# EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT**
**FOR THE NORTHERN DISTRICT OF ILLINOIS**
**EASTERN DIVISION**

|  |  |
|---|---|
| In re: Clearview AI, Inc., Consumer Privacy Litigation | Case No: 1:21-cv-135 |
|  | Judge Sharon Johnson Coleman |
|  | Magistrate Judge Maria Valdez |

## MEMORANDUM IN SUPPORT OF DEFENDANT MACY'S RETAIL HOLDINGS, INC.'S MOTION TO DISMISS THE CONSOLIDATED COMPLAINT PURSUANT TO F.R.C.P. 12(B)(1) AND 12(B)(6)

Defendant, Macy's Retail Holdings, Inc. ("Macy's")[1] submits this memorandum in support

of its Motion to Dismiss the Consolidated Complaint ("Complaint") pursuant to Federal Rules of

Civil Procedure 12(b)(1) and 12(b)(6) (the "Motion"), for reasons stated below.

---

[1] The Consolidated Class Action Complaint named Macy's Retail Holdings, Inc. Dkt. 29 ¶ 18. On June 25, 2021, Plaintiffs sought leave to amend to add a plaintiff and to clarify that "Macy's, Inc. — not Macy's Retail Holdings, Inc. — is the defendant against whom the consolidated multidistrict complaint is alleged." Dkt. 109. However, as Macy's previously explained, the real party in interest is actually Macy's Retail Holdings, LLC. *See* Dkt. 57 at 1 n.1.

**TABLE OF CONTENTS**

## TABLE OF AUTHORITIES

**Page(s)**

**Cases**

## TABLE OF AUTHORITIES

**Page(s)**

...

# DOCKET ALARM

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts

Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research

With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips

Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

### LAW FIRMS
Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

### FINANCIAL INSTITUTIONS
Litigation and bankruptcy checks for companies and debtors.

### E-DISCOVERY AND LEGAL VENDORS
Sync your system to PACER to automate legal marketing.

**WHAT WILL YOU BUILD?** | sales@docketalarm.com | 1-866-77-FASTCASE

fastcase®
Smarter legal research.