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January 2, 2026

Via Email and Overnight Mail

Honorable Michael J. Blee, J.A.D.
Acting Administrative Director of the Courts
Attention: MCL Application – Daniel’s Law Litigation
Hughes Justice Complex, P.O. Box 037
Trenton, New Jersey 08625-0037

**Re: Notice to the Bar (December 3, 2025)
MCL Application – Daniel’s Law Litigation**

Dear Judge Blee:

We write on behalf of PeopleConnect, Inc., PeopleConnect Holdings, Inc., Intelius, LLC, and PeopleConnect Intermediate, LLC (collectively, the “PC/Intelius Defendants”), defendants in the lawsuit captioned *Atlas Data Privacy Corp., et al. v. PeopleConnect, Inc., et al.*, Docket No. MON-L-484-24 (“PC/Intelius Litigation”). The PC/Intelius Defendants oppose the request of Atlas Data Privacy Corporation (“Atlas”) and the individual plaintiffs (together with Atlas, “Plaintiffs”) to consolidate 111 cases against more than 120 defendants asserting violations of New Jersey’s Daniel’s Law, N.J.S.A. 47:1A-1, *et seq.*, (“Daniel’s Law”) for the reasons set forth in the January 2, 2026 letter submitted by Troutman Pepper Locke LLP on behalf of defendants in these matters. As articulated therein, there was never a basis to consolidate these cases, and there is no basis to do so now, almost two years after these cases were filed. The PC/Intelius Defendants write separately to emphasize why consolidation would be inefficient and uniquely prejudicial to them.

1) The PC/Intelius Defendants have a unique story of suppression and compliance, based on a proprietary approach, that they have a right to develop and tell.

Plaintiffs put at issue in the PC/Intelius Litigation several websites, including addresses.com, instantcheckmate.com, Intelius.com, onlinesearches.com, Truthfinder.com, ussearch.com, and zabasearch.com (the “Websites”). The Websites offer proprietary people-search services that license public-source data to generate background reports that may include home addresses or telephone numbers. Well before the litigation, the Websites had designed and implemented proprietary suppression infrastructure to manage opt-out requests, whether under federal and state statutory regimes or otherwise. The Websites and their proprietary services and infrastructure are not at issue in any other lawsuit brought by Plaintiffs.

In 2023, Atlas engaged in unprecedented conduct whereby it “pooled” thousands of suppression requests, waited until the year-end holiday season, and then flooded data brokers,

people-search companies, and other entities with takedown emails between December 21 and 24, 2023. That Atlas chose to send these emails to various entities at the same time is irrelevant to whether these cases should be consolidated now. Each defendant was sent a separate set of emails. How each company uses home addresses and telephone numbers (if at all) and how each company reacted to those emails are unique to that company. Similarly, what Plaintiffs did to analyze whether each company suppressed the information and how Plaintiffs came to believe they had claims against each defendant sufficient to file litigation will require unique discovery of Plaintiffs.

The PC/Intelius Litigation is a prime example of the unique discovery and adjudication each case will require. Atlas sent almost 170,000 requests to inboxes associated with the Websites in late December 2023. Employees acted immediately to parse and de-duplicate the requests, employ a proprietary and internal suppression approach, and suppress the addresses and numbers contained therein. The PC/Intelius Defendants will establish that the Websites achieved timely mass suppression, despite the sheer volume of the requests, the fragmented and duplicative nature of the transmissions, and the fact that they were needlessly “spammed” to multiple inboxes. The PC/Intelius Defendants also will show that Plaintiffs could have and should have determined from reviewing the Websites that the addresses and phone numbers at issue had been suppressed, that Plaintiffs never should have filed the PC/Intelius Litigation, but that Plaintiffs failed to do proper diligence before filing the PC/Intelius Litigation in February 2024. The PC/Intelius Litigation thus will require unique discovery related to the Websites’ proprietary suppression activities and Plaintiffs’ failures to reasonably evaluate suppression on the Websites before filing suit. This discovery will not overlap with any of the other cases subject to Plaintiffs’ consolidation motion, and consolidating the PC/Intelius Litigation with over 100 other lawsuits would threaten the PC/Intelius Defendants’ ability to take the necessary discovery and fully develop their defenses.

Moreover, the PC/Intelius Defendants’ defenses depend on proprietary suppression architecture and systems that their competitors have no right or need to see. The U.S. Judicial Panel on Multidistrict Litigation routinely denies requests to consolidate cases against competitors for exactly this reason, and this Court should do the same. *See, e.g., In re CP4 Fuel Pump*, 412 F.Supp.3d 1365, 1367 (J.P.M.L. 2019) (“[C]entralizing competing defendants in the same [multidistrict litigation] likely would complicate case management due to the need to protect trade secret and confidential information.”); *In re Proton-Pump Inhibitor Prods. Liab. Litig.*, 273 F. Supp. 3d 1360, 1362 (J.P.M.L. 2017) (“We are typically hesitant to centralize litigation against multiple, competing defendants which marketed, manufactured and sold similar products.”); *see also In Re: Gateway Video Game Addiction Products Liability Litigation Case* MDL No. 3168 (Filed December 10, 2025). The PC/Intelius Defendants will establish the Websites’ unique and proprietary suppression efforts, and they should not be required to do so under the prying eyes of their competitors and other companies that use or rely on data sources and suppression technology.

2) Directive #02-19 is designed for cases with common defendants and recurring facts—not cases against different companies with different fact patterns.

There is “no value interdependence” to justify centralization of over 100 cases against different defendants. *See* Directive #02-19. Liability in each case will turn on whether and when each defendant received the suppression requests, and whether, when, and how each defendant

suppressed the addresses and phone numbers sent to it. This analysis likely will require analyzing each defendant's intent, based on the questions that have been certified to the New Jersey Supreme Court by the U.S. Court of Appeals for the Third Circuit. The PC/Intelius Defendants will defend themselves based on their unique compliance record, and adjudicating that record will not resolve the claims against any other defendant.

In short, rather than promoting efficiency and fairness, rulings in consolidated litigation geared toward other (competitor) defendants could curtail the PC/Intelius Defendants' ability to obtain targeted discovery from Plaintiffs about the nature, timing, and scope of Plaintiffs' awareness of the Websites' timely mass suppression and compliance with Daniel's Law. Consolidation thus poses very concrete prejudice to the PC/Intelius Defendants.

3) County-level coordination has delivered, and can continue to deliver, efficiencies while preserving defendant-specific discovery and merits defenses in the forums Plaintiffs chose.

Plaintiffs elected to file these cases separately in seven counties and have been litigating them without seeking state-wide consolidation for nearly two years. The past two years have shown that county-wide litigation is workable, efficient, and less prejudicial to defendants than statewide consolidation. Given the passage of time, the 111 cases are now proceeding on different tracks in different counties and, at this late juncture, state-wide consolidation risks inefficiencies in trying to put 111 cases back on the same track and prejudice to the various defendants.

For example, the PC/Intelius Defendants and other "Track B" defendants in Monmouth County filed motions to dismiss in August 2025, but briefing on those motions was stayed pending the New Jersey Supreme Court's decision on the certified questions related to intent. These defendants have not received a ruling on their motions, answered the complaints, or engaged in discovery. By contrast, some "Track A" defendants in Monmouth County and defendants in other counties are well into discovery. It would be challenging, if not impossible, for one court to impose uniform case management on 111 cases at different stages of litigation—a direct consequence of Plaintiffs' two-year delay in seeking consolidation. These factors further weigh against consolidation here. *See, e.g., In re Wells Fargo*, 2020 WL 1503252, *2 (J.P.M.L. 2020); *In re Uber*, 158 F.Supp.3d 1372, 1373 (J.P.M.L. 2016); *In re CP4 Fuel Pump*, 412 F.Supp.3d at 1367. County-level coordination reduces the entirely separate litigation without imposing the undue cost, delay, and prejudice of state-wide centralization. The fairest and most efficient path is the simplest one: let each case rise or fall on its facts, in the forum Plaintiffs selected.

The need for individualized discovery specific to each defendant's conduct and business, the prejudice from requiring competitors to share confidential information, and the complexities of combining 111 cases at this late stage defeat any possible benefits of centralization. The PC/Intelius Defendants respectfully request that Plaintiffs' application for consolidation be denied.

Respectfully submitted,

O'TOOLE SCRIVO, LLC

/s/ James DiGiulio

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