

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**

**TABLE OF CONTENTS**

TABLE OF AUTHORITIES ..... ii

INTRODUCTION ..... 1

SUPPLEMENTAL FACTS ..... 1

ARGUMENT ..... 7

I. Evidentiary Standards ..... 7

II. Plaintiffs Are Reasonably Likely to Succeed on the Merits ..... 8

    A. Defendants Are Not Exempt from BIPA ..... 8

    B. Plaintiffs Do Not Seek the Extraterritorial Application of BIPA ..... 10

    C. The Dormant Commerce Clause Does Not Apply to This Case ..... 11

    D. The First Amendment Does Not Bar Plaintiffs’ BIPA Claims ..... 12

        1. Legal Standards ..... 12

        2. BIPA Regulates Conduct ..... 13

        3. Even if BIPA Burdens Speech, It Is Subject to Intermediate  
            Scrutiny ..... 15

        4. BIPA Satisfies Intermediate Scrutiny ..... 17

III. Absent Injunctive Relief, Plaintiffs Will Suffer Irreparable Harm ..... 18

IV. Plaintiffs and Class Members Have No Adequate Remedy at Law ..... 20

CONCLUSION ..... 20

CERTIFICATE OF SERVICE ..... 22

**TABLE OF AUTHORITIES**

**CASES**

*ACLU of Ill. v. Alvarez*, 679 F.3d 583 (7th Cir. 2012).....14

*Adams v. Catrambone*, 359 F.3d 858 (7th Cir. 2004).....9

*Avery v. State Farm Mut. Auto. Ins. Co.*, 835 N.E.2d 801 (Ill. 2005) .....10, 11

*Bartnicki v. Vopper*, 532 U.S. 514 (2001) .....17

*Bryant v. Compass Group USA, Inc.*, 958 F.3d 617 (7th Cir. 2020) .....10, 19

*Carpenter v. U.S.*, 138 S.Ct. 2206 (2018).....20

*Dahlstrom v. Sun-Times Media, LLC*, 777 F.3d 937 (7th Cir. 2015) ..... *passim*

*Federal Trade Comm’n v. Lifewatch, Inc.*, 176 F.Supp.3d 757 (N.D. Ill. 2016) .....7

*Healy v. Beer Inst., Inc.*, 491 U.S. 324 (1989).....11

*In Re Facebook Biometric Info. Privacy Litig.*,  
No. 3:15-cv-03747-JD, 2018 WL 2197546 (N.D. Cal., May 14, 2018).....11

*Kyllo v. United States*, 533 U.S. 27 (2001).....17

*Lockwood v. American Airlines, Inc.*, 107 F.3d 1565 (Fed. Cir. 1997).....9

*Midwest Title Loans, Inc. v. Mills*, 593 F.3d 660 (7th Cir. 2010).....11

*Monroy v. Shutterfly, Inc.*,  
No. 16 C 10984, 2017 WL 4099846 (N.D. Ill. Sept. 15, 2017).....10, 11, 17

*Patel v. Facebook, Inc.*, 932 F.3d 1264 (9th Cir. 2019) .....10, 11

*Reed v. Town of Gilbert, Ariz.*, 576 U.S. 155 (2015).....16

*Rivera v. Google, Inc.*, 238 F.Supp.3d 1088 (N.D. Ill. 2017).....10, 11

*Rosenbach v. Six Flags Entertainment Corporation*, 2019 IL 123186 (Ill. 2019) .....17, 19

*Rumsfeld v. Forum for Academic. & Inst’l Rts., Inc.*, 547 U.S. 47 (2006).....12, 15

*S. Dakota v. Wayfair, Inc.*, 138 S. Ct. 2080 (2018) .....12

..

*Sorrell v. IMS Health Inc.*, 564 U.S. 552 (2011) .....13, 15, 16

*State of Ill. v. Austin*, 155 N.E.3d 439 (Ill. 2019) .....16, 18

*TD Bank N.A. v. Hill*, 928 F.3d 259 (3d Cir. 2019).....20

*Turner Broad. Sys., Inc. v. F.C.C.*, 512 U.S. 622 (1994).....18

*U.S. v. O'Brien*, 391 U.S. 367 (1968) .....13, 17

STATUTES

12 C.F.R. § 1016.....16

15 U.S.C. § 1681.....14

20 U.S.C. § 1232g.....15, 16

410 ILCS 513/1.....15

5 ILCS 179/10.....15

5 ILCS 70/1.28.....9

740 ILCS 14/10.....5, 17

740 ILCS 14/20.....12

740 ILCS 14/25.....8

740 ILCS 14/5.....9, 13, 19

Pub. L. No. 104-191.....14

OTHER AUTHORITIES

Illinois Constitution, Article VII, sec. 1 (1970).....9

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Zach Whittaker, *Security Lapse Exposed Clearview AI Source Code*, *TechCrunch* (Apr. 16, 2020), <https://techcrunch.com/2020/04/16/clearview-source-code-lapse/> (last accessed on May 6, 2021).....18

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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's<sup>1</sup> 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]

[REDACTED]

[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

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

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