

EXHIBIT 5

1 And, when companies are this big, it's easy to be a bully. Many start-up companies that have
2 appeared to be a threat to Amazon and AWS have felt their wrath. Plaintiff Parler LLC is merely
3 the latest casualty—a victim of Amazon's efforts to destroy an up-and-coming technology
4 company through deceptive, defamatory, anticompetitive, and bad faith conduct.

5 2. Before the actions complained of here, Plaintiff Parler LLC had one of the hottest
6 rising apps on the internet. A young start-up company that sought to disrupt the digital advertising
7 and microblogging markets with a unique approach, Parler positioned itself as an alternative to the
8 likes of Twitter or Facebook. To do so, Parler did *not* employ what some have called “surveillance
9 capitalism”: Unlike its social-media competitors, Parler refused to track and sell its users' private
10 data and target advertising based on that data. This made Parler a beacon to those who sought a
11 free and safe place to espouse political and other views that other microblogging and social media
12 platforms sought to censor. And it allowed Parler to offer lower rates to digital advertisers.

13 3. But this rising popularity and alternative business model also made Parler a
14 competitive threat to the likes of Amazon, Twitter, Facebook, and Google—four giants of the
15 internet who derive enormous revenue from digital advertising. And that threat grew very real in
16 late 2020 and early 2021 when Parler was poised to explode in growth. So together, Amazon,
17 AWS, and others attempted to kill Parler. *See* Glenn Greenwald, *How Silicon Valley, in a Show of*
18 *Monopolistic Force, Destroyed Parler*, SUBSTACK (Jan. 12, 2021),
19 <https://greenwald.substack.com/p/how-silicon-valley-in-a-show-of-monopolistic>.

20 4. On January 9, 2021, AWS repudiated and breached its contract to host Parler's
21 website and app on AWS's cloud services, in bad faith. AWS tried to justify the repudiation based
22 on allegations against Parler that AWS knew were false. AWS then leaked the same false
23 allegations to the media, in a successful effort to tarnish and defame Parler's business.

24 5. These strongarm tactics were unlawful and tortious. They were also surprising to
25 Parler: It had a good relationship with AWS with no signs of trouble until about a day before AWS

1 terminated Parler’s services. The reason AWS gave for terminating Parler’s services—that Parler
2 ostensibly was not pursuing appropriate methods to control the content espousing violence on its
3 platform—was untrue. Indeed, Parler stood in sharp contrast to the likes of Twitter, Facebook,
4 and even Amazon itself, all of whom host substantial amounts of violence-inciting content.

5 6. Further, there was nothing new about the operation and content of Parler’s platform
6 the day AWS announced it would be terminating Parler’s services (in roughly 24 hours) compared
7 to anytime in the two years AWS had been hosting Parler. Then, as before, Parler quickly removed
8 any arguably inappropriate content brought to its attention. And never during those two years
9 before that fateful day had AWS expressed any major concerns with Parler regarding the matter.
10 In fact, just two days before the termination announcement, AWS had assured Parler that it was
11 “okay” as to problematic content. Parler relied on this representation and similar representations
12 from AWS, to the detriment of its own business.

13 7. Finally, from the beginning of their contractual relationship, AWS had known that
14 Parler used a reactive system to deal with problematic content—and not once had AWS said that
15 such a system was insufficient or in violation of the parties’ contract. What is more, AWS knew
16 that Parler was testing out a new *proactive* system that would catch problematic content before it
17 was even posted.

18 8. But two things had changed for AWS. First, a few weeks before terminating
19 Parler’s services, AWS had signed a major new contract with Parler’s principal competitor,
20 Twitter. Second, when Facebook and Twitter moved to ban former President Trump from their
21 platforms in early January, it was expected that Trump would move to Parler, bringing many of
22 his 90 million followers with him. And AWS knew that Trump and Parler had been in negotiations
23 over such a move. If this were to materialize, Parler would suddenly be a huge threat to Twitter in
24 the microblogging market, and to Amazon itself in the digital advertising market.

25

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