

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

In re: Clearview AI, Inc. Consumer Privacy
Litigation

Civil Action File No.: 1:21-cv-00135

Judge Sharon Johnson Coleman

Magistrate Judge Maria Valdez

**PLAINTIFFS' REPLY IN SUPPORT
OF MOTION FOR PRELIMINARY INJUNCTION**

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INTRODUCTION

Since Plaintiffs filed their preliminary injunction motion, the need for the requested relief has heightened. Based on the Court-ordered deposition of Clearview's¹ General Counsel, Thomas Mulcaire, Plaintiffs have learned that: (a) Defendants have set up two offshore companies that can be used to offer the Biometric Database in the U.S.; (b) [REDACTED]

[REDACTED]. Compounding matters, Mulcaire's deposition made clear that Clearview's General Counsel is an incredible witness, willing to say whatever is convenient.

The fact is that Defendants developed an illegal business model that violates the privacy rights of millions of Illinois residents and now want to be rewarded for their illegal actions by avoiding the requested injunctive relief. However, the facts and law make clear that Plaintiffs are entitled to the requested relief. In the absence of such relief, Defendants will continue to collect and disseminate Plaintiffs' and Class Members' Biometric Data without implementing necessary safeguards; worse, they could move that data offshore where it will be much more difficult: (a) to determine what, if any, safeguards are in place; and (b) for Plaintiffs to enforce their rights.

SUPPLEMENTAL FACTS

Defendants premise their response on Mulcaire's declaration. *See* Dkt. 43. However, Mulcaire's deposition revealed that Mulcaire is an incredible witness whose declaration contains numerous false or materially inaccurate statements and omits critical facts. Indeed, Mulcaire has

¹ Capitalized and defined terms have the same meanings as set forth in Plaintiffs' Motion for Preliminary Injunction.

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