

Machine translation. The original Dutch text prevails.

WRIT EX ARTICLE 3:305A BW

Today, the twenty-sixth of February two thousand and twenty.

at the request of

1. the foundation **STICHTING STOP ONLINE SHAMING**, established and located at Stadionweg 76 in (1077 SP) Amsterdam;

and

2. the foundation **STICHTING EXPERTISEBUREAU ONLINE KINDERMISBRUIK**, established and with offices at Nieuwezijds Voorburgwal 21 in (1012 RC) Amsterdam;

who elect domicile for this case with O.M.B.J. Volgenant, M.Ch. Kaaks and J.E. van Til, lawyers with Boekx Advocaten in (1017 NA) Amsterdam at Leidsegracht 9 and who are appointed by the applicants as attorneys at law and who will act as such for them, all this with the right of substitution;

SUMMONED:

[X], acting under the name [Y], living at the [address] in [place], serving doing my documents there by leaving a copy of this document to:

You are hereby commanded to appear:

on Wednesday 11 March 2020 (in words: eleven March two thousand and twenty) at 10:00 a.m., not in person, but represented by an attorney at law, to appear before the District Court of Amsterdam, which hearing will then be held in one of the rooms of the Courthouse at Parnassusweg 220 in (1076 AV) Amsterdam, and with notification of the following,

WITH NOTICE:

- a. that if the defendant does not appear in the proceedings in the prescribed manner, i.e. represented by an attorney at law and not in person, or fails to pay the court fees in time and the prescribed time limits and formalities have been observed, the court will issue a default judgement against the defendant who has not appeared and will rule in favor of plaintiffs by granting their claims, unless these claims appear to the court to be unlawful or unfounded;
- b. that in the event of an appearance of the defendant in the proceedings a court fee will be levied, to be paid within four weeks from the time of the appearance;
- c. that the amount of the court fees is mentioned in the most recent appendix to the Court Fees Act (“Wet griffierechten burgerlijke zaken”), which can be found on the website www.kbvg.nl/griffierechtentabel;
- d. that a court fee for insolvency established by or pursuant to the law shall be levied on a person who is insolvent if he has produced the following documents at the time the court fee is levied:
 - a. a copy of the decision to add, as referred to in Section 29 of the Legal Aid Act (“Wet op de Rechtsbijstand”), or if this is not possible due to circumstances beyond his reasonable control, a copy of the application, as referred to in Section 24(2) of the Legal Aid Act, or
 - b. a statement by the Board of the Legal Aid Board, referred to in Section 7, paragraph 3 (e), of the Legal Aid Act, showing that his income does not exceed the income referred to in the general order in council by virtue of Section 35, paragraph 2, of that Act;
- e. that plaintiffs are obliged, on pain of inadmissibility, to enter this summons in the central register for collective actions as referred to in Section 3:305a(7) of the Dutch Civil Code (“Burgerlijk Wetboek”);
- f. the effect of this note is that - unless the court immediately declares plaintiffs inadmissible - the court will stay proceedings until a period of three months has elapsed since the note was made in the Central Register; and
- g. that after the expiry of this period the case shall continue to be heard as it stands, unless pursuant to Section 1018d(2) of the Code of Civil Procedure (“Wetboek van Burgerlijke Rechtsvordering”) this period has been extended or another collective action has been filed for the same event; that the roll date referred to in Section 128(2) of the Code of Civil Procedure for taking the conclusion in response shall be set by the District Court at a period of six weeks after the period referred to in Section 1018c(3) of the Code of Civil Procedure has expired;

IN ORDER TO

Plaintiffs initiate their legal claim based on the following grounds.

I. INTRODUCTION

1. On the website www.vagina.nl sexually oriented images are offered. The defendant is the operator of that website.
2. The main rule of law is that the distribution of photographic and/or video material belonging to the intimate private sphere, to a greater or lesser extent sexually by nature or at least "exposed", is in principle always unlawful towards the person visible on that material when it cannot reasonably be assumed otherwise than that that person does not consent to the distribution in question.
3. The operator of the website www.vagina.nl facilitates the uploading of such images by individual users. No safeguards are included to ensure only visual material is disclosed of persons who consented to this. Except for evidence to the contrary, it must be assumed that the persons who are shown on the sexually oriented material have not given permission for publication by the defendant.
4. The operator of the website www.vagina.nl is acting unlawfully towards the persons who appear in this visual material. He violates Section 21 of the Copyright Act and processes their personal data in violation of the General Data Protection Regulation ("AVG").
5. Plaintiffs demand that the operator of the website www.vagina.nl discontinues this unlawful conduct. The unlawful content must be removed and destroyed. If the operator of the website www.vagina.nl wants to offer sexually oriented material in the future, he will have to be able to prove, on a case by case basis, that the persons visible have explicitly consented to publication. Furthermore, plaintiffs claim identifying data from the users who uploaded the material and a legal explanation that this content is unlawful, so that individual victims can subsequently claim damages.

II. PARTIES AND ADMISSIBILITY

Stichting Stop Online Shaming (Stop Online Shaming Foundation)

6. The objective of the Stop Online Shaming Foundation is to promote the interests of victims of online privacy breaches and online unlawful communications, in particular by enforcing, promoting and obtaining adequate legal protection for the rights and interests of those victims. It shall seek to achieve its objective, inter alia, by using legal means, including the conduct and commission of legal proceedings, to protect the rights and interests of victims of online privacy breaches and online unlawful communications, in which the foundation may take legal action in its own name both for the achievement and protection of its objective and for the benefit of victims of online privacy infringements and online unlawful statements, and by instituting legal proceedings aimed at protecting similar interests of victims of online privacy infringements and online unlawful statements, by means of a collective action within the meaning of Article 3:305a of the

Dutch Civil Code. An extract from the Trade Register and the articles of association will be submitted as Annex 1.

Stichting Expertisebureau Online Kindermisbruik (Foundation for Online Child Abuse Expertise)

7. The aim of the Stichting Expertisebureau Online Kindermisbruik ('EOKM') is to prevent and combat (online) child sexual abuse and sexual exploitation of children. An extract from the Trade Register and the articles of association will be submitted as Annex 2.

Admissibility plaintiffs: ideal purpose

8. To the extent that the District Court is of the opinion that the Mass Claims in Collective Actions Act ("Wet afwikkeling massaschade in collectieve acties") applies, plaintiffs do not have to comply with paragraphs 2 and 5 of Section 3:305a of the Dutch Civil Code, as amended with effect from 1 January 2020. This is because plaintiffs are foundations that stand up for an idealistic purpose in these proceedings.
9. Plaintiffs do comply with the following requirements of Section 3:305a of the Dutch Civil Code. Plaintiffs are sufficiently representative, in view of their supporters and the size of the represented claims. Plaintiffs have sufficient means and generally accessible internet pages (www.stoponlineshaming.org and www.eokm.nl), where the information referred to in Section 3:305a sub 2 d. and 5 DCC is available. The directors of plaintiffs have no profit motive that is realised through plaintiffs. The legal claims of plaintiffs have a close connection with the Dutch legal sphere, in any case because defendant is domiciled in the Netherlands and the website www.vagina.nl offered by him is in the Dutch language and thus focuses on Dutch customers, and because defendant publishes the unlawful content described in this subpoena in any case also in the Netherlands.
10. The narrowly defined group of persons whose interests are the subject of collective actions includes (a) victims of online privacy breaches and online unlawful expressions as defined in this subpoena, which is the group defined in the statutory objective of plaintiff sub 1, and (b) children who are victims of (online) sexual abuse and exploitation as defined in this subpoena, which is the group defined in the statutory objective of plaintiff sub 2.
11. The events to which the plaintiffs' collective claim relates are described in this subpoena. The questions of fact and law to be answered are common to all persons whose interests are the subject of collective actions. These collective actions are more efficient and effective than individual actions, especially as individual victims would be required to disclose their identity to the defendant, which would further infringe their privacy. The number of victims whose interests are served by the claims add up to many hundreds. With this procedure, plaintiffs are combating a social abuse.

12. Plaintiffs have made sufficient efforts to attain the claim in consultation with the defendant (see paragraph 49).
13. As such, plaintiffs comply with all the requirements of Section 3:305a of the Dutch Civil Code, with the exception of the requirements referred to in paragraph 2 under a. (a supervisory body) and paragraph 2 under b. (participation in decision-making by individual victims). Plaintiffs bring legal actions that serve an idealistic purpose. The legal actions have no financial interest for plaintiffs. The claims do not serve to compensate plaintiffs. Plaintiffs should therefore be declared admissible in their claims based on Section 3:305a subsection 6 of the Dutch Civil Code, so that the requirements of Section 3:305a subsection 2 under a. and b. do not have to be met. This also applies to the nature of the legal claims.
14. In the event that other parties would also bring collective actions for the events mentioned in this subpoena, plaintiff sub 1, Stichting Stop Online Shaming, can be designated as Exclusive Interests Advocate. Plaintiffs sub 1 and 2 wish to continue to act jointly as plaintiffs in these proceedings in that case as well, and request the court to determine in that case that plaintiff sub 2 can also perform procedural acts.
15. Plaintiffs shall, within two days after filing this writ of summons, have a note to this effect made in the central register of collective actions as referred to in Section 1018c (2) of the Dutch Code of Civil Procedure. Plaintiffs shall send this writ of summons to the e-mail address of the Council for the Judiciary with the request to enter it in the register.

Defendant

16. Defendant has been trading under the trade name [Y] since 2008 and operates a porn website, with the URL www.vagina.nl. In this subpoena, the defendant will also be referred to as 'the operator of the website www.vagina.nl'. An extract from the Trade Register and the registration of the domain name [vagina.nl](http://www.vagina.nl) in the defendant's name will be submitted as Annex 3. That defendant is the party behind the website www.vagina.nl also appears from the general terms and conditions of [Y] (Annex 5).

III. FACTS

Definition Illegal Content

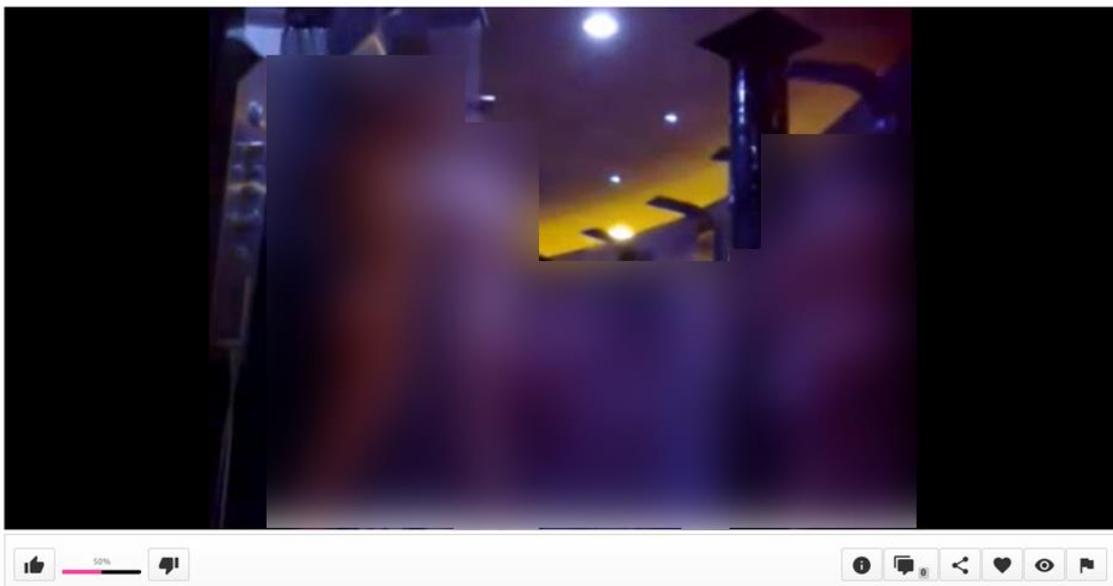
17. In this subpoena, Unlawful Content is understood to mean:

photo and/or video material that is made public by the defendant, including but not limited to the visual material included in this subpoena and in Annex 4, belonging to the intimate private sphere, to a greater or lesser degree sexually oriented or at least "exposed", unless the defendant can demonstrate that all persons in the picture have freely and explicitly consented to disclosure in writing.

The website www.vagina.nl

18. Below are some examples of sexually oriented videos available on the website www.vagina.nl. There are hundreds of such videos on that website. Without having to watch the videos, it is already clear that many of these recordings were made without the consent of the person who is shown. Subject to proof to the contrary, it should be assumed that the images are in any case made public on the website www.vagina.nl without their permission.
19. In the examples below, the persons involved have been made unrecognizable in order to handle their privacy as carefully as possible. The persons involved are fully recognizable on the website www.vagina.nl.

EEN VERBORGEN CAMERA IN DE OPENBARE DOUCHE VAN EEN NEDERLANDSE SAUNA

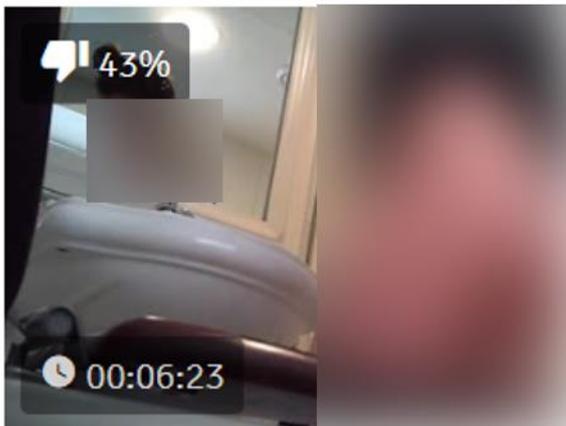




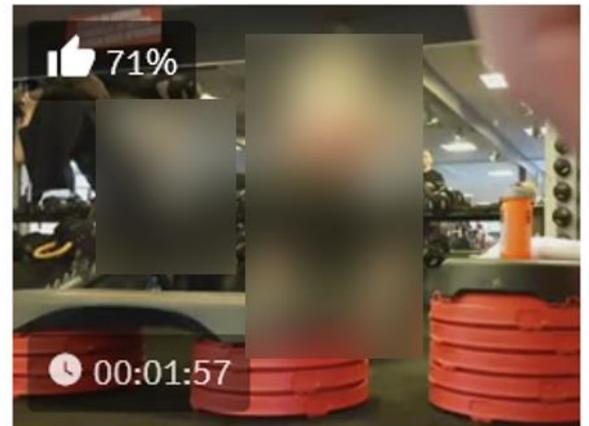
Spioneren in de kleedkamer



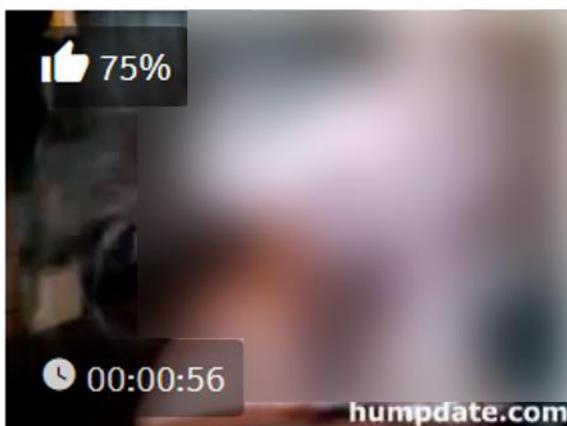
Brasilian Wax!



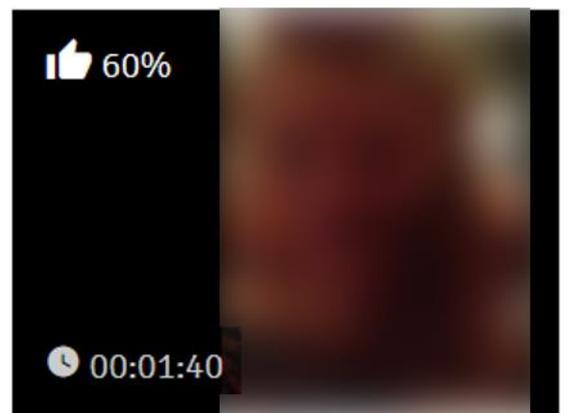
Toilet voyeur spy cam



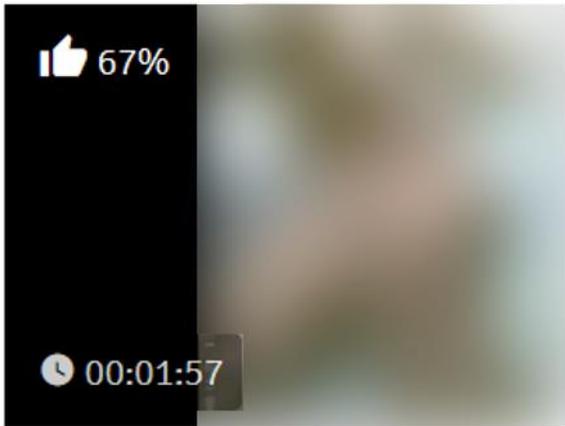
Afgeleid in de sportschool



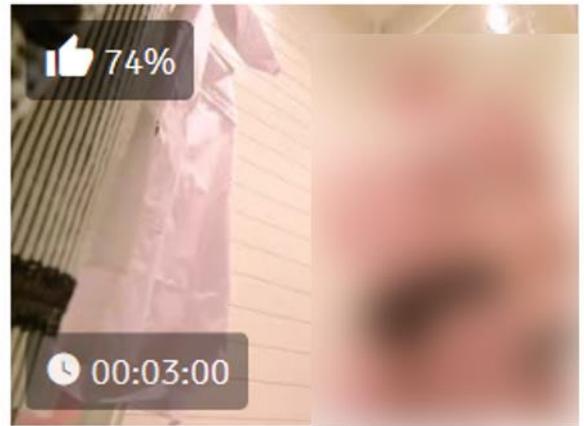
Ex vriendin geeft nog een blowjo...



Ex vriendin kon best goed pijpen



Hot blonde - verborgen shower

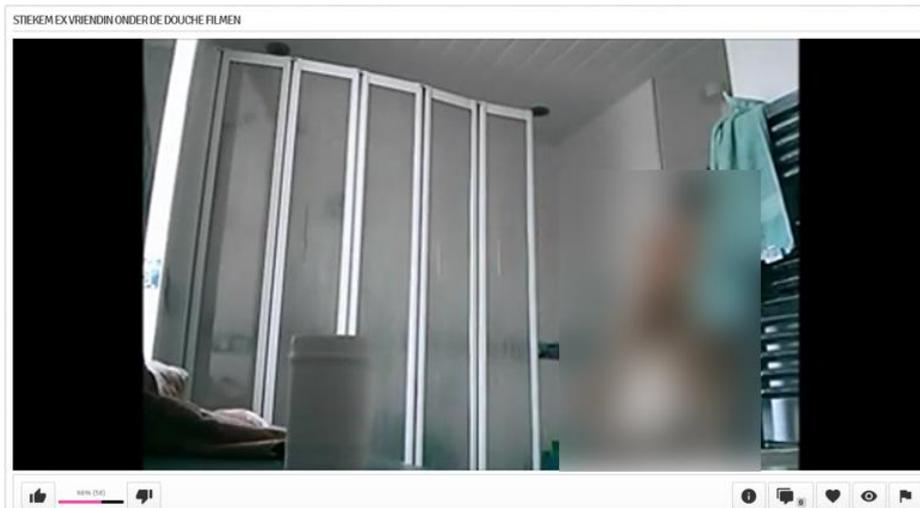


Verborgen camera bij de H&M

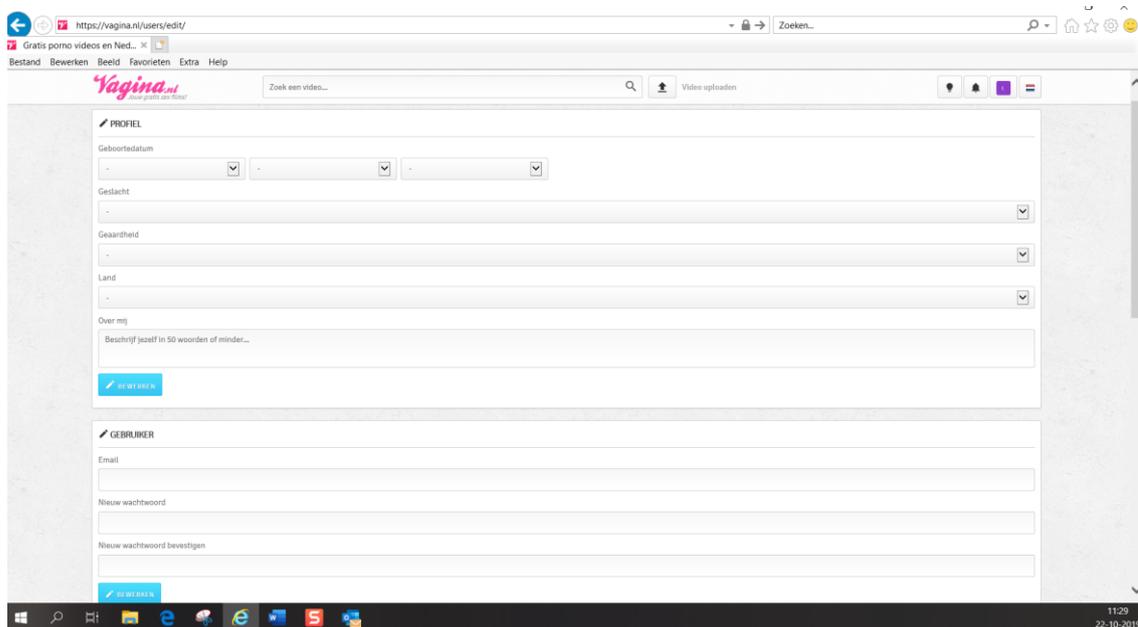


Blondine in de H&M

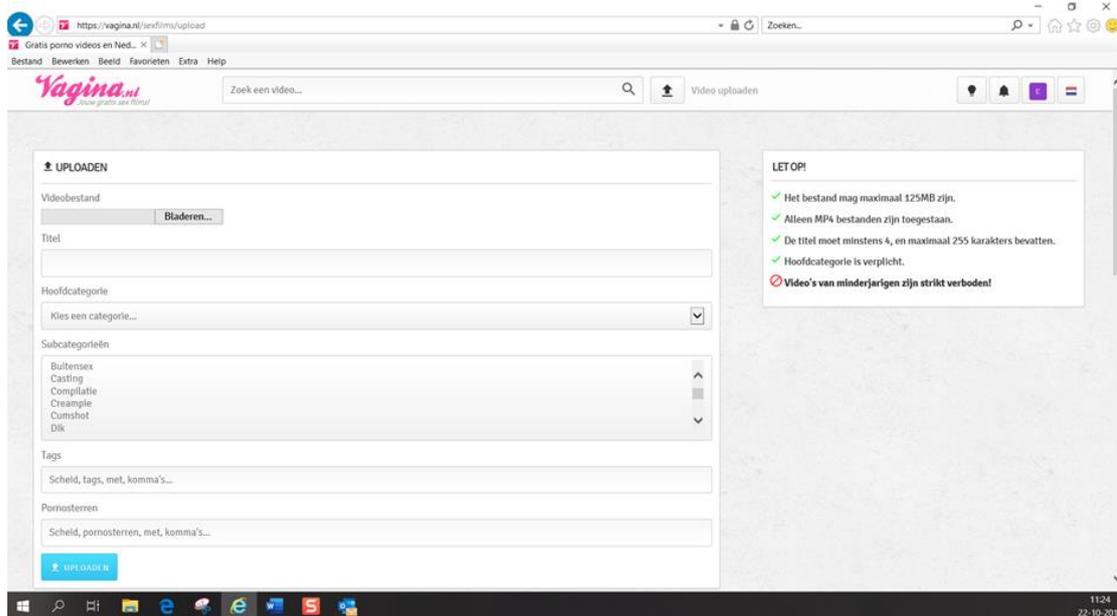
20. It is often already clear from the title of the film that it concerns images that were made without permission and for which no permission has been given to publish them online. For example: *'Secretly filming my ex-girlfriend in the shower'*:



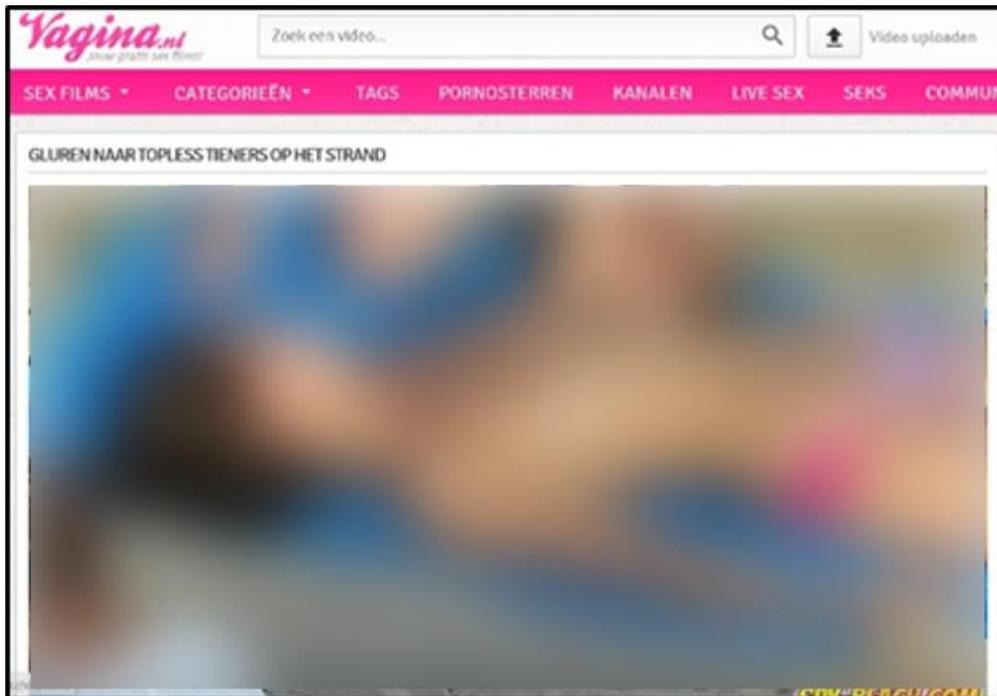
21. A number of examples of Illegal Content that can be found on the website www.vagina.nl have been included in Annex 4. There are thousands of videos on that website. The videos of the examples anonymized in this subpoena are - unanonymized - on the USB stick that is being challenged as Annex 4.
22. Registration is free at www.vagina.nl. A person who registers does not need to identify himself/herself, but may enter a self-made user name and a (self-chosen) email address (Annex 6).
23. The names of the uploaders of the examples of Illegal Content included in this subpoena are pornowally, hendrik1987, FelixFur, FayBosch, frenkyD, Ilselsabelle, jozefstraus, spicymeat, deroderakket and mikey76.
24. Individuals who register can *optionally* enter information about their date of birth, gender, orientation, country of residence, and provide information about themselves under the heading 'About Me. Describe yourself in 50 words or less...'. Uploaders can thus remain anonymous, but the operator of www.vagina.nl is nevertheless aware of identifying information, such as at least the data they have entered themselves, and possibly the IP address from which the Illegal Content is uploaded.



25. The operator of www.vagina.nl allows any registered user to upload sexually oriented material (Annexes 5 and 6). There is no procedure to verify if the person visible in the materials has given permission for the visual materials to be offered online.



26. The examples given in this subpoena have all been viewed thousands of times, some videos more than 40,000 times.
27. Some of the people visible in the footage may be minors. The homepage of the website www.vagina.nl stated that all models are 18 years and older (Annex 6), but that's an hollow phrase now there is no verification performed to see if that is actually the case. On the upload page there is a warning saying: '*Videos of minors are strictly forbidden*', however this is not assessed in any way.
28. There are various 'tags' that can be used to search for teenagers, including (Annex 7):
 - a. "toe": 242 videos
 - b. "teens": 41 videos
 - c. 'Teenager': 8183 videos
 - d. 'Teenagers': 2512 videos
29. Those specifically looking for teenagers over the age of 18 (tag '*teenager 18+*') will only find 21 videos. Moreover, the impression is created that the people in the materials are minors, for example by the title '*Peeking at topless teenagers on the beach*':



Outlines of these proceedings

30. Plaintiffs are not fundamentally opposed to offering pornography or other sexually oriented images on the Internet, but do feel that the requirement applies that the person in the image must have given explicit written permission for the publication of those images. The burden of proof in this respect rests with the party making the material public.
31. A comparison with the television industry can clarify this. For entertainment images broadcast on television, the producer of the TV-program always ensures that everyone on the screen has given written permission for disclosure. This is usually referred to as a '*quit claim*'. The TV world is perfectly able to deal with this. The TV world complies with the legal rules for broadcasting visual material. There is no legal reason why this should be different online. Plaintiffs conclude that the *practice* online is different. This fundamental collective lawsuit aims to change that practice, and also to make the online world comply with the existing legal rules.
32. It is customary for professional porn actors who collaborate on a porn film to sign a *quit claim*. Claims by plaintiffs do not focus on such professional visual material, where the person in the picture has given explicit written permission for disclosure.
33. This lawsuit focuses on sexually oriented visual material that is made public without the demonstrable consent of the person visible.

IV. LEGAL FRAMEWORK AND CLAIMS

34. Plaintiffs' claims are based on Article 6:162 of the Dutch Civil Code, Article 21 of the Copyright Act, the AVG, and on the fundamental right to privacy and the protection of privacy as laid down in Article 8 of the ECHR and Articles 7 and 8 of the EU Charter of Fundamental Rights.
35. On 25 July 2018 the District Court of Amsterdam rendered judgment in proceedings on the merits between X and Geen Stijl c.s. (ECLI:NL:RBAMS:2018:5130). The Court ruled that the distribution of photographic and/or video material belonging to the intimate private sphere, to a greater or lesser extent sexually tinted or at least "exposed", is in principle always unlawful towards the person who can be seen on that material and of which it cannot reasonably be assumed other than that that person does not consent to the distribution in question. The Court ruled that this certainly applies to the film with X, but not exclusively: the distribution of (exposed) material of a different nature can also be classified under this principle. Insofar as exceptions to this may already exist (which is difficult to imagine), these were not present in the case submitted to the Court. In that case, the Court ruled that no permission had been given to make the film public and/or to distribute it and/or to link to it. According to the Court, this permission cannot be deduced (implicitly) from the fact that X may have initially distributed the film herself (which, incidentally, she claims not to have done). The basis for the unlawfulness established by the Court is Section 6:162 of the Dutch Civil Code.
36. The operator of the website www.vagina.nl also violates the portrait right (Article 21 of the Copyright Act) of the persons shown in the Illegal Content. The reasonable interests of these victims oppose disclosure of Unlawful Content by the defendant.
37. The operator of the website www.vagina.nl processes the personal data of the persons shown in the Illegal Content. He is to be regarded as the controller within the meaning of the AVG. Data relating to a person's sexual behaviour are special personal data in the sense of Article 9 of the AVG, for which a strict legal regime applies. Processing of these data is prohibited, unless one of the legal exceptions listed in article 9 paragraph 2 of the AVG applies. None of these exceptions apply in this case. In particular not the exception that explicit consent has been given by the data subject. If in any specific case explicit consent was given to the processing of personal data by saving and publishing the visual material on the website www.vagina.nl, then it is up to the operator to provide specific evidence of this in this procedure.
38. It is punishable to produce visual materials with hidden recording equipment as well as making them public (Articles 139f and 139g of the Penal Code). The deliberate and unlawful Annex of sexually explicit images is also prohibited, as is the disclosure of such images.

39. Plaintiffs are claiming statements of entitlement that the disclosure, distribution, possession, and facilitation of the uploading of the content defined as 'Illegal Content' in this subpoena is unlawful, so that individual victims can then file a claim for compensation in separate proceedings.
40. Furthermore, plaintiffs are claiming an injunction against the distribution of Illegal Content by the defendant, and they are also claiming an injunction for its destruction.
41. Plaintiffs and the victims who appear in the Illegal Content also want to be able to deal with the users who uploaded the content by legal means. To this end, plaintiffs demand identifying data from the uploaders of the Illegal Content. Plaintiffs and the persons they represent have a real interest in those data, and there is no less far-reaching possibility of obtaining that data. Balancing the interests of plaintiffs against those of the operator of the website www.vagina.nl and the uploaders of Illegal Content is to the advantage of plaintiffs.

V. VICTIMS AND DAMAGE

42. The persons who appear in the Illegal Content are victims. They have been filmed in a vulnerable situation and have not given permission for disclosure. In the words of the District Court of Amsterdam, these proceedings always concern intimate private matters that are more or less sexually oriented, at least "exposed", photographic and/or video material.
43. Some of the victims were filmed without knowing it themselves, in a fitting room of a clothingstore, during a treatment, in the shower, in the sauna, in public, etc. They do not know that they were filmed. This is very threatening because it can happen to anyone who uses a cubicle, a shower, a gym, a changing room, a swimming pool, a beach or a sauna. The fact that the images are then exploited on the Internet at www.vagina.nl makes the invasion of the privacy of the people in the picture even greater.
44. Another part of the victims must have noticed that shots were taken, often with the camera of a mobile phone, for example while the victim was performing sexual acts on the person who took the pictures. For these victims, too - unless there is evidence to the contrary - it must be assumed that they did not give permission for this footage to be made public via the website www.vagina.nl
45. All victims suffer damage because sexual images are made public by the defendant without their consent, at least on the website www.vagina.nl. This is unlawful towards them, a violation of their portrait right and a serious invasion of their privacy, which should be ended as soon as possible.
46. There is a bundling of similar interests within the meaning of Section 3:305a (1) of the

Dutch Civil Code, since plaintiffs are defending both (a) the bundled interests of the individuals who are victims of defendant's disclosure of Illegal Content and (b) the public interest of the rights of the larger group of individuals who may be victims of defendant's future disclosure of Illegal Content.

47. The purpose of these proceedings on the merits is not to determine the *extent* of the obligation to pay compensation to each of the individual victims. Building on a statement by the court that the defendant is acting unlawfully, infringes portrait rights and/or violates the AVG, an individual victim can, in separate proceedings, submit a claim for compensation based on that statement.

VI. EVIDENCE

48. Plaintiffs offer explicit evidence of their claims, insofar as they would have been obliged to do so by virtue of art. 150 of the Dutch Code of Civil Procedure. Plaintiffs reserve the right to specify this offer of evidence in these proceedings.

VII. SUMMONS, INVITATION TO CONSULTATIONS AND DEFENDANT'S DEFENCE

49. Plaintiffs have sent a summons to the operator of the website www.vagina.nl, and have attempted to attain the claim by consulting with defendant ([Annex 8](#)). In doing so, a term of more than two weeks was given. On the basis of Section 3:305a subsection 3 sub c of the Dutch Civil Code, this is in any event a sufficiently long term. The parties have not reached agreement. The defendant has not complied with the summons.
50. As a defense, *the defendant stated that 'the titles of films that cause anxiety (peeking in the dressing room, teens...) are there to make it exciting for the target group and to generate a higher click ratio. ([Annex 9](#))* Further, defendant has pointed out the following: *'In many cases the video, block section below the video and/or after the video runs some time, by means of text or a watermark, contains the studio or website that filmed the content. These studios have a paysite in a certain niche and by placing video content on tube websites these studios generate name branding and traffic and therefore money to their paysite. Each paysite has a legal statement with a link to a contact form to request information about models regarding age and permission.'*
51. These defenses of defendant do not address plaintiffs' objections. Defendant misunderstands that it is up to him to prove that all persons in the picture have freely and explicitly agreed to this in writing. Defendant has failed to do so. Defendant did not voluntarily comply with the claims.

VIII. JURISDICTION COURT AMSTERDAM

52. The defendant distributes the Illegal Content via the website www.vagina.nl, which is publicly accessible free of charge anywhere in the Netherlands via the Internet. The damaging facts also occur in the district of Amsterdam, now that the Illegal Content is made public there, so that the District Court of Amsterdam has jurisdiction by virtue of article 102 of the Dutch Code of Criminal Procedure.

THEREFORE the District Court of Amsterdam may request a judgment, provisionally enforceable:

- I. To declare that the defendant
 - a. acts unlawfully; and/or
 - b. infringes the right to respect for privacy under Article 8 ECHR and/or Articles 7 and 8 of the EU Charter of Fundamental Rights; and/or
 - c. infringes the portrait right under Article 21 of the Copyright Act; and/or
 - d. infringes Article 9 paragraph 1 AVG;by **publishing and/or distributing** photographic and/or video material **online or otherwise** (including but not limited to the examples included in this subpoena and in Annex 4) that is part of the intimate private sphere, at least that is more or less sexual in nature, or at least in which the person(s) depicted are fully or partially exposed, unless the defendant can prove that all persons in the picture have freely and explicitly agreed to this in writing;

- II. To declare that the defendant
 - a. acts wrongfully; and/or
 - b. infringes the right to respect for privacy under Article 8 ECHR and/or Articles 7 and 8 of the EU Charter of Fundamental Rights; and/or
 - c. infringes the portrait right under Section 21 of the Copyright Act; and/or
 - d. acts contrary to article 9 paragraph 1 AVG;by **possessing** visual material as referred to under I, unless the defendant can prove that all persons in the picture have freely and explicitly agreed to this in writing;

- III. To declare that the defendant
 - a. acts unlawfully; and/or
 - b. infringes the right to respect for privacy under Article 8 ECHR and/or Articles 7 and 8 of the EU Charter of Fundamental Rights; and/or
 - c. infringes the portrait right under Section 21 of the Copyright Act; and/or
 - d. acts contrary to article 9 paragraph 1 AVG;by **facilitating, or at least encouraging the public to upload** and/or publish visual material as referred to under I, unless the defendant can prove that all persons in the picture have freely and explicitly

agreed to this in writing;

- IV. to declare that the defendant is obliged to compensate the damage suffered by a person who is depicted on the visual material as referred to under I, II and/or III as a result of the actions of the defendant as referred to under I, II and/or III, unless the defendant can prove that that person has freely and explicitly agreed to this in writing, in which case the amount of the damage will be determined in a separate procedure;
- V. order defendant to remove and keep removed within five working days after service of the judgment to be rendered in this judgment the visual material referred to under I from the website www.vagina.nl, from any other website that defendant uses for storage or publication thereof, and from all of defendant's digital storage systems, unless defendant can prove that all persons in the visual material have freely and explicitly consented to the use by defendant in writing;
- VI. order the defendant to submit, within twenty working days after service of the judgment to be given in this judgment, a report by an independent ICT expert appointed by the Court, drawn up at the expense of the defendant, which shows that the defendant has fully complied with the injunction imposed under V;
- VII. to prohibit the defendant from serving, five working days after service of the judgment to be given in this case:
 - a. to publish visual material as referred to under I online or otherwise; and/or
 - b. to be in possession of visual material as referred to under I; and/or
 - c. facilitate the uploading and/or publication of visual material as referred to under I, or at least encourage the public to do so;unless the defendant can prove that all persons in the visual materials have freely and explicitly agreed to this in writing;
- VIII. order the defendant to within five working days after service of the judgment to be given in this regard to the visual materials referred to under I, unless the defendant can prove that all persons in the visual material have freely and explicitly agreed in writing to the use thereof by the defendant, provide plaintiffs with the following details of individual uploaders (including but not limited to the uploaders pornowally, hendrik1987, FelixFur, FayBosch, frenkyD, Ilselsabelle, jozefstraus, spicymeat, deroder package and mikey76 mentioned in this subpoena), if available:
 - a. username;
 - b. email address;
 - c. date of birth;
 - d. IP address; and
 - e. all other information that the uploader provided to the defendant;at least the identifying information that the court in good court considers appropriate;

- IX. order the defendant to submit, within twenty working days after service of the judgment to be given in this judgment, a report by an independent ICT expert appointed by the Court, drawn up at the expense of the defendant, showing that the defendant has fully complied with the injunction imposed under VIII;
- X. to declare that the defendant is obliged to provide to a person who appears in visual material referred to under I, unless the defendant can prove that the person who is in the picture has freely and explicitly consented in writing to the use thereof by the defendant, the data referred to under VIII with regard to the individual uploader of the visual material concerned, within five working days after a request to that effect;
- XI. order the defendant to forfeit a penalty payment of € 15.000,= (in words: fifteen thousand Euros) for each day or part of a day that the defendant fails to comply with the commandments and prohibitions mentioned above under V to IX in whole or in part, at least a penalty payment to be determined by Your Court in good court; and
- XII. order the defendant to pay the costs of the proceedings, together with any further costs.

The costs of this subpoena are for me bailiff: €

<p><i>This case is being handled by Mr. O.M.B.J. Volgenant, Mr. M. Ch. Kaaks and Mr. J.E. van Til. Boekx Attorneys at Law, Leidsegracht 9 in (1017 NA) Amsterdam T: 020 - 2440 400 F: 020 - 2440 401 E: volgenant@boekx.com kaaks@boekx.com vantil@boekx.com</i></p>

LIST OF ANNEXES

- Annex 1 KvK extract and articles of association Stop Online Shaming Foundation
- Annex 2 KvK extract and articles of association Stichting Expertisebureau Online Kindermisbruik
- Annex 3 KvK extract [Y] and SIDN registration domain name vagina.nl
- Annex 4 Examples of Illegal Content on the website www.vagina.nl
USB stick with videos containing Illegal Content, made public on the website www.vagina.nl. The USB stick also contains a PDF version of the document containing these examples of Illegal Content, which also contains links to the website www.vagina.nl.
- Annex 5 General terms and conditions [Y] on the website www.vagina.nl
- Annex 6 Disclaimer on the homepage and upload page on the website www.vagina.nl
- Annex 7 Tags to teenagers and teens on the website www.vagina.nl
- Annex 8 Summons letter plaintiffs to defendant dated February 10, 2020
- Annex 9 Reply defendant dated 14 and 18 February 2020