

EXHIBIT (C) Nov 1, 2024 - QBE sponsor's laptop crashed

Description:

Evidence showing how equipment failures within QBE further necessitated Defendant's compliance-related disclosures.

A R <rojas.albert@gmail.com>

Re: [Mphasis WVDI] QBE & Mphasis emails

Albert Rojas <albert.rojas@mphasis.com> To: Arul A <Arul.A@mphasis.com>, Jitendra Borkar <Jitendra.Borkar@mphasis.com>

Fri, Nov 1, 2024 at 9:40 PM

Copy that. During a live Zoom session (about 30 minutes ago) with Dilip, his laptop encountered a blue screen error and crashed. In my view, it would be prudent for QBE to tighten security policies. Contractors should not be accessing employee portals through QBE-issued laptops and web sessions, even if a network configuration oversight left this access open. In the event of a breach, QBE and regulatory bodies will likely audit all access logs, including web sessions.

Attached is a photo taken with my iphone during my session with Dilip.

Respecfully, Albert

Exhibit (D) Feb 28 - Mar 7, 2025 – Mphasis-Induced Disclosure and Age-Based Hostility

Description: This exhibit illustrates that Plaintiff Mphasis Ltd., through its agent Ruturaj Waghmode, transmitted confidential QBE materials to Defendant's Mphasis-issued email account (albert.rojas@mphasis.com). Due to Mphasis's systemic failure to provide Defendant with standard corporate hardware—despite repeated requests—Defendant accessed these materials via his personal MacBook. This operational deficiency, created solely by Plaintiff, necessitated Defendant's forwarding of the QBE.pptx file to his personal email (rojas.albert@gmail.com) to perform his assigned duties.

This necessity, induced by Mphasis's own failure to furnish essential tools, estops Plaintiff from alleging misconduct regarding the handling of this file. Under the doctrine of equitable estoppel, as established in *Kosakow v. New Rochelle Radiology*, 274 F.3d 706, 725 (2d Cir. 2001), a party may not assert a claim where the opposing party reasonably relied on the conditions created by the claimant's conduct. Here, Defendant's reliance was reasonable and foreseeable, as Plaintiff placed him in a position where no alternative means to complete his assignments were available.

Moreover, as established in *Heckler v. Community Health Services*, 467 U.S. 51, 59 (1984), a party cannot claim injury from circumstances that its own conduct induced. Mphasis's operational failures directly led to the file forwarding at issue. Defendant acted in good faith under these imposed constraints.

Discriminatory Conduct and Hostile Work Environment: Beyond operational failures, Mphasis further targeted Defendant with discriminatory and hostile conduct, in violation of the Age Discrimination in Employment Act (ADEA), Title VII, and related statutes. Despite Defendant producing an 8-page strategic summary for the QBE engagement, his work was summarily dismissed without justification. This professional marginalization was compounded by age-based disparagement.

Specifically, on March 7, 2025, Waghmode escalated hostile behavior by displaying dinosaur imagery during a team session—a clear reference to Defendant's age (over 60). Courts have consistently recognized that age-related remarks, coupled with adverse employment actions, support claims of a hostile work environment and age discrimination. See *Fraser v. Fiduciary Trust Co. Int'l*, 417 F. Supp. 2d 310, 322 (S.D.N.Y. 2006) (finding that "even stray remarks" may be probative of discrimination when tied to adverse treatment).

Such conduct violates not only the ADEA but also the New York State Human Rights Law (NYSHRL) and New York City Human Rights Law (NYCHRL), which impose broader standards for hostile work environment claims. Plaintiff's conduct was neither isolated nor trivial—it reflected a sustained pattern of age-based marginalization and hostility.

Timeline of Key Events:

10:23 AM – Ruturaj Waghmode sends "QBE draft deck" to Defendant's Mphasis email.

11:01 AM – Defendant forwards the deck to his personal email to perform assigned tasks on non-issued equipment.

Subsequent days – Defendant delivers significant strategic contributions, which Plaintiff disregards.

March 7, 2025 – Waghmode displays dinosaur imagery during a team session, mocking Defendant's age.

Conclusion:

This Exhibit (D) Feb 28 - Mar 7, 2025 is emblematic of the broader inequitable conduct at the core of Plaintiff's claims. Plaintiff Mphasis Corporation, through its own agent, initiated the transmission of confidential QBE materials to Defendant's Mphasis account, fully aware that Defendant lacked corporate-issued infrastructure to securely process such materials. The necessity for Defendant to forward the QBE.pptx file to his personal account arose solely from Plaintiff's operational failures, barring any claims of misconduct under the doctrines of equitable estoppel (*Kosakow v. New Rochelle Radiology*, 274 F.3d 706, 725 (2d Cir. 2001)) and unclean hands (*Precision Instrument Mfg. Co. v. Auto. Maint. Mach. Co.*, 324 U.S. 806, 814 (1945)).

Further, Plaintiff's escalation of hostile behavior—including the targeted display of dinosaur imagery in a professional setting—constitutes unlawful age-based harassment under the ADEA and substantiates Defendant's counterclaims for a hostile work environment (*Fraser v. Fiduciary Trust Co. Int'l*, 417 F. Supp. 2d 310, 322 (S.D.N.Y. 2006)). This conduct not only supports Defendant's age discrimination counterclaims under the ADEA, NYSHRL, and NYCHRL, but also demonstrates the retaliatory animus fueling Plaintiff's baseless allegations.

In alignment with Defendant's integrated legal defenses and counterclaims (MOTION RESPONSE 9), including statutory whistleblower protections (DTSA §1833(b), SOX §1514A, Dodd-Frank §78u-6(h), and NYLL §740), this exhibit directly reinforces the following relief requests:

Dismissal of Plaintiff's DTSA and CFAA claims under statutory immunity and equitable estoppel.

Entry of judgment for Defendant on counterclaims for retaliatory termination, discrimination, and emotional distress.

Declaratory relief confirming Defendant's disclosures and evidentiary websites are protected under whistleblower laws and the First Amendment.

An order compelling discovery into Mphasis's discriminatory provisioning, DLP inconsistencies, and QBE's post-termination reliance on Defendant's solutions, as outlined in Section IV of Motion Response 9.

Accordingly, Exhibit (D) Feb 28 - Mar 7, 2025 substantiates Defendant's position that Plaintiff's claims are not only barred in law and equity but were manufactured in bad faith to retaliate against protected disclosures. Defendant respectfully requests that the Court grant all relief enumerated in the Prayer for Relief of Motion Response 9.

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----- Forwarded message -----

From: Albert Rojas <albert.rojas@mphasis.com>

Sent: Friday, February 28, 2025 11:01 AM

To: rojas.albert@gmail.com <rojas.albert@gmail.com>

Subject: Fw: QBE draft deck

From: Ruturaj Waghmode <ruturaj.waghmode@mphasis.com>

Sent: Friday, February 28, 2025 10:23 AM

To: Albert Rojas <albert.rojas@mphasis.com>

Subject: QBE draft deck

Regards,

Ruturaj

+1.650.507.9809

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please Notify us Immediately at mailmaster@mphasis.com and delete this Email from your Records.

QBE.pptx

Friday 17:33 Ruturai Waghmode

Hey

Friday 17:33 Defendant

Hey

Friday 17:33 Ruturai Waghmode

I put George's and a co-pilot version of the decks here Discovery engagement proposal

see if you can access and create one which blends these 2 + Lucid pitch

Friday 17:34 Defendant

Copy...

Friday 18:02 Defendant

still the wrong slide. I even tried opening it in incognito mode to rule out any caching issues.

you want your "QBE - George version" 2nd slide to look like this:

Friday 18:14 Ruturai Waghmode

Create your own

I don't like much of G slides

Leverage Lucid flow

Friday 18:16 Defendant

Copy

Friday 21:37 Ruturai Waghmode

Where you able to draft a better version?

While possibly intended as a joke, Ruturaj shared images of dinosaurs during a screen-sharing session, which, given the context, seemed inappropriate and possibly ageist. This act appeared hostile and age-related, as I am over 50.

Friday 21:45 Defendant

Of course-it's an art. I played a key role in building Oracle HQ's first CC recommendation engine (inverted index of incident histories) in redwood shores, where prompt return similar incidents

during interactive sessions. I'm confident we can walk away from the meeting with a two-week paid engagement to establish a baseline and provide our recommendations.

Friday 22:36 Ruturai Waghmode

Looking for the uplifted deck version if you have one

Friday 21:46 Defendant

Like I said, it's an art. I'll have it ready first thing Monday. I'd love to present this to QBE because I enjoy showing QBE that we know how to make all the moving parts work, especially AI-driven enhancements that ensure users always have the latest data during interactive CC sessions.

Saturday 14:34 Defendant

Open this using the 'Your Browser' option to activate the hyperlinks, especially on slide 5. I assume there's awareness that QBE is facing Contact Center challenges. This presentation has two key objectives

1. Mphasis understands how to make the moving parts work
2. As Sales Consultants, we are here to help

Still WIP...

The PPT. But the href links will not work unless you can download the PPT to your desktop. Still WIP lol

Saturday 14:44 Ruturai Waghmode

You've gone a few steps ahead AI

What we need for now is a 2-3 weeks workshop to collect data on call volumes, ops processes and tech stack

This proposal should come after this discovery

Right now we don't know enough to make it specific to QBE

Saturday 14:51 Defendant

Copy. This is a request for a two-week paid engagement to gather QBE Contact Center stats, conduct a review, a

sent our recommendations-great! The AI demo on slide 5 was just a quick showcase to demonstrate that v

understand how to make the moving parts work. We're here to help!

Even if we don't win this business, I'm confident the QBE team will reach out for the next opportunity because they'll

know we have the expertise to make everything run smoothly.

QBE is likely already collecting machine data (call volumes, operational processes). Our task will be to aggregate and leverage that data to optimize their contact center.

Saturday 14:57 Ruturaj Waghmode

Unsure about what data they have

Leverage the Lucid slides

Saturday 14:58 Defendant

Great! That's exactly what I want QBE to realize. Collecting data is easy-it's how you use it that matters. At Mphasis, we're experts in not just gathering machine data but turning it into actionable insights. Had QBE done this, they wouldn't be facing their current contact center challenges.

(Ruturaj Waghmode 01/03/2025, 14:57 Unsure about what data they have) That's what the 2-week paid engagement is for.

(Ruturaj Waghmode 01/03/2025, 14:57 Leverage the Lucid slides) I can, but if this is a Discovery meeting, those Lucid slides are more suited for the We're Already Married meeting-where we're figuring out how to move in together. Just saying boss.

Saturday 15:04 Ruturaj Waghmode

May be use the first few slides

Saturday 15:20 Defendant

If we're planning to present this at the QBE offices in London next week, I'd love to be there. I can meet you the next time you're in New York. As for presenting the Lucid slides, you already have them. I know the team at QBE—most likely, they won't understand the Lucid slides because if they did, they would have already taken action. Please let me know your

thoughts, and I can coordinate with George in London next week.

Saturday 15:45 Ruturaj Waghmode

This stakeholder is in Sydney

Saturday 16:39 Defendant

At the Sydney office or Teams?

If Teams, I would love to listen in. See you Tuesday in NY unless I hear otherwise.

Anna and I were working at the hotel and she invited me to her Paris show on March 6. I really think I should attend—it'll be a great net working opportunity for Mphasis . You know I love hunting for business, and the tech side comes naturally to me. I've been coding longer than anyone you have at Mphasis. I promise I'll fly back to New York right after the show.

Let me know your thoughts.

One more point:

If we're uncertain about their data, that's even more reason to hold off on presenting the Lucid slides for now, sir. The two-week engagement may reveal that the CC software is functioning perfectly and that the issue lies in how QBE is using it—just like what happened with LLMs decoding NDAs. The LLM performed as designed; the problem was in how QBE was using it.

Respectfully,

Albert

Monday 21:56 Ruturai Waghmode

I created this QBE proposal deck Discover workshop proposal for QBE CCaaS transformation 2025.03.03.pptx

Monday 22:20 Defendant

The proposal deck includes Lucid (slide 9). I was under the impression we were aiming for a two-week paid engagement

—can you confirm?

Safe travels

Best,

Albert

Monday 22:23 Ruturai Waghmode

Please fix

Monday 22:24 Defendant

you need to give me rights to the deck

Slide 5 mentions two streams running in parallel, but it describes Stream-2 as having a "foreign key" relationship to Stream-1. If I'm misinterpreting, feel free to disregard (though QBE might read it the same way I do). Also, I now have access to your deck. Cheers!

Tuesday 02:17 Ruturai Waghmode

Hey

Was in transit

Let's talk tomorrow

Let's talk 1:1

Tuesday 07:05 Defendant

Copy

I think you need to email me your deck as I can't download it. Some points: Slide 3: Rename to "Our Contact Center Tuning Best Practices."

- Slide 5: Adjust the x-plot to show that Stream 1 learnings feed into Stream 2.
- Slide 6: Clarify that the 2-week Stream 1 supports the recommendations deliverable (remove the implication of needing 6 weeks).
- Slides 6, 10, 11: Fix the "Lucid Motoes" typo.
- Slide 12: Consider moving this to the beginning of the presentation.

Slides 13, 16, 18: These may not be necessary for this Discovery presentation.

safe travels. Last question, who is giving the presentation to QBE/Sydney? Would be great to have a quick Team's talk with him or her. Cheers!

Regarding your "SC" note on the VMware project at Flagstaff Bank (Long Island)-if you give me the presentation for QBE in Sydney, I'll secure the business for you.

Let me know how you'd like to proceed.

Friday 18:09 Ruturai Waghmode

Sorry bad live

Line

Reach out to Jitendra for guidance on next steps.

Friday 18:10 Defendant

Copy

From: Albert Rojas <albert.rojas@mphasis.com>

Date: Fri, Mar 7, 2025 at 7:18 PM

Subject: Clarification Needed on Project Changes

To: Jitendra Borkar <Jitendra.Borkar@mphasis.com>, Arun Thomas <Arun.Thomas@mphasis.com>, Ruturaj Waghmode <ruturaj.waghmode@mphasis.com>, George Ioannou <george.ioannou@mphasis.com>, Shannon Mostafazadeh <shannon.mostafazadeh@mphasis.com>

Cc: Albert Rojas <albert.rojas@mphasis.com>

Team,

I just finished a Teams meeting with Ruturaj, but due to a poor connection, I've attached a screenshot of our conversation: "Ruturaj Today Chat.png."

Per Ruturaj's request, I rewrote George's QBE proposal over the weekend. A transcript of our weekend chat is attached: "QBEweekend.pdf."

He then asked me to begin work on the Charles Schwab engagement, which I've also attached: "Charles Schwab.pdf."

Now, Raturaj has informed me that he has "bad news" and is pulling me off all assignments. I am unclear on the reasoning behind this sudden change and would appreciate an explanation.

I have been working hard for Mphasis and would like to understand what happened.

Sincerely,
Albert Rojas

Exhibit (E) – December 22, 2024 – JIRA Tickets: Evidence QBE continued implementing Defendant's solutions post-termination.

Description:

Defendant's structured methodologies—documented through JIRA tickets (the digital paper trail for task ownership, traceability, and collaboration)—captured remediation strategies for persistent failures in QBE's Legal NDA platform originally developed by Accenture. Supporting materials included spreadsheets and video demonstrations of execution flaws. These JIRA records show that QBE continued to apply Defendant's solutions even after Mphasis terminated him, demonstrating the enduring value of his work. This undercuts claims of misappropriation or harm, reinforcing that Defendant's contributions enhanced, not damaged, Mphasis's competitiveness.

EXHIBIT (F) Dec 31, 2024 – Equipment Return Coordination and Communication Records;

End date for contract Dec 31, 2024 - Follow-Up: Legal NDA App and Supporting Exhibits

Albert Rojas <albert.rojas@mphasis.com> To: Palavesam Chandrasekar
<Palavesam.Chandrasekar@qbe.com>, Dilip Nayak <Dilip.Nayak@qbe.com>, Jitendra Borkar
<Jitendra.Borkar@mphasis.com>, Mirza Ali <ali.mm@mphasis.com>

Sun, Dec 22, 2024 at 4:36 PM

Thank you for the email, Palav. Let me assure you, there's no intent to smear anyone. The attachments and data speak for themselves.

The current system is like flying from London to New York by heading west instead of east across the Atlantic—an unnecessarily complicated and

costly route. As you mentioned, the Azure Search blob is expensive, and as demonstrated in the attached exhibits, it's not even needed.

I was hired to consult on the application, and I fulfilled those responsibilities as required. It's been an honor working with QBE.

Sincerely,

Albert

Get Outlook for iOS

From: Palavesam Chandrasekar <Palavesam.Chandrasekar@qbe.com>

Sent: Sunday, December 22, 2024 3:28 PM

To: Albert Rojas <albert.rojas@mphasis.com>; Dilip Nayak <Dilip.Nayak@qbe.com>; Jitendra Borkar <Jitendra.Borkar@mphasis.com>; Mirza Ali
<ali.mm@mphasis.com>

Subject: RE: [External] Re: End date for contract Dec 31, 2024 - Follow-Up: Legal NDA App and Supporting Exhibits

Warning ! Exercise caution – External Mail.

@Albert Rojas Yes QBE will give you shipping with in US not sure about UK. Please discuss with Mphasis leadership on their

agreement on hardware with QBE. @Mirza Ali @Jitendra Borkar Can you please guide AL here?

I don't enjoy your persistent smear on QBE application build with their partners or QBE partners (including Mphasis) . I don't want to

hear or see any more email from you on any QBE application or partners.

@Dilip Nayak Need your steer here.

Palavesam Chandrasekar

VP – Group Data & Analytics

Group Chief Data Office

+1 510 833 8486

From: Albert Rojas <albert.rojas@mphasis.com>

Sent: Sunday, December 22, 2024 9:14 AM

To: Palavesam Chandrasekar <Palavesam.Chandrasekar@qbe.com>; Dilip Nayak <Dilip.Nayak@qbe.com>

Subject: Re: [External] Re: End date for contract Dec 31, 2024 - Follow-Up: Legal NDA App and Supporting Exhibits

This email was sent from someone outside of QBE. Be cautious opening links and attachments. Use the 'Report Phishing' button if suspicious.

Thank you, Palav!

I completely understand the frustration around costs—especially the ongoing expenses of keeping the Accenture team involved to reconcile the issues

I highlighted below. If they're unable to resolve it, don't hesitate to reach out to me directly.

Just to clarify, I never picked up the QBE laptop—it was FedExed to my New York apartment. I'm hoping QBE IT can provide me with a FedEx

shipping label so I can return it promptly, particularly since I'm currently abroad.

Had the QBE Workday system simply locked the Cisco QBE client, I could have continued using the laptop instead of needing to pick up a Mac. As

you know, having a reliable machine while traveling is essential. Cheers!

Albert

Get Outlook for iOS

From: Palavesam Chandrasekar <Palavesam.Chandrasekar@qbe.com>

Sent: Sunday, December 22, 2024 2:51 PM

To: Albert Rojas <albert.rojas@mphasis.com>; Dilip Nayak <Dilip.Nayak@qbe.com>

Subject: RE: [External] Re: End date for contract Dec 31, 2024 - Follow-Up: Legal NDA App and Supporting Exhibits

Exercise caution – External Mail.

Thank will cost a lot. Please return the equipment where you picked it from.

Regards

Palavesam Chandrasekar

VP – Group Data & Analytics

Group Chief Data Office

+1 510 833 8486

From: Albert Rojas <albert.rojas@mphasis.com>

Sent: Sunday, December 22, 2024 8:41 AM

To: Palavesam Chandrasekar <Palavesam.Chandrasekar@qbe.com>; Dilip Nayak <Dilip.Nayak@qbe.com>

Subject: Re: [External] Re: End date for contract Dec 31, 2024 - Follow-Up: Legal NDA App and Supporting Exhibits

This email was sent from someone outside of QBE. Be cautious opening links and attachments. Use the 'Report Phishing' button if suspicious.

Copy. I was going to stop by QBE London office tomorrow and ask for permission to mail it to New York QBE.

Get Outlook for iOS

From: Palavesam Chandrasekar <Palavesam.Chandrasekar@qbe.com>

Sent: Sunday, December 22, 2024 2:33:35 PM

To: Albert Rojas <albert.rojas@mphasis.com>; Dilip Nayak <Dilip.Nayak@qbe.com>

Subject: [External] Re: End date for contract Dec 31, 2024 - Follow-Up: Legal NDA App and Supporting Exhibits

Exercise caution – External Mail.

Hi AL

You have to drop off the laptop in the office you picked it from. These are leased equipment.

@Dilip Nayak please inform Mphasis on this

Thanks

Palavesam

Get Outlook for iOS

From: Albert Rojas <albert.rojas@mphasis.com>

Sent: Sunday, December 22, 2024 8:06:22 AM

To: Dilip Nayak <Dilip.Nayak@qbe.com>; Palavesam Chandrasekar <Palavesam.Chandrasekar@qbe.com>

Subject: Fw: End date for contract Dec 31, 2024 - Follow-Up: Legal NDA App and Supporting Exhibits
This email was sent from someone outside of QBE. Be cautious opening links and attachments. Use the 'Report Phishing' button if suspicious.

Hey!

The QBE laptop is locked, so I've picked up a Mac and am preparing for some travels around Europe. I'm planning to drop off the QBE laptop at the

QBE London office tomorrow Monday 🙏.

On another note, what Accenture built is really suboptimal. You can achieve the same functionality with the Legal NDA using the approach I showed

you with the Auto app and a simple prompt—without the exorbitant costs of Azure Search and those static 1,000-token chunks 🙏.

Wishing both of you and your families a wonderful Christmas. It goes so fast so enjoy every moment.

Sincerely,

Albert

Get Outlook for iOS

From: Albert Rojas <albert.rojas@mphasis.com>

Sent: Sunday, December 22, 2024 10:28 AM

To: Jitendra Borkar <Jitendra.Borkar@mphasis.com>; Nitin Bansode <Nitin.Bansode@mphasis.com>; Mirza Ali

<ali.mm@mphasis.com>

Subject: End date for contract Dec 31, 2024 - Follow-Up: Legal NDA App and Supporting Exhibits

Gents,

As my work with QBE concludes on December 31, I want to share a few important points and exhibits regarding my previous email (Fri, Dec 20, 2024,

at 8:39 PM) with Dilip and the QBE team.

In that email, I mentioned:

"If the current Legal NDA app doesn't meet the business's SLA requirements, feel free to use the solution I built for

DocNote.ai as a starting point for decoding NDAs."

Below are supporting exhibits that validate my concerns and recommendations:

1. 12/19/24 - QBE PM.jpeg

The QBE Project Manager confirmed the errors we raised and acknowledged the work in progress.

2. 12/14/24 - 4DilipErrors.pdf

Updated NDAs and feedback highlighting incorrect prompt responses. I reiterated that we should delay the app's

release until it consistently delivers zero errors.

(Email timestamp: Sat, Dec 14, 2024, at 8:50 PM)

3. 12/01/24 - Screen Recording

Demonstrates performance challenges and inconsistent prompt returns within the QBE Legal NDA app.

Please let me know if additional details or context are needed.

Cheers!

Albert

----- Forwarded message -----

From: Albert Rojas

<Albert.Rojas@qbe.com>

Date: Sat, Dec 14, 2024 at 8:50 PM

Subject: RE: [Updated NDAs and Feedback on QBE Legal] QBE Christmas Holiday Hours

To: Dilip Nayak <Dilip.Nayak@qbe.com>

Cc: Mirza Ali <ali.mm@mphasis.com>, Nitin Bansode <Nitin.Bansode@mphasis.com>, Jitendra Borkar

<Jitendra.Borkar@qbe.com>, Albert Rojas <albert.rojas@mphasis.com>

Hi Dilip,

I've submitted two NDAs through our QBE Legal system for your review. To ensure clarity, the second version is labeled MPHASIS. The relevant

exhibits are attached for your reference.

I'd like to highlight that QBE Legal currently generates seven (7) incorrect prompt responses. In my view, we should delay its release until it

consistently delivers zero (0) errors.

It has been an honor to serve you.

Respectfully,

Albert

On Fri, Dec 20, 2024 at 8:39 PM Albert Rojas <Albert.Rojas@qbe.com> wrote: Copy.

I wanted to remind you of the promise I made to you and Palavesam. If the current Legal NDA app doesn't meet the business's SLA requirements,

feel free to use the solution I built for DocNote.ai as a starting point for decoding NDAs. It's cloud-agnostic and should be flexible enough for your

needs.

Wishing you a Merry Christmas! When I return to New York in the new year, I'll drop off the QBE laptop at the QBE offices, unless I hear otherwise.

It's been a pleasure working with the QBE team.

Kind regards,

Albert

QBE Entity.

do start the process to return the QBE laptop assigned to you starting...leadership on how to return to the QBE location.~ Calling the service Entity.

Return/ Destruction.

please do start the process to return the QBE laptop assigned to you...the Mphasis leadership on how to return to the QBE location.~ Calling the

Destruction.

■

From: Dilip Nayak <Dilip.Nayak@qbe.com>

Sent: Friday, December 20, 2024 2:34 PM

To: Albert Rojas <Albert.Rojas@qbe.com>

Cc: Palavesam Chandrasekar <Palavesam.Chandrasekar@qbe.com>; Mirza Ali <ali.mm@mphasis.com>

Subject: End date for contract

AI – Due to funding changes for our application roadmap and role re-alignments we will need to do as a result, we will be ending the contract for

your position ,in order to get you some notice and continued billing through the holidays , we have advised Mphasis that you can bill through Dec

31st. However please do start the process to return the QBE laptop assigned to you starting next week due to the holidays and please co-ordinate

with the Mphasis leadership on how to return to the QBE location. Calling the service desk for a pre paid shipping label is also a option.

I thank you for some of the observations you have provided us on the Q-GPT application. Best wishes on your onward journey. Hope you picked up

some neat Azure skills !

Regards

Dilip Nayak

Group Product Manager – Gen AI

M) 952-452-1067

Website LinkedIn Twitter

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addressed. It may contain information that is privileged, confidential and exempt from disclosure under applicable law. Any unauthorized

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please return it to the sender and delete this original from your system.

12:01:24 NDA Irvine Company LLC 2024-12-01 201825.mp4

12:14:24 4DilipErrors.pdf

12:19:24 QBE PM.jpeg

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EXHIBIT (H) Mar 15, 2025 – Cease-and-Desist Letter (2 days after Mphasis fired defendant)

Description: Issued by Mphasis’s counsel to Defendant. This letter demanded that Defendant take down his whistleblower websites and cease his disclosures. It is evidence of Mphasis’s retaliatory posture immediately after Defendant’s protected activity, and it preceded the filing of this lawsuit.

EMAIL March 15, 2025

Albert Rojas

VIA EMAIL (rojas.albert@gmail.com, Arojas@docnote.ai, arojas@nist.ai)

Re: Your Violation of Contractual Agreements with Mphasis

Dear Mr. Rojas:

I am in-house counsel to Mphasis corporation (including its subsidiaries, “Mphasis”).

It has come to our attention that you have engaged in multiple, serious violations of your contractual

obligations—both during and after your employment with Mphasis. These breaches constitute a direct and

blatant disregard for the terms you agreed to, and we are treating them with the utmost severity.

Mphasis has already launched a formal investigation into the full scope of your misconduct, and we will

pursue all necessary actions to address the violations we uncover. You will be hearing from us soon

regarding the investigation and further potential consequences of your actions.

However, your unauthorized creation of <https://mphasis.nyc/> and your use of arojas@mphasis.nyc email ID,

demand immediate resolution. We expect your prompt cooperation—failure to act accordingly will escalate

this matter significantly.

Not only have you unlawfully removed Mphasis proprietary information from authorized company

equipment, but you have now recklessly published it openly on the internet. This is an egregious violation of

your contractual obligations, including but not limited to confidentiality, non-disclosure, privacy, and

intellectual property protection.

Therefore, Mphasis demands that you comply with the following corrective actions immediately:

1. 2. 3. 4. 5. 6. 7. Immediately cease and desist from using arojas@mphasis.nyc as it is misleading and inappropriate.

Remove all Mphasis proprietary information from any unauthorized platforms, including <https://mpphasis.nyc/> and any other locations where it has been published.

Cease any further use, distribution, or disclosure of Mphasis confidential and proprietary information

in any form.

Provide a full written account of what information was taken, where it was stored or shared, and who

may have accessed it.

Return all Mphasis property and confidential materials in your possession, whether physical or digital, including backups.

Certify in writing that you have fully complied with the above requirements and that no copies remain in your possession.

Identify any third parties who may have received access to Mphasis proprietary information so that

appropriate legal action can be taken. You must provide responses to the above demands to me (kathryn.terry@mphasis.com) and Vinod Kumar

(vinod.kumar09@mphasis.com) no later than Monday, March 17, 2025.

Let there be no doubt—your actions are a clear and egregious violation, and we will hold you fully

accountable. Failure to comply with these demands immediately will result in Mphasis pursuing all available

legal remedies, including litigation, injunctive relief, and financial damages.

You must also preserve and protect all documents (including emails and any other paper or electronic

documents in any form and on any storage medium) that may relate to the issues outlined in this letter against

destruction and loss, as these documents may be critical evidence in related litigation, to the extent that

becomes necessary.

We demand your immediate compliance with the corrective actions outlined above.

Failure to act without delay will result in Mphasis pursuing all available legal remedies, including

injunctive relief and financial damages. This matter is not negotiable.

Govern yourself accordingly.

Sincerely,

KATerry

Kathryn A. Terry

Mphasis

Assistant General Counsel – VP Legal

EXHIBIT (I) Apr 3, 2025 – A second cease-and-desist or threat letter from Mphasis or its counsel

Description: Escalating the legal threats against Defendant. This further demonstrates Mphasis's intent to silence Defendant's whistleblowing through legal pressure, bolstering Defendant's claims of retaliation under Dodd-Frank and NYLL § 740

OGLETREE, DEAKINS, NASH,

SMOAK & STEWART, P.C.

Attorneys at Law

100 North Tampa Street, Suite 3600

Tampa, FL 33602

Telephone: 813.289.1247

Facsimile: 813.289.6530

www.ogletree.com

William E. Grob

813.221.7228

william.grob@ogletree.com

April 3, 2025

Via FEDEX and

Email (rojas.albert@gmail.com)

Albert Rojas

319 W 18th Street, Apt. 3F

New York, New York 10011

Re: Mphasis

Dear Mr. Rojas:

I represent Mphasis in matters related to employment. If you are represented by counsel, please immediately provide this letter to your counsel. It has come to my attention that you are engaging in a campaign of harassment, intimidation, and spreading false and defamatory information regarding Mphasis and its employees. Please direct any further communication regarding Mphasis to me and do not contact Mphasis directly.

Be advised that I have been authorized by Mphasis to take all available legal measures to ensure that you cease and desist this conduct, and to secure immediate return of Mphasis property in your possession. If you fail to take the action requested in this correspondence, you could face additional legal action, including being named in a lawsuit to secure your cooperation, return Mphasis property, and potentially be held liable for costs and Mphasis attorneys' fees associated with its legal efforts to secure your compliance.

It has come to our attention that you have published and continue to publish false, misleading and potentially defamatory information on a website you created; mphasis.nyc. Mphasis has asked you repeatedly to cease using the website and to cease publishing information on the website. As you are aware, your disclosure of Mphasis' confidential and proprietary information is a violation of your contractual non-disclosure and confidentiality obligations to the

Company. Publishing this information outside the protection of Mphasis systems opens you up to additional litigation that could result in a judgment against you, including a court order to remove

the information, take down the website, return the information to Mphasis, and pay damages, costs

and potential attorneys' fees to Mphasis.

Most recently, it appears you have engaged in efforts to defraud Mphasis and the public by creating a false and intentionally misleading email whereby you pretend to pass yourself off as

Atlanta ▪ Austin ▪ Berlin (Germany) ▪ Birmingham ▪ Boston ▪ Charleston ▪ Charlotte ▪ Chicago ▪ Cleveland ▪ Columbia ▪ Dallas ▪ Denver ▪ Detroit Metro ▪ Greenville

Houston ▪ Indianapolis ▪ Jackson ▪ Kansas City ▪ Las Vegas ▪ London (England) ▪ Los Angeles ▪ Memphis ▪ Mexico City (Mexico) ▪ Miami ▪ Milwaukee ▪ Minneapolis

Morristown ▪ Nashville ▪ New Orleans ▪ New York City ▪ Oklahoma City ▪ Orange County ▪ Paris (France) ▪ Philadelphia ▪ Phoenix ▪ Pittsburgh ▪ Portland ▪ Raleigh ▪ Richmond

St. Louis ▪ St. Thomas ▪ Sacramento ▪ San Antonio ▪ San Diego ▪ San Francisco ▪ Seattle ▪ Stamford ▪ Tampa ▪ Toronto (Canada) ▪ Torrance ▪ Tucson ▪ Washington

Page 2

Mphasis executives: Nitin Rakesh <nitin.rakesh@mphasis.it.com>. This conduct is unlawful and Mphasis will report it to law enforcement.

Mphasis demands that you immediately take down the website, cease using any false and misleading email addresses that suggest they belong to anyone other than yourself, return Mphasis's confidential and proprietary information, and cease communications directly with Mphasis and its personnel.

Mphasis also demands that you immediately return the QBE laptop which was provided to you during your employment. Depending on your location, you can return the laptop to my offices

in Paris, London, or New York City. If you prefer to send the laptop back to Mphasis, Mphasis will provide information to have the laptop packed and returned via FedEx.

Additionally, immediately:

- cease and desist from using arojas@mphasis.nyc; mphasis.nyc; and Mphasis.it.com as they are misleading and inappropriate;
- remove and return to Mphasis all Mphasis proprietary information from any unauthorized platforms, including <https://mphasis.nyc/> and any other locations where it has been published;
- return all Mphasis property and confidential materials in your possession, whether

physical or digital, including backups; and

- cease and desist from distribution, or disclosure of Mphasis confidential and proprietary information in any form.

Please respond to this letter within five (5) days of receipt: (1) acknowledging in writing your awareness of the demands contained in this letter, (2) certifying in writing the steps you have made and are making to comply with Mphasis' demands contained in this letter, and (3) providing your written commitment to abide by your legal obligations to Mphasis in the future. If I do not hear from you within five (5) days, I will assume that you have no intention of complying with your legal obligations and I will proceed to advance all legal remedies available to protect Mphasis' rights.

Please give this matter your most sincere attention. I look forward to hearing from you.

Sincerely,

/s/ William E. Grob

William E. Grob

89230681.v1-OGLETREE

EXHIBIT (J) Mar 28 - Apr 20, 2024 Message Rejection Notices Showing Systematic Blocking

Description:

This exhibit contains metadata from email systems showing that Mphasis and their legal counsel systematically blocked Defendant's attempts to escalate compliance concerns through standard communication channels. The reference blocking dates were originally earlier; however, I deleted them in my initial documentation.

Mail Delivery Subsystem <mailer-daemon@googlemail.com> To: rojas.albert@gmail.com

Sun, Apr 20, 2025 at 12:45 PM

Message blocked

Your message to bkellypi@aol.com has been blocked.

Mail Delivery Subsystem <mailer-daemon@googlemail.com> To: rojas.albert@gmail.com

Sun, Apr 20, 2025 at 12:45 PM

Message blocked

Your message to kimberly.karseboom@ogletree.com has been blocked.

Mail Delivery Subsystem <mailer-daemon@googlemail.com> To: rojas.albert@gmail.com

Sun, Apr 20, 2025 at 12:45 PM

Message blocked

Your message to suzette.taborelli@ogletree.com has been blocked.

Mail Delivery Subsystem <mailer-daemon@googlemail.com> To: rojas.albert@gmail.com

Sun, Apr 20, 2025 at 12:45 PM

Message blocked

Your message to William.Grob@ogletreedeakins.com has been blocked.

Mail Delivery Subsystem <mailer-daemon@googlemail.com> To: rojas.albert@gmail.com

Fri, Mar 28, 2025 at 1:34 PM

Message blocked

Your message to charles.f@mphasis.com has been blocked.

Mail Delivery Subsystem <mailer-daemon@googlemail.com> To: rojas.albert@gmail.com

Fri, Mar 28, 2025 at 1:34 PM

Message blocked

Your message to Jitendra.Borkar@mphasis.com has been blocked

Mail Delivery Subsystem <mailer-daemon@googlemail.com> To: rojas.albert@gmail.com

Fri, Mar 28, 2025 at 1:34 PM

Message blocked

Your message to Kathryn.Terry@mphasis.com has been blocked.

Mail Delivery Subsystem <mailer-daemon@googlemail.com> To: rojas.albert@gmail.com

Fri, Mar 28, 2025 at 1:34 PM

Message blocked

Your message to Vinod.Kumar09@mphasis.com has been blocked.

EXHIBIT (K) Apr. 17 & 20, 2025 - Plaintiff's Legal Counsel Issues Conflicting Instructions

Description:

This exhibit contains metadata from email systems showing that Mphasis and their legal counsel
Description:

On April 17, 2025, Plaintiff's counsel, Kimberly R. Karseboom, instructed Defendant to communicate solely through his personal email (rojas.albert@gmail.com), stating: "We will only respond to you directly at this email address (not any with @mphasis.it.com) or through your counsel."

On Apr 17, 2025, at 5:57 PM Karseboom, Kimberly R. <kimberly.karseboom@ogletree.com> wrote to: A R <rojas.albert@gmail.com>

Good morning Mr. Rojas,

Your Answer will suffice as your response to the Complaint. Please let me know if you have an attorney or will be representing yourself pro se. We will only respond to you directly at this email address (not any with @mphasis.it.com) or through your counsel.

We will not respond to communications that include our client personnel or anyone outside of our law firm.

Thank you,

Kimberly R. Karseboom | Ogletree Deakins

599 Lexington Avenue, 17th Floor | New York, NY 10022 | Telephone: 212-492-2078

kimberly.karseboom

However, just three days later, on April 20, 2025, Plaintiff's counsel blocked Defendant's personal email, rejecting his attempts to submit legal filings (see attached mailer-daemon notice). This deliberate obstruction left Defendant without a functional channel to communicate, in direct contradiction to counsel's prior instructions, exemplifying Plaintiff's pattern of inequitable conduct.

On Apr 20, 2025 Plaintiff's counsel blocked Defendant's personal email

----- Forwarded message -----

From: A R <rojas.albert@gmail.com>

To: "Kimberly R. Karseboom" <kimberly.karseboom@ogletree.com>,
William.Grob@ogletreedeakins.com,

suzette.taborelli@ogletree.com

Cc: bkellypi@aol.com, albert.rojas@mphasis.cloud

Bcc:

Date: Sun, 20 Apr 2025 12:45:03 +0200

Subject: Re: ANSWER, AFFIRMATIVE DEFENSES, AND COUNTERCLAIMS

----- Message truncated -----A R <rojas.albert@gmail.com>

ANSWER, AFFIRMATIVE DEFENSES, AND COUNTERCLAIMS

Mail Delivery Subsystem <mailer-daemon@googlemail.com> To: rojas.albert@gmail.com

Sun, Apr 20, 2025 at 12:45 PM

Message blocked

Your message to kimberly.karseboom@ogletree.com has been blocked.

See technical details below for more information.

LEARN MORE

The response was:

Message rejected. For more information, go to <https://support.google.com/inail/answer/69585>

Final-Recipient: rfc822; kimberly.karseboom@ogletree.com

Action: failed

Status: 5.7.1

Diagnostic-Code: smtp; Message rejected. For more information, go to <https://support.google.com/mail/answer/69585>

Last-Attempt-Date: Sun, 20 Apr 2025 03:45:40 -0700 (PDT)

Exhibit (L) Mar 28, 2025 - LAPTOP RETURN COORDINATION AND MISSING INSTRUCTIONS

Description:

Following Defendant's termination, Mphasis's HR offboarding team issued a "No Due Clearance Document" for full and final settlement but failed to provide any instructions for returning the QBE-issued Dell laptop.

Despite Defendant's good-faith efforts, QBE and Mphasis failed to provide clear return logistics, contributing to their unfounded allegations regarding equipment retention.

From: <albert.rojas@mphasis.it.com>

Subject: Fwd: [QBE Laptop] No due clearance document

Date: March 28, 2025 at 2:04:52 pm CET

To: Dilip Nayak <dilip.nayak@qbe.com>

Cc: <mailmaster@mphasis.com>, <FFSADMIN@mphasis.com>, Kathryn Terry <Kathryn.Terry@mphasis.com>, Vinod Kumar09 <Vinod.Kumar09@mphasis.com>, Jitendra Borkar <Jitendra.Borkar@mphasis.com>, Shannon Mostafazadeh <shannon.mostafazadeh@mphasis.com>

Hey Dilip,

I'm still in Cannes, my friend, and your QBE Dell laptop is just collecting dust in my New York apartment. In hindsight, I should have dropped it off at QBE London. I'll take care of it once I'm back in New York, just drop it off at QBE offices down in the financial district.

Hope all is well,

Albert <https://mphasis.it.com/>

Sent from my iPhone

Begin forwarded message:

From: A R <rojas.albert@gmail.com>

Date: March 28, 2025 at 1:53:20 PM GMT+1

To: albert.rojas@mphasis.it.com

Subject: Fwd: No due clearance document

Sent from my iPhone

Begin forwarded message:

From: FFSADMIN@mphasis.com

Date: March 28, 2025 at 12:00:59 PM GMT+1

To: rojas.albert@gmail.com

Subject: No due clearance document

Dear Employee,

Please find attached your No due Clearance Document. The details mentioned in your no due clearance document will be considered for full and final settlement.

HR off boarding Team.

This is a system generated mail. Please do not reply

Information Transmitted by this Email is Proprietary to Mphasis, its Associated Companies and/or its Customers and is Intended for use only by the Individual or Entity to which it is Addressed, and may contain Information that is Privileged, Confidential or Exempt from Disclosure under Applicable Law. If you are not the Intended Recipient or it appears that this Email has been

Forwarded to you without proper Authority, you are Notified that any use or Dissemination of this Information in any manner is Strictly Prohibited. In such cases, please Notify us Immediately at mailmaster@mphasis.com and delete this Email from your Records.

Exhibit (M) 29 Apr 2025 - Correspondence Regarding QBE Laptop Return

Description:

This exhibit contains email communications between Defendant Albert Rojas, Plaintiff Mphasis, QBE representatives, and Plaintiff's counsel at Ogletree Deakins, documenting Defendant's repeated efforts to return a QBE-issued Dell laptop. Despite requests dating back to December 2024, Mphasis and QBE failed to provide a standard FedEx shipping label and return instructions for over five months. Defendant's communications highlight concerns over the persistent delays, conflicting responses, and irregular asset handling, raising questions regarding compliance failures, audit risks, and potential improper financial practices. Submitted under penalty of perjury, these exchanges are material to Defendant's whistleblower defenses and requests for targeted financial discovery.

From: Legal <legal@mphasis.cloud>

Subject: Re: Shipping Label and Box Request for QBE Laptop

Date: April 29, 2025 at 4:50:25 pm CEST

To: "Kimberly R. Karseboom" <kimberly.karseboom@ogletree.com>

Cc: Dilip Nayak <dilip.nayak@qbe.com>, "andrew.horton@qbe.com" <andrew.horton@qbe.com>, "nitin.rakesh@mphasis.com" <nitin.rakesh@mphasis.com>

Dear Ms. Karseboom,

Thank you for your response.

Respectfully, your message does not answer the fundamental question: Why has it taken over five (5) months to provide a basic FedEx shipping label for the return of a QBE laptop?

Despite repeated requests dating back to December 2024, this matter remains unresolved — contrary to normal corporate practice, which demands prompt action to ensure asset accountability and audit compliance.

Given the highly irregular delay, I expect a direct answer: What caused the five-month lapse? Please respond without further deflection.

Submitted under penalty of perjury,
Albert Rojas

On Apr 29, 2025, at 4:42 PM, Karseboom, Kimberly R. <kimberly.karseboom@ogletree.com> wrote:

As you've been informed repeatedly, Mphasis and my firm is handling the return of the laptop.

Kimberly R. Karseboom | Ogletree Deakins
599 Lexington Avenue, 17th Floor | New York, NY 10022 | Telephone: 212-492-2078
kimberly.karseboom@ogletree.com | www.ogletree.com | Bio

From: Legal <legal@mphasis.cloud>
Sent: Tuesday, April 29, 2025 10:40 AM
To: Dilip Nayak <dilip.nayak@qbe.com>; andrew.horton@qbe.com
Cc: Legal <legal@mphasis.cloud>; Karseboom, Kimberly R. <Kimberly.karseboom@ogletreedeakins.com>; Grob, William E. <William.Grob@ogletreedeakins.com>; Lillard, Samuel (Sam) N. <sam.lillard@ogletreedeakins.com>; nitin.rakesh@mphasis.com; ruturaj.waghmode@mphasis.com; Jared.Bulger@mphasis.com; Balwinder Singh <Balwinder.Singh@mphasis.com>; Jitendra Borkar <Jitendra.Borkar@mphasis.com>; Gururaj.Murthy@mphasis.com; george.ioannou@mphasis.com; bkellypi@aol.com; Legal <legal@mphasis.cloud>; rojas.albert@gmail.com
Subject: Re: Shipping Label and Box Request for QBE Laptop

Dear Mr. Nayak,

Good to hear from you.

Respectfully, it remains unclear why it has taken over five (5) months for QBE to provide a basic FedEx shipping label for the return of the QBE Dell laptop, despite my repeated requests dating back to December 2024.

Given the extended delay and lack of standard corporate procedure, I am compelled to question whether this obstruction was intentional. As you are aware, global enterprises typically facilitate asset returns promptly to maintain accountability, chain of custody, and avoid potential audit irregularities.

Please advise immediately on when the shipping label and box will be properly provided so that this return may be finalized without further unnecessary delay.

Submitted under penalty of perjury,
Albert Rojas

Sent from my iPhone

On Apr 29, 2025, at 4:10 PM, Dilip Nayak <dilip.nayak@qbe.com> wrote:

All – please remove all QBE folks from this email. These emails are distracting folks at various levels and does not warrant this kind of escalation. Consider this a request.

Regards

From: Legal <legal@mphasis.cloud>
Sent: Tuesday, April 29, 2025 8:52 AM
To: Kimberly R. Karseboom <kimberly.karseboom@ogletree.com>
Cc: William E. Grob <William.Grob@ogletreedeakins.com>; Samuel N. Lillard <sam.lillard@ogletreedeakins.com>; nitin.rakesh@mphasis.com; Andrew Horton <andrew.horton@qbe.com>; Dilip Nayak <dilip.nayak@qbe.com>; Palavesam Chandrasekar <Palavesam.Chandrasekar@qbe.com>; ruturaj.waghmode@mphasis.com; Jared.Bulger@mphasis.com; Balwinder Singh <Balwinder.Singh@mphasis.com>; Jitendra Borkar <Jitendra.Borkar@mphasis.com>; Gururaj.Murthy@mphasis.com; Dean Forrest <Dean.Forrest@qbe.com>; george.ioannou@mphasis.com; r A <rojas.albert@gmail.com>; bkellypi@aol.com; Legal <legal@mphasis.cloud>
Subject: Re: Shipping Label and Box Request for QBE Laptop

This email was sent from someone outside of QBE. Be cautious opening links and attachments. Use the 'Report Phishing' button if suspicious.

Dear Counselor,

As I previously informed Mr. Kelly, I can easily have my neighbor place the QBE Dell laptop into a box and apply a shipping label for return.

The persistent obstacles and irregularities surrounding this simple return process underscore why I previously raised concerns that QBE and Mphasis may be engaged in improper financial practices, potentially rising to the level of money laundering. Reputable global enterprises do not operate with this degree of disorganization and obfuscation.

Accordingly, I respectfully reiterate my request: please provide a FedEx shipping label and a box, as is standard practice for corporate asset returns, so that the laptop can be returned properly and expeditiously.

Submitted under penalty of perjury,

Albert Rojas

On Apr 29, 2025, at 3:44 PM, Karseboom, Kimberly R. <kimberly.karseboom@ogletree.com> wrote:

If you are in France, how will you send a laptop that is currently in NY? Respectfully, you cannot state you have been attempting to return it. You were told by QBE to arrange it with Mphasis. Mphasis retained our firm. We sent someone to retrieve the laptop based on an appointment you made with him by phone. You refused to give him the laptop "even if [you] were in New York." If we send you a label by email, when do you plan on mailing the laptop back? Where is this box supposed to be sent while you're in France?

From: Legal <legal@mphasis.cloud>
Sent: Tuesday, April 29, 2025 9:35:32 AM
To: Karseboom, Kimberly R. <Kimberly.karseboom@ogletreedeakins.com>; Grob, William E. <William.Grob@ogletreedeakins.com>; Lillard, Samuel (Sam) N. <sam.lillard@ogletreedeakins.com>; nitin.rakesh@mphasis.com <nitin.rakesh@mphasis.com>;

andrew.horton@qbe.com <andrew.horton@qbe.com>; Dilip Nayak <dilip.nayak@qbe.com>;
palavesam Chandrasekar <Palavesam.Chandrasekar@qbe.com>;
ruturaj.waghmode@mphasis.com <ruturaj.waghmode@mphasis.com>;
Jared.Bulger@mphasis.com <Jared.Bulger@mphasis.com>; Balwinder Singh
<Balwinder.Singh@mphasis.com>; Jitendra Borkar <Jitendra.Borkar@mphasis.com>;
Gururaj.Murthy@mphasis.com <Gururaj.Murthy@mphasis.com>; Dean.Forrest@qbe.com
<Dean.Forrest@qbe.com>; george.ioannou@mphasis.com <george.ioannou@mphasis.com>
Cc: r A <rojas.albert@gmail.com>; bkellypi@aol.com <bkellypi@aol.com>; Legal
<legal@mphasis.cloud>
Subject: Re: Shipping Label and Box Request for QBE Laptop

Dear Ms. Karseboom,

Respectfully, your offer to send a courier to my apartment today is not feasible. As I informed Mr. Kelly on April 11, I am currently in France. This fact was clearly communicated during our call, yet it appears it has either been disregarded or not properly relayed.

Since December 2024, I have repeatedly requested a standard and simple solution: email me a FedEx shipping label and arrange for a box to be sent. This is consistent with common corporate practices for asset tracking and chain-of-custody management, and it avoids the unnecessary complications we are now facing.

QBE itself rejected informal drop-offs in both London and New York precisely because a formal shipping process is necessary to properly document the return. It remains the most efficient and professional way to complete this task.

Please confirm that you will provide a FedEx label and box so this matter can be resolved without further avoidable delays.

Respectfully submitted,
Albert Rojas

On Apr 29, 2025, at 3:12 PM, Karseboom, Kimberly R. <kimberly.karseboom@ogletree.com> wrote:

Mr. Rojas, it's curious you say you have been trying to return it and yet refused to provide it to Mr. Kelly on April 17. In any case, I can send a courier to your apartment today to retrieve it. What time works for you?

Sent from my iPhone

On Apr 29, 2025, at 2:55 PM, Legal <legal@mphasis.cloud> wrote:

Dear Counselor,

As a follow-up, any assistance from Mphasis or QBE in providing a FedEx shipping label and a suitable box for the return of the QBE Dell laptop would be sincerely appreciated.

I have been attempting to complete this return since December 2024.

I currently maintain an apartment in New York City where desk space is limited, and having the appropriate materials would help expedite the return in an efficient and secure manner.

Thank you for your cooperation.

Submitted under penalty of perjury,

Al Rojas

Sent from my iPhone

On Apr 29, 2025, at 2:19 PM, Legal <legal@mphasis.cloud> wrote:

Dear Counselor,

I am not an attorney, but I am fully aware of my legal rights, including protections under federal and state law against retaliation, intimidation, interference, and obstruction.

I have also lawfully communicated with QBE employees regarding the laptop and related matters, as the property in question belongs to QBE, not Mphasis.

Any further attempts to interfere with these communications or to intimidate me will be documented and may be used to assert claims under applicable law.

I am preserving all rights and remedies at law and in equity.

Govern yourself accordingly.

From: "Karseboom, Kimberly R." <kimberly.karseboom@ogletree.com>
Date: April 29, 2025 at 1:51:03 PM GMT+2
To: Legal <legal@mphasis.cloud>, "Grob, William E." <William.Grob@ogletreedeakins.com>, "Lillard, Samuel (Sam) N." <sam.lillard@ogletreedeakins.com>
Cc: r A <rojas.albert@gmail.com>, bkellypi@aol.com
Subject: Re: Update: QBE.world Online — Mapping to Mphasis Domains and Equipment Return Status

Mr. Rojas,

This is the last warning. Stop contacting Mphasis employees.

Sent from my iPhone

On Apr 29, 2025, at 12:10 PM, Legal <legal@mphasis.cloud> wrote:

Dear Counsel and Stakeholders,

Please be advised:

QBE.world is now live and actively maps to mphasis.cloud, mphasis.nyc, and mphasis.it.com, maintaining continuity of protected whistleblower disclosures.

Regarding the QBE-issued Dell laptop:

On December 22, 2024, QBE's VP, Palavesam Chandrasekar, admitted confusion about return logistics, stating he was "not sure about UK" shipping and deferring to Mphasis leadership for further action.

Despite repeated offers to coordinate the return, no shipping label or clear instructions were ever provided.

Instead of facilitating the return, QBE and Mphasis escalated matters into retaliation and litigation based on factually unsupported allegations.

For full context, below is the December 22, 2024 email excerpt from Mr. Chandrasekar:

"@Albert Rojas Yes QBE will give you shipping within US not sure about UK. Please discuss with Mphasis leadership on their agreement on hardware with QBE.

I don't enjoy your persistent smear on QBE application build with their partners... I don't want to hear or see any more email from you on any QBE application or partners."

The record reflects that:

I never picked up the laptop in person—it was FedExed to my New York residence.

I remained open to arranging return by personal delivery or through QBE's London offices.

I actively sought resolution through multiple channels—including with QBE, Mphasis, and counsel—before being met with hostility and false accusations.

Given these facts, claims of unauthorized possession or misconduct are unsustainable and further support my affirmative defenses of unclean hands and retaliation.

I remain open to good faith dialogue if the parties wish to deescalate unnecessary posturing.

Submitted under penalty of perjury,
Albert Rojas
(legal@mphasis.cloud)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Mphasis Corporation,
Plaintiff,
v.
Albert Rojas,
Defendant.

Case No. 25-cv-3175

MEMORANDUM OF LAW IN SUPPORT OF MOTION TO COMPEL QBE TO PROVIDE
RETURN SHIPPING MATERIALS OR SHOW CAUSE

I. PRELIMINARY STATEMENT

This motion seeks a narrow but urgent remedy: compelling non-party QBE to issue a FedEx shipping label and packaging materials so that Defendant may return a QBE-issued laptop containing sensitive corporate data. Defendant has offered repeatedly since December 2024 to return this device. QBE has refused to provide a return label or materials — a basic corporate practice — while remaining silent or obstructive through its representatives.

II. FACTUAL BACKGROUND

Defendant has documented efforts to return the laptop in emails and declarations, including offers to have a neighbor box and ship the device. Mphasis's own counsel has acknowledged this history. Despite that, QBE has failed to act, and on April 29, 2025, a senior QBE official ordered internal disengagement from communication regarding this matter.

The laptop contains data likely protected under CCPA, NY SHIELD Act, and potentially GDPR. Delaying its return exposes QBE to unnecessary risk and undermines its own assertions of regulatory compliance.

III. ARGUMENT

A. Rule 37 Permits Compelling Action from Non-Parties in Possession of Relevant Materials

The Court may issue orders to compel non-parties to act where refusal obstructs justice or prejudices the case. This includes failures to participate in discovery or respond to clear procedural obligations.

B. Defendant Has Acted in Good Faith; QBE Has Not

Defendant's efforts have been consistent, professional, and well-documented. QBE's refusal to provide even a return label is unreasonable and suggests bad faith or internal disarray. This warrants Court intervention.

C. QBE's Conduct Contradicts Its Compliance Claims

A company claiming regulatory integrity should not ignore lawful and repeated requests to secure the return of corporate property. Its actions here are inconsistent with standard business practice and potentially expose all parties to risk.

IV. RELIEF REQUESTED

The Court should:

Order QBE to provide shipping materials within three (3) days; or

Require QBE to show cause within seven (7) days why it has failed to do so.

This motion seeks no sanctions and imposes minimal burden. It merely seeks resolution of a matter QBE has neglected for months.

Dated: April 30, 2025
Albert Rojas
Pro Se Defendant

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Mphasis Corporation,
Plaintiff,
v.
Albert Rojas,
Defendant.

Case No. 25-cv-3175

DECLARATION OF ALBERT ROJAS IN SUPPORT OF MOTION TO COMPEL QBE TO
PROVIDE RETURN SHIPPING MATERIALS OR SHOW CAUSE

I, Albert Rojas, hereby declare as follows:

I am the Defendant in the above-captioned matter and appear pro se.

In or around December 2024, I informed representatives of QBE and Mphasis that I was willing and able to return the QBE-issued Dell laptop containing corporate data. Despite my repeated requests, no FedEx shipping label or packaging materials have been provided.

I offered to have a neighbor assist with physically packaging and shipping the device while I was outside the country. This offer was ignored.

QBE and Mphasis continue to allege wrongful possession of the laptop, while simultaneously preventing its return. On April 29, 2025, a QBE executive ordered all internal personnel to disengage from communication on this issue.

The laptop contains corporate information that may fall under data protection frameworks such as GDPR, CCPA, or the NY SHIELD Act.

I bring this motion in good faith and ask only that the Court compel QBE to issue a standard shipping label or explain why it has refused to do so for over five months.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on April 30, 2025
Albert Rojas
Pro Se Defendant

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Mphasis Corporation,
Plaintiff,
v.
Albert Rojas,
Defendant.

Case No. 25-cv-3175

[PROPOSED] ORDER TO COMPEL NON-PARTY QBE TO PROVIDE RETURN SHIPPING
MATERIALS OR SHOW CAUSE

Upon consideration of Defendant Albert Rojas's Motion to Compel Non-Party QBE to Provide Return Shipping Materials or Show Cause for Noncompliance, and the supporting declaration and memorandum of law, and for good cause shown:

IT IS HEREBY ORDERED that:

QBE shall, within three (3) days of entry of this Order, provide Defendant with a FedEx shipping label and appropriate packaging to facilitate the return of the QBE-issued Dell laptop; or

QBE shall, within seven (7) days of entry of this Order, appear and show cause in writing why it has failed to do so despite repeated offers by Defendant to return the device since December 2024.

IT IS FURTHER ORDERED that failure to comply may result in further relief under Rule 37 of the Federal Rules of Civil Procedure or other appropriate sanctions.

SO ORDERED.

Dated: _____, 2025
New York, New York

Hon. Jesse M. Furman
United States District Judge
Southern District of New York

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Mphasis Corporation,
Plaintiff,

v.

Albert Rojas,
Defendant.

Case No. 25-cv-3175

CERTIFICATE OF SERVICE

I, Albert Rojas, certify that on April 30, 2025, I served a true and correct copy of the following document:

Motion Response 16 – Integrated Response to Complaint and Motion for Preliminary Injunction;
Motion to Compel Non-Party QBE to Provide Return Shipping Materials or Show Cause

as follows:

1. By email to counsel for Plaintiff:
Kimberly R. Karseboom – kimberly.karseboom@ogletree.com
William E. Grob – william.grob@ogletreedeakins.com
Samuel N. Lillard – sam.lillard@ogletreedeakins.com
2. By Certified Mail to non-party QBE:
QBE North America – Legal Department
88 Pine Street, 16th Floor
New York, NY 10005

I declare under penalty of perjury that the foregoing is true and correct.

Dated: April 30, 2025

Respectfully submitted,

Albert Rojas
Pro Se Defendant
319 West 18th Street, 3F

New York, NY 10011
rojas.albert@gmail.com
(646) 866-1669