

**ONTARIO
SUPERIOR COURT OF JUSTICE**

The Honourable Madam Justice Pierce)	Thursday, October 20, 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 an Order compelling production of information from the non-parties Meta Platforms, Inc. [**Meta**] and Facebook Canada Ltd. for the purpose of identifying the defendant(s) John/Jane Doe(s) [**Proposed Defendants**], was heard this 20th day of October, 2022, via Zoom conference.

ON READING the motion record of the Moving Parties, the consent of Meta, and hearing the submissions of counsel, with no appearance by or on behalf of the Proposed Defendants, who remain unknown to the Moving Parties:

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, Meta shall provide to counsel for the Plaintiffs:

- a. Basic subscriber information, which may include (i) vanity; (ii) account closure date(s), if applicable; (iii) name and e-mail address(es) and/or telephone number(s) at the time of production; (iv) date, time and IP address at registration; and (v) date, time and IP addresses for recent logins and logouts, to the extent such data exists and is reasonably accessible, for:
 - i. the Facebook account(s) belonging to the administrator(s) of the page on the Facebook service entitled “Real Thunder Bay Courthouse-Inside Edition”, available at <https://www.facebook.com/people/Real-Thunder-Bay-Courthouse-Inside-Edition/100083119813292/> [“**Courthouse Page**”], for the period between September 17, 2022 and the date hereof; and for
 - ii. the Facebook account(s) that created and/or edited the post available at https://www.facebook.com/permalink.php?story_fbid=pfbid02atNUaXLujCKryBbNpbqV3XH9PcayFF1aWuEwRrqERorVDM2FWdaz6Vn3q6gFkPgol&id=100083119813292 [“**Post**”];
- b. The records and information to be produced pursuant to subparagraph (a), above, are to be delivered to counsel for the Moving Parties no later than November 21, 2022;
- c. No records, documents, or information disclosed under this Order shall be used for any purpose other than proceedings arising from the Post, and the parties to the action shall not disclose the records produced to any person other than the parties to such proceeding, the persons identified in subparagraph (a) above, the court, and Meta, unless the record, document, or information in question has already been made public; and
- d. There shall be no cost to the Moving Parties for the collection, processing, copying, or transmission of the information required to be produced under this Order.

2. That service of a notice of action on the Proposed Defendants, within the meaning of section 5 of the *Libel and Slander Act*, R.S.O. 1990 c. L.12, may be made by the Moving Parties by transmitting such notice to the Courthouse Page via Facebook Messenger.

3. That, on the filing of further affidavit evidence by the Moving Parties, this motion may be brought back before a judge, with notice to the necessary parties:

- a. To vary the terms of this Order;
- b. For the purpose of requesting an Order for substitute service on the Proposed Defendants;
- c. To amend the style of cause in this proceeding to replace the name "John/Jane Doe(s)" with the names of the Proposed Defendants; and/or
- d. To request any further Orders to identify or locate the Proposed Defendants, based on the initial information supplied by Meta pursuant to paragraph 1, above.



Signature of Judge

Rainbow Alliance Dryden et al/
Plaintiffs / Moving Parties

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

Court File No. CV-22-00000096-0000

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Proceeding Commenced at Kenora

ORDER

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