Dear Pro Se Intake Clerk,

This submission is made solely to restore a previously stricken evidentiary filing to the docket **on the first permissible filing date following the Court's most recent filing injunction**. It is identical in content to ECF 477, which was stricken solely under that temporary restriction.

Re-filing is made pursuant to Fed. R. Civ. P. 60(b)(3), Rule 83(b), and Fed. R. App. P. 10(e) to preserve record continuity and ensure an accurate appellate record. This filing does not advance new argument or seek reconsideration.

The attached PDF is flattened and retains the original timestamp for authentication. Please confirm docketing under the title above.

Respectfully,
/s/ Albert Rojas
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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

MPHASIS CORPORATION,
Plaintiff,

v. Case No. 1:25-cv-03175 (JMF)(OTW)

ALBERT ROJAS,
Defendant.

NOTICE REGARDING ACCURACY OF PLAINTIFF'S COMPLAINT (ECF 1)

Defendant **Albert Rojas**, appearing *pro se*, respectfully submits this Notice to clarify that key factual allegations set forth in **Plaintiff's Complaint (ECF 1)**—and reiterated in **ECF 12 p. 20 ¶ 2**—are directly contradicted by **Plaintiff's own subsequent filing (ECF 14)** and by the evidentiary record now before the Court.

Plaintiff alleged that *"Defendant refused to return the QBE-issued laptop to Mphasis as directed by QBE."*
That assertion is disproven by the correspondence and exhibits attached to **ECF 14**, which show that Defendant repeatedly requested a return label beginning in December 2024 and that **QBE did not issue a label until April 29 2025, pursuant to the Court's order.**

Because **ECF 14** demonstrates that no QBE directive ever existed, the factual foundation of the Complaint has been overtaken by the record.
The progression is clear: **ECF 1 established the predicate → ECF 12 repeated it → ECF 14 disproved it.**

Accordingly, **Defendant respectfully requests that the Court:**

1. **Take notice** that, as shown by **ECF 14**, which reproduces materials taken from Defendant's publicly available archive, Plaintiff's own filing directly contradicts the factual narrative asserted in **ECF 1**. Those same exhibits demonstrate that the statement in **ECF 12 p. 20 ¶ 2**—*"Further, he has refused to return the QBE-issued laptop to Mphasis as directed by QBE"*—was inaccurate. The inclusion of "as directed by QBE" created a factual representation that the record itself disproves.

2. **Recognize** that the relevant allegations in **ECF 1** are no longer credible or reliable in light of **ECF 14** and the record now before the Court; and

3. **Direct Plaintiff** either to file a **corrected pleading** omitting those allegations or, alternatively, that the Court **strike** those portions of the Complaint that rely on the misrepresentation identified in **ECF 12** and contradicted by **ECF 14**.

This Notice is submitted to ensure that the docket accurately reflects the current evidentiary record and to preserve judicial integrity in light of the filings already before the Court, including **ECF 474 (Rule 60(b)(3) Memorandum).**

Respectfully submitted,

/s/ Albert Rojas
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Dated: October 23, 2025