

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE JUSTICE T. NIECKARZ)	DECEMBER 22, 2022
<i>Name of Judge</i>		<i>Day and Date Order Made</i>

B E T W E E N :



RAINBOW ALLIANCE DRYDEN
and CAITLIN HARTLEN

Plaintiffs /
Moving Parties

- and -

JOHN/JANE DOE(S)

Defendant(s)

ORDER

THIS MOTION, made by the plaintiffs, Rainbow Alliance Dryden and Caitlin Hartlen [together, "**Moving Parties**"] for Orders for third-party records to identify the defendant(s) John/Jane Doe(s) [together, "**Defendant**"], was heard this 22nd day of December, 2022, via Zoom conference.

ON READING the Motion Record of the Moving Parties, dated October 6, 2022, the Order of Justice Pierce, dated October 20, 2022 [**October 20 Order**], the Supplementary Motion Record of the Moving Parties, dated December 7, 2022, the Factum of the Moving Parties, dated December 8, 2022, the privacy concerns raised by Bell Canada [**Bell**] in its correspondence to counsel for the Moving Parties, and on hearing the submissions of counsel:

THIS COURT ORDERS:

1. That, pursuant to section 96 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43 and rule 30.10 of the *Rules of Civil Procedure*, R.R.O. 1990, Reg. 194:

- a. Bell shall produce to the Moving Parties the name(s), address(es), email address(es), and phone number(s) of the Bell subscribers or account holder(s) associated with or who were assigned the following IP addresses that accessed the network on the following dates and times, to the extent available:

<i>Date</i>	<i>IP Address</i>
2022-09-10 17:47:43 UTC	174.90.223.49
2022-09-10 17:52:11 UTC	174.90.223.166
2022-09-26 21:59:05 UTC	174.90.223.170
2022-09-27 18:19:49 UTC	174.90.223.170
2022-10-08 18:29:03 UTC	174.90.223.71

- b. In addition to the information to be provided pursuant to subparagraph (a), above, Bell shall provide the Moving Parties with the MAC address and serial number of the device (or modem) used by each of the above-noted IP addresses on the listed date, above, to connect to the network, if available; and
- c. Bell shall also produce to the Moving Parties, to the extent available:
- i. the name(s), address(es), email address(es), and other phone number(s) of the account holder(s) and user(s) associated with the phone number 519-943-3747 [**“Phone Number”**] for the period of May 6, 2021 to the date of this Order,
 - ii. whether the Phone Number is in use by a mobile phone or a landline, and
 - iii. the type and model of mobile device and what device serial numbers have been associated with the Phone Number between May 6, 2021 and the date of this Order; and
- d. The records and information to be produced pursuant to subparagraphs (a), (b), and (c), above, are to be delivered by Bell to counsel for the Moving Parties no later than thirty (30) days from the date of this Order.

2. That no records, documents, or information produced under this Order shall be used for any purpose other than proceedings as between or involving the Moving Parties and the Defendant, and the parties to any such proceeding shall not disclose the records produced under this Order to any person other than the parties, Bell, and the court, unless the record, document, or information in question has already been made public.

3. The Moving Parties shall pay to Bell \$50 per IP address listed in subparagraph (a), above, to offset its costs for the collection, processing, copying, or transmission of the information required to be produced under this Order.

~~Signature of Judge~~ REGISTRAR

Rainbow Alliance Dryden et al
Plaintiffs / Moving Parties

v. John/Jane Doe(s)
Defendant(s)

Court File No. CV-22-000000096-0000

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