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- I first met Ellie Clougherty
- Ellie

1 Joe from the trip.

- 2 8. Ellie told me that she lost her virginity in Rome when she had sex with Joe. Ellie  
3 never suggested that that the sex in Rome was non-consensual during those  
4 conversations. To the contrary, she told the story in a very positive and excited way.  
5 I remember this conversation well because [REDACTED]  
6 [REDACTED]. She clearly sounded like she wanted to  
7 have additional sexual experiences with Joe when we talked.
- 8 9. With minor exceptions consistent with the occasional ups and downs of a long-term  
9 relationship, Ellie was extremely happy for most of the time she dated Joe. She was  
10 always very excited to spend time with him, and especially to take vacations with  
11 him. She would rave about how great it was to spend time with Joe on vacation, and  
12 during the relationship often reflected back positively on the trip to Rome where she  
13 lost her virginity. She also frequently talked about how she thought he was a “good”  
14 and moral person.
- 15 10. At first, I objected to Ellie and Joe dating because I felt he was too old for her. I  
16 talked to Ellie’s mother, Anne, about those concerns. Anne told me that my concerns  
17 were unfounded and that Joe offered the type of “stability” Ellie needed.
- 18 11. Anne and Ellie frequently talked about the financial benefits of Ellie’s relationship  
19 with Joe. Ellie often talked about the gifts Joe bought for her and other financial  
20 support she and her family received. For example, Ellie told me that she was  
21 confident that Joe would get her brother a job. As another example, Ellie would go  
22 shopping for clothes to wear to the many events they attended and would then send  
23 Joe the receipts.
- 24 12. During [REDACTED] (August 2012-2013), Ellie started spending almost all of her  
25 free time with Joe and I saw her less frequently. When I did see her, she would still  
26 always talk about how wonderful things were when she spent time with Joe and  
27 would regularly say that she was deeply in love with him. She had actively helped  
28 shop for a new house for Joe with the clear goal of moving in with him. She also

- frequently spoke about her goals of marrying Joe and having children with him
13. Ellie told me that Joe broke up with her during Christmas break of 2012. I wasn't surprised this had happened because Ellie was very capricious and could be a difficult girlfriend. I had also assumed that Joe would tire of Anne's involvement with the relationship. At that time, I tried to encourage Ellie to move on, but neither she nor her mother wanted that. Anne was particularly insistent that Joe and Ellie should get back together. Joe and Ellie did start dating again off and on for a couple of months after that. I told Anne that I thought this situation was unhealthy, but Anne said Ellie could make her own decisions.
14. After the initial break-up in December, Ellie started to act in a very "bipolar" way about the relationship, alternating between bouts of frustration with the relationship (she did not feel that Joe made her enough of a priority in his life) and euphoria about it. After she would become upset with him, she he would frequently offer him ways to could "appease" her, which often involved something he could do to further her career. For example, as we neared our graduation I recall her pressuring him to endorse her online to help her find a job.
15. I was there the night Joe and Ellie finally broke up permanently in February of 2013. I spent the night in a wine bar with Anne while Joe and Ellie met elsewhere. At the end of the night, Joe drove up with Ellie in the car and parked outside the restaurant where we could see them. They talked in the car in front of the wine bar for some time and then Ellie came inside the wine bar. Ellie seemed happy. I didn't see anything abnormal about their interaction in the car, nor did Ellie seem upset in any way. Ellie told us everything about her conversation with Joe. She never said he was violent or in any way physically or verbally aggressive.
16. In fact, at no time during their relationship did Ellie ever say that Joe had been verbally or physically aggressive to her or had tried to make her have non-consensual sex. I was [REDACTED] very close with Ellie's mother. If I sensed, even remotely, that the relationship was in any way abusive, I would have talked to Ellie's

mom about it and tried to help Ellie get out of the relationship.

17. I met Joe on one occasion during my junior year in May 2012. Joe invited me and my boyfriend at the time to go horseback-riding with him and Ellie. I observed Joe being very loving and affectionate with Ellie and Ellie seemed very much in love.
18. During their relationship, Ellie often spoke about their sex life positively, even immediately after her therapy sessions. She told me she did feel guilty about the fact that she was having pre-marital sex, which was inconsistent with her Catholic beliefs. She said she wasn't sure if it was morally right to have sex and she was very jealous of other women in Joe's life and questioned whether Joe was monogamous. To my knowledge, she never actually discovered any evidence that Joe was not monogamous with her.
19. After their relationship ended, Ellie often said that she regretted having sex with Joe, but also sometimes still talked about sex positively, saying that it can be "stress relief" and "addicting." At that point, I think she'd only had sex with Joe. In January 2014, she texted me:
- I don't feel like I need to have sex with anyone
  - I'm taking it soooooo slow next time
  - It's hugely overrated
  - Problem with that is you literally addicted to human bodies
  - That's kind of creepy to me
  - But I understand the sensuality thing
  - I think it can be a stress relief tho. And addicting in that way
  - But it also makes you attached to people!!!
20. I'm not aware that Ellie has ever had sexual intercourse with any other man besides Joe. I know that she "cheated" on Joe with at least two men during their relationship, but she said that did not have sex with those men. She often said she did not want to have sex again until marriage after her relationship with Joe. I believe she was very guilty about violating her Catholic beliefs and having pre-marital sex. I believe that

1 she is coping with her choice to have sex by claiming that Joe raped her so that she  
2 can avoid culpability for her decisions.

3 21. Ellie left school around March 2013 and did not come back until June, accompanied  
4 by Anne. It was in June 2013 for the first time that Anne and Ellie said to me that Joe  
5 was emotionally abusive with her. They said that she had not mentioned it because  
6 she had been suffering from "Stockholm Syndrome" before. They also said that they  
7 wanted to get him banned from campus to protect other women from him.

8 22. I was shocked to hear Ellie accuse Joe of being emotionally abusive. She was with  
9 Joe for a long time and never said that he was abusive in any way when they were  
10 together and nothing I observed suggested the relationship was anything other than  
11 "normal" and loving.

12 23. Ellie and Anne told me they were going to try to get Stanford to ban Joe from campus  
13 but they did not ask me at that time to speak to Stanford about Ellie's allegations,  
14 which I understood to be that Joe was "abusive."

15 24. Over time, Ellie's story about what happened with Joe seemed to keep changing. The  
16 claims of "emotional" abuse gradually morphed into allegations of "rape" and  
17 "criminal" activity. At first, she commented that her sex life with Joe was "kinky."  
18 She kept embellishing her claims until she was saying that it was actually "rape."

19 25. In the next few months before the mediation with Stanford and Joe in December  
20 2013, Ellie communicated with me frequently about it. Ellie also texted me during  
21 the mediation to update on its progress.

22 26. Ellie appeared to lack any interest in actually settling with Joe and would frequently  
23 say that she wanted to punish him. On December 11, 2013, she sent me text  
24 messages about the mediation:

- 25       ▪ In a lobby with 4 lawyers and parents!
- 26       ▪ Totally joe take down scheme!

27 27. I would repeatedly encourage her to stop what I considered an unhealthy obsession  
28 with Joe and move on. On December 13, 2013, we had the following text message

exchange:

- [REDACTED]: You should ask Joe for more money... Then settle!
- Ellie: I want him to come after me haha
- Ellie: Expose himself
- [REDACTED]: Dude just settle so you can move on. This is going to become your life.

28. Ellie's story about her relationship with Joe kept getting more and more extreme as time went on. In March 2014, she texted me that she considered herself a "sex slave" during her relationship with Joe. This is far, far beyond anything that she ever said about the relationship when it was happening or for a long time afterwards. It also made no sense in light of her clear enthusiasm about the relationship, her constantly going to Joe's house (often times cancelling plans with me to be with him), traveling the world with him, and thinking so highly of him during their relationship.
29. In March 2014, Anne contacted me and said Stanford was re-opening the investigation. I presumed the investigation had been re-opened because Ellie had reported that Joe was dating [REDACTED] another Stanford student. She asked me to do some "PI work" on the campus to support Ellie's allegations that he was dating [REDACTED].
30. Anne also asked me to talk to the Stanford investigators and tell them that I noticed a "marked change" in Ellie when she was dating Joe and that she became "sad." That would not have been true. Ellie was ecstatic to be dating Joe for most of their relationship and would frequently speak about Joe in glowing terms especially she met famous people, such as Mitt Romney, and went to high-profile conferences and events. It was only at the end when they were breaking up that she acted sad about their relationship. Her descriptions of Joe as "abusive" and a "rapist" only came after spending what seemed like hundreds of hours with therapists after leaving school and breaking up with Joe. When she returned to Stanford in June 2013, Ellie invited me on vacation to Napa with Anne. When we discussed Joe at that point, I

could hear that the clear influence of her therapists and lawyers affecting the way Ellie and Anne described her relationship with Joe.

31. I did not want to help them with their investigation because I felt things had gone way too far. I did not and do not believe Ellie's claim that Joe raped her or was in any way abusive. I believe that Ellie felt guilty about having sex afterwards and regrets it because she and Joe did not eventually get married. I do not believe, based on Ellie's excitement and happiness when discussing their relationship—including the first time they were intimate—that Ellie was in any way forced to have sex.

32. I expressly told Anne not to give my name to anyone because I was not willing to lie for Ellie, but she ignored my request and gave my name to Ellie's legal team. Often Anne would contact me directly to talk about Ellie's allegations without including Ellie. She would tell me that they wanted Joe banned from campus and say that Ellie could never lead a normal life after her relationship with Joe. Anne said she didn't want to involve Ellie with the investigation because that would stress Ellie out. The way Anne approached the investigation sounded far more like a business proposition than an attempt to actually take care of Ellie's emotional needs.

33. On April 2, 2014, Marcia Pope, who said she was an investigator for Stanford, contacted me asking to interview me. I told Ms. Pope that I did not want to speak to her and asked her to stop contacting me.

34. On April 6, 2014, [REDACTED] (one of Ellie's ex-boyfriends) contacted me. He said that Ellie had recently told him that she had been raped by Joe, although she had not previously spoken to him in almost a year. He asked me to come over to his house, which I did. He said the Cloughertys were asking him to "testify against" Joe. I told [REDACTED] that I did not believe Ellie was raped. He said he believed Ellie (despite having never witnessed Joe and Ellie interact to my knowledge) and was upset with me that I was not "supporting" Ellie. It was clear that Ellie or Anne had told him to contact me to pressure me to talk to Marcia Pope. They wanted him to tell Stanford about one night during [REDACTED]'s relationship with Ellie when she came home "upset" from a night



1 out with Joe. It was strange that [REDACTED] was not disturbed that Ellie had apparently been  
2 unfaithful to him with Joe. I also couldn't believe that he thought that Ellie being  
3 "upset" one night was evidence that Joe was abusive.

4 35. When Ellie heard from the investigator that I did not want to talk to her, she sent me  
5 text messages on April 7, 2014 saying the following:

- 6 ▪ Hey, all the investigators need to know is that you witnessed my escape from
- 7 Joe and saw him pounding his hands on the steering wheel.
- 8 ▪ Did you really decline to speak with them?
- 9 ▪ I don't understand, I thought you'd support me

10 36. I called Ellie to discuss this with her after getting those text messages. Ellie was  
11 furious when I talked to her. I told her that things had gone too far and she needed to  
12 move on and stop trying to punish Joe. I told her I thought her accusations were false  
13 and I was not willing to lie. She hung up on me after I said she was trying to punish  
14 Joe unfairly and we have not communicated since that day.

15 37. Although we spent some time together during Ellie's relationship with Joe, Joe and I  
16 were never friends. I was actually very apprehensive of Joe during their relationship  
17 because I believed Ellie was using Joe for his status and money and for help with her  
18 career and I didn't think that led to a healthy relationship. Nonetheless, it is my firm  
19 belief that Joe Lonsdale did not rape or otherwise sexually abuse Ellie Clougherty.

20 38. It is my opinion that Ellie is a confused and unstable person and she is greatly  
21 influenced by her mother. It seemed like Anne spent more time at Stanford than Ellie  
22 and that she has been the driving force behind Ellie's accusations against Joe to  
23 Stanford. I don't believe that Ellie can be trusted to tell the truth about what  
24 happened in her relationship with Joe Lonsdale.

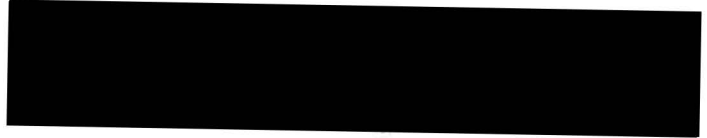
25 39. I feel bad about testifying that my long-time friend is not being truthful. But I don't  
26 think that Joe should be accused of something he did not do to help her cope with her  
27 guilt about having sex with him or to punish him for ending the relationship. I think  
28 both sides of the story deserve to be told.



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40. I declare under penalty of perjury under the laws of California and the United States of America that the foregoing is true and correct.

Executed this 29th day of October, 2014, at San Francisco, California.

A large black rectangular redaction box covering the signature area.A black rectangular redaction box covering the name of the declarant.