

November 19, 2018

Rob Chestnut
General Counsel
Airbnb, Inc.
888 Brannan Street
San Francisco, California 94103

Re: Blacklisting of Jewish-Owned Properties

Dear Mr. Chestnut:

I am the President of Zachor Legal Institute, a non-profit legal foundation that is devoted to fighting anti-Semitism and defending constitutional rights. We recently read that Airbnb has decided to create a blacklist of Jewish-owned properties in certain territories under the control of the State of Israel.

In case you were not aware of the numerous domestic US laws regarding discrimination on the basis of race and national origin, we are writing to remind you of such laws and to obtain clarification from Airbnb.

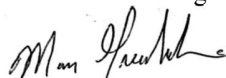
26 states currently have laws regarding discriminatory boycotts of Israel and Jewish-owned businesses, including the State of California. *See* California Public Contract Code § 2010. Under many of these state laws, the participation in boycotts of Israel disqualify the boycotting entity from entering into contracts with the state. Furthermore, the US Department of State and the Department of Education have adopted definitions of discrimination that deem anti-Semitic activity, such as the blacklisting of Jewish-owned properties, to be a form of unlawful discrimination.

Zachor Legal Institute was involved in the enactment of the state laws, including California Public Contract Code § 2010, and has been active in working with the states to ensure that the laws are enforced. If the news reports that we have read are accurate, Airbnb's blacklisting of Jewish-owned properties in the territories controlled by Israel constitute a prohibited boycott of Israel under applicable law and subject Airbnb to the penalties set out in such laws. There are no exceptions for a US company complying with foreign boycott calls against Jewish-owned businesses on the basis that the calls are sanctioned by foreign bodies. *See* our recent legal paper "Discrimination as a Business Policy: The Misuse and Abuse of Corporate Social Responsibility Programs" for a full legal analysis of this issue: <https://ssrn.com/abstract=3279227> (pending publication in a well-known law review early 2019).

Before we begin contacting those states whose laws Airbnb is violating, we would like to give you an opportunity to provide any relevant information that you think should be considered by us.

Should you need additional information, please feel free to contact me at the email address above.

On behalf of Zachor Legal Institute,



Marc Greendorfer
President