

# **EXHIBIT 3**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

RACHEL DELOACHE WILLIAMS,	:	
	:	
Plaintiff,	:	
	:	C.A. No.: 1:22-cv-01132-CFC
v.	:	
	:	
NETFLIX, INC.,	:	
	:	
Defendant.	:	
	:	

**DECLARATION OF JESSICA PRESSLER**

Non-party Jessica Pressler declares under penalty of perjury that the following is true and correct:

1. I submit this declaration in opposition to Plaintiff’s motion to compel documents that would reveal my confidential sources.

2. I am a professional journalist. I have worked as a journalist since I earned a Bachelor’s degree from Temple University in 2002. I live and work in New York. I was a staff writer for *New York Magazine* from 2007-2019, where I generally covered stories related to the culture of power and money, and wrote and reported in-depth articles about an assortment of business-world figures, including Goldman Sachs CEO Lloyd Blankfein, AIG CEO Robert Benmosche, and JP Morgan CEO Jamie Dimon. My story about the feud between Chris Burch and his ex-wife Tory Burch was featured in Columbia University Press’s *Best Business Writing 2013*, and my 2014 story “The Hustlers at Scores” was nominated for a National Magazine Award and adapted into the movie “Hustlers.” Prior to working at *New York Magazine*, I was a staff writer for *Philadelphia Magazine*.

3. In late 2017 and 2018, I researched and wrote an article about New York City high society grifter Anna Sorokin, who posed as a German heiress and conned hotels and banks out of

significant sums and was, at that time, being held on Rikers Island awaiting trial for her alleged financial crimes (the “Article”). I began investigating the allegations of fraudulent activity and the manner in which Sorokin, going by the pseudonym “Anna Delvey,” successfully ingratiated herself to those at the highest levels of New York’s moneyed society to extract significant sums from notable New York institutions. All of my newsgathering for the Article itself took place in New York. *New York Magazine* published the Article on June 10, 2018, and it quickly went viral.

4. This Article became the basis for the 2022 Netflix series *Inventing Anna*, which was produced by Shonda Rhimes and the Shondaland production company.

5. At all times during my reporting and investigation into Sorokin, my sole purpose was journalistic: *i.e.*, to gather information for the purpose of disseminating it to the public. In the course of this reporting, I interacted with some sources who wanted to remain confidential and whose confidentiality I went to great lengths to maintain both before and after the publication of the Article.

6. Using sources to whom I can promise and keep confidentiality is crucial to much of the reporting I do. For many reasons, ranging from safety issues to employment prospects, sources often refuse to speak to me or provide me with newsworthy information unless I can promise those sources that their identities will remain strictly confidential. Maintaining such confidentiality is critical to my role as a journalist and my ability to report will be substantially impaired if I am compelled to disclose my newsgathering material. I report on many sensitive matters, including related to business and the financial industry, where the ability to maintain the confidentiality of sources can make a huge difference to the nature and quality of my reporting. Being required to disclose my confidential newsgathering material is chilling. I am confident that in the future, sources will be less willing to speak to me if they know or believe that I cannot

maintain their anonymity. If sources refuse to speak to me, even on a confidential basis, because they have legitimate concerns that their identities can or will be subject to forced disclosure, I will be unable to do my job. This chilling effect will inevitably harm the public's ability to be informed about matters of public concern.

7. Aware of the importance of protecting my sources' confidentiality, when I agreed to work with Shonda Rhimes, Shondaland, and Netflix on *Inventing Anna*, I provided them with my newsgathering material pursuant to the understanding that they would protect the confidentiality of my sources' identities. To that end, I even advised Shondaland during production that names of confidential sources would need to be anonymized to protect their identities from public disclosure. It is my understanding that, to this date, Shondaland has been successful in protecting the confidentiality of these sources.

8. I believe that my Article raised matters of public concern, namely examining the way a young woman could con her way into rooms with the most elite, and convincing those in the banking, fashion, and art worlds that she was something she was not. My Article also raised questions about how our culture celebrates wealth. I knew that *Inventing Anna* would use my newsgathering to further publicize these matters of public concern—and take these questions of who is a victim, who is a con, and who should be celebrated to a different audience.

9. Plaintiff's counsel seeks to compel disclosure and un-redaction of a number of documents listed on Netflix's privilege logs, which are marked as subject to the "newsgathering – confidential source" privilege. These documents and/or redactions are privileged and confidential because they contain the names or other identifying details of sources I spoke to in the course of reporting this Article to whom I promised confidentiality. In addition to being confidential newsgathering material, these names and identifying details have nothing to do with Plaintiff

Rachel Deloache Williams or her portrayal in the Series. Disclosure of these newsgathering materials would necessitate the exposure of my confidential sources, undermining the protection afforded to New York journalists to absolutely protect their confidential sources and thereby irrevocably damaging my ability to report on important news stories as a journalist.

Dated: September 9, 2024

DocuSigned by:  
*Jessica Pressler*  
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Jessica Pressler