

DECISION

This is a PET filed for prevention of Pet 12.100/DF, based on a letter sent to this SUPREME COURT by the police authority, communicating the opening of a Police Inquiry (IPL n. 2024.0024068- CGCINT/DIP/PF), which investigates the possible practice of crimes of obstruction of investigations of a criminal organization (art. 2, §1, of Law n. 12.850/13) and incitement to crime (art. 286, of the Penal Code), since, according to the police authority: "

"On March 8, 2024, from an uncertain location, the profiles REVISTAEXILIO and TERCALIVRE - CORTES - announced that ALLAN LOPES DOS SANTOS will start a project to expose the federal police officers who work in the cases in progress at the STF, which concern the criminal offense involving a Criminal Organization. The profile of ALLAN LOPES DOS SANTOS on Instagram, @allanldsantos, in the same way, stated that it will expose all the delegates who work in the cases under the report of Minister ALEXANDRE DE MORAES, with records of other profiles that joined the summons, stating that they will assist him in such purpose".

It is also stated in the police representation (fls. 07/14):

"As recorded in Judicial Police Information No. 8th/20243, profiles related to ALLAN LOPES DOS SANTOS, such as @revistaexilio and @tercalivre_cortes_ announced the beginning of a project that aims to expose to media execration the delegates and other federal police officers who work in the cases that are being processed in the STF, under the rapporteurship of the Hon. Minister ALEXANDRE DE MORAES. At the time of writing, the post had 19018 'likes'

'... Journalist Allan Dos Santos started a new project in Exile Magazine: EXPOSED. The project will investigate one by one the agents of the Federal Police who are 'following' the orders of Alexandre de Moraes. Enough of just complaining about Moraes: it's time to expose who is part of the illegal actions that are being carried out in the Federal Police. Allan Dos Santos argues that all these agents have faces, names, surnames and salaries. The journalist says that it will also be possible to map, thus, promotions and salary increases, once they come out of anonymity ...'

(...). The profile of ALLAN LOPES DOS SANTOS on Instagram, @allanldsantos published the same content, reiterating the desideratum of exposing the Federal Police delegates who work in the cases under the rapporteurship of Minister ALEXANDRE DE MORAES⁵. At the time of writing, the post had 31338 'likes'

'... ATTENTION: I need the NAMES of ALL @policiafederal delegates who are INVOLVED in the CRIMINAL ACTIONS of the @alexandre. I will investigate the lives of ONE BY ONE of them and publish an ARTICLE

about the PUBLIC DATA of each one. If you have ever been a VICTIM of Moraes or know someone who has been, send me the FULL NAME of ALL the federal police officers involved. To send the name, just put it in the chat on the ACADEMIA CONSERVADORA website. Anonymity will be KEPT in complete secrecy...! Then, profiles join the initiative with comments such as: 'arabens, man, I'll be a hacker for you' 'it's time to drag into the mud all the police officers who continue to do 'only their job' of persecuting and arresting innocents'

'irurgical, I remember that I always said in the TL about acting directly in the CPF, exposing the person because there is the subject of the action.'

(...).

ALLAN LOPES DOS SANTOS presents himself as a journalist in Brazil. His professional performance in the national territory took place mostly through digital media, such as social media channels and pages on the world wide web. Due to his activity carried out through digital media, ALLAN LOPES DOS SANTOS was investigated by the Federal Supreme Court (STF) in cases INQ 4.781 -STF and 4.828-STF and, on 11/05/19, he testified at the Joint Parliamentary Commission of Inquiry aimed at investigating the dissemination of fake news (CPMI-Fake News).

ALLAN LOPES DOS SANTOS currently resides in the United States. The last record of ALLAN LOPES DOS SANTOS leaving Brazil was on 27Jul 2020, on flight AM0015 (Aeromexico AM15, GRU-MEX), using passport FX703816.

Throughout the investigations mentioned above, the Federal Police represented the STF for the determination of the preventive detention of ALLAN LOPES DOS SANTOS, which was granted in the PET 9.935 STF case, on 10/05/21. As a result of the STF's determination, the passports of ALLAN LOPES DOS SANTOS were canceled.

In the aforementioned posts, which aim to obstruct the ongoing investigations and incitement to crime, there are references to channels linked to ALLAN LOPES DOS SANTOS, through which he capitalizes resources. On these sites there are values in US dollars, with a message that the 'prices are all in dollars, because our company is based in the USA'

At least three financing platforms were identified: <https://www.academiaconservadora.com/assinar>;

<https://www.patreon.com/tercalivre/membership>;

<https://onlyfans.com/allandossantos>.

(...).

ALLAN LOPES DOS SANTOS is, therefore, in the United States of America, using platforms from that country to capitalize funds and, in the present case, to practice conducts that conform to the types of obstruction of the investigation of ORCRIM and incitement to commit a crime.

Despite being located in that country, all its initiatives are aimed at the Brazilian public, which accompanies it and finances its activities, although currently in US dollars. As recorded in Judicial Police Information No. 8/20248, there are requests for contributions to ALLAN LOPES DOS

SANTOS, including in cryptoassets.

'... on the CONSERVATIVE ACADEMY page. in the excerpt that deals with the Privacy Policy and Terms of Use, it is stated that 'Academia Conservadora is a course platform of the company Article 220 in partnership with Terça Livre. Address: 1317 EDGEWATER DRIVE SUITE 1418, ORLANDO. FL 32804'

According to research, the company ARTICLE 220 CORP would have been created on October 20, 2021, as a commercial company, headquartered at the same address as the CONSERVATIVE ACADEMY. ALLAN's address that has been linked to this company is 587 E SAMPLE RD SUITE 700 DEERFIELD BEACH, FL 33064.

ALLAN's link with the company TERCA LIVRE CORP was found, which would have been registered on August 29, 2023, and would be headquartered at No. 1317 EDGEWATER DRIVE #1418 ORLANDO, FL 32804. ALLAN's address that would be linked to this company is No. J317 EDGEWATER DRIVE #1418 ORLANDO, FL 32804, which is the same as the company TERCA LIVRE CORP and also the company ARTICLE 220 CORP.

On the page of REVISTA EXÍLIO there is information that the subscriber will be charged on behalf of the company MY OFFICE USA CORP, responsible for Revista Exílio (<https://revistaexilio.substack.com/about>). Research indicated that the company "MY OFFICE USA, CORP. was created on May 19, 2010, and its headquarters would be at 589 E SAMPLE RD POMPANO BEACH, FL 33064. The person responsible for the company would be MARCO AURÉLIO MOREIRA REIS. The address of MARCO AURELIO MOREIRA REIS and that of the company MY OFFICE USA are the same.

It should be noted that the addresses 587 E SAMPLE RD SUITE 700 DEERFIELD BEACH, FL 33064 (linked to ALLAN) and 589 E SAMPLE RD POMPANO BEACH, FL 33064 (linked to MARCO AURELIO MOREIRA REIS) are neighbors, or possibly the same place. The address 1317 EDGEWATER DRIVE #1418 ORLANDO, FL 32804 links the companies ACADEMIA CONSERVADORA and TERCA LIVRE CORP ... ".

In Brazil, it is stated that ALLAN LOPES DOS SANTOS is responsible for the company TLTV LLC, CNPJ 40.250.717/0001-06, registered on 04jan2021, as a holding company for non-financial institutions, with address at 8 The Green - Suite A 19901 - Delaware - United States.

It also includes the company CANAL TL PRODUÇÃO DE VÍDEOS E CURSOS LTDA, CNPJ 40.034.745/0001-96, registered on January 2018, with address at SCRN 502, Block B, room 202, Asa Norte, Brasília/DF.

There is a close relationship between the conducts of obstruction of OCRM investigation, incitement to crime and the financing of such activities, carried out through the platforms"

As the investigations progressed, it was found that several people began to join the campaign of intimidation of the federal police, initiated by ALLAN LOPES DOS SANTOS, by sending anonymous e-mails, exposing personal data, publishing

photographs of the police officers and/or their families on social networks. In this sense, the criminal hypothesis pointed out by the police authority:

"On March 8, 2024, from the United States of America, ALLAN LOPES DOS SANTOS started a project to expose the federal police officers who work in the cases underway at the STF, which concern the criminal offense involving a Criminal Organization. The profile of ALLAN LOPES DOS SANTOS on Instagram, @allanldsantos, in the same way, stated that it will expose all the delegates who work in the cases under the rapporteurship of Minister ALEXANDRE DE MORAES, and there are records of other profiles that joined the call, stating that they will assist him in this purpose.

As of March 28, 2024, adhering to the campaign initiated by ALLAN LOPES DOS SANTOS, the anonymous email profile criptonimos@proton.me started sending emails to Federal Police Chief DENISSE DIAS ROSAS RIBEIRO, in which there was mention of the exposure campaign started, and the Police Chief, who was originally responsible for conducting the Fake News and Digital Militias Inquiry within the scope of the Federal Police, was intimidated. On June 7, 2024, also joining the campaign started by ALLAN LOPES DOS SANTOS, Senator MARCOS RIBEIRO DO VAL made a post stating that he was in the United States of America, from where ALLAN LOPES DOS SANTOS started the campaign, where he had access to the names and data of the federal police officers who acted in the ongoing cases in the Brazilian Supreme Court, in view of which he would have a wide dossier of committing crimes, for complying with orders from the Federal Supreme Court.

On 9Jul2024, one day after the publication of the Final Report of the Police Inquiry that investigated the facts related to the sale of Saudi jewels donated to the Federative Republic of Brazil, the @EdRaposo profile, possibly linked to EDNARDO DAVILA MELLO RAPOSO, publishes a post exposing "the delegate of the jewels... and also of the digital militias, the vaccination card, the Bolsonarist businessmen, the anti-democratic acts and the Vaza Jato", going on to expose Delegate FÁBIO ALVAREZ SHOR, publicly urging someone to get a photo of the Delegate, because "You find a photo of Michelle Obama Pregnant, but you don't find one of Fábio Shor".

As of 9Jul2024, the @mveustaquio profile, possibly linked to the teenager MARIANA VOLF PEDRO EUSTÁQUIO, daughter of the fugitive OSWALDO EUSTÁQUIO FILHO, adhering to the campaign started by ALLAN LOPES DOS SANTOS, starts to make posts exposing Delegate FÁBIO ALVAREZ SHOR, as well as his family members, with the dissemination of photos of the server, his wife and his underage son, subjecting them to media scrutiny.

On 13Jul2024, in Brasília/DF, unidentified person(s) hung a blue stuffed monkey from the rear window wiper of Delegate FÁBIO ALVAREZ SHOR's personal vehicle, demonstrating knowledge of his place of residence and personal vehicle, in an attempt to intimidate the server.

On 14Jul2024, MARCOS RIBEIRO DO VAL publishes the photo released

by the teenager MARIANA VOLF PEDRO EUSTÁQUIO, adding the words "WANTED", posting a text in which he exposes Delegate FÁBIO ALVAREZ SHOR to media scrutiny, bringing alleged expressions of disregard on the part of other federal police officers for him acting in the ongoing cases in the Federal Supreme Court. The post had 260.8 thousand views at the time of the evidentiary record.

On July 15, 2024, the *revistabrasil.net* site, adhering to the campaign started by ALLAN LOPES DOS SANTOS, publishes a report with the photo released by the teenager MARIANA VOLF PEDRO EUSTÁQUIO, where it exposes the image of Delegate FÁBIO ALVAREZ SHOR, with the following title "The Foreman of Alexandre de Moraes: Meet the delegate Fábio Shor, who punishes children and persecutes Bolsonaro".

On 15Jul2024, the profile @JoaoMer, possibly JOÃO RICARDO MERI ALVEZ, joining the campaign started by ALLAN LOPES DOS SANTOS, responds to the teenager MARIANA VOLF PEDRO EUSTÁQUIO exposing the data of the younger brother of Delegate FÁBIO ALVAREZ SHOR. As of July 14, 2024, several other profiles also interact, republish and/or forward the posts made by Senator MARCOS RIBEIRO DO VAL and/or teenager MARIANA VOLF PEDRO EUSTÁQUIO, with the aim of intimidating/exposing the federal police officers who work in the cases pending in the STF, promoting embarrassment to the investigation related to ORCRIM".

The PF also stated that one of the profiles related to ALLAN LOPES DOS SANTOS, on the social network "Instagram" (@revistaexilio), announced a project that sought to expose to media execration the Federal Police Chiefs and other federal police officers who acted in the investigative procedures instituted in this COURT, under the rapporteurship of Justice ALEXANDRE DE MORAES (cf. Information from the Judiciary Police n. 8/2024 to fls. 43/52, of Volume 1, of Pet 12.404/DF). The publication, which, on the date of the offer of the representation had 19,018 "likes", contained the following information:

"@revistaexilio Journalist Allan Dos Santos started a new project in the Exile Magazine: EXPOSED. The project will investigate one by one the Federal Police agents who are "complying" with Alexandre de Moraes' orders. Enough of just complaining about Moraes: it's time to expose who is part of the illegal actions that are being carried out in the Federal Police. Allan Dos Santos argues that all these agents have faces, names, surnames and salaries. The journalist says that it will also be possible to map, thus, promotions and salary increases, once they come out of anonymity."

In turn, in another profile of ALLAN LOPES DOS SANTOS, also on the social network "Instagram" (@allanldsantos), a message of the same content was published, reiterating the interest in exposing the Federal Police Delegates. The publication, which had, at that time, 31,338 "likes", contained the following information:

@allanldsantos ATTENTION: I need the NAMES of ALL @policiafederal delegates who are INVOLVED in the CRIMINAL ACTIONS of the @alexandre. I will investigate the lives of ONE BY ONE of them and publish an ARTICLE about the PUBLIC DATA of each one. If you have ever been a VICTIM of Moraes or know someone who has been, send me the FULL NAME of ALL the federal police officers involved. To send the name, just put it in the chat on the ACADEMIA CONSERVADORA website. Anonymity will be KEPT in complete confidentiality.

Subsequently, several followers of the profile on the social network "Instagram" (@allanldsantos) joined the initiative and published numerous comments, of which the following stand out:

@rreletronicacampos Congratulations, man, I'll be a hacker for you.
@mendanha21 It's time to drag into the mud all the police officers who continue to do "just their job" of chasing and arresting innocent people.
@edimardimarzinho Allan always surgical, I remember that he always said in the TL about acting directly in the CPF, exposing the person because there is the subject of the action.

After the outbreak of another stage of "Operation Last Mile" on July 11, 2024, another profile related to ALLAN LOPES DOS SANTOS, also on the social network "Instagram" (@allanconta), published an image of part of the Police Representation and addressed Federal Police Delegate DANIEL CARVALHO BRASIL NASCIMENTO by name, including reiterating that his platform would be available for the intimidation/exposure of federal police officers who work in the investigative procedures that are being processed in the COURT. Check it out:

@allanconta As these kids from @policiafederal don't forget me, I leave here the warning: WHOEVER NEEDS TO PUBLISH ANYTHING AGAINST THESE SONS OF BITCHES, count on @tercalivre. Go shut up your WHORES, the delegate DANIEL CARVALO BRASIL NASCIMENTO. Son of a brooder.

In addition to the conducts practiced directly by ALLAN LOPES DOS SANTOS, the Federal Police located indicatory elements that showed that numerous people, some identified and others not, began to adhere to the criminal conduct and began to carry out conducts of intimidation/exposure of law enforcement agents.

The Federal Police pointed out that Federal Police Delegate DENISSE DIAS ROSAS RIBEIRO, who initially acted in the investigative procedures of "fake news" and "digital militias", both in progress in this COURT, sent an "email" to the General Coordination of Counterintelligence of the Federal Police, communicating that, as of March 26, 2024, after the campaign initiated by ALLAN LOPES DOS SANTOS, the anonymous "email" profile called "Tacitus" started to send e-mails to several e-

mail boxes with the names "Denisse" and "Rosas".

The e-mails sent would mention Operations "Acronym" and "Spoiler". In fact, in one of them, in the "email" sent on March 27, 2024, there is express mention of a campaign started by ALLAN LOPES DOS SANTOS, who had promised USD 5,000,000.00 for "any SUBSTANTIAL PROOF of Moraes' involvement in Operation Acronym".

The Federal Police also indicated that Senator MARCOS RIBEIRO DO VAL, on June 7, 2024, made a post stating that he was in the United States of America (where the creator of the intimidation/exposure campaign, ALLAN LOPES DOS SANTOS, is located), stating that he would have a list of federal police officers who acted in the investigative procedures initiated in this COURT, under the rapporteurship of Justice ALEXANDRE DE MORAES, and that they would be complying with illegal orders and subject to conviction for 22 (twenty-two) years in a closed regime. Check it out:

@marcosdoval Friends and acquaintances of the Federal Police, I want to share with you a message of extreme importance about individual responsibility in complying with illegal orders. Recently, in a conversation with the top leadership of the U.S. government, it was pointed out that, since the Nuremberg trials, it has been internationally recognized that individuals cannot exempt themselves from legal responsibility simply by claiming that they were following orders from above. This principle reinforces that the defense of "was only following orders" has since not exempted individual responsibility for acts that violate human rights.

Federal police officers in Brazil need to be aware of this seriousness, which ranges from losing their passports to having assets seized and spending 22 years in a closed regime. We are working together with other international human rights bodies and have already gathered the names of all the federal police officers who appear in each investigation: investigators, experts, agents and delegates who acted illegally when carrying out arrest, search and seizure orders, among other illegalities already reported and already included in our dossier. Much is still to come to the detriment of those who violated human rights, whether they comply with an order from the superior or not.

The wealth of details we have about each member of the Federal Police who contributed to illegal actions is impressive. We know what processes they have worked on, what anti-constitutional decisions they have made, and what actions have infringed on human rights. We have an extensive list of these police officers and they will all answer for their actions, as there is already sufficient evidence of the commission of crimes against human rights in all investigations. There is no more room for excuses such as: "I'm just following orders".

I take this opportunity to thank you, on behalf of all the work that has been contributing for years both to us in the US and to Brazil".

Then, the Senator of the Republic MARCOS RIBEIRO DO VAL himself makes a new publication stating that the security of the delegations of the G20 meeting would

be at risk, since the Directorate of Police Intelligence was busy with political operations at the behest of Minister ALEXANDRE DE MORAES, namely:

@marcosdoval COMPLAINT – The security operation of the delegations of the G20 meeting, which will take place in Brazil in November, is threatened by lack of money. Remembering that it is the DIP/PF that is responsible for this security and is busy carrying out political operations at the behest of AM. Here is the document we got today. #senadormarcosdoval.

Still in relation to Senator MARCOS RIBEIRO DO VAL, the police authority highlighted another publication on the social network, now on July 14, 2024, where the parliamentarian shared a photograph of Federal Police Delegate FÁBIO ALVAREZ SHOR (extracted from his civil identification, issued by DETRAN – Directorate of Civil Identification), apparently obtained with the collaboration of teenager MARIANA VOLF PEDRO EUSTÁQUIO, daughter of the fugitive from justice OSWALDO EUSTÁQUIO FILHO, with the words "WANTED", a publication that contained an offensive text to the aforementioned Federal Police Chief, with offenses to his honor and even calling him a "son of a bitch":

@marcosdoval Today I come to the public to denounce a serious problem that is affecting the integrity of our nation and the security of our citizens. It is the Federal Police chief, Fabio Alvarez Shor, who has acted as the foreman of Minister Alexandre de Moraes, committing serious violations against the Constitution and the human rights of Brazilians.

This delegate, hitherto unknown, has been hiding from social networks, but Brazil needs to know who is the executor of Alexandre de Moraes' illegal orders. Shor has been raiding homes with illegal search warrants, pointing guns in the faces of children, and confiscating cell phones from those children. These actions are inhumane and unacceptable, and are being carried out under the false flag of the Federal Police, when in fact they are direct orders from Alexandre de Moraes, with the connivance of this cowardly delegate.

In addition, it is important to note that Fábio Alvarez Shor disappeared from social networks after the murder of Federal Police agent Wilton Tapajós, in 2012. At that time, Shor was also an agent and later became a police chief. He was a witness in the process, as he was involved in Operation Monte Carlo that investigated Carlinhos Cachoeira. After the crime, which occurred in 2012, and the fear that spread among the federal police officers of the operation, Shor completely disappeared from social networks in 2013, probably out of fear.

I want to take this opportunity to communicate to the press and the general public that the Federal Police is being used improperly. When it is said that the Federal Police determined, investigated, or indicted, it is actually Alexandre de Moraes who is behind it, with the consent of delegate Fábio Alvarez Shor. This delegate is already on the list of the International Criminal Court, and this was not for lack of warning. I have always warned that

complying with illegal orders is, in itself, an illegality.

I have received complaints from members of the Federal Police themselves who can no longer bear to see so many injustices. They are beginning to expose the outrage they feel, not only at the fulfillment of the illegal orders, but at the additional evils this delegate imposes on patriots and innocent citizens. It is unfortunate that people dedicated to the protection and security of the country are being betrayed by those who should be its leaders.

Brazil, it's time to make this delegate known. His name is already listed in the Organization of American States (OAS) and the International Criminal Court, and it will only be a matter of time before justice is served.

Below is a message I received from a group of outraged federal police officers

"This son of a bitch is police chief Fábio Alvarez Shor, who for years managed to remain anonymous, without photos on the internet. He is responsible for arresting innocent patriots and making thousands of children cry for their parents. He broke into the room of journalist Eustáquio's daughter to take a child's cell phone, and also indicted Bolsonaro. THIS COWARD HAS TO BECOME FAMOUS"

This is an outburst and a denunciation of a serious problem that can no longer be ignored. Brazil needs to know the truth and demand justice against those who abuse their power and violate the rights of citizens.'

This publication was even reposted by the teenager MARIANA VOLF PEDRO EUSTÁQUIO (cf. fls. 166, of Volume 1, of Pet 12.404/DF).

After the outbreak of another stage of "Operation Last Mile", Senator MARCOS RIBEIRO DO VAL would have continued to intimidate the federal police with the statement that "now they are investigated and tomorrow it will be the police officers who act in the cases of the STF", as mentioned by the police authority regarding the following publication on the social network:

@marcosdoval STF has been investigating Federal Police since the beginning of the year! The STF is investigating a group of federal police officers who worked in the previous government who "were only following orders". As I have been saying that complying with illegal orders is also a crime as it is in our Constitution and in the Penal Code. All the orders that the minister has demanded for the Federal Police to comply with are illegal. Whether for those who are in charge or for those who comply: Today it is this group; tomorrow, it will be you. The PGR was not in favor of the arrests of the operation, including a Federal Police officer who was escorting Bolsonaro, but the minister disregarded the PGR's manifestation. The illegalities that Minister Alexandre de Moraes has been accused of committing involve a series of controversial and allegedly unconstitutional actions.

The Federal Police pointed out that even the Senator of the Republic MARCOS RIBEIRO DO VAL would have stated that the "STF HAS ITS OWN CYBER

INTELLIGENCE DIVISION AND IS INVESTIGATING THE FEDERAL POLICE" (cf. fls. 166, of Volume 1, of Pet 12.404/DF).

The police authority also pointed out that, on July 16, 2024, Senator MARCOS RIBEIRO DO VAL reposted on his social network on "Instagram" a video published by teenager MARIANA VOLF PEDRO EUSTÁQUIO, daughter of fugitive from justice OSWALDO EUSTÁQUIO FILHO, in which children were filmed who would have been victims of Federal Police Delegate FÁBIO ALVAREZ SHOR, for alleged abuses practiced when carrying out search and seizure warrants. Such children, as reported by the Federal Police, would be the children of OSWALDO EUSTÁQUIO FILHO, in the following terms:

@marcosdoval Urgent - Six-year-old child. A few days ago, when I filed the complaint against Chief Shor, I received information that the National Association of Federal Police Chiefs issued a note claiming that my accusations were unfounded. I now come to the public to reaffirm what was said by me, but with a small part of the evidence and you will be aware of the atrocities being done against human dignity and against human rights.

You will be able to see in this new post the testimony of a six-year-old child, reporting what happened in his house with his siblings when his parents were not present, and what this delegate did to these children.

In addition to the OAS, I will be representing this Mr. Fábio Shor, for all the competent bodies, nationally and internationally. In addition to this strong and serious testimony of the child against Delegate Fábio Shor, they will also have access to two pages of a representation made by 130 delegates of the Federal Police, denouncing delegate Fábio Shor and Minister Alexandre. In addition, I will also make available two pages of the dossier that is already in the final phase at the Inter-American Court of Human Rights, within the OAS.

This document was produced by the Court itself and which proves several other irregularities and violations of fundamental rights, committed by the delegate in the investigations.

I am legally supported through the prerogatives that belong to senators and are contained in our Magna Carta:

Article 53: Senators are inviolable, civilly and criminally, for any of their opinions, words and votes.

Paragraph 6 - Deputies and Senators shall not be obliged to testify about information received or provided as a result of the exercise of their mandate, nor about the persons who entrusted them or received information from them.

STF - The constitutional inviolability clause, which prevents the criminal and/or civil liability of the member of the National Congress, for his words, opinions and votes, also covers, under his protective mantle, (1) journalistic interviews, (3) statements made to the media.

I continue my fight for truth, justice, respect for our Constitution and the protection of our democracy.

After the release of the aforementioned video, the Senator of the Republic MARCOS

RIBEIRO DO VAL, on the social network "X", presented images that would be alleged documents proving crimes committed by the federal police, as well as a list with the name of the server and, next to it, the steps taken, with emphasis on the name of the Federal Police Delegate FÁBIO ALVAREZ SHOR. In addition, the police authority indicated that, in addition to the publications on social networks, a message with the same content of exposure/intimidation to Federal Police Chief FÁBIO ALVAREZ SHOR also began to circulate in "WhatsApp" groups, with the remark "Frequently forwarded", the content of which is as follows:

This is the delegate Fábio Alvarez Shor, who for years managed to remain anonymous, without photos on the internet. He is responsible for arresting innocent patriots and making thousands of children cry for their parents. He broke into the room of journalist Eustáquio's daughter to take a child's cell phone, and also indicted Bolsonaro. THIS COWARD HAS TO BECOME FAMOUS.

Another individual identified by the Federal Police who also joined the campaign promoted by ALLAN LOPES DOS SANTOS with the objective of exposing and intimidating the police officers who work or were acting in the investigative procedures initiated in this COURT, was EDNARDO D'AVILA MELLO RAPOSO. The police authority pointed out that, 03 (three) days after the release of the Final Report involving the investigations of the sale of Saudi jewels donated to the Brazilian State (Pet 11.645/DF, still in progress in this SUPREME COURT), on his social network, EDNARDO D'AVILA MELLO RAPOSO made publications about Federal Police Chief FÁBIO ALVAREZ SHOR, exposing him and bringing to public scrutiny the fact that he did not have images on social networks. In one of the videos, transcribed below by the Federal Police, EDNARDO D'AVILA MELLO RAPOSO said:

Hello guys, good evening. Welcome to our second video today. And here's the thing, let's get straight to the point, here, okay? Over the past few days, we have been following this series of articles full of empty accusations against Jair Bolsonaro about the Saudi jewelry scandal, correct? Well, a point in common to all these articles is the name of the delegate of the federal police case, Mr. Fábio Álvarez Shor.

And what we're going to do in this video here to bring you another series of articles not necessarily related to the jewelry case. There is text from 2021, there is text from 2022, there is text from 2023. We'll read everything together here. In the end, we sew and try to reach some conclusion.

Therefore, I ask that everyone stay until the end.

[...]

It even seems like Cafu at the beginning of his career, whoever is older will remember, he played right, right back, left back, right midfielder, left midfielder, left winger, center forward right winger. If Mestre Telê was in charge, Cafu would be there, I just didn't see him play as a defender and

goalkeeper, but if Telê was in charge, he would be able to play. It's really something here for Shor, right? Congratulations on your versatility, federal police chief recapping, okay? Bolsonarist businessmen and digital militias, card.

The Federal Police also recorded that EDNARDO D'AVILA MELLO RAPOSO published, on the social network, that it would be easier to find a photograph of MICHELLE OBAMA pregnant than to find an image of Federal Police Chief FÁBIO ALVAREZ SHOR, which would reveal any incitement of his public to seek such an image:

@EdRaposo_ Fun fact about my last video. You find a photo of Michelle Obama pregnant, but you don't find one of Fábio Shor.

In addition, the police authority pointed out that, on July 10, 2024, EDNARDO D'AVILA MELLO RAPOSO commented on a publication by teenager MARIANA VOLF PEDRO EUSTÁQUIO, daughter of fugitive from justice OSWALDO EUSTÁQUIO FILHO, whose content would indicate that he would not have found any photograph of Federal Police Chief FÁBIO ALVAREZ SHOR on the "internet", which would be "very strange". Check out the successive publications:

@mveustaquio PF delegate Fábio Shor trembled when he heard with my father in jail in 2020. He had all his nails bitten. You can't find photos of him on the internet because he gets scared of being recognized. He lives in the shadows. He is a coward, who I faced inside my house.

@DraPaola_ Caucasian, short in stature, black hair combed to the side, wears glasses. Appearance of fragile and cowardly countenance. He worked together with Denisse, who investigated Moraes in the acronym operation and later became his employee after becoming a minister. Daniel confronted him at the Federal Police.

@EdRaposo_ I didn't find a single photo of him on the internet, very strange.

Still on those who joined the campaign promoted by ALLAN LOPES DOS SANTOS with the objective of exposing and intimidating the police officers who work or acted in the investigative procedures established in this COURT, the Federal Police indicated the name of the teenager MARIANA VOLF PEDRO EUSTÁQUIO (16 years old), daughter of the fugitive from justice OSWALDO EUSTÁQUIO FILHO and SANDRA MARA VOLF PEDRO EUSTAQUIO.

The teenager, days after the release of the Final Report involving the investigations into the sale of Saudi jewels donated to the Brazilian State (Pet 11.645/DF, still in progress in this SUPREME COURT), drawn up by Federal Police Chief FÁBIO ALVAREZ SHOR, began to use social networks as a spokesperson for her father who is a fugitive from justice, dedicating herself to "promoting posts by her father, who, in the same way, fosters his daughter's activities, requesting the payment of donations through PIX linked to his son's CPF".

Regarding the facts, MARIANA VOLF PEDRO EUSTÁQUIO published on the social network that Federal Police Chief FÁBIO ALVAREZ SHOR would have "stolen" her mother's cell phone, in 2020, woke up her siblings at 06:00 am and went through her underwear drawer, namely:

@mveustaquio Police chief Fábio Shor, who signs Bolsonaro's indictment, stole my mother's cell phone in 2020. He is evil and breaks the law to achieve his goals. He woke up my brothers at six in the morning and went through my underwear drawer mockingly. God will do justice.

According to the Federal Police, on July 11 and 12, 2024, teenager MARIANA VOLF PEDRO EUSTÁQUIO shared a photograph of the alleged profile of Federal Police Delegate FÁBIO ALVAREZ SHOR, on the social network "Instagram", an image that contained the public servant, his wife and his son, in addition to having made the following publications:

@mveustaquio I present to Brazil the delegate Fábio Shor, head of Lesa Pátria. He was the one who made the fake news saying that Bolsonaro embezzled R\$ 25 million in jewelry and then backtracked. He bites his nail. And he stole my brother's cellar (his son's age). Follow @fabioshow on the 1nst@gr@m!

@mveustaquio Fábio Shor, what should God be thinking about you? Arresting fathers and mothers, leaving children orphaned, accusing priests and pastors of coups without weapons. You know that's a lie. What your beautiful child will think of you when he understands your evils.

@mveustaquio And Fábio, I know you are reading because you deleted your photo that was on the network. God is not mocked. Repent of your evil ways and stop persecuting innocent people because God's judgment is very near.

Also on July 12, 2024, according to the police authority, the teenager MARIANA VOLF PEDRO EUSTÁQUIO would have exposed the profile photograph on social networks of the wife of Federal Police Chief FÁBIO ALVAREZ SHOR and published the following message inciting her audience to promote media scrutiny against her:

@mveustaquio The wife of delegate Fábio Shor, hides her last name in the dentist's coat and signs Taciana Dib. My friends from Mackenzie Brasília put a device on her, who disagreed with her husband having broken into my room, stolen devices and left my brother with speech difficulties. Follow!

@mveustaquio The wife of delegate Fábio Shor, the dentist who attends my friends at school, took her photo of the 1st and changed her @. Her husband made my brothers cry when he broke into our house. Don't worry Dr, I'm praying that your son will never be persecuted like I was.

On July 13, 2024, teenager MARIANA VOLF PEDRO EUSTÁQUIO published a high-resolution photograph of Federal Police Chief FÁBIO ALVAREZ SHOR, an

image related to her civil identification, issued by DETRAN (Directorate of Civil Identification) and wrote the following message:

@mveustaquio This is the delegate Fábio Shor, who for years managed to remain anonymous, without photos on the internet. He is responsible for arresting innocent patriots and making thousands of children cry for their parents. He also broke into my room and indicted Bolsonaro. I'll pray until it happens!

The police authority also pointed out that, due to the repercussion of the posts of the Senator of the Republic MARCOS RIBEIRO DO VAL, the campaign for the exposure/intimidation promoted by the teenager MARIANA VOLF PEDRO EUSTÁQUIO gained media proportion, encouraging her to continue in such conduct.

Thus, the Federal Police became aware of a video made available by the teenager, in which her siblings, children under 12 (twelve) years of age, were recorded making induced statements about Federal Police Chief FÁBIO ALVAREZ SHOR, containing the narratives replicated by the teenager on her social networks:

@mveustaquio URGENT: Bernardo Eustáquio, one of the thousands of child victims of police chief Fábio Alvarez Shor, gives his testimony of the cruelty of the person responsible for Bolsonaro's indictment, known as Alexandre de Moraes' foreman. My brother's complaint has the endorsement of 131 delegates.

According to the Federal Police, the video would be the same as the one published by Senator MARCOS RIBEIRO DO VAL, on his social network "Instagram", on July 16, 2024.

In this same video, the adolescent who exposes the child requests contributions by PIX to the CPF of the same child, as can be inferred from the transcription made by the police authority:

My brother Bernardo Eustáquio's outburst about the terror that the Brazilian State subjected to my family. Watch the video to the end and SHARE - Contribute with food on my family's table at this time that my father, journalist Oswaldo Eustáquio was prevented from working. PIX: 147.304.929-60 (CPF) Bernardo Volf Pedro Eustáquio. According to the police authority, the "children are in Spain, with their father, OSWALDO EUSTÁQUIO FILHO, as exposed by the teenager herself on her social network in April 2024", since "the migratory records of departure from the country confirm that the children left Brazil on 20Jul2023; while the teenager and her mother entered Brazil respectively on 19Jan2024 and 12Nov2023. Therefore, since November 2023, children under the age of twelve have been under the responsibility of the father."

On June 25, 2024, also on the social network of teenager MARIANA VOLF PEDRO

EUSTÁQUIO, a video would have been published in which two children would appear (his brothers BERNARDO EUSTÁQUIO and "OSWALDINHO") and OSWALDO EUSTÁQUIO FILHO would narrate the footage, which would show, for the Federal Police, that the fugitive from justice continued to produce content on social networks with his children outside Brazil.

Still on those who joined the campaign promoted by ALLAN LOPES DOS SANTOS with the objective of exposing and intimidating the police officers who work (or worked) in the investigative procedures established in this COURT, the Federal Police pointed out that on July 13, 2024, in Brasília/DF, an unidentified person would have hung a blue stuffed monkey from the rear window wiper of the personal vehicle of Federal Police Delegate FÁBIO ALVAREZ SHOR. According to the police authority, although the object does not represent a threat, it would convey a "clear message that its authors know the vehicle and the place of residence of the server, as another way to intimidate his performance in the ORCRIM investigations underway at the STF" and would corroborate the conclusion that "the campaign initiated on social networks exceeded the limits of the cyber scope and physically reached the place of residence of the server and his vehicle, demonstrating that the conduct, once incited, has immeasurable triggers, even if its perpetrator is in another country".

Likewise, on July 15, 2024, the Federal Police became aware that the website REVISTA BRASIL.NET published a report with the title "The Foreman of Alexandre de Moraes: meet Delegate Fábio Shor, who punishes children and persecutes Bolsonaro", containing the photograph of Federal Police Delegate FÁBIO ALVAREZ SHOR, which had been released by teenager MARIANA VOLFF PEDRO EUSTÁQUIO, circumstances that, for the police authority, would replicate the same strategy of intimidation/exposure of the police officers who act (or were acting) in the investigative procedures initiated in this COURT, including Federal Police Chief FÁBIO ALVAREZ SHOR, as a way of causing embarrassment to the investigations of the criminal organization.

Finally, in the last topic of the police representation that addresses those who joined the campaign promoted by ALLAN LOPES DOS SANTOS with the objective of exposing and intimidating the police officers, who act (or acted) in the investigative procedures established in this COURT, the Federal Police pointed out several profiles that replicated publications on social networks of the teenager MARIANA VOLFF PEDRO EUSTÁQUIO and the Senator of the Republic MARCOS RIBEIRO DO VAL. He pointed out that, on July 15, 2024, the @JoaoMer profile, possibly linked to JOÃO RICARDO MERI ALVEZ, would have responded to the teenager MARIANA VOLFF PEDRO EUSTÁQUIO on the social network and indicated the name of the brother of Federal Police Delegate FÁBIO ALVAREZ SHOR:

@JoaoMer3 Mariana, his brother's name is Bernardo Shoor. He lives in Rio de Janeiro, married with two children, and certainly Fábio is hiding in his brother's house. The neighborhood is in the north zone of Rio and I can no longer post data here.

He also highlighted that on July 13, 2024, the @Claudio061973 profile, possibly

linked to CLÁUDIO ROGSANE DA LUZ, would have republished a post made by teenager MARIANA VOLF PEDRO EUSTÁQUIO, on her social network, in which she exposes the image of Federal Police Delegate FÁBIO ALVAREZ SHOR. The profile @Claudio061973 also calls him a "bandit" and "scoundrel", in addition to exposing his wife again, suggesting that she "be boycotted". Check it out:

@Claudio061973 Bandit and scoundrel. @Claudio061973 Total boycott of those infamous and crazy for money who sell their soul for power... This is the wife of Delegate Fábio Shor... hide the last name...

Likewise, on July 14, 2024, the @JosuMendesdosS1 profile, possibly linked to JOSUÉ MENDES DOS SANTOS, would have republished a post made by teenager MARIANA VOLF PEDRO EUSTÁQUIO, on her social network, in which she exposes the image of Federal Police Delegate FÁBIO ALVAREZ SHOR. The profile @JosuMendesdosS1 also calls him a "rat responsible for the persecution of innocent patriots and the death of Clezão":

@JosuMendesdosS1 IMPROVING THE TEXT This Rat is responsible for the persecution of innocent patriots and the death of Cless. Fábio Shor is Alex's UBOSSSED COCK who indicted Bolsonaro, invaded your room and traumatized your brothers. He is a fearful boot smudge, but hides behind instruction.

Also on July 14, 2024, the @HomciDemocracia profile, possibly linked to CARLOS ALBERTO HOMCI DE ALMEIDA, would have republished a post made by Senator MARCOS RIBEIRO DO VAL, on his social network, in which he exposes the image of Federal Police Chief FÁBIO ALVAREZ SHOR with the writing "WANTED". The @HomciDemocracia profile also states that he (referring to that of Federal Police Delegate FÁBIO ALVAREZ SHOR) would be a "criminal disguised as a PF working at the service of A. MORAES", namely:

@HomciDemocracia Hello senator @cleitinhomj this individual from the PF have committed crimes of abuse of authority and must pay for their excesses and abuses against citizens. Fabio Shor is a criminal disguised as a PF working in the service of A. Moraes. He must be summoned to the senate to explain himself. @HomciDemocracia Brazil in the hunt for this bum who usurps the function as a del of the PF, committing several crimes of abuse of authority: @EduGiraoOficial, @MagnoMalta, @FlavioBolsonaro, @cleitinhomj, @rogeriosmarinho. This individual needs to be summoned by the URGENT @SenadoFederal to answer for the crimes.

In turn, on July 15, 2024, the @PrJosiasPereir3 profile, possibly linked to JOSIAS PEREIRA LIMA, would have republished a post made by Senator of the Republic MARCOS RIBEIRO DO VAL, on his social network, in which he exposes the image of Federal Police Delegate FÁBIO ALVAREZ SHOR with the writing "WANTED". The @PrJosiasPereir3 profile also states that he (referring to Federal Police Chief

FÁBIO ALVAREZ SHOR) has taken innocent people to prison and has shown himself willing to persecute "enemies of the regime" instead of fighting real criminals. Check it out:

@PrJosiasPereir3 ATTENTION. Marcos do Val reveals the face of Moraes' front man in the PF. Federal delegate Fabio Alvarez Shor, complies with determinations given by Moraes to try to incriminate Jair Bolsonaro. He signed a fraudulent report with edited prints, non-existent amounts and false accusations of crime. Fabio Shor is also responsible for the investigation into the vaccine card, in a contortionist effort, to incriminate Bolsonaro. Fabio Alvarez Shor has taken innocent people to prison and has shown himself to be more willing to practice such persecutions of the "enemies of the regime" than to fight real criminals.

Finally, on July 15, 2024, the @xfischer profile, possibly linked to SÉRGIO FISCHER, would have republished a post made by Senator MARCOS RIBEIRO DO VAL, on his social network, in which he exposes the image of Federal Police Delegate FÁBIO ALVAREZ SHOR with the writing "WANTED". Then, the profile @xfischer questions:

@xfischer Wanted... "Dead or alive"?

This is the summary of the context surrounding the present investigation, and it is certain that, in a decision of April 7, 2024, I partially granted police representation and DETERMINED, among other measures, the EX OFFICIO DISPATCH to the company TWITTER INC. (responsible for the social network "X") so that, within 2 (two) hours, it proceeded to block specified channels/profiles/accounts, as well as any groups managed by the identified users, including blocking any ongoing monetization related to the aforementioned profiles, and the platforms must inform the amounts that would be monetized and the recipients of the amounts, under penalty of a daily fine of R\$ 50,000.00 (fifty thousand reais), with the provision of their registration data to this SUPREME COURT and the full preservation of their content.

It is also stated that the company referred to was duly notified of the above determination, by email (govbrasil@twitter.com), at 9:40 am on 8/12/2024, failing to comply with the judicial determination.

In a decision dated August 13, 2024, I DETERMINED the application of a fine in the amount of R\$ 50,000.00 (fifty thousand reais) against the company X BRASIL INTERNET LTDA, as well as its summons for full compliance with the previous decision, within one hour, under penalty of a daily fine of R\$ 200,000.00 (two hundred thousand reais) per profile not blocked.

The Judicial Secretariat of this SUPREME COURT certified the non-compliance with the subpoena, stating the following:

"I certify that as soon as the warrant was in possession, around 10:30 am, an unsuccessful attempt was made to contact the legal representative of the

subpoena through the telephone contact provided in the warrant (11 3054-5259). Continuing, I searched the website of the national register of lawyers www.cna.oab.org.br, raising as the only relevant information the same telephone number already available.

At the same time that I established contact with Dr. Mariana de Saboya Furtado, lawyer representing X Brasil in the records of Pet 12.720, requesting support/intermediation in the sense of the contact and location of Dr. Diego de Lima Gualda, I was informed that Dr. Diego de Lima Gualda would be more the legal representative of X and that someone from X Brasil would respond directly to one, passing on the necessary information, which has not happened so far.

After the difficulty in complying with the order was reported to the Judicial Secretariat, notably in view of the urgency imposed in complying, the contact of Ms. Gabriela Salomão - Public Relations of X Brasil (61 99989 7373) was made available. Once contact was established, he was instructed to formalize by email - govbrasil@twitter.com and gsalomao@x.com - the request for information and clarifications desired, and the e-mail was forwarded and it was confirmed that Dr. Diego, in fact, no longer represents X Brasil, as well as that the new legal representative of X Brasil would be Dr. Rachel de Oliveira Vila Nova Conceição, RG 25868187-1 SSP DF and CPF 255.747.418-57, informing, at the end, the address of the headquarters of X Brasil Ltda in São Paulo SP.

I reiterated again the request for a telephone contact to be made available to me, which was not done, however an e-mail address (rvilla@br4businnes.com) was provided.

Sent an e-mail requesting the opening of a communication channel, I have not received any feedback so far.

Finally, a final attempt had been made to build a communication/intermediation channel with Dr. Daniela Seadi Kesslesm in São Paulo, representative of the Pinheiro Neto Law Firm, although she had informed that she did not have the contact. He also said that he would give feedback, but so far nothing had been done.

Therefore, there is no way to evolve in the performance of on-site diligences due to the fact that the summoned is headquartered in another unit of the federation, I return this warrant **WITHOUT COMPLYING WITH THE ORDER** issued therein, awaiting a new determination".

In view of the repeated non-compliance with the determination of this SUPREME COURT, on 08/16/2024, I issued the following decision:

"The content of the certificate prepared by the bailiff indicates that the representative of the company X BRASIL INTERNET LTDA., RACHEL DE OLIVEIRA VILLA NOVA CONCEIÇÃO, acting in bad faith, is trying to avoid the regular summons of the decision rendered in the records, including by electronic means, of which she has already demonstrated that she is aware, in order to frustrate its compliance.

Thus, in view of the negative certificate of subpoena and the reported impossibility of contact with the legal representative of said company, I IMMEDIATELY ORDER the lawyers regularly constituted by X BRASIL INTERNET LTDA., including by electronic means, to adopt the necessary measures for full compliance with the order, within 24 (twenty-four) hours, under penalty of:

- (1) DAILY FINE OF R\$ 20,000.00 (twenty thousand reais) to the company's administrator, RACHEL DE OLIVEIRA VILLA NOVA CONCEIÇÃO (CPF 255.747.418-57), CUMULATIVE TO THAT IMPOSED ON THE COMPANY, as well as DECREE OF IMPRISONMENT for disobedience to the judicial order;
- (2) IMMEDIATE REMOVAL FROM THE COMPANY'S MANAGEMENT".

The lawyer of X BRASIL INTERNET LTDA., Dr. Mariana de Saboya Furtado (OAB/DF 66.284), was notified of the aforementioned decision at 8:00 pm on 8/16/2024, as stated in the summons certificate:

"I certify and attest that, on this date, at 8 pm, I proceeded to the SUBPOENA of X BRASIL INTERNET LTDA., in the person of Attorney MARIANA DE SABOYA FURTADO (OAB/DF 66.284), by e-mail (msfurtado@pn.com.br). preceded by contact through the WhatsApp messaging application (61 99606-1740). I sent him the electronic copy of the warrant and the confidential decision and received confirmation of its receipt."

In a statement released on its platform on 8/17/2024, 'X' informed the closure of its activities in Brazil, as it intends to continue to disobey court orders of this SUPREME COURT, in the following terms:

"Last night, Alexandre de Moraes threatened our legal representative in Brazil with imprisonment if we do not comply with his censorship orders. He did so in a secret order, which we share here to expose his actions. Despite our numerous appeals to the Supreme Court not being heard, the Brazilian public not being informed of these orders, and our Brazilian team having no responsibility or control over the blocking of content on our platform, Moraes chose to threaten our team in Brazil instead of respecting the law or due process.

As a result, to protect the safety of our team, we have made the decision to close our operations in Brazil, effective immediately. Service X continues to be available to the population of Brazil.

We are deeply saddened that we were forced to make this decision. The responsibility lies exclusively with Alexandre de Moraes.

Their actions are incompatible with a democratic government. The Brazilian people have a choice to make - democracy or Alexandre de Moraes."

It is the report of the essential. DECIDE.

In order to discipline the use of the internet and social networks, the National Congress enacted Law 12.965/2014, as the new regulatory framework for activities developed in the world wide web environment.

The new legislation indicated the foundations and principles that guide the application of the entire legal diploma, establishing in its arts. 2 and 3 and sole paragraph:

"Art. 2 The discipline of the use of the internet in Brazil is based on respect for freedom of expression, as well as:

I - the recognition of the global scale of the network;

II - human rights, the development of personality and the exercise of citizenship in digital media;

III - plurality and diversity;

IV – openness and collaboration;

V – free enterprise, free competition and consumer protection; and

VI – the social purpose of the network."

Art. 3 The discipline of the use of the Internet in Brazil has the following principles:

I - guarantee of freedom of expression, communication and expression of thought, under the terms of the Federal Constitution;

II - protection of privacy;

III - protection of personal data, in accordance with the law;

IV - preservation and guarantee of net neutrality;

V – preservation of the stability, security and functionality of the network, by means of technical measures compatible with international standards and by encouraging the use of good practices;

VI – accountability of agents in accordance with their activities, under the terms of the law; VII – preservation of the participatory nature of the network;

VIII – freedom of business models promoted on the internet, provided that they do not conflict with the other principles established in this Law.

Sole Paragraph. The principles expressed in this Law do not exclude others provided for in the national legal system related to the matter or in international treaties to which the Federative Republic of Brazil is a party."

The law enshrined, in addition to freedom of expression, respect for human rights and the protection of privacy and the consumer, including the application of consumerist norms in relationships on the internet, as revealed in the wording of its article 7:

"Art. 7 Access to the internet is essential to the exercise of citizenship, and the user is guaranteed the following rights: XIII - application of consumer protection and defense rules in consumer relations carried out on the internet."

The Brazilian Civil Rights Framework for the Internet provides for the civil liability of the internet application provider for damages arising from content generated by third parties and pointed out as infringing, if the measures determined by court order are not carried out within the indicated period and within the technical limits of the service, stipulating in its article 19 that:

"Art. 19. In order to ensure freedom of expression and prevent censorship, the internet application provider can only be held civilly liable for damages arising from content generated by third parties if, after a specific court order, it does not take the measures to, within the scope and technical limits of its service and within the indicated period, make the content pointed out as infringing unavailable, except as otherwise provided by law.

Paragraph 1 - The court order referred to in the caput must contain, under penalty of nullity, clear and specific identification of the content pointed out as infringing, which allows the unequivocal location of the material.

Paragraph 2 - The application of the provisions of this article to infringements of copyright or related rights depends on a specific legal provision, which must respect freedom of expression and other guarantees provided for in article 5 of the Federal Constitution.

Paragraph 3 - Cases that deal with compensation for damages arising from content made available on the internet related to honor, reputation or personality rights, as well as the unavailability of such content by internet application providers, may be filed before the special courts.

Paragraph 4 - The judge, including in the procedure provided for in paragraph 3, may anticipate, in whole or in part, the effects of the relief sought in the initial request, if there is unequivocal proof of the fact and considering the interest of the community in making the content available on the internet, provided that the requirements of plausibility of the plaintiff's allegation and of well-founded fear of irreparable damage or damage that is difficult to repair are present."

Law 12,965/2014 also establishes, in its article 11, that it is possible to request information on telematic services directly from Brazilian companies that are subsidiaries of foreign companies, when incorporated under Brazilian laws and headquartered in Brazil.

Thus, when the company is established in Brazil, although part of an economic group of an internet legal entity headquartered abroad, it will be subject to Brazilian legislation regarding any operation of collection, storage, custody and treatment of records, personal data or communications by internet connection and application providers in which at least one of these acts occurs in the national territory.

As well highlighted by Damásio E. de Jesus and José Antônio Milagre:

"Brazilian law applies to foreign providers who provide services in Brazil, as long as any phase of data processing takes place in the national territory. Data collection will commonly occur in the national territory, and it is possible to apply this article to relationships involving Brazilian users and social networks and popular communicators in Brazil. Whenever communication occurs between a terminal (computer) located in Brazil and another abroad,

Brazilian legislation will apply with regard to privacy, in accordance with paragraph 1 of article 11 of the Marco Civil" (JESUS, Damásio E. de; MILAGRE, José Antônio. Civil Rights Framework for the Internet: comments on Law 12.965, of April 23, 2014 . São Paulo: Saraiva, 2014).

Although Brazil has only recently joined the Budapest Convention (Legislative Decree 37/2021, with a Letter of Accession deposited with the Council of Europe in November 2022), Brazilian law will be applied as long as there is a service offered in Brazil.

Obviously, like any private entity that carries out its economic activity in the national territory, internet providers must respect and effectively comply with direct commands issued by the Judiciary regarding facts that have occurred or with their perennial effects within the national territory; it is up to him, if he deems it necessary, to demonstrate his non-conformity through the resources allowed by Brazilian law.

The Brazilian legal system provides, therefore, the need for companies that manage internet services in Brazil to be headquartered in the national territory, as well as to comply with judicial decisions that determine the removal of illicit content generated by third parties, under the terms of the aforementioned provisions, under penalty of personal liability.

In compliance with the Brazilian legal system, TWITTER BRASIL REDE DE INFORMAÇÃO LTDA., currently X BRASIL, was incorporated, a limited liability company headquartered at Rua Prof. Atílio Innocenti, nº642/668, 9th floor, Vila Nova Conceição, CEP 04538-001 with entrance also at Avenida Brigadeiro Faria Lima, nº4221, Itaim Bibi, CEP 04538-133, in the City of São Paulo, State of São Paulo, registered with the CNPJ under No. 16.954.565/0001-48, which came to represent the indispensable link for the social network, developed abroad, to adequately achieve its purposes in Brazil. And, as its status explicitly reveals, this involves the promotion of the tool, as well as aspects related to its economic objectives (commercialization and monetization).

X BRASIL's activities, as described in the Articles of Association, reveal its unequivocal civil and criminal liability in relation to social network "X".

As a reflection of this, the consequences of any obstruction of justice, or disobedience to the court order, will be borne by the managers of the aforementioned business company.

As stated in the Articles of Association, one of the so-called international operators of "X" is nothing more than the main partner of the Brazilian company, holding the absolute majority of the capital stock:

By this particular instrument,

(a) TWITTER INTERNATIONAL UNLIMITED COMPANY, a company incorporated and existing under the laws of Ireland, with its registered office at The Academy, 42 Pearse Street, Dublin 2, Ireland, registered with the CNPJ under RI° 15.493.642/0004 -47, hereby represented by its attorney-in-fact, Mr. Diego de Lima Gualda, Brazilian, married, lawyer, resident and domiciled in the city of São Paulo, State of São Paulo, with office at Rua

Prof. Atílio Innocenti, n° 642/668, 9th floor, Vila Nova Conceição, CEP 04538-001, bearer of identity card No. 283,507, issued by the OAB/SP and registered with the CPF ri° 215.294.248-52, under the terms of the power of attorney dated June 22, 2023, duly registered at the 4th Registry of Deeds and Documents of the District of São Paulo on August 4, 2023 under No. 5.446,887; and

T.I. BRAZIL HOLDINGS LLC, a company incorporated and existing under the laws of the State of Delaware, United States of America, with registered office at 3500 South Dupont Highway, Dover, Delaware, United States of America, registered with CNPI under RI° 15.437.850/0001-29, hereby represented by its attorney-in-fact, Mr. Diego de Lima Gualda, above qualified, pursuant to the power of attorney dated June 22, 2023, duly registered at the 4th Registry of Deeds and Documents of the District of São Paulo on August 4, 2023 under No. 5.446.888.

As partners representing the entire capital stock of TWITTER BRASIL REDE DE INFORMAÇÃO LTDA., a limited liability company headquartered at Rua Prof. Atílio Innocenti, n°642/668, 9th floor, Vila Nova Conceição, CEP 04538-001 with entrance also at Avenida Brigadeiro Faria Lima, n°4221, Itaim Bibi, CEP 04538-133, in the City of São Paulo, State of São Paulo, registered with the CNPJ under No. 16.954.565/0001-48, with its Articles of Association registered with the Board of Trade of the State of São Paulo ("CQ") under No. 3S.226.965.189, in session of 9.5.2012 and 10th and last amendment of the Articles of Association registered with JUCESP under No. 388.853/23-2 in session of 10.04.2023 ("Company"), resolve to amend the Company's Articles of Association as follows:

(...)

1. CHANGE OF NAME 1.1 The shareholders decide, by mutual agreement and unanimously, to change the Company's corporate name from "TWITTER BRASIL REDE DE INFORMAÇÃO LTDA." to "X BRASIL INTERNET LTDA".

(...)

SHARE CAPITAL

2. The Company's capital, fully subscribed and paid in in national currency, is R\$ 509,185,000.00 (five hundred and nine million, one hundred and eighty-five thousand reais) divided into 509,185,000 (five hundred and nine million, one hundred and eighty-five thousand) identical shares of R\$ 1.00 (one real) each, distributed as follows among the partners:

(a) TWITTER INTERNATIONAL UNLIMITED COMPANY has 509,184,999 (five hundred and nine million, one hundred and eighty-four thousand, nine hundred and ninety-nine) shares, in the total amount of R\$509,184,999 (five hundred and nine million, one hundred and eighty-four thousand, nine hundred and ninety-nine reais); and

(b) T.I. BRAZIL HOLDINGS LLC owns one (1) share, in the total amount of R\$ 1.00 (one real).

In this way, the foreign partner can only continue to operate in Brazil if it maintains

the legal constitution of the Brazilian company – X BRASIL INTERNET LTDA., which carries out the activity of exposure and dissemination of the social network, as well as the financial return it provides; that is, only through the company in question, the social network initially known as Twitter, later designated as X, fulfills a legal obligation to adapt to the Brazilian legal system, for the purpose of achieving its objectives – especially economic and financial.

The statement released by X BRASIL, on its platform on 8/17/2024, informing that it will end its activities in Brazil, if implemented, will cause an insurmountable obstacle to the continuity of its services in the national territory; Especially, because the illicit and fraudulent purpose of this closure of the national company was confessed in the message itself made on social networks, which is: TO CONTINUE NOT COMPLYING WITH ORDERS OF THE BRAZILIAN JUDICIARY, ESPECIALLY THIS SUPREME COURT.

It is not the first time that this has occurred, because, on other occasions, the largest shareholder of TWITTER INTERNATIONAL UNLIMITED COMPANY, ELON MUSK, has demonstrated his total disrespect for Brazilian sovereignty and, in particular, for the Judiciary, placing himself as a true "supranational entity and immune to the laws of each country".

On 4/6/2024, the foreign and majority shareholder of the social network provider "X" - formerly "Twitter" -, ELON MUSK, started a disinformation campaign about the performance of the FEDERAL SUPREME COURT and the SUPERIOR ELECTORAL COURT, which was reinforced on 4/7/2024, instigating disobedience and obstruction of justice, including in relation to criminal organizations (art. 359 of the Penal Code and art. 2, § 1, of Law 12,850/13), also declaring that the platform would rescind compliance with the orders issued by the Brazilian Justice related to the blocking of criminal profiles and that spread fraudulent news, under investigation by this SUPREME COURT.

In that hypothesis, therefore, the use of ILLEGAL mechanisms by "X" was characterized; as well as the presence of strong indications of ELON MUSK'S MALICE, IN THE CRIMINAL INSTRUMENTALIZATION investigated in several investigations.

The flagrant conduct of obstruction of Brazilian justice, incitement to crime, public threat of disobedience to court orders and future absence of cooperation from the platform are facts that disrespected the sovereignty of Brazil and reinforce the connection of the INTENTIONAL CRIMINAL INSTRUMENTALIZATION of the activities of the former TWITTER current "X", with the illicit practices investigated by the various inquiries previously cited, which culminated in the determination of the inclusion of ELON MUSK, as investigated in INQ. 4874, and the opening of an inquiry to investigate his conduct, in relation to the crimes of obstruction of justice, including in a criminal organization (article 359 of the Penal Code and article 2, paragraph 1, of Law 12,850/13) and incitement to crime (article 286 of the Penal Code).

Unfortunately, the unlawful conducts were reiterated in the present investigation, the non-compliance with several court orders by X BRASIL became evident, as well as the malicious intention to exempt itself from responsibility for compliance with the court orders issued, with the disappearance of its legal representatives in Brazil for

the purpose of subpoena and, later, with the aforementioned message about the possible closure of the Brazilian company, **COINCIDENTALLY, ONE DAY AFTER THE FIRST PANEL OF THE FEDERAL SUPREME COURT UNANIMOUSLY DISMISSED X-BRASIL'S APPEAL IN A SITUATION ABSOLUTELY IDENTICAL TO THAT OF THE PRESENT INVESTIGATION:**

Summary: CRIMINAL AND CRIMINAL PROCEDURE. USE OF PROFILES ON SOCIAL NETWORKS TO PROPAGATE HATE SPEECH, SUBVERSION OF ORDER AND ENCOURAGEMENT TO BREAK INSTITUTIONAL AND DEMOCRATIC NORMALITY. ABUSE OF THE RIGHT TO FREEDOM OF EXPRESSION. NECESSITY AND ADEQUACY IN BLOCKING PROFILES TO STOP CRIMINAL ACTIVITY. ILLEGITIMACY AD CAUSA OF THE AGGRAVATING FACTOR. INTERLOCUTORY APPEAL NOT KNOWN. 1. The illegitimacy ad causa of the aggravating circumstance is flagrant, and there is no subjective interest to be protected for it. It is unacceptable for the appellant to oppose compliance with the blocking of channels/profiles/accounts determined in these records. 2. Freedom of expression is constitutionally enshrined and marked by the binomial FREEDOM AND RESPONSIBILITY, that is, the exercise of this right cannot be used as a true protective shield for the practice of illegal activities. Freedom of expression is not to be confused with impunity for aggression. 3. Thus, once the exercise of freedom of expression has been criminally distorted, the Federal Constitution and the legislation authorize civil and criminal repressive measures, both precautionary and definitive. 4. Regimental Appeal not known. (Pet 10792 AgR Rel. Min. ALEXANDRE DE MORAES, Virtual Session from 8/9/2024 to 8/16/2024).

A brief history of the sequence of non-compliance with various court orders characterizes the malice, both of the Brazilian legal representatives and of the foreign majority shareholder of the company X BRASIL, in total – it should be repeated – disrespect for the Federal Constitution, National Sovereignty and the Brazilian Judiciary:

In a decision of 8/7/2024, I determined, among other measures, the ISSUANCE OF AN OFFICIAL LETTER to the company TWITTER INC. (responsible for the social network "X") so that, within 2 (two) hours, it would block the channels/profiles/accounts of EDNARDO D'AVILA MELLO RAPOSO, CLAUDIO ROGASANE DA LUZ, JOSIAS PEREIRA LIMA, MARCOS RIBEIRO DO VAL, PAOLA DA SILVA DANIEL, SANDRA MARA VOLF PEDRO EUSTÁQUIO, SÉRGIO FISCHER and JOÃO RICARDO MERI ALVES, as well as the teenager MARIANA VOLF PEDRO EUSTÁQUIO, as well as any groups that are managed by their users, including blocking any ongoing monetizations related to the aforementioned profiles, and the platforms must inform the amounts that would be monetized and the recipients of the amounts, under penalty of a daily fine of R\$ 50,000.00 (fifty

thousand reais), with the provision of their registration data to this SUPREME COURT and the full preservation of their content.

The aforementioned company was duly notified of the aforementioned determination, by email (govbrasil@twitter.com), at 9:40 am on 8/12/2024, failing to comply with the court decision. In view of the non-compliance, on 08/03/2024, I applied the foreseen fine of BRL 50,000.00 (FIFTY thousand reais) against the company X BRASIL INTERNET LTDA., (formerly Twitter), determining the personal subpoena of the legal representative X BRASIL INTERNET LTDA., Diego de Lima Gualda (CPF 215.294.248-52).

The Judicial Secretariat of this SUPREME COURT certified the non-compliance with the subpoena, stating the following:

"I certify that as soon as the warrant was in possession, around 10:30 am, an unsuccessful attempt was made to contact the legal representative of the subpoena through the telephone contact provided in the warrant (11 3054-5259). Continuing, I searched the website of the national register of lawyers www.cna.oab.org.br, raising as the only relevant information the same telephone number already available.

At the same time that I established contact with Dr. Mariana de Saboya Furtado, lawyer representing X Brasil in the records of Pet 12.720, requesting support/intermediation in the sense of the contact and location of Dr. Diego de Lima Gualda, I was informed that Dr. Diego de Lima Gualda would be more the legal representative of X and that someone from X Brasil would respond directly to one, passing on the necessary information, which has not happened so far.

After the difficulty in complying with the order was reported to the Judicial Secretariat, notably in view of the urgency imposed in complying, the contact of Ms. Gabriela Salomão - Public Relations of X Brasil (61 99989 7373) was made available. Once contact was established, he was instructed to formalize by email - govbrasil@twitter.com and gsalomão@x.com - the request for information and clarifications desired, and the e-mail was forwarded and it was confirmed that Dr. Diego, in fact, no longer represents X Brasil, as well as that the new legal representative of X Brasil would be Dr. Rachel de Oliveira Vila Nova Conceição, RG 25868187-1 SSP DF and CPF 255.747.418-57, informing, at the end, the address of the headquarters of X Brasil Ltda in São Paulo SP

I reiterated again the request for a telephone contact to be made available to me, which was not done, however an e-mail address (rvilla@br4businnes.com) was provided.

Sent an e-mail requesting the opening of a communication channel, I have not received any feedback so far.

Finally, a final attempt had been made to build a communication/intermediation channel with Dr. Daniela Sadi Kesslesm in São Paulo,

representative of the Pinheiro Neto Law Firm, although she had informed that she did not have the contact. He also said that he would give feedback, but so far nothing had been done.

Therefore, there is no way to evolve in the performance of on-site diligences due to the fact that the summoned is headquartered in another unit of the federation, I return this warrant **WITHOUT COMPLYING WITH THE ORDER** issued therein, awaiting a new determination". On 8/16/2024, in view of the negative certificate of subpoena and the reported impossibility of contact with the legal representative of said company, I determined the immediate subpoena of the lawyers regularly constituted by X BRASIL INTERNET LTDA., including by electronic means, so that they adopt the necessary measures for full compliance with the order, within 24 (twenty-four) hours, under penalty of:

(1) DAILY FINE OF R\$ 20,000.00 (twenty thousand reais) to the company's administrator, RACHEL DE OLIVEIRA VILLA NOVA CONCEIÇÃO (CPF 255.747.418-57), CUMULATIVE TO THAT IMPOSED ON THE COMPANY, as well as DECREE OF IMPRISONMENT for disobedience to the judicial order;

(2) IMMEDIATE REMOVAL FROM THE COMPANY'S MANAGEMENT. The lawyer of X BRASIL INTERNET LTDA., Dr. Mariana de Saboya Furtado (OAB/DF 66.284) was notified of the aforementioned decision at 8 pm on 8/16/2024, as stated in the summons certificate:

"I certify and attest that, on this date, at 8 pm, I proceeded to the SUBPOENA of X BRASIL INTERNET LTDA., in the person of Attorney MARIANA DE SABOYA FURTADO (OAB/DF 66.284), by e-mail (msfurtado@pn.com.br). preceded by contact through the WhatsApp messaging application (61 99606-1740). I sent him the electronic copy of the warrant and the confidential decision and received confirmation of its receipt."

It should be noted that, to date, the illicit and disrespectful conduct to the Brazilian Judiciary remains, as the orders to block the profiles of those investigated in these records were not complied with by the company X BRASIL.

It is also important to note that the blocking orders issued to the companies GOOGLE LCC (responsible for the social network YouTube) and META PLATFORMS INC (responsible for the social networks Instagram and Facebook), were duly complied with, **WITHIN THE PERIOD INDICATED IN THE DECISION**, in faithful compliance with the Brazilian legal system.

The illegality is even more serious, because even when effectively summoned to comply with the orders to block profiles, whose posts reproduce criminal content investigated in the records, the aforementioned platform incurred in judicial disobedience, and decided, criminally, to disseminate a message inciting hatred against this SUPREME COURT, as can be seen in ELON MUSK's post, on 8/17 – repeat, one day after his appeal was unanimously rejected by the FIRST PANEL of the STF (08/16):

"Last night, Alexandre de Moraes threatened our legal representative in Brazil with imprisonment if we do not comply with his censorship orders. He did so in a secret order, which we share here to expose his actions. Despite our numerous appeals to the Supreme Court not being heard, the Brazilian public not being informed of these orders, and our Brazilian team having no responsibility or control over the blocking of content on our platform, Moraes chose to threaten our team in Brazil instead of respecting the law or due process. As a result, to protect the safety of our team, we have made the decision to close our operations in Brazil, effective immediately. Service X continues to be available to the population of Brazil. We are deeply saddened that we were forced to make this decision. The responsibility lies exclusively with Alexandre de Moraes. Their actions are incompatible with a democratic government. The Brazilian people have a choice to make - democracy or Alexandre de Moraes."

Again, ELON MUSK confuses FREEDOM OF EXPRESSION with a non-existent FREEDOM OF AGGRESSION, deliberately confuses CENSORSHIP with CONSTITUTIONAL PROHIBITION OF HATE SPEECH AND INCITEMENT TO ANTI-DEMOCRATIC ACTS, ignoring the teachings of one of the greatest liberals in defense of freedom of expression in history, JOHN STUART MILL.

The English philosopher John Stuart Mill, in his work "Liberty", from 1859, and precursor of the theory of the "free market of ideas", later developed by Justices Holmes and Brandeis in the US Supreme Court, warned against limiting the circulation of ideas in any society, emphasizing, however, from a utilitarian view, the exceptional possibility of restricting this right, in the cases that would cause "unfair damage", stating that:

"The only liberty that deserves the name is that of seeking our own good in our own way, provided we do not attempt to deprive others of their own good, or hinder their efforts to obtain it. Each one is the proper guardian of his own health: whether physical or mental and spiritual. Humanity gains more by tolerating that each one lives as it seems good to him than by forcing them to live as it seems good to others [...] it follows the freedom, within the same limits, of combination between individuals; freedom to unite for some purpose involving no harm to others: the persons thus combined, it is supposed, have come of age, and have not been forced or deceived."

To then conclude that:

"as soon as any part of one's conduct injuriously influences the interests of others, society acquires jurisdiction over such conduct, and the question of whether or not such interference will favor the welfare is open to discussion" (MILL, John Stuart. Freedom/utilitarianism. Translated by Eunice Ostrensky.

São Paulo: Martins Fontes, p. 116).

It is the "principle of harm" or "principle of liberty" – as also called by John Gray (Mill on liberty: a defense. 2. ed. London. Routledge, 1996, p. 14) – which, as described and defined by Stuart Mill,

"The sole purpose of legitimately exercising power over any member of a civilized community, against his will, is to prevent harm to others."

Great authors – among them Celso Lafer (Liberal Essays. São Paulo: Siciliano, 1991), Isaiah Berlin (Introduction. In: Quatro ensaios sobre a liberdade. Translated by Wamberto Hudson Ferreira. Brasília: Editora Universidade de Brasília, 1981, p. 1-41), Ian Shapiro (The moral foundations of politics. Translated by Fernando Santos. São Paulo: Martins Fontes, 2006), George Holland Sabine (História das ideias políticas. Vol. 2. Translated by Ruy Jugmann. Rio de Janeiro: Fundo de Cultura, 1964) – analyzed the application of the "principle of damage" or the "principle of freedom", and it is undeniable that its existence represents a significant and exceptional possibility of relativizing freedom of expression and accountability for hate speech, Nazi, misogynist, racist acts, incitement to violence, anti-democratic acts, coups d'état, even among the adherents of the most classic liberalism. This possibility of liability for the misuse of freedom of expression, which cannot be used as a protective shield for the practice of illegal activities, was highlighted by Justice Oliver Wendell Holmes, in *Schenck v. United States* (249 U.S. 47, 1919), when applying the doctrine of clear and present danger, distinguishing speeches tolerated under freedom of expression from conducts whose illegality would justify their repression:

"The question in each case is whether the words used are employed in circumstances which may create an imminent and evident danger that they will cause the substantial evils which the Congress of the United States has a right to prevent. It's a matter of proximity and degree."

In this way, the use of freedom of expression for the practice of illegal conduct, as intended by the majority shareholder of TWITTER INTERNATIONAL UNLIMITED COMPANY, current "X" NETWORK, Elon Musk, will always allow civil and criminal liability for the content disseminated, with the "principle of damage" or "principle of freedom" being fully applicable, to avoid the abuse of social networks and their instrumentalization, as well highlighted by Nadia Urbinati, when relating the "free market of ideas" with the use of new technologies in social networks, in order to prevent the new extremist populism from eroding democratic values:

"Technological means of communication require money, and money leads to private interests and economic and political disparities. Equality ends up being violated in a substantial way, being a great challenge to political freedom", and ends up allowing some groups to have "a stronger voice than

others due to being able to use their material wealth to achieve their agendas" (URBINATI, Nadia. Yo el Pueblo – como el populismo transforma la Democracia. Libros grano: Ciudad del México, 2020. p. 228.).

It should be noted that the instrumentalization of social networks, including NETWORK X, for the dissemination of various hate speeches, attacks on Democracy and incitement to disrespect for the national Judiciary is not new. The apex of this instrumentalization contributed to the attempted coup d'état that took place on 01/08/2023 – FESTA DA SELMA – , as can be seen in the highlighted excerpts contained in votes cast by me in the more than 200 (two hundred) convictions in criminal actions already judged by the PLENARY of this SUPREME COURT:

"The Public Prosecutor's Office narrates that, in addition to the violent abolition of the Democratic Rule of Law, the protesters intended the deposition, through violence or serious threat, of the legitimately constituted government.

This is because from the flow of messages and materials disseminated on social networks, it is clear that the intention was not only to prevent the exercise of the constituted Powers, but the 'seizure of power', in an onslaught that 'would not have a day to end': (...)

The extremists sought to generate chaos to force the Armed Forces, in the face of the distorted interpretation of article 142 of the Constitution and Decree 3.897/2001, in the issuance of a decree to guarantee law and order, with the assumption of the functions of the constituted Powers.

Therefore, the insurrection aimed at both the violent abolition of the Democratic Rule of Law, and the deposition of a legitimately elected government, or coup d'état, a fact that denotes an autonomous criminal design in the same criminal enterprise" (AP 1060, Rel. Min. ALEXANDRE DE MORAES, Full Court, judged on 09-14-2023)

In fact, the "suggestion" that triggered the multitudinous behavior verified began even before January 8, as already exposed above, in the form of instigation, replicated instantaneously, in geometric progression, through messaging apps and social networks, aiming at the popular insurgency. The flow of messages and materials disseminated to regiment the criminal group made express reference to the purposes of "seizing power", in an onslaught that "would not have a day to end" (AP 1505, Rel. Min. ALEXANDRE DE MORAES, Full Court, judged on 03-10-2023).

"More appalling is the number of videos and images posted on social networks by numerous criminals who boasted of this confrontation and reiterated the need for a coup d'état with military intervention and the overthrow of the democratically elected government, and this came to the attention of this Court on a daily basis in numerous representations of the Federal Police." (AP 1183, Rel. Min. ALEXANDRE DE MORAES, Full Court, judged on 09-14-2023).

It is also important to highlight that the reiteration of the criminal instrumentalization of several social networks, especially REDE X, has also been investigated in other countries. According to news published on the UOL platform, the company is being investigated by the European Union for failing "to prevent hate speech and disinformation from being broadcast" (<https://www.correiobraziliense.com.br/mundo/2023/11/6655035-platform-ma-x-ignora-multa-na-australia-sobre-combate-pedofilia.html>).

The spurious attempt by several social networks, especially TWITTER INTERNATIONAL UNLIMITED COMPANY, currently NETWORK X, to try to evade compliance with national laws and their responsibilities and the need for a regulation that protects Fundamental Rights and Democracy – common targets of the growing instrumentalization of social networks by extremist digital populist groups – has led the European Parliament, The legislative body of the European Union (EU) approves two normative diplomas, the Digital Services Act and the Digital Markets Act (DSA and Digital Markets Act – DMA, respectively), in order to ensure "a safer, fairer and more transparent digital environment", according to its creators. The subject was introduced by the European Parliament with reference to what it calls "The power of digital platforms", with the following record:

"Over the past two decades, digital platforms have become an integral part of our lives and it's hard for us to imagine doing anything online without Amazon, Google or Facebook. While the benefits of this transformation are evident, the dominant position gained by some of these platforms gives them a huge advantage over competitors, but also undue influence over democracy, fundamental rights, societies and the economy."

These legal diplomas establish several transparency rules for platforms, several prohibitions in relation to content and sanctions for non-compliance, including in relation to posts with "any real or foreseeable negative effects on civic discourse and electoral processes, as well as on public safety", as verified in articles 34, §1 and 35 of the DSA.

In its article 35, 1, "c", the DSA provides for the "rapid suppression of notified content or the rapid disabling of access to it, especially with regard to illegal speech inciting hatred or cyberviolence"; while in its article 36 it stipulates the mechanisms for the application of measures and compliance by the platforms.

In Australia, as reported, there is also an ongoing investigation for the aforementioned platform not contributing to the competent authorities to investigate child abuse practices (<https://www.correiobraziliense.com.br/mundo/2023/11/6655035-platafor-ma-x-ignora-multa-na-australia-sobre-combate-a-pedofilia.html>)

Such circumstances prove the contempt for Justice and the total lack of cooperation of platform X with the judicial bodies and corroborate its repeated conduct in disrespecting the sovereignty of several countries, not being a circumstance that occurs exclusively in Brazil and has allowed this platform to be repeatedly instrumentalized for the practice of numerous criminal offenses.

The realization of effective legal and, consequently, jurisdictional control of

disinformation is a global reality, especially in relation to content that configures Nazi, racist, misogynist speech, the practice of terrorism, hate speech and the suppression of the democratic order and the rule of law, to ensure the defense of the effectiveness of Fundamental Rights, of an egalitarian and universal nature. The attempt by TWITTER INTERNATIONAL UNLIMITED COMPANY, currently REDE X, to place itself outside Brazilian jurisdiction with the extinction of the national company would enhance the massive dissemination of illicit messages, including during the next electoral period, resulting in a strong load of disinformation to the Brazilian electorate, with the characterization of several electoral offenses.

The conduct of the majority international shareholder of TWITTER INTERNATIONAL UNLIMITED COMPANY, of closing the activities of X BRASIL with the declared and criminal purpose of failing to comply with Brazilian judicial determinations, placing himself on a level of "OUTLAW", as if social networks were "NO MAN'S LAND", represents a very serious risk to the municipal elections next October, because they demonstrate on the part of ELON MUSK, with the collaboration of legal representatives in Brazil, that they intend to reiterate the conduct of massive dissemination of disinformation, hate speech and attacks on the Democratic Rule of Law, violating the free choice of the electorate based on the analysis of real and correct information.

The effective realization of Democracy depends, among other factors, on the legitimacy, honesty, efficiency and transparency of the instruments placed at the service of voters for the exercise of their political rights with the scrutiny, counting of votes and disclosure of electoral results, guaranteeing the most basic of the characteristics of universal suffrage, the freedom of voters in choosing their candidates.

This free choice presupposes a guarantee that the manifestation of each voter will be reflected in the result of the electoral election, but also that the conditions by which each citizen will form his convictions for choice are healthy, equitable and free from artificiality and spurious interference, whether through abuse of economic or political power, or through the illicit use of the various means of communication, including digital platforms, for the production of massive disinformation, with the dissemination of fraudulent news and hate and anti-democratic speeches (MENDES, Gilmar Ferreira. Freedom of expression, social networks and Democracy. In: *Justiça & Cidadania*, n. 272, v. 23, p. 14-20, Apr. 2023; BARROSO, Luís Roberto. Freedom of expression, press and social media: jurisprudence, comparative law and new challenges).

Unfortunately, the spread of fake news is much faster than true news, as well pointed out by Patrícia Campos Mello, when she points out that:

"Fake news circulates much faster than true news. According to a study by the Massachusetts Institute of Technology, fake news is 70% more likely to be retweeted than true news. And true news takes six times longer than fake news to reach the standard number of 1500 people. In other words, denying fake news is wiping ice" (MELLO, Patrícia Campos. *The hate machine*. Companhia das Letras, São Paulo: 2020, p. 239.).

The attempt by TWITTER INTERNATIONAL UNLIMITED COMPANY to place itself on the margins of Brazilian law, on the eve of the 2024 municipal elections, demonstrates its clear intention to maintain the massive dissemination of disinformation, with the possibility of the harmful and illicit use of technology and artificial intelligence to clandestinely direct the will of the electorate, putting Democracy at risk, as had already been attempted in Brazil previously and in several countries around the world by the new extremist digital populism (CLARAMUNT, Jorge Castellanos (ed.). *Artificial Intelligence and Democracy: guarantees, constitutional limits and ethical perspective before digital transformation*. Atelier Libros Jurídicos: Barcelona, 2023; LEONHARD, Gerd. *Technology versus humanity*. Translated by Florbela Marques. Kindle eBook. Techversushuman.com, 2018).

The dangers of the absence of jurisdictional control in the fight against disinformation and in the use of artificial intelligence by the TWITTER INTERNATIONAL UNLIMITED COMPANY, especially during the election period, are very serious, because as taught by the philosopher Nick Bostrom,

"superintelligence is a threat worth taking seriously" (BOSTROM, Nick. *Superinteligencia: paths, steps, strategies*. Madrid: Tell, 2016).

The unlawful conduct of TWITTER INTERNATIONAL UNLIMITED COMPANY and X BRASIL, through the statements of its main foreign shareholder ELON MUSK, clearly intends to continue to encourage the posting of extremist, hateful and anti-democratic speech, and try to remove them from jurisdictional control, with real danger, including of negatively influencing the electorate in 2024, with massive disinformation, in order to unbalance the electoral result, based on "hate campaigns in the digital age".

By analysing "hate speech and campaigns in the digital age", Sérgio Arce Garcia makes an interesting analysis of Cambridge Analytica and the use of technology and artificial intelligence in political campaigns, narrating the success in the Brexit elections (2016) and in the US elections (2016), as well as the scandal over the disclosure of the methods used (2018).

The author points out that the worldwide diffusion in the use of these techniques to convince the electorate has no return and specifically mentions Steve Banon, who was once an advisor to former President Donald Trump.

Sérgio Arce Garcia points to the Oxford University study that detected, in 2020, cyber-troop activities in more than 81 countries, to point out the use of "algorithmic studies of emotions associated with communication", since the disinformation industry seeks "mainly to provoke emotions in users", especially hatred. As the author points out,

"The campaigns that are carried out, knowing people's personalities through their profiles on social networks, allow us to develop individualized campaigns. They produce messages that provoke the main emotions according to what one wants to provoke in the person, mainly, trust and

hatred, determining their intensity through algorithm" (GARCIA, Sergio Arce. Hate speeches and campaigns in the digital era: their construction and social impact. In: JIMÉNEZ, Virginia Martín (coord). Hate speech as a political weapon – From the past to the present. Comares comunicación. Grenada: 2023. p. 102-103).

The new reality in the instrumentalization of social networks by the new extremist digital populists with massive dissemination of hate speech and anti-democratic messages and the use of disinformation to erode the pillars of Democracy and the Rule of Law requires an analysis in line with the principles and objectives of the Republic, defined in articles 1, 2 and 3 of the Federal Constitution.

The disrespect for Brazilian legislation and the repeated non-compliance with numerous court decisions by TWITTER INTERNATIONAL UNLIMITED COMPANY and X BRASIL, a company that operates in Brazilian territory and will possibly no longer have legal representation in Brazil, are circumstances completely incompatible with the current constitutional order, in addition to expressly contradicting Law 12.965/14.

Thus, given the prima facie case, considering the conduct of TWITTER INTERNATIONAL UNLIMITED COMPANY, especially its majority shareholder ELON MUSK and X BRASIL, in the repeated non-compliance with court decisions, willful evasion of its legal representatives to legal subpoenas and dismissal of its managers to avoid their legal liability, as well as the periculum in mora with the maintenance and possibility of expansion of hate speech, anti-democratic and offensive to the Brazilian Powers and Institutions and the absolutely probable reiteration of the collaboration of TWITTER INTERNATIONAL UNLIMITED COMPANY and X BRASIL for their instrumentalization in the 2024 elections by extremist digital populists, in the sense of massive dissemination of disinformation with flagrant damage to the electorate and imbalance in the electoral dispute, I DETERMINE:

(1) THE IMMEDIATE BLOCKING of the bank accounts/financial assets of TWITTER INTERNATIONAL UNLIMITED COMPANY (CNPJ n° 15.493.642/0001-47), T. I. BRAZIL HOLDINGS LLC (CNPJ n° 15.437.850/0001-29), X BRASIL INTERNET LTDA. (CNPJ No. 16.954.565/0001-48) and RACHEL DE OLIVEIRA VILLA NOVA CONCEIÇÃO (CPF No. 255.747.418-57), by means of an official dispatch to the CENTRAL BANK OF BRAZIL, and official communication to the CVM (so that the blocking can be operationalized in this case through the SOF-CEI system), including custody position of shares, private securities, government securities and derivatives, investments in investment funds, VGBL, PGBL, investments in LCA and LCI, investments in CDB's, RDB's, COE, gold and the like, private pension, consortium letters.

(2) The IMMEDIATE BLOCKING of motor vehicles through the RENAJUD System and of real estate through the National Center for Unavailability of Assets (CNIB) in relation to TWITTER INTERNATIONAL UNLIMITED

COMPANY (CNPJ nº 15.493.642/0001-47), T. I. BRAZIL HOLDINGS LLC (CNPJ nº 15.437.850/0001-29) and X BRASIL INTERNET LTDA. (CNPJ No. 16.954.565/0001-48), RACHEL DE OLIVEIRA VILLA NOVA CONCEIÇÃO (CPF No. 255.747.418-57);

(3) THE IMMEDIATE BLOCKING of vessels and aircraft eventually registered in the name of TWITTER INTERNATIONAL UNLIMITED COMPANY (CNPJ nº 15.493.642/0001-47), T. I. BRAZIL HOLDINGS LLC (CNPJ nº 15.437.850/0001-29) and X BRASIL INTERNET LTDA. (CNPJ No. 16.954.565/0001-48) and RACHEL DE OLIVEIRA VILLA NOVA CONCEIÇÃO (CPF No. 255.747.418-57), with the issuance of an official letter to the Port Authority and ANAC to carry out the measure.;

I also DETERMINE that:

(4) THE CENTRAL BANK OF BRAZIL DOES NOT AUTHORIZE OR PERMIT any remittance, receipt, assignment or remittance of money or amounts abroad in relation to TWITTER INTERNATIONAL UNLIMITED COMPANY (CNPJ nº 15.493.642/0001-47), T. I. BRAZIL HOLDINGS LLC (CNPJ nº 15.437.850/0001-29) and X BRASIL INTERNET LTDA. (CNPJ No. 16.954.565/0001-48);

(5) The company STRIPE BRASIL SOLUÇÕES DE PAGAMENTOS (CNPJ nº 22.121.209.0001/46), immediately:

(5.1) BLOCK all amounts owned by TWITTER INTERNATIONAL UNLIMITED COMPANY (CNPJ nº 15.493.642/0001-47), T. I. BRAZIL HOLDINGS LLC (CNPJ nº 15.437.850/0001-29) and X BRASIL INTERNET LTDA. (CNPJ No. 16.954.565/0001-48);

(5.2) REFRAIN from processing any payments related to the monetization of content/profiles related to TWITTER INTERNATIONAL UNLIMITED COMPANY (CNPJ nº 15.493.642/0001-47), T. I. BRAZIL HOLDINGS LLC (CNPJ nº 15.437.850/0001-29) and X BRASIL INTERNET LTDA. (CNPJ No. 16.954.565/0001-48);

The company STRIPE BRASIL SOLUÇÕES DE PAGAMENTOS (CNPJ nº 22.121.209.001/46) must communicate to this SUPREME COURT the effective compliance with the court order, within 24 (twenty-four) hours, under penalty of liability.

I DETERMINE, finally and ONLY AFTER COMPLIANCE WITH ITEMS 1, 2, 3, 4 and 5 (5.1 and 5.2) that:

(6) The investigated parties and the companies involved are notified, including by electronic means, of the full content of this decision:

(7) TWITTER INTERNATIONAL UNLIMITED COMPANY (CNPJ nº 15.493.642/0001-47), T. I. BRAZIL HOLDINGS LLC (CNPJ nº 15.437.850/0001-29) and X BRASIL INTERNET LTDA. (CNPJ No.

16.954.565/0001-48) indicate, within twenty-four (24) hours, the name and qualification of the new legal representative of X BRASIL in the national territory, duly proven with JUCESP, under penalty of IMMEDIATE SUSPENSION OF ITS ACTIVITIES, pursuant to article 12, item III, of Law No. 12.965/14.

(8) The Judicial Secretariat calculates the amount of the fine due by X BRASIL INTERNET LTDA. and by its then legal representative, RACHEL DE OLIVEIRA VILLA NOVA CONCEIÇÃO (CPF nº 255.747.418-57), within five (5) days.

Immediate notice to the Attorney General's Office.
Let it be fulfilled.

Brasilia, August 18, 2024.

Justice **ALEXANDRE DE MORAES**
Rapporteur
Digitally signed document