



noyb – European Center for Digital Rights
Goldschlagstraße 172/4/3/2
1140 Vienna
AUSTRIA

To:

██████████
Philip Lee Solicitors
7/8 Wilton Terrace
Dublin 2
IRELAND

Vienna, 25.11.2021

Subject: Your Interest in our “Advent Readings”

Dear ██████████

We refer to your letter of 24.11.2021 that was addressed to Ahern Rudden Quigley Solicitors, who are not instructed to represent us in the (now trending) topic of confidentiality of documents. We therefore kindly ask you to send any further correspondence to ██████████. In the interest of actually moving forward on substance I would kindly ask you to just call me at ██████████ if you have any further questions or worries. Should we have the pleasure of receiving even more of these repetitive letters, we may instruct our Austrian media lawyer with responding to further correspondence on this topic – in German and at your cost, as foreseen under Austrian law.

This being said, we would like to thank you for your interest in our “advent readings”.

We note that there is no legal basis to demand that we would disclose future content on our website. Taking into account your pleasant anticipation and on a purely voluntary basis, we would like to inform you that we have not made final plans for the “Advent Readings” as they are a minor side topic of our work and the last years have generated a large portfolio of documents that we are currently reviewing as to relevant contents, public interest and legal or practical limitations for publication. We have instructed an external media lawyer to confirm our internal assessment for every document. These assessments will be part of the “Advent Reading”, complying with the educational purposes in *noyb*'s articles of association.

For the upcoming Sunday, I can inform you that we currently plan to publish documents that are in fact not even known to your client, so it may be of special interest to the DPC to tune in. Any application of your beloved Section 26 of the Data Protection Act 2018 is therefore not even remotely in question.

That being said, I would suggest that we all focus our time, money and attention on more fruitful matters than endless exchanges about non-existing breaches of confidentiality. It seems to us the DPC has escalated this debate beyond anything that is reasonable for a public authority. We understand that the past two years were not easy for anyone, you are under a lot of pressure by Facebook and

other multinationals and it seems certain individuals are maybe personally offended because the legal reality of a democratic society may undermine their feeling of unlimited authority. I am sure there is also an element of cultural differences within Europe involved – in other parts of the Union we may be used to be able to question authorities maybe a bit more than your client is used to.

We would suggest that you use the following weeks to debate with your client if it makes sense to invest more of your reputation and taxpayer money into these matters. At least in the German-speaking parts of Europe, advent is the time of “Besinnlichkeit”, which may be a more helpful approach for your client too. We have no personal feelings about the situation or any individuals. Instead, the *noyb* team is always available to assist your client in overcoming any such feelings it may have, in order to get the underlying case on the fundamental rights of millions of Facebook users back on track.

We would assume that this is in our shared interest.

Kind Regards,

A handwritten signature in black ink, appearing to read 'Schrems', written in a cursive style.

Max Schrems