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Facebook, Snapchat Hit With Suit Over Teen Suicide

By **Mike Curley**

Law360 (April 12, 2022, 6:23 PM EDT) -- A Wisconsin woman is suing the companies behind Facebook, Instagram and Snapchat in federal court, alleging the online platforms knowingly push harmful material on minors, and as a result caused her son to take his own life in 2015.

In a complaint filed Monday, Donna Dawley sued Meta Platforms Inc., which owns Facebook and Instagram, and Snap Inc., saying their algorithms are deliberately designed to get people, particularly minors and children, addicted, and they fail to warn parents of the dangers while limiting parents' ability to monitor and protect their children online.

"The algorithms in Defendants' social media products exploit minor users diminished decision-making capacity, impulse control, emotional maturity, and psychological resiliency caused by users' incomplete brain development," Dawley said in the complaint. "Defendants have failed to design their products with any protections to account for and ameliorate the psychosocial immaturity of their minor users."

Dawley said in the complaint that her son, born in 1997, joined Facebook, Instagram and Snapchat in 2012, and became more and more attached to the programs to the point "everything he did was absorbed on his phone." According to the complaint, her son began exchanging explicit photos online, became obsessed with his body image and would stay up posting until up to 3 a.m.

Dawley's son shot himself to death on Jan. 4, 2015, according to the complaint, and Dawley says it was caused by his addiction to the social media platforms and those platforms' defective design that pushed harmful content onto its users.

The complaint alleges that the platforms profit by "finding unique and increasingly dangerous" ways to keep user attention, and seek to exploit users and their susceptibility to "persuasive" or addictive design of the platforms.

Dawley further alleges that the platforms publicly deny the dangerous and addictive nature of their sites, while at the same time taking steps to make them more habit forming and referring to the potential for reduction in usage as an "existential threat."

These addictive algorithms are particularly dangerous to minors and teens whose brains are still developing, and who do not have the emotional and mental maturity to properly evaluate risks and regulate their emotions and impulses, according to the suit.

In the complaint, Dawley also pointed to the **October 2021 testimony** of whistleblower and ex-Facebook product manager Frances Haugen in front of the U.S. Senate, where she said statements and documents were publicized supporting her claims that Facebook and other platforms promote and contribute to the development of harmful content.

Dawley added that she is not seeking to hold the companies liable for third-party content on their site, which would be protected by Section 230 of the Communications Decency Act, and that it was the Senate hearings that alerted her to the programs' harmful features, making late 2021 the earliest she was aware that her son's suicide was allegedly caused by the platforms.

The suit includes claims for strict product liability design defect and failure to warn, as well as negligence and deceptive trade practices, and Dawley is seeking damages for her son's physical and mental pain and suffering, loss of consortium and other survivorship claims.

This is the second suit Meta faces over the suicide of a minor, Dawley attorney Matthew Bergman of Social Media Victims Law Center PLLC said, pointing to a **January complaint** filed in California federal court.

"We're hopeful that by holding them accountable and having them bear the consequences of their defective products, we'll be able to prevent other families from going through what the Dawley family has gone through," he said. "We have no illusions that it's going to be easy, but we believe it's the right thing to do."

A Meta spokesperson declined to comment on the suit, but said in the last seven years, its platforms have added suicide prevention tools and taken other measures to address concerns about the content and use of Facebook and Instagram.

"While we can't comment on active litigation, our hearts go out to any family who has lost a loved one to suicide," a Snap spokesperson told Law360 on Tuesday. "We intentionally built Snapchat differently than traditional social media platforms to be a place for people to connect with their real friends, and offer in-app mental health resources, including on suicide prevention for Snapchatters in need. Nothing is more important than the safety and well-being of our community and we are constantly exploring additional ways we can support Snapchatters."

Dawley is represented by Matthew Bergman of Social Media Victims Law Center PLLC.

Counsel information for Meta and Snap was not available Tuesday.

The case is Dawley v. Meta Platforms Inc. et al., case number 2:22-cv-00444, in the U.S. District Court for the Eastern District of Wisconsin.

--Additional reporting by Allison Grande and Lauren Berg. Editing by Alex Hubbard.

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