Division.

3. On September 25, 2020, Attorney Tassinari alerted me to a Tweet by Shiva Ayyadurai in which he claimed that Massachusetts had destroyed ballots from the September 1 primary election:



4. That claim was untrue, since all of the paper ballots – i.e., the *only* ballots -- from the September 1 primary are being retained under seal by local election officials in accordance with state and federal law.

5. Since I am the administrator for the Elections Division’s Twitter account, Attorney Tassinari asked me to report Ayyadurai’s Tweet as false, using the mechanism within Twitter for reporting Tweets that violate the terms and conditions of that platform.

6. Per Attorney Tassinari’s request, I submitted a report of Ayyadurai’s false tweet online, through the Twitter platform.

7. In response, I received what appears to be an automated email response, informing me that Twitter would investigate my report and would contact me if they needed additional information.

8. I received no further communication from Twitter regarding my report of Ayyadurai’s Tweet.

9. That is the one and only time I, or to my knowledge, anyone in my office, has reported one of Ayyadurai's Tweets to Twitter for any reason.

Signed under the pains and penalties of perjury this 29th day of October, 2020.

/s/ Debra O'Malley  
Debra O'Malley