

CANADA

PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

No: 500-06-001392-253

SUPERIOR COURT
(Class Action)

MAME ABDOU AZIZ DIOP

Plaintiff

v.

ROCKETREACH LLC

Defendant

APPLICATION BY DEFENDANT, ROCKETREACH LLC
FOR LEAVE TO ADDUCE RELEVANT EVIDENCE
(Article 574 CCP)

TO THE HONOURABLE JUSTICE CATHERINE PICHÉ OF THE SUPERIOR COURT
OF QUEBEC, SITTING IN AND FOR THE DISTRICT OF MONTREAL, THE
DEFENDANT RESPECTFULLY SUBMITS THE FOLLOWING:

I. INTRODUCTION

1. Defendant seek leave to adduce relevant and limited evidence in order to establish facts that are necessary to enable the Court to undertake an informed analysis, in light of the criteria set out in article 575 of the *Code of Civil Procedure* (the “**CCP**”) regarding the authorization of a class action.

II. PROCEDURAL HISTORY

2. On June 27, 2025, the Applicant filed an Application for Authorization to Institute a Class Action and Appoint Applicant as Class Representative (the “**Application**”), as appears from the court record.
3. Through the Application, the Applicant seeks authorization to institute a class action on behalf of the following class:

“Toutes les personnes physiques résidant au Québec :

(i) dont les renseignements personnels étaient détenus, utilisés, communiqués et/ou autrement commercialisés par la défenderesse sans leur consentement depuis le 27 juin 2022, indépendamment de la date de leur collecte initiale;

ou

(ii) dont les renseignements personnels ont été collectés, utilisés, communiqués et/ou autrement commercialisés par la défenderesse sans leur consentement depuis le 27 juin 2022.

(the “**Class**”)

4. The Applicant seeks compensatory damages for the alleged harm suffered by the Class stemming from the Defendant’s alleged infringement of privacy rights through the collection and commercialization of personal and professional data without providing proper notification or obtaining valid consent.
5. In addition, the Applicant seeks punitive damages on behalf of the Class.
6. The Applicant invokes provisions of the Charter of Human Rights and Freedoms, the Civil Code of Quebec and the Act Respecting the Protection of Personal Information in the Private Sector.
7. The common questions put forward by the Applicant are the following:
 - (a) *La défenderesse a-t-elle porté atteinte au droit au respect de la vie privée de la demanderesse et des membres du Groupe en contravention au Code civil?*
 - (b) *La défenderesse a-t-elles constitué des dossiers sur la demanderesse et sur les membres du Groupe sans avoir un intérêt sérieux et légitime à le faire en contravention au Code civil?*
 - (c) *La défenderesse a-t-elles porté atteinte au droit au respect de la vie privée de la demanderesse et des membres du Groupe en contravention au Code civil?*
 - (d) *La défenderesse a-t-elles recueilli les renseignements personnels de la demanderesse et des membres du Groupe en contravention à la LPRPSP?*
 - (e) *La défenderesse a-t-elles profilé la demanderesse et les membres du Groupe en contravention à la LPRPSP?*
 - (f) *La défenderesse a-t-elles communiqué à des tiers les renseignements personnels de la demanderesse et des membres du Groupe en contravention à la LPRPSP?*
 - (g) *Les renseignements personnels collectés, utilisés et/ ou communiqués à des fins commerciales par la défenderesse sans le consentement de la demanderesse et des membres du Groupe ont-ils une valeur ? Si oui, quelle est la valeur de ces renseignements personnels?*
 - (h) *Le cas échéant, la demanderesse et les membres du Groupe ont-ils subi des dommages ou été privés d’un gain découlant de la collecte, de*

l'utilisation et/ou de la communication à des fins commerciales par la défenderesse de leurs renseignements personnels effectuée(s) sans leur consentement?

- (i) *La demanderesse et les membres du Groupe sont-ils en droit d'exiger de la défenderesse le remboursement des sommes engagées pour les présentes procédures et pour toute enquête relativement à la présente affaire?*
 - (j) *La défenderesse doit-elles être condamnées à payer des dommages intérêts punitifs à la demanderesse et aux membres du Groupe et, le cas échéant, quelle est la valeur des dommages-intérêts punitifs auxquels doit être condamnée la défenderesse?*
 - (k) *La défenderesse est-elle solidairement responsable des dommages intérêts compensatoires allégués?*
8. The Application contains certain vague and imprecise allegations, which paint an incomplete picture of the Defendant's business model.
9. Therefore, the Defendant requests leave to adduce evidence at the authorization hearing, in support of its eventual submissions that the Application fails to meet the threshold authorization conditions set forth at Article 575 CCP.

APPLICATION FOR LEAVE TO FILE RELEVANT EVIDENCE

10. The evidence which the Defendant seeks leave to adduce consists of a proposed sworn statement from a representative of RocketReach LLC, a draft of which is communicated herewith as **Exhibit RR-1** (the "**Sworn Statement**"). The Sworn Statement covers the following topics:
- (a) A concise overview of the Defendant entity;
 - (b) A brief description of the nature and sources of the information gathered by the RocketReach professional directory ("**RocketReach**"); and
 - (c) Clarifications detailing RocketReach's relation to the Applicant.

GROUND IN SUPPORT OF THE PRESENT APPLICATION

11. With respect to the role of the Defendant entity, it is essential that the Court be provided with complete information at authorization to clarify the functions and responsibilities of the entity. Such evidence is relevant in determining whether the cause of action against the defendant is tenable.
12. The Sworn Statement provides necessary background context for the broad allegations of RocketReach's information gathering raised in the Application. It anchors the debate on the factual realities of the Defendant's business model by

detailing the specific categories of business information collected by RocketReach, identifying the sources, and highlighting the safeguards implemented to protect non-business-related personal information.

13. This brief description is relevant for determining whether there is a viable cause of action against RocketReach, as per article 575(2) of the CCP.
14. The Sworn Statement also contextualizes the Applicant's allegation regarding the inherent economic value of the business contact information associated with RocketReach users.
15. All such information is necessary for evaluating article 575(2) of the CCP.
16. The admission of the Sworn Statement into the record will serve to streamline the authorization hearing by providing precision and clarity on the issues of fact and law alleged by the Applicant. It will address and rectify certain ambiguities and generalities contained in the Application and ensure an accurate examination of the criteria for authorization.
17. The Defendant's application to adduce evidence is necessary to enable this Court to fully understand the nature of this class action and to allow the Defendant to mount a balanced and informed challenge to the authorization criteria.
18. The Sworn Statement is succinct and limited in scope; it is thus consistent with the nature of the authorization process and the principle of proportionality.

WHEREFORE MAY IT PLEASE THIS COURT TO:

GRANT the present *Application by Defendant for Leave to Adduce Relevant Evidence*;

AUTHORIZE the Defendant to file the sworn statement of Scott Kim;

THE WHOLE without costs, except in case of contestation.

MONTREAL, November 14, 2025



Osler, Hoskin & Harcourt LLP

Lawyers for Defendant

RocketReach LLC

c/o Me Jessica Harding

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NOTICE OF PRESENTATION

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Lawyers for Applicant

TAKE NOTICE that the present *Application by Defendant RocketReach LLC for Leave to Adduce Relevant Evidence* will be presented for hearing at a date and time to be determined by the Honourable Catherine Piché of the Superior Court of Québec, 1 Notre-Dame Street East, Montreal, Québec.

DO GOVERN YOURSELVES ACCORDINGLY.

MONTREAL, November 14, 2025



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CANADA

PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

No: 500-06-001392-253

SUPERIOR COURT
(Class Action)

MAME ABDOU AZIZ DIOP

Plaintiff

v.

ROCKETREACH LLC

Defendant

LIST OF EXHIBIT OF DEFENDANT ROCKETREACH LLC

Exhibit RR-1:

Draft sworn statement of Scott Kim;

MONTRÉAL, November 14, 2025



Osler, Hoskin & Harcourt LLP

Lawyers for Defendant

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SWORN STATEMENT OF SCOTT KIM

I, the undersigned, Scott Kim, CEO, exercising my profession at RocketReach LLC, located at 144 N 7th, Brooklyn, New York, 11211, United States, solemnly declare that:

INTRODUCTION

1. I am the Chief Executive Officer at RocketReach LLC since 2020. I have been employed at RocketReach LLC since 2020.
2. In this role, I have knowledge and understanding of the company's business practices.
3. I have read an unofficial English translation of the *Demande pour autorisation d'exercer une action collective et pour être désigné représentant* dated June 27, 2025 (the "**Application**"), and I have knowledge surrounding the facts alleged.

OVERVIEW OF THE DEFENDANT

A. RocketReach LLC

1. RocketReach LLC operates the RocketReach database and intelligence platform ("**RocketReach**"), which is the subject of these proceedings.

2. RocketReach LLC is a US limited liability corporation registered under the laws of Wyoming.
3. RocketReach LLC does not have establishments in the Province of Quebec.

DESCRIPTION OF ROCKETREACH'S OPERATIONS

1. RocketReach is a professional directory that provides its users with access to detailed company and business contact information. RocketReach users consist primarily of businesses seeking to connect with other professionals for marketing, sales and career opportunities.
2. RocketReach LLC obtains business contact information from various sources for professional and business purposes. This information – such as name, company name and description, company phone number, work email, job title, and company address – is collected through various sources, including but not limited to aggregation from publicly accessible sources, including company websites, professional profiles, and public government records. Some information is not collected but rather algorithmically-generated based on other data points available. The business information on the RocketReach directory is generally available in the public domain or shared by individuals in a professional context.
3. RocketReach LLC does not collect nor retain personal information such as, among other categories, sexual orientation, religion, political affiliations, health information, biometric data, or consumer financial information.
4. RocketReach LLC employs safeguards designed to exclude personal email addresses and personal mobile phone numbers that are not used in a professional context.

MAME ABDOU AZIZ DIOP

1. Plaintiff's RocketReach profile is limited to business contact information, such as his name, employer, work history and educational background. It also contains

algorithmically-generated information such as his work email address. There is no phone number associated with Plaintiff on his RocketReach profile.

2. To the best of my knowledge, Mame Abdou Aziz Diop has not exercised his right to request the removal or deletion of his profile from RocketReach. At all relevant times, this functionality was in effect and available to him.
3. I affirm that the information compiled to create Mame Abdou Aziz Diop's RocketReach profile, when considered in isolation, does not possess any intrinsic economic value. Rather, any value to our users arises from the RocketReach database as a whole, which functions as a comprehensive and integrated resource.
4. All the facts alleged herein are true to the best of my knowledge, information, and belief.

AND I HAVE SIGNED:

SCOTT KIM

Solemnly declared before me by
technological means in ●, Québec, on this
● day of ● 2025

Commissioner of Oaths for the Province
of Quebec

No: 500-06-001392-253

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**APPLICATION BY DEFENDANT
ROCKETREACH LLC FOR LEAVE TO
ADDUCE RELEVANT EVIDENCE (Article 574
CCP), NOTICE OF PRESENTATION, LIST OF
EXHIBIT OF DEFENDANT ROCKETREACH
LLC. and EXHIBIT RR-1**

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Pièces jointes: 2025-11-14 - Application by Defendant for Leave to Adduce Relevant Evidence.pdf
Importance: Haute

NOTIFICATION BY EMAIL

(Art. 134 CCP)

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Court file number: 500- 06-001392-253

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