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9
10 **IN THE SUPERIOR COURT OF CALIFORNIA**
11 **COUNTY OF LOS ANGELES**

12 CAROL TODD, individually and as successor-
13 in-interest to AMANDA TODD (from Canada);
14 JENNIFER MARKUS, individually and as
15 successor-in-interest to BRADEN MARKUS
16 (from the United States); CARL BURKE AND
17 BARBIE LAVERS individually and as
18 successors-in-interest to CARL HARRY
19 (“HARRY”) BURKE (from Canada); A.B. and
20 G.B. (from the United States); S.J. and J.S. (from
21 the United States); I.R. and N.G. (from the
22 United States); J.E. and S.E. (from the United
23 States); J.E. and P.E. (from the United States);
24 J.H., C.H., and V.H. (from the United States);
25 BRADLEY RICHARDSON, individually and as
26 successor-in-interest to TYLER RICHARDSON
27 (from the United States); AMANDA ZIMMER,
28 individually and as successor-in-interest to
OWEN ZIMMER (from the United States),

Plaintiff(s),

v.

META PLATFORMS, INC.; INSTAGRAM,
LLC; FACEBOOK PAYMENTS, INC.;
SICULUS, INC.; FACEBOOK OPERATIONS,
LLC; SNAP, INC.; BYTEDANCE, LTD.;
BYTEDANCE, INC; TIKTOK, LTD.;
TIKTOK, LLC; TIKTOK, INC.; GOOGLE
LLC; YOUTUBE, LLC; DISCORD INC.; and
DOES 1-50,

Defendant(s).

CIVIL ACTION NO.

COMPLAINT

JURY DEMAND

TABLE OF CONTENTS

1

2 I. INTRODUCTION 1

3 II. THE PARTIES..... 5

4 A. PLAINTIFFS..... 5

5 B. DEFENDANTS..... 5

6 1. Meta 5

7 2. Snap 6

8 3. ByteDance..... 7

9 4. Google..... 8

10 5. Discord..... 8

11 III. JURISDICTION AND VENUE 9

12 IV. FACTUAL ALLEGATIONS SPECIFIC TO EACH DEFENDANT 9

13 A. GENERAL FACTUAL ALLEGATIONS APPLICABLE TO ALL

14 DEFENDANTS..... 9

15 B. FACTUAL ALLEGATIONS AS TO META 10

16 C. FACTUAL ALLEGATIONS AS TO SNAP 12

17 D. FACTUAL ALLEGATIONS AS TO TIKTOK..... 15

18 E. FACTUAL ALLEGATIONS AS TO GOOGLE 17

19 F. FACTUAL ALLEGATIONS AS TO DISCORD..... 19

20 V. PART I: SEXTORTION..... 22

21 A. Amanda Todd: Meta enabled and allowed for the sextortion of children as a

22 matter of platform design and operation. 22

23 B. Meta and Snap connect predators to young children and are designed in a manner

24 that leaves victims with no means to prevent or protect themselves; further

25 encouraging, allowing, and exacerbating these serious harms..... 28

26 C. Braden Markus: Meta failed to fix the defects and/or inherent dangers identified

27 prior to 2012 and continued allowing for the sextortion of children as a matter of

28 design and operation..... 37

D. Harry Burke: Meta failed to fix the defects and/or inherent dangers identified

prior to 2012 and continued allowing for the sextortion of children as a matter of

design and operation; Snap enabled and allowed for the sextortion of children as a

matter of design and operation as well. 42

1	VI.	PART II: ANXIETY, DEPRESSION, SUICIDAL THOUGHTS, AND THE	
2		IMPACT OF THESE PRODUCTS ON CHILDREN’S BRAINS.....	47
3		A. 12-year-old G.B. (from Mississippi).....	47
4		B. 13-year-old J.S. (from Illinois).....	49
5		C. 14-year-old N.G. (from New York).....	50
6		D. 15-year-old S.E. and P.E. (from Nebraska).....	51
7	VII.	PART III: EATING DISORDERS.....	54
8		A. V.H.	54
9	VIII.	PART IV: SUBSTANCE USE DISORDERS.....	57
10		A. TYLER RICHARDSON.....	57
11	IX.	PART V: RADICALIZATION AND HATE.....	60
12		A. OWEN ZIMMER.....	60
13	X.	RECKLESS DISREGARD.....	65
14	XI.	TIMELINESS AND TOLLING OF STATUTES OF LIMITATIONS.....	67
15	XII.	PLAINTIFFS’ CLAIMS.....	68
16	XIII.	DEMAND FOR JURY TRIAL.....	73
17	XIV.	PRAYER FOR RELIEF.....	73
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			

1 **I. INTRODUCTION**

2 1. Children are suffering an unprecedented mental health crisis on a global scale.

3 2. This crisis has been building since the first decade of the twenty-first century, shortly
4 after Defendants META PLATFORMS, INC., INSTAGRAM, LLC. FACEBOOK PAYMENTS,
5 INC., SICULUS, INC., FACEBOOK OPERATIONS, LLC (collectively, “Meta”), SNAP, INC.
6 (“Snap”), BYTEDANCE, LTD., BYTEDANCE, INC, TIKTOK, LTD., TIKTOK, LLC, TIKTOK,
7 INC. (collectively, “ByteDance” or “TikTok”), GOOGLE LLC and YOUTUBE, LLC (collectively,
8 “Google” or “YouTube”), and DISCORD, INC. (“Discord”) began designing, manufacturing, and
9 distributing addictive, defective, and dangerous social media products and features.

10 3. Defendants knew that their social media products were defective and/or inherently
11 dangerous and marketed to and aimed them at children. In the words of Defendant Meta Platforms
12 Inc., “the young ones are the best ones. You want to bring people to your service young and early.”¹

13 4. Defendants then engaged in calculated and extensive efforts to deceive consumers
14 about the risks and benefits associated with use of their products, while exploiting young people
15 into compulsive and inherently harmful patterns of use. Borrowing heavily from the behavioral and
16 neurobiological techniques used by slot machines and the cigarette industry, these companies
17 deliberately embedded in their products an array of design features aimed at maximizing youth
18 engagement to drive advertising revenue.

19 5. Defendants know children are in a developmental stage that leaves them particularly
20 vulnerable to the addictive effects of such features and Defendants targeted them because of this.

21 6. The defects in Defendants’ products vary by platform, but all exploit children and
22 adolescents. They include but are not limited to an artificial intelligence driven endless feed to keep
23 users scrolling in an induced “flow state,” “intermittent variable rewards” that manipulate dopamine
24 delivery to intensify use, “trophies” to reward extreme usage, metrics and graphics to exploit social
25 comparison, incessant notifications that encourage repetitive account checking by manufacturing
26 insecurity, inherently harmful programming designed to prioritize engagement over safety including
27

28 ¹ *State of Arizona, et. al. v. Meta*, N.D. Cal., Complaint filed Nov. 22, 2023, ¶ 68.

1 by matchmaking adult strangers with vulnerable youth, invasive collection of private data and then
2 disclosure of that data to strangers, inadequate and essentially illusory age verification protocols,
3 and deficient tools for parents that create the illusion of control.

4 7. Defendants’ choices have generated extraordinary corporate profits—and yielded
5 immense tragedy. In the United States alone, suicide rates for youth are up an alarming 57% and
6 emergency room visits for anxiety disorders are up 117%. By 2019, one in five high school girls in
7 the United States had made a suicide plan, and, by 2021, one in three had seriously considered
8 suicide. Children and families around the world have struggled to cope with the severe, lasting
9 damage inflicted on them by Defendants in the form of exploitation, anxiety, depression, eating
10 disorders, substance use disorders, suicidal behaviors, and death.

11 8. This lawsuit follows on a growing body of scientific research, including Defendants’
12 own internal studies, which draws direct lines between Defendants’ conscious, intentional design
13 choices and the youth mental health crisis spreading across the world like wildfire. In the words of
14 Facebook’s first founding president, Sean Parker, Defendants designed their products to “consume
15 as much of your time and conscious attention as possible,” knew that they were taking risks with
16 “children’s brains” and “did it anyway.”²

17 9. Disconnected “Likes” replaced the intimacy of adolescent friendships; mindless
18 scrolling displaced the creativity of play and sport; children became products bought and sold by
19 the small handful of companies amassing unprecedented money and influence seemingly overnight.

20 10. Defendants relentlessly pursued a strategy of growth-at-all-costs, recklessly ignoring
21 the impact of their products on children’s mental and physical health and well-being. In a race to
22 corner the “valuable but untapped” market of tween and teen users, Defendants designed product
23 features to promote repetitive, uncontrollable use by kids.³

24 11. And their strategy paid off.

25
26 ² Mike Allen, *Sean Parker unloads on Facebook: “God only knows what it’s doing to our children’s brains”*, AXIOS
(Nov. 9, 2017), <https://www.axios.com/2017/12/15/sean-parker-unloads-on-facebook-god-only-knows-what-its-doing-to-our-childrens-brains-1513306792>.

27 ³ Georgia Wells & Jeff Horwitz, *Facebook’s Effort to Attract Preteens Goes Beyond Instagram Kids, Documents*
28 *Show*, WALL ST. J. (Sept. 28, 2021, 11:24 PM), <https://www.wsj.com/articles/facebook-instagram-kids-tweens-attract-11632849667>; *see also* Haugen 00022339.

1 12. Users of their products now number in the billions, and the frequency and time spent
2 by these users has grown exponentially. This has allowed Defendants to harvest a vast amount of
3 personal user data—from the school you attend, to the sneakers you covet, to the places you’ve been
4 and the people you’ve met – which, in turn, has allowed Defendants to mint a fortune.⁴

5 13. Defendants’ growth, however, came at the expense of their most vulnerable users:
6 children. The children at issue in this complaint and their families are not merely the collateral
7 damage of Defendants’ choices but are the direct victims of intentional product design.

8 14. As a direct result of Defendants’ successful promotion of their defective products,
9 the rates of mental health issues among children have climbed steadily since 2010. By 2018, suicide
10 was the second leading cause of death for youth.⁵

11 15. In December of 2021, the United States Surgeon General, Vivek Murthy, recognized
12 the Defendants’ dangerous designs and their abdication of responsibility for resulting harms:

13 In these digital public spaces, which are privately owned and tend to be run for
14 profit, there can be tension between what’s best for the technology company and
15 what’s best for the individual user or for society. Business models are often built
16 around maximizing user engagement as opposed to safeguarding users’ health and
17 ensuring that users engage with one another in safe and healthy ways

18 **[T]echnology companies must step up and take responsibility for creating a
19 safe digital environment for children and youth.** Today, most companies are not
20 transparent about the impact of their products, which prevents parents and young
21 people from making informed decisions and researchers from identifying problems
22 and solutions.⁶

23 16. More recently, on June 17, 2024, Surgeon General Murthy warned the world again,
24 writing that, “The mental health crisis among young people is an emergency — and social media
25 has emerged as an important contributor.”⁷ He now is calling for the U.S. Congress to “require a
26 surgeon general’s warning label on social media platforms, stating that social media is associated
27
28

24 ⁴ See Snap, Inc., 2022 Annual Report (Form 10-K) at 15 (Jan. 31, 2023) (“[W]e rely heavily on our ability to collect
25 and disclose data[] and metrics to our advertisers so we can attract new advertisers and retain existing advertisers. Any
26 restriction or inability, whether by law, regulation, policy, or other reason, to collect and disclose data and metrics
27 which our advertisers find useful would impede our ability to attract and retain advertisers.”).

26 ⁵ Melonie Heron, *Deaths: Leading Causes for 2018*, 70(4), Nat’l Vital Statistics Reports 1, 10 (2021),
27 <https://www.cdc.gov/nchs/data/nvsr/nvsr70/nvsr70-04-508.pdf>.

27 ⁶ U.S. Surgeon General’s Advisory, *Protecting Youth Mental Health* (Dec. 7, 2021),
28 <https://www.hhs.gov/sites/default/files/surgeon-general-youth-mental-health-advisory.pdf> (emphasis in original).

28 ⁷ Vivek H. Murthy, *Surgeon General: Why I’m Calling for a Warning Label on Social Media Platforms*, N.Y. TIMES
(June 17, 2024), <https://www.nytimes.com/2024/06/17/opinion/social-media-health-warning.html#>.

1 with significant mental health harms for adolescents” and urging for legislation to reign in the
2 incredible harms these companies are causing to our youth,

3 Legislation from Congress should shield young people from online harassment,
4 abuse and exploitation and from exposure to extreme violence and sexual content
5 that too often appears in algorithm-driven feeds. The measures should prevent
6 platforms from collecting sensitive data from children and should restrict the use of
7 features like push notifications, autoplay and infinite scroll, which prey on
8 developing brains and contribute to excessive use.

9 Additionally, companies must be required to share all of their data on health effects
10 with independent scientists and the public — currently they do not — and allow
11 independent safety audits. While the platforms claim they are making their products
12 safer, Americans need more than words. We need proof.⁸

13 17. These statements by the Surgeon General are in line with a substantial body of peer-
14 reviewed scientific literature documenting the harmful impact that Defendants’ products have on
15 our children, including the various injuries suffered by the children in this Complaint. First, it is
16 important to note that for years these companies have prevented the scientific community and
17 governments around the world from gaining access to the types of data needed to understand the
18 impacts of their designs and business decisions on consumers – all while conducting their own
19 studies, confirming evidence of product-caused harms, and then using from those studies
20 information that might increase revenue and growth while often disregarding consumer safety.
21 Second, even limited by the near insurmountable hurdles these companies have erected, this body
22 of emerging research demonstrates that Defendants’ defectively designed products *can* cause the
23 harms plaguing children across the world: addiction and/or compulsive use, anxiety, depression,
24 eating disorders, body dysmorphia, self-harm, sexual exploitation, substance use disorders, suicidal
25 thoughts, and even death.

26 18. Defendants knew about the risks; could have fixed their products to avoid the harms
27 and at little cost; could have warned parents and the public about the dangers of their designs; but
28 instead, chose to stay the course and convince consumers that their products were safe, fun, and age-
appropriate for the world’s youth instead.

19. Plaintiffs now bring this action for personal injuries and, where applicable, wrongful

⁸ *Id.*

1 death, against Defendants for harms caused because of their platforms and wrongful conduct,
2 including: (a) designing defective products that caused serious injuries to users; (b) failing to provide
3 adequate warnings about serious and reasonably foreseeable health risks from product use; (c)
4 failing to utilize reasonable care in, among other things, developing, designing, managing,
5 operating, testing, producing, labeling, marketing, advertising, promoting, controlling, selling,
6 supplying, and distributing their products; and (d) engaging in deliberate concealment,
7 misrepresentation, and obstruction of public awareness of serious health risks to users. Plaintiffs
8 further allege that Defendants acted with intent and willful disregard for human life.

9 **II. THE PARTIES**

10 **A. PLAINTIFFS**

11 20. This Complaint is filed by 11 parents on behalf of themselves and 11 children from
12 the United States and Canada, ranging in age from 12 to 19 years old, and who suffered personal
13 injuries due to their use of Defendants' products (collectively, "Plaintiffs").

14 21. Plaintiffs have been harmed as a direct and proximate result of Defendants' wrongful
15 conduct. These harms include pain, suffering, disability, impairment, disfigurement, death, an
16 increased risk of injury and other serious illnesses, loss of enjoyment of life, loss of society,
17 aggravation or activation of preexisting conditions, scarring, inconvenience, incurred costs for
18 medical care and treatment, loss of wages and wage-earning capacity, and other economic and non-
19 economic damages, as set forth herein. These losses often are permanent and continuing in nature.

20 22. Plaintiffs expressly disaffirm any contract they may have made with Defendants, or
21 that Defendants may claim they made with them, before reaching the age of majority, as they lacked
22 capacity to contract.

23 **B. DEFENDANTS**

24 23. The defendants identified in this section are collectively referred to as "Defendants"
25 throughout this Complaint.

26 **1. Meta**

27 24. Defendant Meta Platforms, Inc. ("Meta Platforms") is a Delaware corporation and
28

1 multinational technology conglomerate. Its principal place of business is in Menlo Park, CA.

2 25. Meta Platforms’ subsidiaries include, but may not be limited to, the entities identified
3 in this section, as well as a dozen others whose identity or involvement is presently unclear.

4 26. Defendant Facebook Payments, Inc. (“Facebook 1”) is a wholly owned subsidiary of
5 Meta Platforms that was incorporated in Florida on December 10, 2010. Facebook 1 manages,
6 secures, and processes payments made through Meta Platforms, among other activities. Its principal
7 place of business is in Menlo Park, CA.

8 27. Defendant Siculus, Inc. (“Siculus”) is a wholly owned subsidiary of Meta Platforms
9 that was incorporated in Delaware on October 19, 2011. Siculus constructs data facilities to support
10 Meta Platforms’ products. Its principal place of business is in Menlo Park, CA.

11 28. Defendant Facebook Operations, LLC (“Facebook 2”) is a wholly owned subsidiary
12 of Meta Platforms that was incorporated in Delaware on January 8, 2012. Facebook 2 is likely a
13 managing entity for Meta Platforms’ other subsidiaries. Meta Platforms is the sole member of this
14 LLC, whose principal place of business is in Menlo Park, CA.

15 29. Defendant Instagram, LLC (“Instagram, LLC”) launched an app called Instagram in
16 October 2010. On or around April 7, 2012, Meta Platforms purchased Instagram, LLC for over one
17 billion dollars and reincorporated the company in Delaware. Meta Platforms is the sole member of
18 this LLC, whose principal place of business is in Menlo Park, CA.

19 30. Meta Platforms, Instagram, Siculus, Facebook 1, and Facebook 2 are referred to
20 jointly as “Meta.”

21 31. Meta owns, operates, controls, produces, designs, maintains, manages, develops,
22 tests, labels, markets, advertises, promotes, supplies, and distributes digital products available
23 through mobile- and web-based applications (“apps”), including Instagram and Facebook (together,
24 “Meta products”); Messenger; and Messenger Kids, as well as well as the virtual reality (VR)
25 headset, Oculus. Meta’s apps and devices are widely distributed to consumers throughout the United
26 States.

27 **2. Snap**

28 32. Defendant Snap, Inc. (“Snap”) is a Delaware corporation. Its principal place of

1 business is in Santa Monica, CA.

2 33. Snap owns, operates, controls, produces, designs, maintains, manages, develops,
3 tests, labels, markets, advertises, promotes, supplies, and distributes the app Snapchat. Snapchat is
4 widely available to consumers throughout the United States.

5 3. **ByteDance**

6 34. Defendant ByteDance Ltd. is a global company incorporated in the Cayman Islands.
7 Its principal place of business is in Beijing, China. ByteDance Ltd. also maintains offices in the
8 United States, Singapore, India, and the United Kingdom, among other locations.

9 35. ByteDance Ltd. wholly owns its subsidiary Defendant ByteDance Inc., a Delaware
10 corporation whose principal place of business is in Mountain View, CA.

11 36. ByteDance Ltd.'s key Chinese subsidiary is Beijing Douyin Information Service
12 Limited, f/k/a Beijing ByteDance Technology Co. Ltd. ("Beijing ByteDance").⁹ Beijing ByteDance
13 owns, operates, and holds key licenses to Douyin, the Chinese version of TikTok. On or around
14 April 30, 2021, the Chinese government took a 1% stake in, and received one of three seats on the
15 board of directors of, Beijing ByteDance.¹⁰ Specifically, 1% of Beijing ByteDance is now owned
16 by WangTouZhongWen (Beijing) Technology, which in turn is owned by China Internet Investment
17 Fund (China's top Internet regulator and censor), China Media Group (China's national broadcaster,
18 controlled by the Chinese Communist Party's propaganda department), and the Beijing municipal
19 government's investment arm.

20 37. ByteDance Ltd. wholly owns its subsidiary Defendant TikTok, Ltd., a Cayman
21 Island corporation with its principal place of business in Shanghai, China.

22 38. TikTok, Ltd. wholly owns its subsidiary Defendant TikTok, LLC which is, and at all
23 relevant times was, a Delaware limited liability company.

24 39. TikTok, LLC wholly owns its subsidiary Defendant TikTok, Inc. f/k/a Musical.ly,

25 _____
26 ⁹ See Sophie Webster, *ByteDance Changes Names of Subsidiaries to Douyin, Speculated to be Mulling an IPO*, TECH
TIMES (May 8, 2022), <https://www.techtimes.com/articles/275188/20220508/bytedance-changes-names-subsidiaries-douyin-speculated-mulling-ipo.htm>.

27 ¹⁰ See Juro Osawa & Shai Oster, *Beijing Tightens Grip on ByteDance by Quietly Taking Stake, China Board Seat*, THE
28 INFORMATION (Aug. 16, 2021), <https://www.theinformation.com/articles/beijing-tightens-grip-on-bytedance-by-quietly-taking-stake-china-board-seat?rc=ubpjcg>.

1 Inc. (“TikTok, Inc.”), a California corporation with its principal place of business in Culver City,
2 CA.

3 40. Defendants TikTok, Ltd.; TikTok, LLC; TikTok, Inc.; ByteDance Ltd.; and
4 ByteDance Inc. are referred to jointly as “ByteDance.”

5 41. ByteDance owns, operates, controls, produces, designs, maintains, manages,
6 develops, tests, labels, markets, advertises, promotes, supplies, and distributes the app TikTok.
7 TikTok is widely available to consumers throughout the United States.

8 **4. Google**

9 42. Google Inc. was incorporated in California in September 1998 and reincorporated in
10 Delaware in August 2003. In or around 2017, Google Inc. converted to a Delaware limited liability
11 company, Defendant Google, LLC (together with its predecessor-in-interest Google Inc.,
12 “Google”). Google’s principal place of business is in Mountain View, CA.

13 43. Since 2006, Google has operated, done business as, and wholly owned as its
14 subsidiary Defendant YouTube, LLC (“YouTube, LLC”). YouTube, LLC is a Delaware limited
15 liability company with its principal place of business in San Bruno, CA. YouTube is widely
16 available to consumers throughout the United States.¹¹

17 44. On October 2, 2015, Google reorganized and became a wholly owned subsidiary of
18 a new holding company, Alphabet Inc., a Delaware corporation with its principal place of business
19 in Mountain View, CA.

20 45. Google, LLC and YouTube, LLC (together, “Google”) are alter egos of one another:
21 together and in concert they own, operate, control, produce, design, maintain, manage, develop, test,
22 label, market, advertise, promote, supply, and distribute the app YouTube.

23 **5. Discord**

24 46. Defendant Discord, Inc. (“Discord”) is a Delaware corporation. Its principal place of
25 business is in San Francisco, CA.

26 47. Discord owns, operates, controls, produces, designs, maintains, manages, develops,
27

28 ¹¹ See, e.g., Alphabet Inc., *Form 10-Q*, Oct. 25, 2022, at 4 (defining Alphabet as “Alphabet Inc. and its subsidiaries.”),
available at <https://www.sec.gov/Archives/edgar/data/1652044/000165204422000090/goog-20220930.htm>.

1 tests, labels, markets, advertises, promotes, supplies, and distributes the app Discord.

2 **III. JURISDICTION AND VENUE**

3 48. This Court has personal jurisdiction over Defendants because they are incorporated
4 in and have their principal places of business in California, and because they have contacts with
5 California that are so continuous and systematic that they are essentially at home in this state. All
6 Defendants regularly conduct and solicit business in California, provide products and/or services by
7 or to persons here, and derive substantial revenue from the same. All Defendants affirmatively and
8 extensively engage with a significant percentage of this State’s residents through messages,
9 notifications, recommendations, and other communications.

10 49. There is no federal jurisdiction in this case. All claims are brought pursuant to
11 California state law. There are no federal causes of action and Plaintiff expressly disclaim any
12 federal causes of action.

13 50. Venue is proper in Los Angeles County because one or more defendants are
14 headquartered here and/or one or more Plaintiffs reside here; in addition, Plaintiffs will be relating
15 this case to and filing a Short Form Complaint in Judicial Council Coordination Proceeding No.
16 5255 (“JCCP 5255”), which proceeding is pending in Los Angeles County.

17 **IV. FACTUAL ALLEGATIONS SPECIFIC TO EACH DEFENDANT**

18 **A. GENERAL FACTUAL ALLEGATIONS APPLICABLE TO ALL**
19 **DEFENDANTS**

20 51. On May 15, 2023, a Master Complaint was filed in JCCP 5255, on May 15, 2023
21 (“Master Complaint”), in Los Angeles County Superior Court. Plaintiffs hereby incorporate and
22 adopt Sections IV.A.1 through IV.A.7 of the Master Complaint as though set forth in full herein.

23 52. Defendants purposefully designed their products to act with children on the same
24 neurological pleasure circuitry as is involved in addiction to nicotine, alcohol, or cocaine. They
25 know that they are causing these harms and continue to do so despite such knowledge, and children
26 around the world are suffering terrible harms as a direct result. As explained in the article attached
27 to this Complaint as **Exhibit A** (“Has Social Media Fuelled a Teen-Suicide Crisis,” published in
28 The New Yorker on September 30, 2024),

1 Social media acts on the same neurological pleasure circuitry as is involved in
2 addiction to nicotine, alcohol, or cocaine. Predictable rewards do not trigger this
3 system nearly as effectively as unpredictable ones; slot-machine manufacturers
4 know this, and so do social-media companies. “Teens are insatiable when it comes
5 to ‘feel good’ dopamine effects,” a Meta document cited in the attorneys general’s
6 complaint noted. Instagram “has a pretty good hold on the serendipitous aspect of
7 discovery. . . . Every time one of our teen users finds something unexpected their
8 brains deliver them a dopamine hit.” Judith Edersheim, a co-director of the Center
9 for Law, Brain & Behavior, at Harvard, likens the effect to putting children in a
10 twenty-four-hour casino and giving them chocolate-flavored bourbon. “The
11 relentlessness, the intrusion, it’s all very intentional,” she told me. “No other
12 addictive device has ever been so pervasive.”

13
14
15 **B. FACTUAL ALLEGATIONS AS TO META**

16 53. Plaintiffs hereby incorporate and adopt Section IV.B (and all applicable subsections)
17 of the Master Complaint as though set forth in full herein.

18 54. Facebook founder and CEO, Mark Zuckerberg, designed and launched The
19 Facebook in February 2004. At the time, it included a number of basic safety features, which made
20 sense given the intimate nature of the platform. Zuckerberg was constructing a virtual space and
21 wanted college students to be incentivized to share photos and personal updates with peers.¹²

22 55. While the social aspect of The Facebook was a new concept, the platform otherwise
23 functioned like other apps at the time. It was something that college students used and not the other
24 way around. They could use it to search for and look people up, and view individuals to whom they
25 were now virtually connected. But then things changed, or rather, Meta changed them.

26 56. Meta and its founders recognized an opportunity to not just make money, but to make
27 unprecedented amounts of it by turning consumers into the product and advertisers into customers.

28 57. In September 2006, Meta began allowing anyone over 13 to sign up and by October
2009, Meta had switched its feed features from chronological sorting to algorithmic ranking.

58. Meta has failed and/or refuse to be transparent as to how it is programming these
technologies; while internally, it has repeatedly acknowledged the harms these decisions are causing
to children. None of this is about content, but instead, involves product features and settings as

¹² See, e.g., Brittany Kasko, *Mark Zuckerberg was a college student when he co-developed the social media platform*, FOX NEWS (Feb. 4, 2024, 12:02 AM), <https://www.foxnews.com/lifestyle/this-day-history-feb-4-2004-harvard-student-mark-zuckerberg-launches-the-facebook>. For example, The Facebook was limited to college students, and access required verification via a school issued email address. This verification process would also have presumably prevented students from being able to open multiple accounts.

1 nuanced as algorithm speed. For example, on information and belief, Meta has known for years that
2 if it simply gave young users the option to slow the speed of the content recommendation algorithm
3 at night, many of those children would be able to sleep. Instead, Meta continues to design and
4 distribute its product in a manner intended to manipulate children into doom scrolling for hours, and
5 during times they are supposed to be sleeping or in school.

6 59. Rather than warn consumers about the potential risks of using its product, however,
7 Meta (and the handful of companies that emerged in this new industry) began convincing consumers
8 and governments around the world that their innovation would change our lives for the better. That
9 their products would connect countries and people across the globe, all while using the most
10 advanced technologies to ensure a safe and healthy experience for their users, including children.

11 60. They fueled this optimism with credible assurances and technologies no one else
12 understood, or even knew existed; and spent more than a decade making promise after promise
13 about the utility, safety, and benefit of their products.

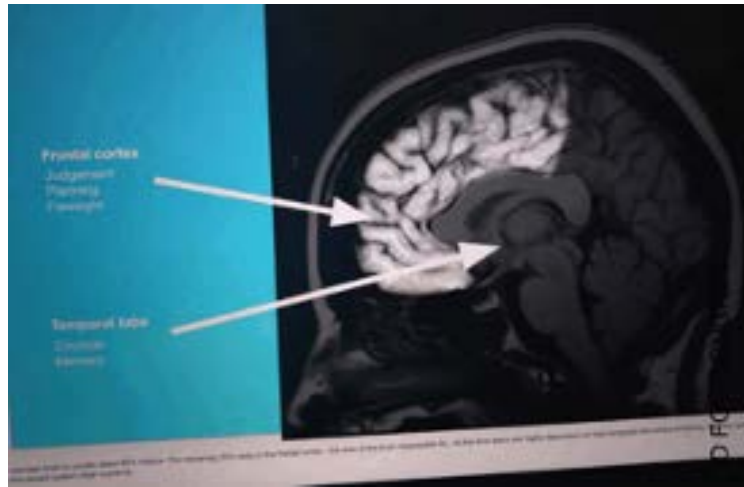
14 61. However, and as admitted in 2017 by Facebook’s first founding president, Sean
15 Parker (in an interview that got curiously little notice), he, Zuckerberg, and the other founding bros
16 of social media “designed these products to “consume as much of your time and conscious attention
17 as possible ... And that means that we need to sort of give you a little dopamine hit every once in a
18 while ...”¹³ Parker admitted that they set out to exploit “vulnerability[ies] in human psychology,”
19 that they did so knowing the risk that it might be harmful “to our children’s brains” and that even
20 though all of them “... understood this consciously ... we did it anyway.”¹⁴

21 62. Meta product development decks literally include photographs of brains, created by
22 neuroscientists and others Meta hires to work on product development. The following illustration
23 is just one example, in which Meta examines the brain development process throughout childhood,
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25 ¹³ Mike Allen, *Sean Parker Unloads on Facebook: “God only knows what it’s doing to our children’s brains,”* AXIOS
(Nov. 9, 2017), <https://www.axios.com/2017/12/15/sean-parker-unloads-on-facebook-god-only-knows-what-its-doing-to-our-childrens-brains-1513306792>.

26 ¹⁴ *Id.* This is the same addiction mechanism as tobacco. See *Nicotine: It’s why smoking is so addictive*, Health and
27 Social Services, Government of Northwest Territories of Canada, <https://www.hss.gov.nt.ca/en/services/health-effects-tobacco/nicotine-it%E2%80%99s-why-smoking-so-addictive> (“Nicotine causes the release of dopamine in the
28 brain, which gives people a good feeling.”). Only, whereas Big Tobacco targeted adults and young adults, Meta targeted teens and tweens.

1 identifying how this makes children “very vulnerable” – then examines various design-level changes
2 Meta might make to better capture the attention of young minds.¹⁵



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11 63. These allegations and more are evidenced in the Meta documents that have made
12 their way into the public record over the last two years.¹⁶

13 **C. FACTUAL ALLEGATIONS AS TO SNAP**

14 64. Plaintiffs hereby incorporate and adopt Section IV.C (and all applicable subsections)
15 of the Master Complaint as though set forth in full herein.

16 65. Snap’s founders, Evan Spiegel, Reggie Brown, and Bobby Murphy, sought to create
17 a platform that could be used to facilitate the types of conversations and activities that people would
18 not want to exist in digital perpetuity. The concept for Snapchat arose from a 2010 incident in which
19 one of Snap’s founders, Reggie Brown, sent a photo that came back to haunt him.

20 66. The celebrated origin stories of Snapchat, while easily dismissed as college hijinks,
21 illustrate how central the transmission of illicit and illegal activity was to the product at inception.
22 In fact, the desire to avoid evidence of illicit and illegal activities was a design imperative to
23 Snapchat’s creators. For example, as an officer of Kappa Sigma fraternity at Stanford in 2009 and
24 2010, using traditional email and social media, Mr. Spiegel discussed “making 300 Jell-O shots to
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27 ¹⁵ See *Why Teens and Young Adults Choose Insta*, available at https://www.documentcloud.org/documents/23322855-copy-of-copy-of-why-teens-and-young-adults-choose-insta_sanitized (last accessed Oct. 8, 2024).

28 ¹⁶ See, e.g., <https://gizmodo.com/facebook-papers-how-to-read-1848702919>;
<https://www.documentcloud.org/projects/facebook-papers-210748/>; fbarchive.org.

1 get sorority girls drunk, urinating on one conquest and shopping for cocaine and marijuana.”¹⁷

2 67. Plaintiffs agree that the youthful indiscretions and college hijinks of corporate
3 leaders and government officials generally are beyond the legitimate scope of civil litigation or
4 politics. However, Mr. Spiegel’s communications promoting the purchase of cocaine, marijuana,
5 and alcohol to ply upon minors occurred at the same time he was designing the Snapchat product.

6 68. On information and belief, a motivation for Snapchat’s disappearing feature – not
7 just disappearing as between users but either not created or deconstructed on the back end as well –
8 was to facilitate such activity and provide cover for those engaged in illicit and illegal conduct.
9 After its launch in 2011, one of Snapchat’s founders proposed targeting it to mature audiences for
10 its intended purpose – as a sexting tool. A draft of a press release written in 2011 reads, “Picaboo
11 lets you and your boyfriend send photos for peeks and not keeps!”¹⁸

12 69. Despite this intent and foreseeability of how Snapchat could and would be misused,
13 Snap’s founders decided to target and market it children and teens.¹⁹ Snap’s founders did not decide
14 this because they believed that their product was in any way appropriate or safe for children and
15 teens; but rather, because it was a path to riches in an industry dominated by only one or two other
16 social media products at the time. Snap had to do something big and different to succeed.

17 70. Snap has worked hard to maintain the kid-friendly image that makes it so popular
18 among children, lulling consumers and parents into a false sense of security. In the words of one
19 Internet Crimes Against Children (ICAC) detective,

20 In my experience, Snapchat is by far the most popular online platform when it
21 comes to criminal misconduct and kids. It is easy to download and appears harmless
to many parents who see the application on their children’s devices and have no

22 ¹⁷ Andrea Chang, *Snapchat CEO Evan Spiegel ‘mortified’ by leaked frat emails*, L.A. TIMES (May 28, 2014, 12:55
23 PM), <https://www.latimes.com/business/technology/la-fi-tn-snapchat-evan-spiegel-20140528-story.html>.

24 ¹⁸ J.J. Colao, *The Inside Story of Snapchat: The World’s Hottest App Or A \$3 Billion Disappearing Act?*, FORBES (Jan.
25 6, 2014, 8:00 AM), <https://www.forbes.com/sites/jjcolao/2014/01/06/the-inside-story-of-snapchat-the-worlds-hottest-app-or-a-3-billion-disappearing-act/?sh=3c52f29467d2>. See also Nick Bilton, *Disruptions: Indiscreet Photos, Glimpsed Then Gone*, N.Y. TIMES (May 6, 2012, 5:24 PM),
26 https://archive.nytimes.com/bits.blogs.nytimes.com/2012/05/06/disruptions-indiscreet-photos-glimpsed-then-gone/?_r=0 (“The app’s description in the Apple App Store does not mention sexting. But the accompanying images
27 are of scantily clad women, and Apple has designated the app as being for users 12 and older, warning of ‘mild sexual content or nudity.’ Mentions of the app on Twitter indicate that many young people use it for photo-based banter with friends, though there are references to its less innocent potential.”).

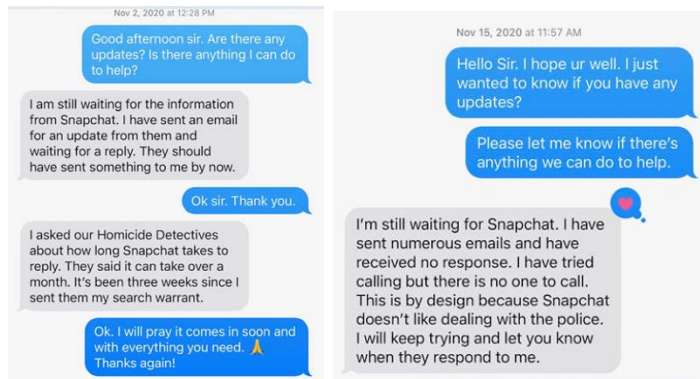
28 ¹⁹ See Colao, *supra* note 18 (explaining that by Fall of 2011, Snap’s founders noticed that its userbase were school-aged kids who used the app primarily between the school hours of 9:00 a.m. and 3:00 p.m.).

1 idea how dangerous it is. The parents to whom I have spoken generally associate
2 Snapchat with silly filters and kids being able to connect with friends, and not with
things like encrypted messaging and strangers.²⁰

3 71. Likewise, Snap’s failure, inability, and/or or refusal to cooperate with law
4 enforcement and failure, inability, and/or refusal to utilize information in its possession to enforce
5 its own Terms of Use has resulted in incredible harms to children across the world. In the words of
6 one former Drug Enforcement Agency (DEA) Assistant Special Agent in Charge,

7 Snap has a tip line where anyone can submit complaints about harmful content such
8 as child pornography, human trafficking, or bullying in order to have Snap either
9 deactivate or suspend an account if it is found to violate their policies. But then the
account will quickly reconstitute, often using the exact same pictures and a similar
name. I can’t tell you how many times I have seen this.²¹

10 72. In another case, a police officer exchanged the following texts with a grieving mother
11 whose son died in September 2020 as the result of connections Snapchat made, “I have tried calling
12 but there is no one to call. This is by design because Snapchat doesn’t like dealing with police.”²²



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19 73. These are just a few of many, many examples.²³

20 74. In truth, Snap ensures that there is no real way for parents to even learn what Snap is
21 doing – what products it is distributing to their children, how it has designed and programmed those
22 products to target and addict children, or the fact that Snap is the one facilitating, encouraging, and
23 making connections between young users and adult strangers.

24 75. Snap may *look* different from some social media products. For example, it does not
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26 ²⁰ Declaration of Investigator Claude Dobbs, ¶ 3, filed October 5, 2023, in *Neville et. al. v. Snap, Inc.* (L.A. Sup. Ct.),
Case No. 22STCV33500 (“*Neville et. al. v. Snap*”).

27 ²¹ Declaration of Donald Im, ¶ 25, filed October 5, 2023, in *Neville et. al. v. Snap.*

28 ²² Declaration of Perla Mendoza, ¶ 7, filed October 5, 2023, in *Neville et. al. v. Snap.*

²³ See, e.g., *Neville et. al. v. Snap, SAC*, filed July 21, 2023.

1 utilize a publicly viewable bulletin board format like Instagram or Facebook. However, Snap’s use
2 of this visual difference between products to claim that Snapchat is safer than Instagram and
3 Facebook when, in fact, Snap actively is connecting children to predatory Snapchat users to increase
4 its own engagement, is unfair, deceptive, false, and misleading.

5 **D. FACTUAL ALLEGATIONS AS TO TIKTOK**

6 76. Plaintiffs hereby incorporate and adopt Section IV.D (and all applicable subsections)
7 of the Master Complaint as though set forth in full herein, and further allege as follows.

8 77. TikTok is a social media product designed to be used by children and actively
9 marketed to children across the world. Its commercials, featured both on television and the internet,
10 feature things like families dancing and dogs jumping in the air.

11 78. TikTok does not, however, design its product to be safe for children and/or free from
12 dangerous defects; except when it comes to children that live in China,

13 In [China’s] version of TikTok, if you’re under 14 years old, they show you science
14 experiments you can do at home, museum exhibits, patriotism videos and
15 educational videos. And they also limit it to only 40 minutes per day. Now they
16 don’t ship that version of TikTok to the rest of the world. So it’s almost like they
17 recognize that technology’s influencing kids’ development, and they make their
18 domestic version a spinach version of TikTok, while they ship the opium version
19 to the rest of the world.

20 The version served to the west has kids hooked for hours at a time. The impact,
21 Harris says, is predictable.

22 Tristan Harris: There’s a survey of preteens in the U.S. and China asking, “What is
23 the most aspirational career that you want to have?” And the U.S. the number one
24 was “Influencer.”

25 Bill Whitaker: Social media influencer.

26 Tristan Harris: And in China, the number one was “Astronaut.” Again, you allow
27 those two societies to play out for a few generations, I can tell you what your world
28 is going to look like.²⁴

79. The rest of the world is not so fortunate.

80. On December 14, 2022, the Center for Countering Digital Hate (CCDH) published a
report titled “Deadly by Design,” which illustrates how “TikTok pushes harmful content promoting

²⁴ Bill Whitaker, *Social media’s role in America’s polarized political climate*, CBS NEWS (Nov. 6, 2022, 7:32 PM), <https://www.cbsnews.com/news/social-media-political-polarization-60-minutes-2022-11-06/>.

1 eating disorders and self-harm into users’ feeds.” Attached to this Complaint as **Exhibit B** is a copy
2 of “Deadly by Design.”

3 81. TikTok’s defects are not about third-party content, but rather, design and
4 programming decisions. TikTok is targeting and inundating minors with content meant to addict
5 them to its product, at the expense of their health and well-being. TikTok could make its product
6 safer for those consumers without ever removing a single piece of content.

7 82. On information and belief, companies like TikTok and Google know when
8 dangerous challenges are being amplified and targeted at children as direct result of their design,
9 programming, and operational decisions. Such knowledge, control, and contribution are just one
10 major difference between the products at issue and these lawsuits, developed starting in the first
11 decade of the 21st-century, and the types of products and online services that existed prior.

12 83. For example, and on information and belief, when these companies become aware
13 of such dangerous challenges, they will engage in detailed internal discussions. They recognize that
14 challenges can result in harm to children, including death, yet make decisions in terms of how to
15 react and/or respond to such harms that disregard such safety considerations – for example, on
16 information and belief, choosing to wait and see and/or be reactive rather than proactive even when
17 they know that such decision may result in the death of children.

18 84. Similarly, on information and belief, companies like TikTok exercise so much power
19 and control over what consumers see and think, that when confronted these kinds of real-world
20 harms occurring on and because of their platform-related decisions, instead of addressing them head
21 on, they consider strategies like convincing the world that the death of children resulting from use
22 of their platforms is a hoax. They know or have reason to know that this is not the truth, but once
23 again, prioritize their own business interests over child safety.

24 85. On October 26, 2021, for example, TikTok VP and Head of Public Policy at
25 Americas, Michael Beckerman, testified before the Senate Commerce, Science, and Transportation
26 Subcommittee that “As it relates to TikTok, this is not content that we’ve been able to find on our
27 platform ... actually, the content does not exist on the platform ... we have not been able to find any
28 evidence of a blackout challenge on TikTok at all. And again, it would violate our guidelines.” On

1 information and belief, TikTok later had to correct and/or qualify that statement as TikTok is and
2 was aware of the blackout challenge having been on TikTok.

3 86. Of course, all of this should be viewed in light of the fact that another of these
4 Defendants, Meta, has argued in multiple lawsuits across the country that these companies have a
5 First Amendment right to lie to Congress. *See, e.g., State of Vermont v. Meta Platforms, Inc., et al.*,
6 Case No. 23-CV-4453, Ruling on Motion to Dismiss, dated January 19, 2024 (“There is a separate
7 claim here that Meta’s alleged lies in testimony before Congress constitute actionable
8 misrepresentations under the Consumer Protection Act. Meta argues that these are protected by the
9 First Amendment right to petition the government.”). They do not; but if governments do not act
10 and ensure and enforce reasonable regulations, they will continue to do so.

11 87. TikTok knows that its algorithms are promoting and amplifying harmful content to
12 children and teens and are operating with a degree of algorithmic discrimination that is particularly
13 harmful to TikTok’s most vulnerable user groups – our children.

14 **E. FACTUAL ALLEGATIONS AS TO GOOGLE**

15 88. Plaintiffs hereby incorporate and adopt Section IV.E (and all applicable subsections)
16 of the Master Complaint as though set forth in full herein.

17 89. Plaintiffs further allege that YouTube radicalizes its users. YouTube’s advertising-
18 powered business model is geared towards user engagement, which is maximized by triggering
19 users’ preexisting biases in video recommendations. YouTube’s recommendation algorithm is
20 designed to optimize user activity and engagement on the platform by personalizing
21 recommendations based on users’ past exposures and content viewed or shared by other similar
22 users. However, in the case of political content, YouTube’s algorithmic recommendations reinforce
23 users’ political biases, ultimately leading to radicalization.

24 90. Users with certain beliefs tend to interact with social media content that is consistent
25 with those beliefs. Users are more likely to select content that aligns with their preexisting beliefs
26 than otherwise. This tendency may polarize people’s attitudes and generate hostility toward different
27 racial, ethnic, religious groups, and social and political ideologies.

28

1 91. In 2022, ADL’s Center for Technology & Society conducted a nationally
2 representative survey of YouTube users measuring demographic characteristics and political
3 attitudes such as age, race, education, partisanship, ideology, political knowledge, and interest.²⁵ In
4 addition to survey data, the study monitored participants’ browser history and activity data.

5 92. Using comprehensive individual-level behavioral data, ADL found that exposure to
6 alternative YouTube channels can serve as gateways to extremist or white supremacist channels,
7 which are disturbingly common among a group of Americans.

8 93. ADL found that exposure to videos from extremist or white supremacist channels on
9 YouTube was very common. Approximately one in ten participants viewed at least one video from
10 an extremist channel (9.2%) and approximately two in ten (22.1%) viewed at least one video from
11 an alternative channel. When participants watched extreme videos, they were more likely to see and
12 follow recommendations to similar extremist videos. A third (29%) of YouTube recommendations
13 accompanying videos from extremist channels were to other videos of the same type.

14 94. As a result, many racially resentful people are not only watching large numbers of
15 videos from alternative or extremist channels, but also are shown recommendations for more such
16 videos when they do so, furthering their progression to extremism.

17 95. ADL’s findings demonstrate that YouTube plays an important role in exposing
18 people to extremist content.

19 96. ADL’s survey-based determination that YouTube radicalizes right-leaning users is
20 consistent with computer science research at the University of California Davis. Researchers there
21 conducted a systematic audit of YouTube’s recommendation system using a 100,000 proxy accounts
22 with different ideological profiles to determine the presence of ideological bias and radicalization
23 in which recommendations progressively more extreme.²⁶ Researchers reviewed 15,323,930
24 YouTube videos spanning 111,715 unique channels, and they found that YouTube’s
25 recommendations do in fact direct users – especially right-leaning users – to ideologically biased
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27 ²⁵ Annie Y. Chen et al., *Exposure to Alternative & Extremist Content on YouTube*, ADL (2022).

28 ²⁶ Muhammad Haroon et al., *YouTube, The Great Radicalizer? Auditing and Mitigating Ideological Biases in YouTube Recommendations* arXiv:2203.10666v2 [cs.CY] 25 Mar 2022.

1 and increasingly radical content on both homepages and in up-next recommendations.

2 97. The UC Davis researchers found that YouTube’s homepage recommendation
3 provided viewers with right leaning profiles more right-leaning recommendations than centrist
4 viewers received centrist recommendations. This demonstrates that the recommendations for the
5 right leaning viewer are not only significantly different from the center baseline but are even more
6 ideologically biased than the recommendations of the other viewers.

7 98. Similar radicalization tendencies were found in YouTube’s Up Next
8 Recommendations. Researchers found increased ideological bias in the up-next recommendation
9 trials compared to the homepage. The prior ideological bias of the You Tube user influences
10 influence their up-next recommendations which increases the chances that the user will continue
11 watching ideologically biased content.

12 99. The Davis researchers demonstrating that over time YouTube’s algorithms direct
13 users to progressively more ideologically radical and extreme videos in their YouTube sessions.

14 100. Since YouTube’s inception, however, Google has failed to adequately warn young
15 users or their parents about the mental and physical risks its products pose.

16 101. These risks include, but are not limited to, product abuse and addiction and
17 radicalizing exposure to racism, antisemitism, and violence.

18 **F. FACTUAL ALLEGATIONS AS TO DISCORD**

19 102. Discord is an on-line social media product that was launched in 2015. The product
20 includes a number of features that allow users to set up accounts and communicate with other
21 product users through group and private means, including video calls, text messaging, and exchange
22 of photos and videos. <https://en.wikipedia.org/wiki/Discord>.

23 103. Discord’s product design promotes radicalization.

24 104. Discord’s users engage in public and private chats or channels, called servers, on
25 varying topics. The vast majority are private, invite-only spaces with fewer than 10 people. All
26 servers are private by default, and only channels with more than 200 members are discoverable in
27 its search tool.

28

1 105. Teens on Discord can connect with people they don't know if the stranger was invited
2 by someone else in the room or if the channel link is dropped into a public group that the user
3 accessed. By default, all users – including teens – can receive friend invitations from anyone in the
4 same server, which then opens up the ability for them to send private messages.

5 106. Discord in particular is popular for communities of neo-Nazis and white
6 supremacists to socialize, share hateful memes, boost the ideas that undergird their movements,
7 inculcate strangers, and plan activities that take place elsewhere online.

8 107. BuzzFeed News reported on a chat server called “/pol/Nation” where more than
9 3,000 users participate in a rolling multimedia chat extravaganza of Hitler memes, white nationalist
10 revisionist history, and computer game strategy.²⁷ In a voice-over-IP chatroom within the server,
11 users keep up a steady chatter about the same subjects. A separate server called “Thunderdome”
12 hosts the enthusiastic staff and fans of the Daily Stormer, a neo-Nazi website.

13 108. Slate was able to join more than 20 communities on Discord in a single afternoon
14 that were either directly about Nazism or white supremacy or reveled in sharing anti-Semitic and
15 racist memes and imagery.²⁸

16 109. Slate noted that Discord differs from other social media platforms in that chats are
17 entirely opt-in, meaning that the potential for unsolicited public harassment is significantly lower.
18 Slate concluded that this design feature, in addition to the anonymity in Discord's design, makes it
19 an ideal recruitment tool for white supremacists to attract followers to their racist ranks.

20 Unlike Stormfront—where people who are obviously interested in hate groups
21 go—on Discord a lot of the participation comes from people who are mostly hoping
22 to find an abasing joke or chat about violent video games safely without fear of
23 offending someone. And that makes Discord an ideal place for far-right
24 recruitment. Its spaces provide room for people to socialize in hate—to forge
25 connections from which social beliefs can grow. If you hang out with Nazis and
26 racists long enough, what begins as cruel humor can give way to a set of
27 convictions, one that doesn't need to be approached with a layer of irony.

28 110. On August 18, 2017, more than 500 white supremacists, Klansmen, neo-Nazis, and
members of the alt-right participated in the “Unite the Right” rally in Charlottesville, Virginia.

²⁷ Joseph Bernstein, *A Thriving Chat Startup Braces For The Alt-Right*, BuzzFeed NEWS (Jan. 23, 2017).

²⁸ April Glasser, *White Supremacists Still Have a Safe Space Online*, SLATE (Oct. 9, 2018).

1 Motivated by replacement theory, the group chanted “Jews will not replace us” and carried weapons,
2 Confederate battle flags, and Nazi and neo-Nazi symbols. In the afternoon, self-identified white
3 supremacist James Alex Fields Jr. drove into a crowd of counter-protesters.

4 111. Because the Unite the Right rally promoted a message of racism and anti-Semitism,
5 the leaders didn’t do the bulk of their logistical planning in any kind of public forum or open
6 Facebook group; instead, they used Discord.

7 112. Discord similarly facilitated the radicalization of Payton Gendron, the shooter that
8 murder ten Black citizens and wounded three others at Tops Friendly Market in Buffalo, New York
9 on May 14, 2022. *See Patterson et. al. v. Meta Platforms, Inc., et. al.*, N.Y. Supreme Court, Index
10 No. 805896/2023 (filed May 12, 2023). Gendron used Discord to keep a private journal for months
11 where he wrote down his hateful beliefs and developed specific plans for equipping himself and
12 perpetrating his massacre.²⁹ He kept a diary on a personal server and restricted it, as per available
13 Discord settings, so that he was the only person who could view it.

14 113. Gendron’s diary contained approximately 700 pages of original posts written by him,
15 links to outside content, and memes.³⁰ He outlined details he was considering for his attack, and his
16 Discord diary included raciest charts, graphs, and memes, which Gendron believed as proof of white
17 genocide. Gendron’s Discord logs reflect months of research he conducted on body armor, helmets,
18 and rifles in order to “kill as many blacks as possible” and “avoid dying.”³¹

19 114. Between August 1, 2020 and January 1, 2021, he posted at least 83 messages on the
20 channel “#bag-general.”³²

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25 ²⁹ OFFICE OF THE N.Y. STATE ATTORNEY GENERAL LETITIA JAMES, INVESTIGATIVE REPORT ON
26 THE ROLES OF ONLINE PLATFORMS IN THE TRAGIC MASS SHOOTING IN BUFFALO ON MAY 14, 2022
at 3 (Oct. 18, 2022), available at <https://ag.ny.gov/sites/default/files/buffaloshooting-onlineplatformsreport.pdf>
(hereinafter “Attorney General Report”).

27 ³⁰ *Id.* at 21.

28 ³¹ Attorney General Report, *supra* note 30, at 28.

³² Dan Feidt, *Buffalo Mass Shooter Likely Sought Combat Gear Advice on Online Chats*, UNICORN RIOT (May 14, 2022), <https://unicornriot.ninja/2022/buffalo-mass-shooter-likely-sought-combat-gear-advice-on-online-chats/>.

1 **V. PART I: SEXTORTION**

2 **AMANDA TODD, BRADEN MARKUS, AND HARRY BURKE**

3 **A. Amanda Todd: Meta enabled and allowed for the sextortion of children as a**
4 **matter of platform design and operation.**

5 115. Plaintiff Carol Todd, individually and as successor in interest to Amanda Todd,
6 asserts claims against Meta in connection with the Facebook platform and platform features.

7 116. Amanda Todd was born on November 27, 1996, and lived in Port Coquitlam, British
8 Columbia. She was vibrant, creative, and loved to sing and dance.

9 117. The year Amanda was born, Vancouver experienced unusually heavy snowfall.
10 Growing up, Amanda was captivated by the snow. Before every birthday, she would do a “weather
11 watch” to see if there was snow in the forecast, and whenever it snowed on her birthday, she would
12 dance in it. Amanda’s mother called her “Princess Snowflake.”



20 118. Amanda began using Facebook in or around 2008, when she was 11 years old, and
21 such use coincided with a severe and fatal decline in her mental health.

22 119. Facebook was still a new product at that time, and Carol – like most of the world –
23 believed Meta’s representations that online products like Facebook were the future and were
24 designed fun and safe for the world’s children. She had no reason to think Facebook was dangerous.

25 120. In or around 6th grade, Amanda and her friends began visiting chat rooms to meet
26 and talk to new people. Amanda loved to sing and dance and perform, and these chat rooms
27 provided her with an engaged audience. Then, one night, she was convinced to lift her shirt while
28

1 in a chatroom. It happened once. While it was not a good decision, childhood is about making
2 mistakes and learning from them.

3 121. Unfortunately, and as Amanda later learned, one of the viewers took a screenshot.

4 122. That fact alone, however, is not what caused serious emotional harm to Amanda.

5 123. Instead, what Amanda did not know and had no reason to know was that the
6 Facebook was defective and/or inherently dangerous. She had not only become harmfully
7 dependent on Facebook, but Meta also was not using its technologies to make good on its promise
8 of a safe online experience for children. Instead, Meta had stripped its Facebook product of the few
9 safety features it started with and had installed several new features designed to increase Amanda
10 and other users' engagement at the expense of Amanda's safety and autonomy.

11 124. A random, adult stranger with no known connection to Amanda was able to find her
12 on Facebook then contact her by direct message.

13 125. There were several steps Meta could have taken to make its product safer for minor
14 users, and that would have prevented the predator from finding and being able to contact her. For
15 example, sometime in 2019, Meta considered defaulting teens into safer account setting.³³ It
16 confirmed that such restricted interaction settings would shield children from unwanted interactions
17 and related harms. For example, setting child accounts to private by default, not allowing teens to
18 receive direct messages from people they do not follow, and similar. Yet once again, Meta
19 leadership chose not to implement these types of simple changes, despite its knowledge of
20 preventable harms to children.³⁴

21 126. Amanda never understood how he found her on Facebook and how he was able to
22 determine that it was her. It is unknown whether he went searching for her or if, instead, her account
23 was one Meta recommended to him via its PYMK product – which, on information and belief, can
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25 ³³ See *Should we default teens into privacy settings*, available at
26 [https://www.documentcloud.org/documents/23322914-copy-of-should-we-default-teens-into-privacy-
settings_sanitized_opt_](https://www.documentcloud.org/documents/23322914-copy-of-should-we-default-teens-into-privacy-settings_sanitized_opt_) (last accessed Oct. 8, 2024).

27 ³⁴ While this document was created sometime in or around 2019, years after Amanda's death, Plaintiff alleges on
28 information and belief that this was not the first time Meta discussed and/or considered these types of safety settings
for minor users; moreover, Meta leadership's decision to not implement safer product settings for children is evidence
of pattern and practice.

1 happen based on data points Meta collects through its own platforms and services, as well as other
2 online providers, then uses to link users on the backend.

3 127. Either way, the reason this predator was able to find Amanda was because Meta
4 chose to not offer and/or default her account into reasonable privacy settings.

5 128. Because of Facebook’s lack of reasonable safety features he also was able to obtain
6 information relating to her identity, her friends, and her family, while Meta ensured as a matter of
7 product design, and engagement first priorities, that there were no product features or settings she
8 could use to protect herself from predation.

9 129. Meta further allowed this Facebook predator to open more than 20 different
10 Facebook accounts. Even in 2010, 2011, and 2012, Meta could have connected and, on information
11 and belief, did connect some if not all of these accounts to the same user on its back end.³⁵ It does
12 this via its collection of data points such as unique Device ID, IP address, sign-up name, email, and
13 more, and uses this kind of information for product development and marketing purposes, while
14 failing to act when it came to issues of user safety.

15 130. Meta’s decisions provided the Facebook predator with the tools and access he need
16 to exploit and sextort dozens of young people across the world, including Amanda. Armed with
17 these Meta-made weapons, he began sending her topless photo – illegal Child Sexual Abuse
18 Material (CSAM) – to everyone she knew and even uploaded it to Meta and used it as his profile
19 picture on several new Facebook accounts.

20 131. Amanda’s mother scoured the Facebook product and internet and could not find any
21 way to report these harms to Meta or to otherwise get the CSAM of her child now featured on
22 multiple Facebook profiles taken down. She could not find any phone number or staffed email
23 address that would allow her to notify Meta of these harms. She could not find any record of any
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25 ³⁵ See, e.g., Janis Cleugh, *Multiple accounts in Amanda Todd harassment case linked to same internet service, expert*
26 *testifies*, TRICITY NEWS (June 28, 2022, 2:57 PM), [https://www.tricitynews.com/local-news/multiple-accounts-in-](https://www.tricitynews.com/local-news/multiple-accounts-in-amanda-todd-harassment-case-linked-to-same-internet-service-expert-testifies-5528489)
27 *amanda-todd-harassment-case-linked-to-same-internet-service-expert-testifies-5528489* (a federal level investigator
28 testified after Amanda’s death that at least 13 such accounts *were* connected, “specifically with their IP addresses, date
and time stamps, locations, user data and cookies.”); *The Canadian Press, Crown links Amanda Todd to alleged*
harasser through video file, phone number, photo, CBC NEWS (July 28, 2022, 4:20 PM),
<https://www.cbc.ca/news/canada/british-columbia/harassment-aydin-coban-trial-1-person-22-accounts-1.6535665>
(several of the predator’s accounts were registered with the same mobile phone number).

1 such means of contacting Meta in existence.

2 132. There was simply nothing, as Meta intended and, on information and belief, because
3 a working reporting mechanism could harm engagement – including by keeping minor users like
4 Amanda safer because Meta might have to close more, known criminal accounts.

5 133. Amanda began suffering from anxiety, depression, and a panic disorder as a result.

6 134. Children are resilient and Amanda tried to move on.

7 135. Unfortunately, and as the foreseeable result of Meta’s extended use designs and other
8 defective and/or inherently harmful designs and decisions, Amanda also had developed harmful
9 dependencies on Facebook. She did not feel like she could stop using it; however, she did try to
10 block the predator and hide from him. She moved to a new school and made new friends.

11 136. Meta also targeted Amanda with its Artificial Intelligence (AI) driven user
12 recommendation tool, People You May Know (PYMK), affirmatively facilitating and creating
13 connections between her and complete strangers; persons she did not know in real life and would
14 not have met but for the seemingly random connections Meta made. In fact, sometime prior to the
15 Fall of 2021, a Meta employee wrote that he had been “collecting instances of friending contributing
16 to harms,” and that among the “most interesting ones I had found were: IIC/Grooming – in the past,
17 PYMK contributed up to 75% of all inappropriate adult-minor contact.”³⁶

18 137. Despite Meta’s knowledge of the serious harms it “contributed to,” Meta did not stop
19 designing or distributing its PYMK product in a defective and/or inherently dangerous way and
20 discriminatory manner. Instead, it directed millions more predatory, adult users to self-identified
21 minors like Amanda and years after it harmed Amanda in the same way.

22 138. Meta also targeted her with its AI driven content recommendation tools. On
23 information and belief, this included targeting Amanda with inherently harmful and depressing
24 subject matters as the result of Meta’s determination that she was vulnerable to such harms and that
25 pushing them to her would increase her engagement with its platform. Meta’s increasing knowledge

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27 ³⁶ See *Friending and PYMK downstream Integrity Problems*, available at
28 <https://www.documentcloud.org/documents/23322845-friending-and-pymk-downstream-integrity-problems> (last
accessed Oct. 8, 2024). Another Meta employee responded, “how on earth have we not just turned off PYMK between
adults and children? at least for most possibilities? ... it’s really, really upsetting :((((’”.

1 of these harms is illustrated in a 2019 Meta document in which a Meta employee noted that the U.S.
2 Congress had for years been unsuccessfully trying to regulate engagement centric information feeds.
3 He commented that Senator Josh Hawley tried unsuccessfully in 2019, then wrote, “The response
4 in 2006 was largely positive; the response around 2009 was largely ‘lol, wut?’” If I had to guess, the
5 response to government regulation around engagement centric information feeds in 2026 will be
6 ‘Omg finally’.”³⁷

7 139. Meta further targeted her with harmful social comparison and social rewards tools
8 and features. This included things like the “like” button, which Meta launched on Facebook in 2009.
9 The “like” button is feature that Meta itself would eventually identify as causing negative social
10 comparison harms in teen girls. Specifically, Meta tested the visual aspects of this feature and
11 determined that if it kept the “like” feature but changed its appearance on the user interface (in a
12 manner referred to as “Pure Daisy”) such change would “reduce negative social comparison”
13 specifically in “teen girls.”³⁸ Despite these kinds of clear safety-related findings, Meta again chose
14 to prioritize growth over the health and safety of children.

15 140. All of these are harms Amanda did not seek out or want. Due to the dependencies
16 Meta created, however, they were harms she became unable to avoid, as Meta reasonably foresaw
17 when designing, programming, and operating Facebook.

18 141. Amanda felt vulnerable and trapped as the result of her use of Facebook – a product
19 she trusted based on Meta’s representations and promises that it was safe and fun for children.

20 142. The Meta-designed dependencies took further toll on her mental health, exacerbating
21 the situation and leading to a substance abuse disorder and self-harm in the form of cutting. As her
22 anxiety got worse, it became harder for Amanda to even leave the house. But, she believed, at least
23 the sextortion was behind her. Except that it was not.

24 143. Meta continued in its failure to provide reasonable and appropriate safety and privacy

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26 ³⁷ See *Tier1 Rank EXP 1019*, available at https://www.documentcloud.org/documents/21600853-tier1_rank_exp_1019
(last accessed Oct. 8, 2024).

27 ³⁸ See *Project Daisy, Likes, and Social Comparison*, available at
28 https://www.documentcloud.org/documents/23322849-copy-of-copy-of-project-daisy-likes-and-social-comparison_sanitized (last accessed Oct. 8, 2024).

1 settings and reporting mechanisms, and, in the Spring of 2011, the Facebook predator found her
2 again and was able to direct message with her again.

3 144. In October 2011, he was able to find her and contact her directly a third time.

4 145. In November 2011, he was able to find her and contact her directly a fourth time.

5 146. Each time, Facebook allowed the predator to open new accounts and find Amanda;
6 and each time, it ensured that neither Amanda nor her mother, Carol, had means to stop the abuse.
7 In 2012, Amanda attempted suicide three times.

8 147. Amanda and her mother went to law enforcement, over and over again, but the
9 authorities claimed that there was nothing they could do. Their advice was for Amanda to stop using
10 Facebook, which not only failed to solve the issue of what already was out there but also, simply
11 stopping is not an option for a significant number of children *because* of the harmful dependencies
12 Meta has created. Meta has actively concealed the fact that it creates these harmful dependencies,
13 such that many families and medical providers still not fully understand or appreciate the danger.

14 148. The types of harms Amanda suffered as the result of her use of Facebook were not
15 only foreseeable by Meta, they were the kind of calculated risks Meta took in its bid for world
16 “Domination.”³⁹

17 149. In September 2012, 15-year-old Amanda posted a video to YouTube in which she
18 used a series of flashcards to tell her story. Here is a link to Amanda’s video:
19 <https://www.youtube.com/watch?v=vOHXGNx-E7E>

23 ³⁹ Tom Knowles, *Mark Zuckerberg shouted ‘domination!’ at Facebook meetings, book claims*, THE TIMES (Feb. 27,
24 2020, 5:00 PM), [https://www.thetimes.com/uk/social-media/article/mark-zuckerberg-shouted-domination-at-](https://www.thetimes.com/uk/social-media/article/mark-zuckerberg-shouted-domination-at-facebook-meetings-book-claims-clrn7jnj2)
25 *also, e.g.,* Kate Losse, *I was Zuckerberg’s speechwriter. “Companies over countries” was his early motto.*, VOX
26 (Apr. 16, 2018, 6:49 AM), [https://www.vox.com/first-person/2018/4/11/17221344/mark-zuckerberg-facebook-](https://www.vox.com/first-person/2018/4/11/17221344/mark-zuckerberg-facebook-cambridge-analytica)
27 *cambridge-analytica.* (“That was our shared passion as a company: Scale first, ask questions later.”);
28 <https://scroll.in/article/830050/facebook-world-domination-analysing-mark-zuckerbergs-vision-of-a-digital-future>;
Steven Levy, *Inside Mark Zuckerberg’s Lost Notebook*, WIRED (Feb. 12, 2020, 6:00 AM),
<https://www.wired.com/story/facebook-mark-zuckerberg-lost-notebook/>; Ja’Han Jones, *Meta and Mark Zuckerberg*
are planning (virtual) world domination, MSNBC (June 23, 2022, 12:06 PM), [https://www.msnbc.com/the-](https://www.msnbc.com/the-reidout/reidout-blog/meta-mark-zuckerberg-are-planning-virtual-world-domination-rcna34953)
[reidout/reidout-blog/meta-mark-zuckerberg-are-planning-virtual-world-domination-rcna34953](https://www.msnbc.com/the-reidout/reidout-blog/meta-mark-zuckerberg-are-planning-virtual-world-domination-rcna34953).



9 150. A month later, on October 10, 2012, she died by suicide.

10 151. Neither Amanda nor her family knew or had reason to know about Meta’s defective
11 and/or inherently dangerous product, product features, and settings, or that Meta was using them in
12 an exploitative and harmful manner. They never would have allowed Facebook in their home had
13 Meta told the truth.

14 **B. Meta and Snap connect predators to young children and are designed in a**
15 **manner that leaves victims with no means to prevent or protect themselves;**
16 **further encouraging, allowing, and exacerbating these serious harms**

17 152. On information and belief, from 2008 to 2012, Facebook was one of if not the most
18 common vectors that online sextortion criminals used to target their victims. It’s design and features
19 made it the most accessible platform for blackmailers to quickly obtain personal information and
20 initiate a successful sextortion attack.

21 153. Attached to this Complaint as **Exhibit C** is a Network Contagion Research Institute
22 report discussing the fact that Meta’s Instagram product currently “is the most common vector that
23 sextortion criminals use to target their victims. Instagram’s design and features make it the most
24 accessible platform for blackmailers to quickly attain personal information about the victim to
25 initiate a successful sextortion attack.” *Id.* at 5. While Snap’s Snapchat product is identified as
26 being “most frequently utilized to coerce victims into sending a compromising photo.” *Id.* at 6.

27 154. While Meta and Snap may claim that these kinds of harms are random and content-
28 based, they are not. When a specific type of harm proliferates on one or two platforms out of many,

1 that difference is product-specific and not coincidence.

2 155. Meta and Snap matchmake for criminals via their “Suggestions for You” and “Quick
3 Add” product features, respectively, and to increase their own engagement.

4 156. Meta and Snap also push and otherwise incentivize young users into accepting these
5 suggestions. This includes by characterizing and representing that other users (often strangers) are
6 “friends,” people these children may know and/or have interests in common with, and similar.
7 Additionally, platforms like Snapchat further incentivize children with gamification and rewards.
8 This includes features like Snap’s Scores, Streaks, Trophies, and Charms, as well as Snap’s
9 population of connections on its Snap Map. All of these features are designed to nudge children into
10 accepting Snap’s Quick Add suggestions in order to increase Snap’s engagement overall.

11 157. Meta and Snap also program and operate these tools in a manner known to reward
12 bad behavior. That is, rather than disabling these features on minor users’ accounts or even
13 providing children with an option to disable, Meta and Snap push predators to children on the basis
14 of things like predator preference. For example, if an adult male wants to connect with teen girls,
15 then the platforms will push their data to teen girls and vice versa to increase engagement on the
16 part of the predator and the child.

17 158. Once Meta and Snap have caused and/or contributed to these harms – after a child is
18 victimized on Instagram and Snapchat – they actively interfere with the victim’s ability to protect
19 themselves and prevent the snowballing of harm. Again, they do this as part of their engagement
20 first model and as a matter of product design. Meta and Snap render their young users helpless
21 because, on information and belief, they do not want to create systems that will result in the take
22 down of accounts despite knowing that leaving up such accounts results in terrible harms.

23 159. One plaintiff in another lawsuit best illustrates this point through his own, extensive
24 efforts to protect his child, 14-year-old John Doe who was subjected to sextortion harms on May
25 11, 2022. *See A.C. and John Doe v Meta Platforms, Inc.*, N.D. Cal., Case No. 4:23-cv-00646 (filed
26 Feb. 13, 2023). These harms occurred via Instagram and Snapchat. Specifically, the predator found
27 John Doe on Instagram as a function of Meta’s lack of privacy settings and safeguards, and
28 affirmative bidirectional pushing of users and user data between minors and strangers.

1 160. Once convinced that the predator was a teen girl with romantic interest in him, John
2 Doe said no to exchanging photos and videos on Instagram. He did not want to risk the other person
3 being able to copy, save, and/or potentially share his media.

4 161. John Doe did, however, agree to exchange on Snapchat because he believed Snap’s
5 representations that its platform was safe for sexting. The moment he sent his photos on Snapchat,
6 the predator began sextorting him.

7 162. The predatory Snapchat user sent John Doe a Snapchat message containing a collage
8 of all the images he had shared, demonstrating that they had in fact saved them and could now share
9 them with anyone. The predatory Snapchat user bombarded John Doe with Snapchat messages
10 harassing him, threatening him, and demanding payment to stop them from sharing his photos with
11 his friends and family.

12 163. Panicked and trying to escape from the predator, John Doe stopped replying to the
13 predatory Snapchat user, blocked the predatory Snapchat user, and later deleted his Snapchat
14 account. But the predator immediately continued sextorting him on Instagram.

15 164. What happens next – after the young user realizes that a predator has their
16 information and ability to access all of their online friends and family – will require discovery in the
17 cases of Amanda Todd, Braden Markus, and Harry Burke. However, what happened next in the
18 case of John Doe speaks volumes about Defendants’ complete lack of regard for the safety of their
19 users. Specifically, these companies design their products in a manner that deprives their users of
20 the ability to obtain help and minimize harm.

21 165. Realizing that the “young woman” was, in fact, a relentless predator, John Doe did
22 everything he could think of to stop what was happening and sever the predator’s ability to
23 communicate with and threaten him and disclose his photos to his family, friends, classmates, and
24 others. He tried to delete the group chat wherein the predator began disclosing his photos and video,
25 removed his Instagram account’s profile bio text, changed his Instagram username, followed his
26 father’s Instagram account, changed his Instagram username again, and began blocking and
27 unfollowing Instagram users that he had seen the predator add to the group chat.

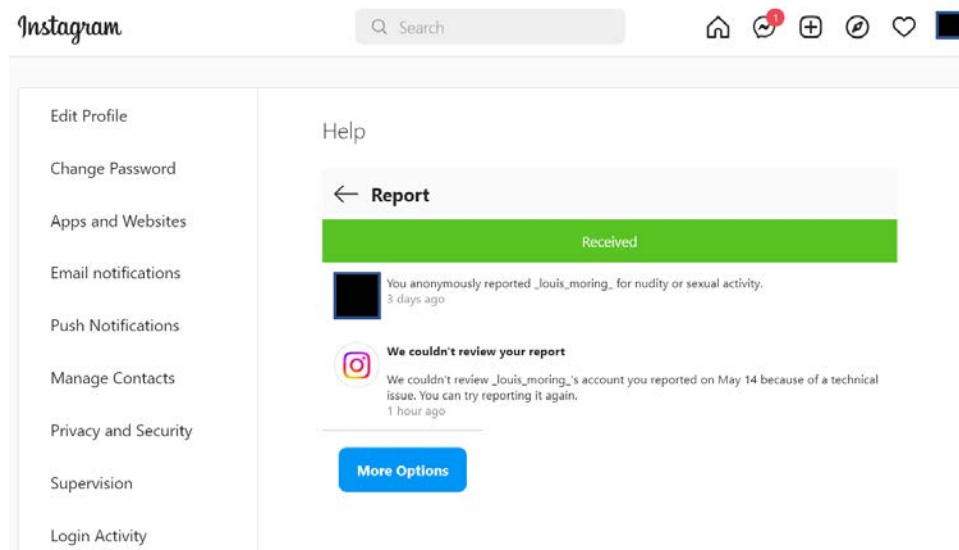
28 166. When John Doe’s father, A.C., learned what was happening, he immediately began

1 researching and then doing everything he could to stop the harms from continuing on Instagram.
2 Like John Doe, he too hit dead end after dead end as a matter of product design and defects.

3 167. A.C. started by looking for any means of reaching a human being at Meta. He
4 scoured the internet at large for any means of reaching Meta directly, but found no phone number,
5 staffed email address, or chat. It was not just a matter of there being nothing on Meta’s website; he
6 could not find any record of any such means of contacting Meta in existence.

7 168. So instead, he reported and attempted to get Meta to act on the predator’s account
8 and the direct message thread by reporting the predator account from within the Instagram interface
9 through both his son’s account and his own. A.C. could no longer access the direct message thread
10 because his son had deleted it from his account. However, A.C. checked the status of his report to
11 Instagram around the clock and learned through persons that had been connected on Instagram with
12 John Doe that not only was the direct message thread still there but that significantly more people –
13 including John Doe’s classmates – had been added.

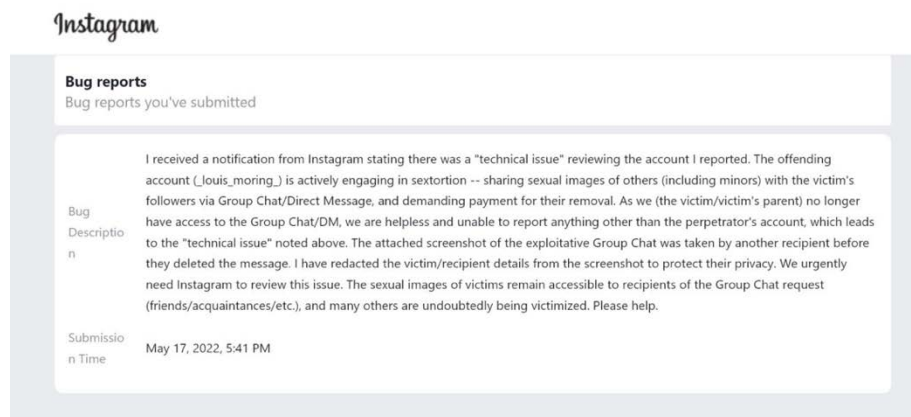
14 169. A few more days passed, and A.C. finally received a push notification from Meta
15 relating to his first report on May 14. He was frustrated and felt defeated, but hopeful that Meta
16 finally had done something. Only Meta reported back that his support request had been updated,
17 but then said that it “couldn’t review _louis_moring_’s account you reported on May 14 because of
18 a technical issue. You can try reporting it again.”



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28 170. Up to this point, A.C. had researched every Instagram report option and support form

1 and had followed their instructions precisely. When attempting to file a report using either of the
2 forms Meta made available, however, none of them actually resulted in him being able to report the
3 circumstance of ongoing harm. In multiple instances, while selecting from the available options, the
4 “Report Harassment or Bullying on Instagram” form erroneously redirected A.C.’s web browser to
5 Instagram’s main Help Center page talking about Covid-19.

6 171. After receiving the “technical issue” notification from Meta, A.C. checked and
7 confirmed that the predator was still active, so he restarted the reporting process and exhausted every
8 available option for consumers to report harms to Meta. He selected a different category of abuse.
9 He went back to the Help Center support forms. He replied to the auto-response email triggered by
10 his submissions, including more details and screenshots. He even went so far as to report the
11 “technical issue” via Meta’s Bug report form, including details of the ongoing sextortion and a plea
12 for help.



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20 172. Finally, the following day, A.C. found that the predator’s profile was inaccessible
21 via the original URL. He thought Meta may have removed it but couldn’t be certain since Meta
22 never responded to his support requests. Instead, his report within the app still showed that it was
23 “In review” – as it did for several months after. He had also learned that there is no way for a
24 consumer to differentiate between an account Meta removed and one that changed its username or
25 where a user temporarily disabled it itself. A.C. couldn’t be sure or confirm that Meta removed
26 the predator or abusive chat, compelling him to continue researching and monitoring the situation.

27 173. In the course of this ongoing research, he discovered a new Instagram account
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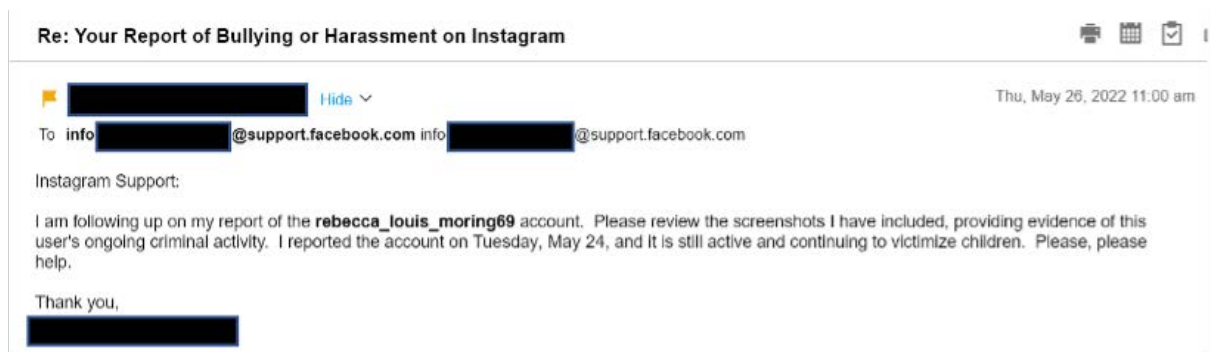
1 belonging to the same predator that sextorted his son. This created yet another risk to his son, even
2 though they had closed his son’s Instagram account by then, and because the predator presumably
3 still had his photos, knew the usernames of his friends and classmates, and could continue
4 distributing them and find another means of harassing and sextorting his child.

5 174. A.C. also then saw an article about the “sextortion” issue and its prevalence on these
6 platforms, and that children experiencing these harms were dying by suicide as a result.

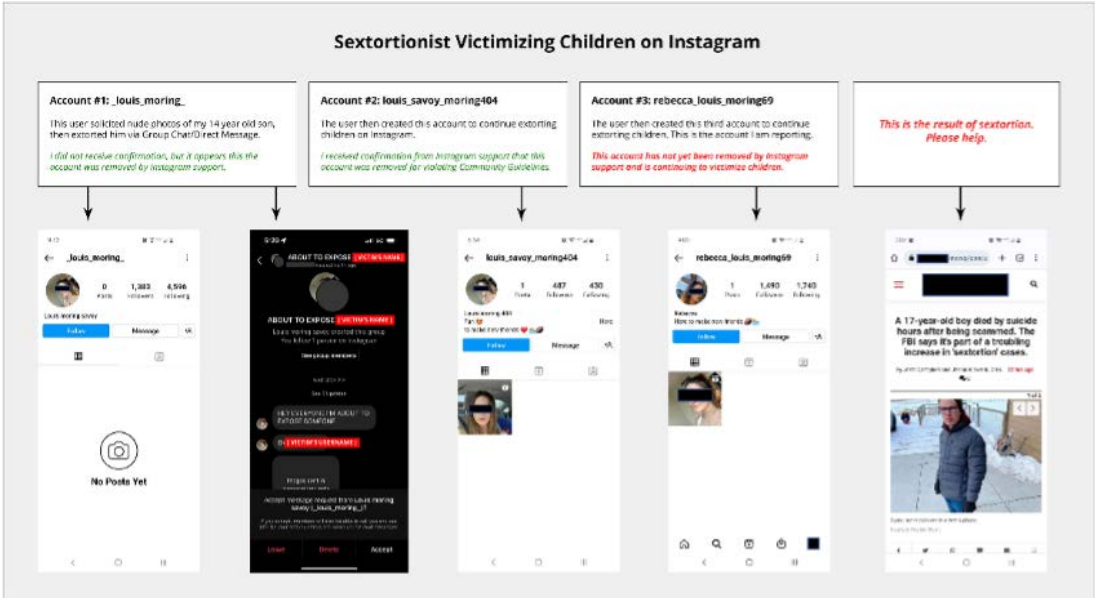
7 175. Based on this, A.C. could not stop trying.

8 176. A.C. took screenshots of the new account, recorded its profile data and downloaded
9 its profile photos, and reported the new account to Instagram via the app and web form. He
10 continued to monitor the criminal on Instagram, record data from and details about new profiles,
11 and report those new profiles to Instagram as well. He believed that if he could bring the issue to
12 Meta’s attention, Meta would do something to stop such life-threatening abuses.

13 177. A.C. identified and reported multiple accounts being used by the same predator.
14 Some of those reports were successful, and he received confirmation from Meta that the accounts
15 were removed for violating their Community Guidelines. Over time, however, Meta began
16 responding to reports of virtually identical accounts instead with messages like “We found that this
17 account likely doesn’t go against our Community Guidelines. If you think we made a mistake, please
18 report it again,” or “Because of the high volume of reports we receive, our team hasn’t been able to
19 review this account.”



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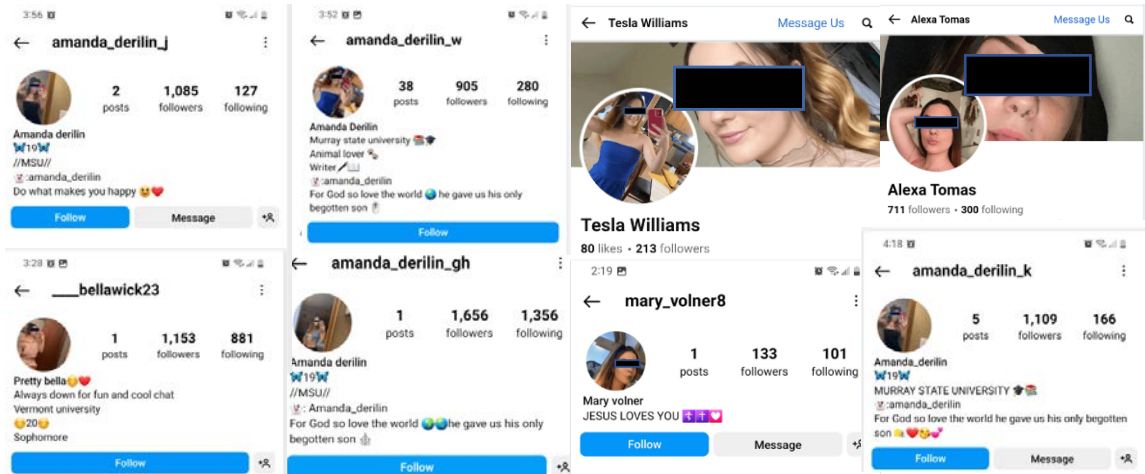
178. What struck A.C. was how easily he was able to identify profiles belonging to this predator due to similarities in usernames, profile images, descriptions, and behaviors. If he could find them so easily, why wasn't Meta doing the same?

179. Which is when he realized that Meta had everything it needed to stop this predator from harming others. It simply chose to not do so. The weight of this knowledge was crushing, as he began to realize that there was nothing that he could do to force Meta to act in a reasonable manner to stop harms happening on and because of its platform, and about which it had actual knowledge.

180. Children would die because Meta believed it had no duty to the children using its products to design reasonably safe features, or even to act on known abuse of children.

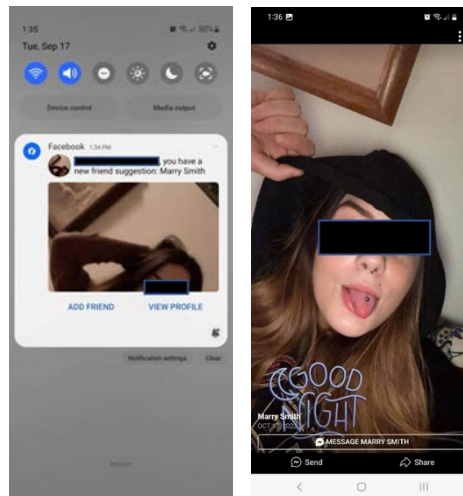
181. Eventually, A.C. had to stop investigating and reporting for the sake of his own mental and physical health.

1 182. In April 2024, however – two years later – he checked Instagram and Facebook and
2 found more than a dozen new, active profiles linked to the same user that sextorted his son in 2022.
3 Again, it was not difficult to confirm these accounts as belonging to the same predator, due to
4 similarities in usernames, profile images, descriptions, and behaviors.



13 183. More recently, on September 17, 2024, Meta issued statements to the press in
14 advance of a House markup on the Kids Online Safety Act (KOSA), claiming that it was instituting
15 several safety features for the benefit of kids. [https://www.newsweek.com/instagram-major-child-](https://www.newsweek.com/instagram-major-child-safety-changes-affects-millions-1955053)
16 [safety-changes-affects-millions-1955053.](https://www.newsweek.com/instagram-major-child-safety-changes-affects-millions-1955053)

17 184. And yet, later that same day, A.C. accidentally clicked the Facebook icon on his
18 phone. Moments later, Meta began sending him push notifications, recommending that he “friend”
19 the criminal who more than two years prior sextorted his son.



1 185. These platforms have known about these harms for years and have had every
2 opportunity to make reasonable and available fixes to their product that would both reduce the
3 incidence of sextortion and provide consumers with the ability to act once such harms begin.
4 Instead, Meta is actively trying to connect a known predator – known to Meta – to other users, while
5 grossly misrepresenting the safety of its products.

6 186. On March 25, 2022, 17-year-old Jordan DeMay (from the United States) was the
7 victim of Instagram sextortion. When Jordan headed to his room for the night everything was fine
8 – and all of that changed in a matter of hours, as the result of Instagram settings and business choices.
9 *See DeMay et. al. v. Meta Platforms, Inc. et al.*, L.A. Sup. Ct., Case No. 24SMCV00732 (filed Jan.
10 31, 2024). (These allegations are made with permission from Jordan’s family).



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18 187. On July 27, 2022, 17-year-old Gavin Guffey (from the United States) was the victim
19 of Instagram sextortion. When Gavin headed up to his room for the night everything was fine – and
20 all of that changed in a matter of hours, as the result of Instagram settings and business choices.
21 (These allegations are made with permission from Gavin’s family).



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C. **Braden Markus: Meta failed to fix the defects and/or inherent dangers identified prior to 2012 and continued allowing for the sextortion of children as a matter of design and operation**

188. Plaintiff Jennifer Markus, individually and as successor-in-interest to Braden Markus, asserts claims against Meta in connection with Instagram.

189. Braden was born on January 24, 2006, and lived in Lewis Center, Ohio.



190. He was a goofball and had this incredible smile that could light up rooms. He made friends with everyone and was excelled at sports – from football to wrestling to baseball. His dream was to play baseball in college and serve his country in the U.S. Army.

191. Braden began using Instagram in April 2018, which his mother only learned recently, and as his parents did not consent to his use of Instagram until he was around 14 years old – either at the end of seventh grade or shortly after starting eighth. Meta designs its products, however, to ensure access by young users irrespective of parental knowledge or consent.

192. Meta markets its products as safe and fun for kids, and Braden and his family were aware of Meta’s representations and reputation and had no reason to think that Meta was being dishonest about the safety of its product and business practices. But also, his parents waited. They did more than what they understood to be best practice for children and devices. They spoke with him about responsible device use, waited until he was 14 to allow any social media use, and he and his mother talked openly and often with each other.

1 193. On October 15, 2021, Braden played Friday night football. After the game, he told
2 his family, the coach pulled him aside and told him that if he kept busting his butt like that then he
3 would be the starting running back next year. Braden was over the moon.



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11 194. On October 16, 2021, he played in a Saturday JV game.

12 195. On the morning of Sunday, October 17, 2021, Jennifer left for work, and everything
13 felt right in the world. Then, at 11:28 a.m. Braden died by suicide, and everything was wrong.

14 196. No one had any idea what could possibly have happened and none of it made sense.
15 Braden's family tried to unlock his cell phone, and asked Apple for help, but Apple refused.
16 Fortunately, they found someone who was able to start the process of trying to manually unlock the
17 device. There was no guarantee it would work, but then, 10 months later they got in.

18 197. What they eventually learned was that, at 10:30 a.m., Braden was working on his
19 driver's ed test; at 11:01 a.m. he was contacted by a stranger on Instagram; and at 11:28 – only 27
20 minutes later – he was gone.

21 198. The predator found Braden on Instagram as a function of Meta's lack of privacy
22 settings and safeguards, and affirmative bi-directional pushing of users and user data between
23 minors and strangers. This is not someone Braden knew in real life or would ever have met or even
24 been identifiable and accessible to but for Meta's engagement first designs and programming
25 decisions.

26 199. Braden was then convinced to exchange compromising photos via Google Hangouts,
27 an app Google discontinued sometime in or around late 2022. On information and belief, Google
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1 corporate decision to prioritize money and power over the lives of children across the world.

2 205. It also is a near certainty that the predator that sextorted Braden had multiple accounts
3 on Instagram. Plaintiffs allege this because many online predators do; it allows them to keep
4 exploiting children when one account is taken down, establish credibility (for example, by
5 increasing friend counts), and continue harassing children who attempt to block them.

6 206. Meta further designs its purported reporting features to be ineffective and render
7 them ineffective through their own actions and inaction. Having to remove accounts and ban users
8 – even, if not especially, predators – is not good for its bottom line.

9 207. Accordingly, it also is possible, if not likely, that the same predator who sextorted
10 Braden had been reported on Instagram, and that Meta knew that children were being harmed as the
11 result of its failure to act prior to when Braden was harmed (as illustrated by the facts in *A.C.*, not
12 directly at issue in this Complaint but discussed above).

13 208. Meta could have limited number of accounts per user, provided consumers with easy-
14 to-use and effective reporting mechanisms, and implemented other features to make its products
15 exponentially safer for its users.

16 209. These are harms Braden did not seek out or want. Due to the dependencies Meta
17 created, however, they were harms he became unable to avoid, as Meta reasonably foresaw.

18 210. Braden felt vulnerable and trapped as the result of his Instagram use – a product he
19 trusted based on representations and promises that it was safe and fun.

20 211. The Instagram predator’s ability to commit these criminal acts came from Meta’s
21 failure to implement reasonable safety settings for users, especially teens, failure to provide users
22 with any form of reasonable reporting mechanism or emergency contact, and, again, bi-directional
23 pushing of users and user data between minors and strangers in the first place.

24 212. Braden felt helpless and, because of the aforementioned defects and/or inherent
25 dangers baked into Instagram by design, there was nothing he could do. Meta rendered him
26 powerless to stop or even mitigate such harms and, being a 15-year-old boy – which fact, on
27 information and belief, Meta also knew – he felt like his life was over.

28

1 213. On October 17, 2021, Braden died by suicide.



11 214. Neither Braden nor his family knew or had reason to know about Meta’s defective
12 and/or inherently dangerous product, product features, and settings, or that Meta was using them in
13 an exploitative and harmful manner. While Meta’s knowing and deliberate product design,
14 marketing, distribution, programming and operational decisions and conduct caused serious
15 emotional, mental, and physical harms to Braden and his family.

16 215. While discovery will be needed to ascertain precisely what Meta knew and when,
17 they can be no question that it knew Amanda Todd was a minor when she used Facebook in 2012,
18 that Meta provided her abuser with more than 20 separate Facebook accounts, that it was distributing
19 her private data to adult strangers, and that it provided her with no reasonable or effective safety
20 features, allowing a Facebook predator to repeatedly find and abuse her – along with dozens of other
21 young people he also was able to find and abuse because of Meta’s defective and/or inherently
22 dangerous designs and failures to warn. Meta knew all of this, if not before Amanda died in 2012,
23 then shortly after. There is no conceivable reason why Meta could not have fixed these defects in
24 the more than ten years between Amanda’s death and Braden’s use of its Instagram product.

1 **D. Harry Burke: Meta failed to fix the defects and/or inherent dangers identified**
2 **prior to 2012 and continued allowing for the sextortion of children as a matter**
3 **of design and operation; Snap enabled and allowed for the sextortion of children**
4 **as a matter of design and operation as well.**

5 216. Plaintiffs Carl Burke and Barbie Lavers, individually and as successor in interest to
6 Carl Harry (“Harry”) Burke, assert claims against Meta and Snap in connection with Instagram and
7 Snapchat.

8 217. Harry Burke was born January 26, 2006, and lived on Prince Edward Island, Canada.

9 218. He was a remarkable young man. He was handsome but never acted like he knew it,
10 incredibly responsible, and loved by his teachers, friends, and family. He was also kind. Harry
11 made sure no one ever felt left out and went out of his way to ensure that those who felt most alone
12 knew that they were always welcome. And he was true patriot to his country. Harry had finished
13 cadets as a warrant officer, at 16 he joined the reserves, and when he finished high school, he was
14 going to go to Kingston Ontario to the Royal Military College. He once told his parents, “I want to
15 change Canada someday, I want to make it better.” And he did; Harry made it better every day.



23 219. Harry began using Instagram and Snapchat in or around 2019, when he was 13 years
24 old, and his use of Instagram and Snapchat resulted in his death. Both companies market their
25 products as safe and fun for kids, and Harry and his family had no reason to think otherwise.

26 220. On April 24, 2023, Harry had just completed one of his last weekends of basic
27 training for the Armed Forces reserves and was home with his parents and younger sister. He was
28 tired that day, and his dad suggested he stay home from school. They did some work around the

1 house together, talked, and enjoyed each other’s company.

2 221. At about 9:30 p.m. that evening, Harry approached his father clearly upset. He said
3 that he had “shared pictures and now this person wants money.”

4 222. On information and belief, Harry had been identified, targeted, and approached by a
5 stranger on Instagram. The predator found Harry on Instagram as a function of Meta’s lack of
6 privacy settings and safeguards, and affirmative bidirectional pushing of users and user data between
7 minors and strangers.

8 223. This is not someone Harry knew in real life or would ever have met or even been
9 identifiable and accessible to but for Meta’s engagement first designs and programming decisions.

10 224. On information and belief, once convinced that the predator was a young woman
11 with romantic interest in him, Harry remained wary of exchanging photos on Instagram. Like many
12 young people, he did not want to risk the other person being able to copy, save, and/or potentially
13 share his media. He did not, however, think that the same risk existed on Snapchat. Relying on
14 Snap’s representations that its platform was safe for sexting, Harry was convinced to exchange
15 compromising photos via Snapchat.

16 225. Snap made a fortune from marketing its product as different from other platforms
17 because it’s safe for sending explicit photos. Snap is replete with supporting features, including one
18 that notifies users when another user takes a screenshot of their Snap or Story, while a draft press
19 release from 2011 reads that the product “lets you and your boyfriend send photos for peeks and not
20 keeps!”⁴¹ That is the snake oil on which Snapchat was built – privacy and disappearing photos.
21 Countless children have relied on Snap’s representations and suffered harm as a result.

22 226. The moment Harry sent his photos the predator began sextorting him and, on
23 information and belief, moved at least part of that harassment back to Instagram.

24 227. Meta provided the predator with access to Harry and all of his online friends, family,
25

26 ⁴¹ Colao, *supra* note 18. See also Nick Bilton, *Disruptions: Indiscreet Photos, Glimpsed Then Gone*, N.Y. TIMES (May
27 6, 2012, 5:24 PM), https://archive.nytimes.com/bits.blogs.nytimes.com/2012/05/06/disruptions-indiscreet-photos-glimpsed-then-gone/?_r=0 (“The app’s description in the Apple App Store does not mention sexting. But the
28 accompanying images are of scantily clad women, and Apple has designated the app as being for users 12 and older, warning of ‘mild sexual content or nudity.’ Mentions of the app on Twitter indicate that many young people use it for photo-based banter with friends, though there are references to its less innocent potential.”).

1 and classmates as a matter of engagement-first design. This makes Meta’s users particularly
2 vulnerable to predation, which Meta has known for years and, for years, it has refused to make
3 reasonable fixes to its product to cure these defects.

4 228. Meta and Snap know about these defects and/or inherent dangers, have known for
5 years, but continue to harm children as a matter of design because its more profitable for them.

6 229. For example, in at least one Meta document predating Harry’s exploitation by three
7 years, Meta recognized that its direct message feature is where “most unwanted interactions
8 happen,” including bullying and “[s]evere violations targeted to those under 18.” And that restricted
9 interaction settings are “highly valuable” for the users who utilize them.⁴²

10 230. Rather than implement such basic safety settings, Meta decided to keep looking into
11 it. Specifically, Meta has conveyed to employees as a matter of corporate policy and culture that it
12 will consider safety features and changes, but only if they can be implemented *without* the risk of
13 decreasing engagement. Conversely, those at Meta responsible for launching products and
14 increasing engagement have no such restraints when it comes to safety. This is a deliberate
15 corporate decision by Meta to prioritize money and power over the lives of children across the world.

16 231. It also is a near certainty that the predator that sextorted Harry had multiple accounts
17 on Instagram (dozens or more) and may have had multiple accounts on Snapchat. Plaintiffs allege
18 this because many online predators do; it allows them to keep exploiting children when one account
19 is taken down, establish credibility (for example, by increasing friend counts through a larger
20 network), and continue harassing children who attempt to block them. These also are all the product
21 of design and programming decisions.

22 232. Meta and Snap further design their purported reporting features to be ineffective and
23 render them ineffective through their own actions and inaction. Having to remove accounts and ban
24 users – even, if not especially, predators – is not good for their bottom line.

25 233. Accordingly, it also is possible, if not likely, that the same predator who sextorted
26

27 ⁴² See *Should we default teens into privacy settings*, available at
28 [https://www.documentcloud.org/documents/23322914-copy-of-should-we-default-teens-into-privacy-
settings__sanitized_opt](https://www.documentcloud.org/documents/23322914-copy-of-should-we-default-teens-into-privacy-settings__sanitized_opt) (last accessed Oct. 8, 2024).

1 Harry had been reported on one or both apps, and that Meta and/or Snap knew that children were
2 being harmed on their platform as the result of their failure to act prior to when Harry was harmed
3 (as illustrated by the facts in *A.C.*, not directly at issue in this Complaint but discussed above).

4 234. Meta and Snap could have limited number of accounts per user, provided consumers
5 with easy-to-use and effective reporting mechanisms, and implemented other features to make their
6 products exponentially safer for their users.

7 235. These are harms Harry did not seek out or want. Due to the dependencies Meta and
8 Snap created, however, they were harms he became unable to avoid, as Defendants reasonably
9 foresaw and even intended when designing, programming, and operating their platforms.

10 236. Harry felt vulnerable and trapped as the result of his Instagram and Snapchat use –
11 products he trusted based on representations and promises that they were safe and fun. As he
12 explained to his parents, the Snapchat predator demanded money and threatened to send his photos
13 to all of his friends and family if he didn't pay.

14 237. Harry and his family discussed next steps and agreed that paying wouldn't solve
15 anything as demands would just keep coming. They decided to call RCMP in the morning and report
16 the incident. However, while having this discussion, Meta sent a push notification to Harry's
17 mother. It alerted her of a new Instagram message, which message came from the predator and
18 threatened to ruin her son. The predator has also sent some of Harry's photos to a military friend,
19 and who knows how many others.

20 238. The predator's ability to commit these criminal acts came from Meta's failure to
21 implement reasonable safety settings for users, especially teens, failure to provide users with any
22 form of reasonable reporting mechanism or emergency contact, and, again, bidirectional pushing of
23 users and user data between minors and strangers in the first place.

24 239. Harry had a loving and supportive family and was told repeatedly that everything
25 would be okay. He had resources and support, but because of these aforementioned defects and/or
26 inherent dangers, there was nothing Harry could do but sit, wait, and suffer the unspeakable harms
27 Meta and Snap subjected him to then rendered him powerless to stop or even mitigate.

28

1 240. That night his mother said, “I love you, Harry,” and he said, “I love you, Mom” in
2 return. Only, by morning he was gone. On April 25, 2023, Harry died by suicide.



11 241. Neither Harry nor his family knew or had reason to know about Meta and Snap’s
12 defective and/or inherently dangerous products, product features, and settings, or that Meta and Snap
13 were using them in an exploitative and harmful manner. While Defendants’ knowing and deliberate
14 product design, marketing, distribution, programming and operational decisions and conduct caused
15 serious emotional, mental, and physical harms to Harry and his family.

16 242. While discovery will be needed to ascertain precisely what Meta knew and when,
17 they can be no question that it knew Amanda Todd was a minor when she used Facebook in 2012,
18 that Meta provided her abuser with more than 20 separate Facebook accounts, that it was distributing
19 her private data to adult strangers, and that it provided her with no reasonable or effective safety
20 features, allowing a Facebook predator to repeatedly find and abuse her – along with dozens of other
21 young people he also was able to find and abuse because of Meta’s defective and/or inherently
22 dangerous designs and failures to warn. Meta knew all of this, if not before Amanda died in 2012,
23 then shortly after. There is no conceivable reason why Meta could not have fixed these defects in
24 the more than eleven years between Amanda’s death and Harry’s use of its Instagram product.

1 **VI. PART II: ANXIETY, DEPRESSION, SUICIDAL THOUGHTS, AND THE IMPACT**
2 **OF THESE PRODUCTS ON CHILDREN’S BRAINS**

3 **G.B. (12), N.G. (13), J.S. (14), S.E. (15), P.E. (15)**

4 243. Meta, Snap, TikTok, and Google knowingly created, implemented, and continued
5 with product design features that cause anxiety, depression, and suicidal thoughts in young children.

6 244. On information and belief, each of these Defendants targets and manipulates user to
7 get them hooked on their products in a manner that will compel them to use the platforms more,
8 even if they would not otherwise have made that choice for themselves.

9 245. For example, and on information and belief, Google had a program intended to target
10 lower use individuals that it identified as showing signs they might be influenceable into using
11 YouTube more. By applying manipulative techniques, Google could push users into increased use
12 of YouTube and such that it eventually would become an organic habit, i.e. a choice these users
13 believed they were making on their own. This is the degree of manipulation these Defendants have
14 been using on consumers – including children – resulting in untold addiction-related harms.

15 **A. 12-year-old G.B. (from Mississippi)**

16 246. Plaintiff A.B., on behalf of G.B., asserts claims against the Snap and TikTok
17 Defendants in connection with Snapchat and TikTok.

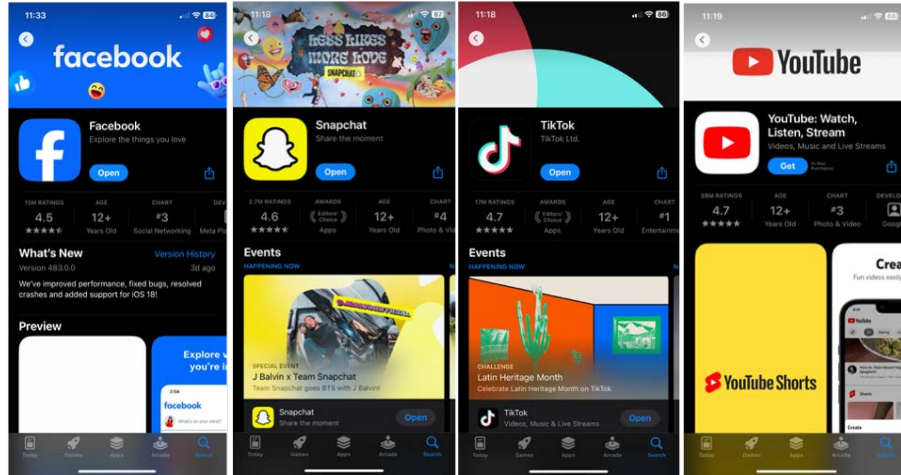
18 247. G.B. currently is 12 and lives in Tishomingo County, Mississippi.

19 248. G.B. began using these platforms in or around 2020, when she was 9. Defendants
20 design their platforms to ensure access to minors irrespective of parental knowledge or consent.

21 249. This is particularly surprising since U.S. federal law prohibits these defendants from
22 distributing their products to and collecting certain information from children under 13 absent
23 explicit parental consent. *See* The Children’s Online Privacy Protection Rule (“COPPA”). While
24 the platforms themselves claim to prohibit use by children under 13.

25 250. And yet, these companies currently advertise their products in U.S. App stores as
26 suitable for children as young as 12 and generate billions in annual revenue from underage users.⁴³

27 _____
28 ⁴³ Attached to this Complaint as **Exhibit D** is a research article published December 27, 2023, estimating the billions these Defendants make from underage users allowed on their platforms each year.



251. G.B.'s use of Snapchat and TikTok coincided with a severe decline in her mental health. As the foreseeable result of Defendants' extended use designs and other defective and/or inherently harmful designs, G.B. developed harmful dependencies on these platforms, resulting in sleep deprivation, depression, anxiety, self-harm in the form of cutting, exploitation, suicidal thoughts, and other serious mental health harms not experienced prior to when such use began.

252. Defendants targeted G.B. with Artificial Intelligence (AI) driven user recommendation tools, AI driven feed-based tools, and harmful social comparison and social rewards tools and features.

253. G.B. went from being a happy to child to one who lost interest in everything but these products. She began having trouble sleeping for the first time in her life, and no longer wanted to be around family or friends. She began skipping meals and engaging in self-harm and, eventually, expressed suicidal thoughts that required hospitalization.

254. G.B.'s parents had screen times limits for devices and required all devices to be put on a charging station at night. But these rules didn't protect their child like they reasonably believed they would. Instead, G.B. became a different person after she started using Snapchat and TikTok.

255. These are harms G.B. did not seek out or want. Due to the dependencies Defendants created, however, they were harms G.B. became unable to avoid, as Defendants reasonably foresaw and intended when designing, programming, and operating their platforms.

256. G.B. and her family did not know or have reason to know about Defendants' defective and/or inherently dangerous products, features, and/or tools, or that Defendants were using

1 such products, features, and/or tools in an exploitative and harmful manner. While Defendants’
2 knowing and deliberate product design, marketing, distribution, programming and operational
3 decisions and conduct caused serious emotional, mental, and physical harms to G.B.

4 **B. 13-year-old J.S. (from Illinois)**

5 257. Plaintiff S.J., on behalf of J.S., asserts claims against Meta, Snap, TikTok, and
6 Google Defendants in connection with Facebook, Snapchat, TikTok, and YouTube.

7 258. J.S. currently is 13 and lives in Cook County, Illinois.

8 259. S.J. believes that her daughter began using these platforms in 2019, when she was 7.
9 She cannot be certain, however, as Defendants design their platforms to ensure access to minors
10 irrespective of parental knowledge or consent.

11 260. This is particularly surprising since U.S. federal law prohibits these defendants from
12 distributing their products to and collecting certain information from children under 13 absent
13 explicit parental consent. *See* The Children’s Online Privacy Protection Rule (“COPPA”). While
14 platforms themselves claim to prohibit use by children under 13.

15 261. On information and belief, companies like Meta and Google also developed
16 technologies that enable them to estimate the actual age of each user with a shocking degree of
17 certainty; and while such companies take care to avoid explicit discussion of the fact that they
18 knowingly provide their products to children under 13, they discuss this in more general terms. This
19 include, for example and on information and belief, allowing advertisers interested in capturing
20 under 13 audiences to target users these companies identify as not belonging in any of the age groups
21 they identify as having an actual age of 13 or older. It also could include conducting studies on
22 tween demographics, which studies acknowledge the fact that they are aware of such underage use;
23 not taking down accounts reported as belonging to children under 13; running marketing and product
24 development studies that implicitly recognize under 13 user based on estimate year of birth; and any
25 other number of devices through which these companies have decided to use their knowledge of
26 underage use to their economic advantage, and despite knowledge of illegality and resulting harms.

27 262. J.S.’s use of Facebook, Snapchat, TikTok, and YouTube coincided with a severe
28

1 decline in her mental health. As the foreseeable result of Defendants’ extended use designs and other
2 defective and/or inherently harmful designs and actions, J.S. developed harmful dependencies on
3 these platforms, resulting in sleep deprivation, depression, anxiety, suicidal thoughts, and other
4 serious mental health harms not experienced prior to when such use began.

5 263. Defendants targeted J.S. with Artificial Intelligence (AI) driven user
6 recommendation tools, AI driven feed-based tools, and harmful social comparison and social
7 rewards tools and features.

8 264. These are harms J.S. did not seek out or want. Due to the dependencies Defendants
9 created, however, they were harms J.S. became unable to avoid, as Defendants reasonably foresaw
10 and intended when designing, programming, and operating their platforms.

11 265. J.S. and her mother did not know or have reason to know about Defendants’ defective
12 and/or inherently dangerous products, features, and/or tools, or that Defendants were using such
13 products, features, and/or tools in an exploitative and harmful manner. While Defendants’ knowing
14 and deliberate product design, marketing, distribution, programming and operational decisions and
15 conduct caused serious emotional, mental, and physical harms to J.S.

16 **C. 14-year-old N.G. (from New York)**

17 266. Plaintiff I.R., on behalf of N.G., asserts claims against Meta, Snap, TikTok, and
18 Google Defendants in connection with Facebook, Instagram, Snapchat, TikTok, and YouTube.

19 267. N.G. currently is 14 and lives in Richmond County, New York.

20 268. I.R. believes that her daughter began using these platforms in 2021, when she was
21 11 or 12; though she cannot be certain, as Defendants design their platforms to ensure access to
22 minors irrespective of parental knowledge or consent.

23 269. Again, this surprising since U.S. federal law prohibits these defendants from
24 distributing their products to and collecting certain information from children under 13 absent
25 explicit parental consent. *See* The Children’s Online Privacy Protection Rule (“COPPA”). While
26 platforms themselves claim to prohibit use by children under 13. And again, these companies have
27 knowledge regarding the actual age of each user, irrespective of how they self-identify at sign-up.
28

1 Defendants use such information for marketing and product development purposes and ignore it
2 when it comes to child safety.

3 270. N.G.'s use of Facebook, Instagram, Snapchat, TikTok, and YouTube coincided with
4 a severe decline in her mental health. As the foreseeable result of Defendants' extended use designs
5 and other defective and/or inherently harmful designs and actions, N.G. developed harmful
6 dependencies on these platforms, resulting in sleep deprivation, depression, anxiety, self-harm in
7 the form of cutting, disruption of education, suicidal thoughts, and other serious mental health harms
8 not experienced prior to when such use began.

9 271. Defendants targeted N.G. with Artificial Intelligence (AI) driven user
10 recommendation tools, AI driven feed-based tools, and harmful social comparison and social
11 rewards tools and features.

12 272. These are harms N.G. did not seek out or want. Due to the dependencies Defendants
13 created, however, they were harms N.G. became unable to avoid, as Defendants reasonably foresaw
14 and intended when designing, programming, and operating their platforms.

15 273. N.G. and her mother did not know or have reason to know about Defendants'
16 defective and/or inherently dangerous products, features, and/or tools, or that Defendants were using
17 such products, features, and/or tools in an exploitative and harmful manner. While Defendants'
18 knowing and deliberate product design, marketing, distribution, programming and operational
19 decisions and conduct caused serious emotional, mental, and physical harms to N.G.

20 **D. 15-year-old S.E. and P.E. (from Nebraska)**

21 274. Plaintiffs J.E., on behalf of S.E., and J.E., on behalf of P.E., assert claims against
22 Meta and TikTok Defendants in connection with Instagram and TikTok.

23 275. S.E. and P.E. currently are 15 and live in Douglas County, Nebraska.

24 276. S.E. and P.E. began using these platforms in March 2020, when they were 10.

25 277. Their parents did not consent to their use of Instagram and TikTok. In fact, they did
26 what parents are told to do to keep their children off social media. J.E. worked in the tech industry,
27 and decided to wait until her children were older. She even said no to one of her older children
28

1 when it came to a smart phone, and because she was concerned of potential risks. In short, they
2 made informed decisions when it came to tech and their children.

3 278. In March 2020, when school went remote due to COVID, they purchased devices
4 for their children. J.E. decided on Google Chrome Books, which Google markets as school-
5 appropriate devices. She followed all of Google’s instructions, setting the computers to their safest
6 and most restrictive settings. She also created and laminated a schedule and purchased four desks
7 from the school to turn their home into a classroom.

8 279. What she didn’t know was that Google Chromebooks could be used to access these
9 apps and that Meta and TikTok had no safety controls or intention of preventing underage use. On
10 the contrary, Meta and TikTok design their products to ensure access by underage children
11 irrespective of parental consent, which is precisely what happened with S.E. and P.E.

12 280. U.S. law prohibits these defendants from distributing their products to and collecting
13 certain information from children under 13 absent parental consent. *See* The Children’s Online
14 Privacy Protection Rule (“COPPA”). At all times, Meta and TikTok had knowledge that S.E. and
15 P.E. were underage, including because of data they collect and use to determine actual age of each
16 user. A draft study submitted for peer review in December of 2023, by researchers at UC Davis,
17 confirmed that fact – that Instagram, TikTok, and YouTube can ascertain actual age of users in a
18 shockingly low number of sessions. Attached to this Complaint as **Exhibit E** is a copy of that study.

19 281. S.E. and P.E.’s use of Instagram and TikTok coincided with severe declines in their
20 mental health. As the foreseeable result of Defendants’ extended use designs and other defective
21 and/or inherently harmful designs, both children developed harmful dependencies on these
22 platforms. For S.E., this resulted in sleep deprivation, depression, anxiety, low self-esteem, body
23 dysmorphia, eating disorders including anorexia and bulimia (and resulting, potentially long-term
24 physical harms), disruption of education, suicidal thoughts, attempted suicide, and other serious
25 mental health harms not experienced prior to when such use began. For P.E., this resulted in sleep
26 deprivation, serious depression and anxiety, for which P.E. required outpatient mental health
27 services, and other serious mental health harms not experienced prior to when such use began.

28 282. Defendants targeted both with AI driven user recommendation tools, AI driven feed-

1 based tools, and harmful social comparison and social rewards tools and features.

2 283. S.E. was active in cheer, which may be why TikTok started targeting her with
3 massive amounts of harmful advertisements and influencer content. TikTok gamified mental illness
4 and used the addiction it had created to ensure S.E. could not look away.

5 284. By December 2020, both girls needed serious mental health treatment as a result of
6 their exposure to Instagram and TikTok; and even then, it was not until weeks later that their parents
7 learned of their use of Defendants' products. A treating psychiatrist informed them that their
8 children had been able to access Instagram and TikTok and showed them types of content the
9 platforms were aiming at them – which was nothing short of child abuse.

10 285. At first, S.E. and P.E.'s parents wanted to blame their interest in sports but realized
11 over time that sports are very likely what saved their children's lives. Sports did not fuel these
12 harms, Instagram and TikTok did, and they did it as a matter of product design.

13 286. S.E. received extensive inpatient treatment until March of 2021. The doctors said
14 that it was one of the most severe cases they had seen and were struggling when she was first
15 admitted getting her to eat as little as 45 calories a day. It was only once her brain had some time
16 to heal that S.E. realized what was happening and fought to come back from it.

17 287. S.E., P.E., and her family are determined to speak up and speak out on the harms
18 these products are causing children across the world. They are done keeping Big Tech's secrets.

19 288. These are harms S.E. and P.E. did not seek out or want. Due to the dependencies
20 Defendants created, however, they were harms they became unable to avoid, as Defendants
21 reasonably foresaw and intended when designing, programming, and operating their platforms.

22 289. S.E., P.E., and their parents did not know or have reason to know about Defendants'
23 defective and/or inherently dangerous products, features, or tools, or that Defendants were using
24 them in an exploitative and harmful manner. While Defendants' knowing and deliberate product
25 design, marketing, distribution, programming and operational decisions and conduct caused serious
26 emotional, mental, and physical harms to S.E., P.E., and their family.

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1 **VII. PART III: EATING DISORDERS**

2 **A. V.H.**

3 290. Plaintiffs C.H. and J.H., on behalf of V.H., assert claims against the Meta Defendant
4 in connection with Instagram.

5 291. V.H. currently is 17 years old and lives in Berkeley County, South Carolina.

6 292. V.H. began using Instagram in 2020, when she was 13 years old.

7 293. Her parents, C.H. and J.H., were familiar with Meta’s representations and reputation
8 and, on that basis, did not think that Instagram was a danger to their child. In fact, V.H. had started
9 using TikTok one year prior, in 2019. Shortly after that use began, they saw some small changes in
10 her behavior and checked her TikTok feed. Unhappy with the types of videos TikTok seemed to be
11 aiming at their child, they made her close that account; and she did.

12 294. Instagram, on the other hand, marketed itself as safe for 13-year-olds. It marketed
13 itself more like a Pinterest, where teens could get ideas and share photos of outfits, fashion, how
14 they wanted to decorate their bedrooms, and similar. What Meta did not disclose were the many
15 defects and inherent dangers it had built into Instagram in order to addict children like V.H. Had
16 Meta been honest, they would never have allowed Instagram in their home in the first place.

17 295. V.H.’s Instagram use coincided with a steady and severe decline in her mental health.

18 296. Like millions of families all over the world, V.H. and her parents had no way to know
19 what Instagram was doing to her brain and did not understand the addiction as it was happening.

20 297. As explained by the United States Surgeon General Vivek Murthy in January 2023,
21 consumers against Big Tech is “just not a fair fight.”⁴⁴ “You have some of the best designers and
22 product developers in the world who have designed these products to make sure people are
23 maximizing the amount of time they spend on these platforms. And if we tell a child, use the force
24 of your willpower to control how much time you’re spending, you’re pitting a child against the
25 world’s greatest product designers.”

26
27 ⁴⁴ Allison Gordon & Pamela Brown, *Surgeon General says 13 is ‘too early’ to join social media*, CNN (Jan. 29, 2023,
28 8:08 PM), <https://www.cnn.com/2023/01/29/health/surgeon-general-social-media/index.html>. Exhibits and referenced materials are incorporated in this *Master Complaint* as if fully stated herein.

1 298. The harmful dependencies Meta created led to sleep deprivation, depression, anxiety,
2 orthorexia, body dysmorphia, low self-esteem, self-harm in the form of cutting, disruption to
3 education, suicidality, and other serious mental health harms not experienced prior to such use.

4 299. V.H.'s parents instituted rules around device use, including parental controls and
5 time limits. As her harmful dependency on Instagram grew, however, V.H. became defiant and
6 unable to handle her parents removing her access to the app. On more than one occasion, her mother
7 discovered devices V.H. obtained and hid in her desperation to keep using.

8 300. Meta sent V.H. push notifications, designed to and that did persuade her to log back
9 on to the Instagram app after she had logged off.

10 301. Meta targeted V.H. with Artificial Intelligence (AI) driven user recommendation
11 tools, AI driven feed-based tools, and harmful social comparison and social rewards tools and
12 features. Meta did this as a matter of design, and despite its knowledge that it was causing these
13 exact types of harms to a significant number of its youngest users – children like and including V.H.

14 302. In January 2022, V.H.'s mother checked her Instagram account and learned that Meta
15 was targeting her child with incredibly harmful images as a matter of design. These are not things
16 V.H. sought out, but things Meta drove and pushed her to as a matter of design. V.H. was always
17 athletic and ran cross-country, and Meta targeted and exploited her based on its determination of
18 her vulnerabilities and calculated decision to exploit and abuse those. Meta is doing this to millions
19 of children around the world, knows it is doing this, and continues to do it anyway.

20 303. The problem is that social media companies convinced all of us that their products
21 were not that bad. For example, even as medical professionals were bombarded more and more
22 with children suffering anxiety, depression, disordered eating, suicidality and other serious mental
23 health harms, they still had no way to see or understand what was happening – and Big Tech denied
24 it, including under oath before the United States Congress and governments around the world, and
25 actively concealed the kinds of information and studies they had and that we needed to understand
26 the connection between their products and these devastating harms.

27 304. On October 27, 2023, counsel for these companies sought dismissal of all claims
28 against them on the pleading in the multi-district litigation (MDL) pending before the Court in the

1 Northern District of California. At that hearing, TikTok counsel (on behalf of all Defendants,
2 including Meta) argued that these companies have no legal obligation whatsoever to design
3 reasonably safe products for children – children like V.H. that these companies targeted and trick
4 into believing that their products are safe and fun.

5 **THE COURT:** So what duty do you owe? What duty do you owe these children?
6 ... [You] collectively represent billion-dollar companies. What duty do [they] owe
these adolescents?

7 **MR. DRAKE:** Well, I'm not sure that I know what duty the companies would owe
8 based on any case that I been able to find to be able to articulate a duty for Your
Honor today and I think that's part of the problem that we're struggling with –

9 **THE COURT:** That is part of the problem. That is part of the problem, that you
10 seem to suggest you have no duty.

11 **MR. DRAKE:** Well, we're suggesting that we have no cognizable, recognized duty
12 under the laws of the 49 states that -- that are mostly at issue here -- I guess could
we could say all 50 states if -- if we want -- that has looked at this exact set of
allegations.

13 **THE COURT:** So you don't – you don't have a duty to ... design a platform in a
14 safe way. That's what you want – that's what you want to argue. ... Yes or no?

15 **MR. DRAKE:** Well, yes, I do want to argue that, your Honor ... That duty does
not exist under the law.⁴⁵

16 305. V.H. went from a child who enjoyed life, to one who suffers from debilitating anxiety
17 and panic attacks. She has been hospitalized multiple times and will struggle with such Instagram
18 caused harms for the rest of her life.

19 306. These are harms V.H. did not seek out or want. Due to the dependencies Meta
20 created, however, they were harms V.H. became unable to avoid, as Meta reasonably foresaw and
21 intended when designing, programming, and operating its products.

22 307. V.H. and her family did not know or have reason to know about Meta's defective
23 and/or inherently dangerous product, features, and tools, or that Meta was using these in an
24 exploitative and harmful manner. While Meta's knowing and deliberate product design, marketing,
25 distribution, programming and operational decisions and conduct caused serious emotional, mental,
26 and physical harms to V.H. and her family.

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28 ⁴⁵ Attached to this Complaint as **Exhibit F** is a copy of an excerpt from that transcript.

1 **VIII. PART IV: SUBSTANCE USE DISORDERS**

2 **A. TYLER RICHARDSON**

3 308. Plaintiffs Bradley Richardson, individually and as successor in interest to Tyler
4 Richardson, asserts Claims against Meta, Snap, and TikTok in connection with Facebook,
5 Instagram, Snapchat, and TikTok.

6 309. Tyler was born February 26, 2004, and lived in Troy, Illinois.

7 310. Tyler loved music and was an avid baseball enthusiast, especially the St. Louis
8 Cardinals. He enjoyed playing basketball and making people smile with funny faces. Tyler loved
9 to talk and be around people. He was sweet, inquisitive, and had a huge heart.



19 311. Tyler got his first phone at age 10. His parents had split and needed a way to stay in
20 contact with him. However, Bradley does not believe he began using Defendants' social media
21 products until sometime in 2017, when he was 13. It started, as it does with most kids, with
22 Facebook and Snapchat, then he began using Instagram and TikTok.

23 312. Every one of these companies, in the Apple App Store and elsewhere, advertises and
24 holds themselves out as designing and distributing products safe for children as young as 12. These
25 products were not, however, safe or age appropriate for Bradley's 13-year-old son – nor are they for
26 millions of other children around the world.

27 313. Tyler's use of Facebook, Instagram, Snapchat, and TikTok coincided with a severe
28 decline in his mental health.

1 314. As the foreseeable result of Defendants’ extended use designs and other defective
2 and/or inherently harmful designs, Tyler developed harmful dependencies on these platforms,
3 resulting in sleep deprivation, anxiety, depression, low self-esteem, anger, a substance use disorder,
4 and other serious mental health harms he did not experience prior to when such use began.

5 315. On information and belief, and like many children, when Tyler began using these
6 platforms, he had no knowledge of or interest in drugs. As described in proceedings against Snap
7 in connection with the deaths of more than 100 U.S. children via drug distribution occurring openly
8 on the Snapchat platform, most young children do not go looking for drugs; instead, Defendants
9 target them with drug content and connections as a matter of engagement-centric programming.

10 Snap began recommending and making [12-year-old Michael Brewer] available as
11 someone with whom Snapchat Drug Dealers might want to connect via the Quick
12 Add feature and exposed him to drug-related subject matters through its Stories
13 product. He received numerous Quick Add requests from drug dealers he did not
14 know in real life, accepted them as a matter of course, and would not have met those
15 predatory users but for Snap directing and/or connecting them to him.

16 More than one of the siblings of children at issue in these cases also can confirm
17 that adult strangers on Snapchat – including dealers – obtain their information from
18 Snap itself. These are persons these children did not ask to be connected to, did not
19 search for, and would not have met but for Snap making their information publicly
20 available and/or affirmatively recommending them to adult strangers on the
21 Snapchat platform.⁴⁶

22 316. These programming designs, particularly when combined with the addiction,
23 anxiety, depression, and other serious harms these platforms cause or contribute to through myriad
24 other designs and mechanisms result in serious – sometimes fatal – substance use disorders.

25 317. Facebook, Instagram, and Snap targeted Tyler with Artificial Intelligence (AI) driven
26 user recommendation tools, AI driven feed-based tools, and harmful social comparison and social
27 rewards tools and features. TikTok targeted him with AI driven feed-based tools, and harmful social
28 comparison and social rewards tools and features. All three companies set out to exploit him for
their own self-interest and succeeded.

 318. By 2019, Snap was pushing drug menus and marijuana to Tyler on a constant basis.

⁴⁶ *Neville et. al. v. Snap Inc.*, L.A. Sup. Ct., Case No. 22STCV33500, Second Amended Complaint, filed July 20, 2023, ¶¶ 147-148.

1 Tyler and his father talked about it, and Bradley cautioned him against illegal drug use, but
2 ultimately, there was nothing he could do to prevent his child from accessing these platforms. The
3 drug dealers pushed at Tyler are not people he knew or ever would have met in real life.

4 319. As the harms progressed, Tyler began using other drugs and eventually ended up
5 homeless. His parents did what they could to help, but when he came home, he would steal things
6 and ultimately have to leave again. At one point and to feed his habit, Tyler stole a car and was
7 arrested. His father brought him home and, over the next three weeks, Tyler stayed sober and tried
8 to make a new start, including starting a job at his father's company.

9 320. Unfortunately, what he couldn't stop was his use of Facebook, Instagram, Snapchat,
10 and TikTok and, on July 3, 2023, Tyler died of either drug poisoning or overdose.

11 321. Big Tech failed Tyler, and it is failing millions of other children across the world by
12 prioritizing engagement and profits over the safety and mental well-being of its users.

13 322. Neither Tyler nor his parents knew or had reason to know about Defendants'
14 defective and/or inherently dangerous products, product features, and settings, or that Meta, Snap,
15 and TikTok were using them in an exploitative and harmful manner.

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1 **IX. PART V: RADICALIZATION AND HATE**

2 **A. OWEN ZIMMER**

3 323. Plaintiff Amanda Zimmer, individually and as successor in interest to Owen Zimmer,
4 asserts claims against Meta, TikTok, Google, and Discord in connection with Instagram, TikTok,
5 YouTube, and Discord.

6 324. Owen was born June 14, 2006, and grew up in Warwick and East Greenwich, Rhode
7 Island.



16 325. He was a happy child, and good with electronics. His grandfather was an electrical
17 engineer, which was a passion they shared, and he and Owen did several engineering projects over
18 the years. They even built a gaming computer together when Owen was in middle school. Amanda
19 never saw technology as something inherently or necessarily dangerous. On the contrary, these are
20 highly valued skills in our society and quickly became something parents all over the world wanted
21 their children to learn about. Even in schools now, devices are everywhere, as is social media.

22 326. Amanda is not certain but believes that her son may have gotten his first phone in or
23 around 2015 or 2016, when he was 8 or 9. Again, electronics were something he was comfortable
24 around, and she had no reason to suspect hidden dangers on devices marketed and sold to kids.

25 327. Like most parents, she told Owen to not talk to strangers and to be kind to others.
26 Like most parents, she believed that these were the dangers our children faced and, while she had
27 heard of social media, she understood that there were age limits to using such products and that the
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1 companies designing and distributing them used the latest technologies to ensure the safety of
2 consumers – especially minor children.

3 328. Amanda likewise believes that Owen was under 13 when he first started using
4 Instagram, TikTok, and YouTube, which he did without her knowledge or consent. Though once
5 she discovered his use, nothing appeared to be alarming about these apps. On the contrary, these
6 are apps packaged and marketed for children and what Amanda knew of them – including through
7 her own limited experiences – suggested that they were safe.

8 329. Discord came a bit later, as it typically does with teens.

9 330. Owens’ use of Instagram, TikTok, YouTube, and Discord coincided with a severe
10 decline in his mental health.

11 331. As the foreseeable result of Defendants’ extended use designs and other defective
12 and/or inherently harmful designs and actions, Owen developed harmful dependencies on these
13 platforms. It was not something his parents could see from the outside, as he seemed to be doing the
14 same things every other teen was doing.

15 332. These harmful dependencies led to sleep deprivation, depression, and anxiety.

16 333. His parents began taking him to therapy, though they still had no way to understand
17 or recognize his growing dependency and Defendants’ products. Nor did Owen experience these
18 types of mental health harms prior to when he began using them; though examination of his data
19 after his death explained why – namely, each of these defendants operated in concert, and as a matter
20 of product design and programming, to push Owen down a dangerous rabbit hole. They buried him
21 in extremism, white supremacy, and other hate speech to the point Owen came to believe that he
22 had no choice – that he had to take someone else’s life or take his own.

23 334. Defendants sent Owen push notifications, designed to and that did persuade him to
24 continue using their products even after he made the choice to stop.

25 335. Defendants also manipulated Owen through multiple features, designed to increase
26 engagement despite the foreseeable harm such increased engagement has on youth mental health.
27 In fact, on information and belief, some or all of these Defendants internally discuss such deleterious
28 effects, then push forward with aggressive plans to increase youth engagement by multiples

1 regardless. They know that the time they plan to extract from the world’s children through tricks
2 and misrepresentation will result in some measure of harm and do it anyway.

3 336. Defendants also targeted Owen with Artificial Intelligence (AI) driven user
4 recommendation tools, affirmatively facilitating and creating connections between him and
5 complete strangers, and AI driven feed-based tools. Over time, what Defendants chose for him got
6 darker and darker.

7 337. Then, in 2020 and when Owen was 14, he got into trouble with some boys at school.
8 COVID had started and he and a small group of other kids figured out how to use their technical
9 know-how to shut down their high school server. Owen took the blame for the incident and was
10 forced to leave the school, and even faced criminal charges.

11 338. While what Owen and the two other children did was not a good decision, however,
12 childhood is about making mistakes and learning from them. Children are resilient and Owen tried
13 to move on. He repeated his sophomore year of high school at a local, private school, and told his
14 mother that he planned to do better and get into a good college. He got right back into sports and
15 started a band club at school. Owen was turning things around, but Defendants had other plans.

16 339. As the result of Defendants’ programming decisions and the thousands of personal
17 data points they collect – which identified Owen as a vulnerable teen – and design, Defendants
18 escalated and began targeting Owen with extreme harms he did not seek out or even want to see.

19 340. The included connecting him with dangerous strangers, and labelling those strangers
20 friends, as well as other representations meant to and that did convince him to accept Defendants’
21 recommendations. They also began burying him in intense suicide-promoting content, including
22 massive amounts of videos and posts relating to “LooksMaxxing” and “RopeMaxxing.”⁴⁷

23 341. After Owen’s death, Amanda began searching for this herself, and the same platform
24 that was pushing it to her son – TikTok – banned her account after viewing maybe 30 minutes of
25 items with these hashtags. She did not post or comment, just viewed, and TikTok locked her account

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27 ⁴⁷ RopeMaxxing, as explained in the Urban Dictionary, refers to “a trend made by fantasizing peak male face
28 attractiveness, when someone looks ugly beyond fixing, they tell them to ropemaxx meaning commit suicide by
hanging, usually followed by ‘try again’ meaning be reborn as someone less ugly.”
<https://www.urbandictionary.com/define.php?term=ropemaxxing> (last accessed Oct. 8, 2024).

1 for the next thirty days, citing to the type of content she had been viewing – despite the fact that this
2 same platform had been pushing such harmful content to her son.

3 342. This is a pervasive problem with these products, and TikTok in particular, and relates
4 to programming and operational decisions. For example, after media attention turned to reports of
5 young children dying after TikTok pushed dangerous choking challenge videos to them, TikTok
6 made some changes. On information and belief, this included things like scrubbing the internet of
7 evidence that such challenges existed and appeared on TikTok and ensuring that consumers could
8 not find those videos when they searched for them. However, TikTok continued pushing Blackout
9 and Choking Challenge videos to young users as a matter of engagement-first design, and despite
10 actual knowledge of what it was doing and the harms that likely would result.

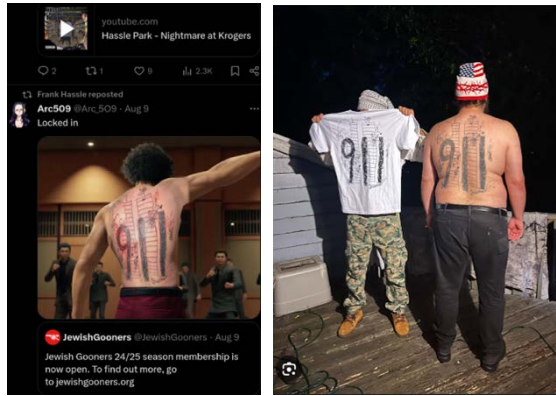
11 343. This is because Defendants prioritize engagement over safety and have been
12 unwilling to make reasonable product-level changes and decisions when there is a risk of impacting
13 revenue or growth – even when such potential impacts are relatively small.

14 344. Defendants also began targeting Owen with white supremacy, extremism, and
15 hate. They began recommending extreme, incel content, including influencers like Sam Hyde.



20 345. They began pushing terrorist, white supremacist, violence, misogynistic, even child-
21 rape themed users, groups, and content to Owen. One example is a tattoo of the September 11
22 terrorist attack on the Twin Towers, which Owen and other children to whom he was connected on
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1 Defendants' platforms began to mimic to the point of tattooing it on their own bodies.



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8 346. What Defendants amplified and aimed at Owen, after fostering harmful
9 dependencies on their products and as a matter of engagement first design and algorithmic
10 discrimination, included things like the following (screenshots of notes from a live performance of
11 a YouTube performer pushed by Google),



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18 347. Owen's notebooks similarly reflect this shift in what Defendants aimed at him. He
19 began scribbling symbols used by mass shooters and extremist groups, which symbols often tracked
20 the kinds of "Recommended" content Instagram, TikTok and Google pushed to him. These are
21 wildly popular themes on the YouTube and Discord platforms, in particular, and because of product
22 design decisions these companies make. He also had a Discord interaction in which he and another
23 user discussed the importance of live streaming suicide; something children are exposed to on
24 Instagram and TikTok as a matter of design. That is, Instagram and TikTok push suicides and
25 murders to minor users as a matter of design.

26 348. While Defendants may claim that these kinds of harms are random and content-
27 based, they are not. When a specific type of harm proliferates on one or two platforms out of many,
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1 that difference is product specific and not coincidence. Owen was more susceptible and suffered
2 these harms as the result of his dependency of Defendants’ products, and resulting sleep deprivation,
3 anxiety, depression, and increased vulnerability.

4 349. Despite coming from a liberal family and upbringing, in the days before his death,
5 Owen began making statements completely out of character.

6 350. On November 4, 2023, the morning that his parents were preparing for his younger
7 sister’s birthday party, they found Owen dead in his room. On information and belief, because of
8 psychological abuse Defendants aimed at Owen for months before his death, he had come to believe
9 that he had two choices – he could either kill others, as he was being urged to do, or kill himself.

10 351. Neither Owen nor his family knew or had reason to know about Defendants’
11 defective and/or inherently dangerous products, product features, and settings, or that Defendants
12 were using them in an exploitative and harmful manner.

13 **X. RECKLESS DISREGARD**

14 352. These companies operate under an impermissible cost-benefit model when it comes
15 to child safety. For example, on November 22, 2023, 33 U.S. attorneys general filed a lawsuit
16 against Meta alleging the same types of harms at issue here. That lawsuit cited to an internal email
17 circulated at Meta in September 2018, which showed Meta characterizing its youngest users in terms
18 of their “Lifetime Value (LTV)” to the company. This was defined as the cumulative total profit
19 expected from a user: “The “The lifetime value of a 13 y/o teen is roughly \$270 per teen.”

20 353. This sounds bad enough, but then couple it with the point of the email, which went
21 on to caution Meta personnel that “[t]his number is core to making decisions about your business,”
22 and, accordingly, “you do not want to spend more than the LTV of the user.”

23 354. For more than a decade, Meta leadership has made the choice to not undertake safety
24 related efforts where such efforts might negatively impact its bottom line, and even in instances
25 where such impact would have been relatively minimal. Instead, Meta put a price tag on the lives of
26 other peoples’ children, including those at issue in this Complaint and millions of others

27 355. Meta stamped \$270 on that price tag.
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1 356. In words of Toney Roberts, another parent who lost his child – 14-year-old Englyn
2 Roberts – to social media caused suicide, “Zuckerberg is the new ‘massa’ ... “He put the lifetime
3 value of a teen-ager at two hundred seventy dollars. The price of a slave in 1770 was two hundred
4 sixty dollars.”⁴⁸

5 357. The children at issue in this complaint are and were beautiful, intelligent, and loving
6 children, and their deaths and/or ongoing harms have devastated their families and communities.

7 358. In January 2024, bereaved parents and American youth working to stop the design-
8 based harms these companies are causing attended a Congressional hearing where some of these
9 CEO’s were called to testify before the United States Congress. In response to Meta’s price tag,
10 these young adults wore shirts with the simple words, “I’m worth more than \$270.”



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18 359. Every one of our children is worth more than any amount of money, and if we do not
19 stop Defendants from treating them like “herd animals” – another term Meta used when referring
20 specifically to children under 13⁴⁹ – then they will continue treating them as such.

21 360. Defendants knew what they were doing and the risks that they were taking with the
22 aforementioned design, marketing, distribution, and programming decisions. And they did it
23 anyway. The passage of reasonable and necessary legislation to protect children is long past due.
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27 ⁴⁸ Andrew Solomon, *Has Social Media Fuelled A Teen-Suicide Crisis?*, THE NEW YORKER (Sept. 30, 2024),
<https://www.newyorker.com/magazine/2024/10/07/social-media-mental-health-suicide-crisis-teens>.

28 ⁴⁹ See *Tweens and Social Media*, available at https://www.documentcloud.org/documents/23322940-copy-of-tweens-and-social-media_sanitized_opt (last accessed Oct. 8, 2024) (“Tweens are herd animals...”).

1 **XI. TIMELINESS AND TOLLING OF STATUTES OF LIMITATIONS**

2 361. Through the exercise of reasonable diligence, Plaintiffs did not and could not have
3 discovered that Defendants' products caused their injuries and/or sequelae thereto because, at the
4 time of these injuries and/or sequelae thereto, the cause was unknown to Plaintiffs.

5 362. Plaintiffs did not suspect and had no reason to suspect Defendants' products caused
6 their injuries and/or sequelae thereto until less than the applicable limitations period prior to the
7 filing of this action.

8 363. Due to the highly technical nature of the platforms' features, Plaintiffs and were
9 unable to independently discovery that Defendants' products caused their injuries and/or sequelae
10 thereto until less than the applicable limitations period prior to the filing of this action.

11 364. Defendants had exclusive knowledge of the material defects designed and
12 implemented into their platforms, and they have at all times through the present maintained their
13 proprietary designs of their platforms' features as strictly confidential.

14 365. In addition, Defendants' fraudulent concealment and/or other tortious conduct tolled
15 the running of any statute of limitations.

16 366. Defendants had a duty to disclose dangerous and defective features that cause
17 foreseeable harm to children and teens.

18 367. Defendants knowingly, affirmatively, and actively concealed from Plaintiffs the risks
19 associated with the defects of Defendants' products and that these products caused their injuries
20 and/or sequelae thereto.

21 368. Defendants committed tortious and/or fraudulent acts that continue to this day. As of
22 the date of this Complaint, Defendants still have not disclosed, and continue to conceal, that they
23 designed and implemented dangerous features into their platforms. Despite their knowledge of the
24 defects and their attendant safety risks, Defendants continue to market their platforms to children
25 and teens while simultaneously omitting the disclosure of known and foreseeable harms to children
26 and teens. In contrast, Plaintiffs were unaware and could not have reasonably known or learned
27 through reasonable diligence that they had been exposed to the defects and risks alleged herein and
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1 that those defects and risks were the direct and proximate result of Defendants' acts and omissions.

2 369. Plaintiffs were unaware and could not have reasonably known or learned through
3 reasonable diligence that the harms they suffered were directly and proximately caused by
4 Defendants' acts and omissions.

5 370. For the foregoing reasons, Defendants are estopped from relying on any statutes of
6 limitation or repose as a defense in this action and as to all claims against them. All applicable
7 statutes of limitation and repose have been tolled by operation of one of more of the following: the
8 discovery rule, Defendants' active and fraudulent concealment, equitable tolling, and/or the
9 continuing nature of harms Defendants' caused and continue causing to this day.

10 **XII. PLAINTIFFS' CLAIMS**

11 371. The entirety of this Complaint is pled upon information and belief and each allegation
12 contained herein is likely to have evidentiary support after a reasonable opportunity for further
13 investigation or discovery.

14 372. Plaintiffs plead all Causes of Action of this Complaint in the broadest sense, pursuant
15 to all laws that may apply under choice-of-law principles, including the law of the resident states of
16 Plaintiffs. To the extent applicable to specific Causes of Action, Plaintiffs plead these Causes of
17 Action under all applicable product liability acts, statutes, and laws of their respective States.

18 373. Plaintiffs hereby incorporate and adopt as though set forth in full herein, the
19 following causes of action and allegations from Section VI of the Master Complaint:

20 **COUNT 1:**
21 **STRICT LIABILITY – DESIGN DEFECT**
22 **(Against All Defendants)**

23 374. Plaintiffs reallege and incorporate by reference each preceding and succeeding
24 paragraph as though set forth fully at length herein, and hereby incorporate as though set forth fully
25 herein Paragraphs 825 through 850 of the Master Complaint.

26 **COUNT 2:**
27 **STRICT LIABILITY – FAILURE TO WARN**
28 **(Against All Defendants)**

375. Plaintiffs reallege and incorporate by reference each preceding and succeeding

1 paragraph as though set forth fully at length herein, and hereby incorporate as though set forth fully
2 herein Paragraphs 852 through 868 of the Master Complaint.

3 **COUNT 3:**
4 **NEGLIGENCE – DESIGN**
5 **(Against All Defendants)**

6 376. Plaintiffs reallege and incorporate by reference each preceding and succeeding
7 paragraph as though set forth fully at length herein, and hereby incorporate as though set forth fully
8 herein Paragraphs 870 through 892 of the Master Complaint.

9 **COUNT 4:**
10 **NEGLIGENCE – FAILURE TO WARN**
11 **(Against All Defendants)**

12 377. Plaintiffs reallege and incorporate by reference each preceding and succeeding
13 paragraph as though set forth fully at length herein, and hereby incorporate as though set forth fully
14 herein Paragraphs 894 through 911 of the Master Complaint.

15 **COUNT 5:**
16 **NEGLIGENCE**
17 **(Against All Defendants)**

18 378. Plaintiffs reallege and incorporate by reference each preceding and succeeding
19 paragraph as though set forth fully at length herein, and hereby incorporate as though set forth fully
20 herein Paragraphs 913 through 938 of the Master Complaint.

21 **COUNT 6:**
22 **FRAUDULENT CONCEALMENT**
23 **(Against the Meta Defendant)**

24 379. Plaintiffs Carol Todd, individually and as successor-in-interest to Amanda Todd,
25 Jennifer Markus, individually and as successor-in-interest to Braden Markus, Carl and Barbie
26 Lavers, individually and as successors-in-interest to Harry Burke, C.H., J.H., and V.H., Bradley
27 Richardson, individually and as successor-in-interest to Tyler Richardson, Amanda Zimmer,
28 individually and as successor-in-interest to Owen Zimmer realleges and incorporates by reference
each preceding and succeeding paragraph as though set forth fully at length herein.

380. This claim is brought against Meta.

381. Plaintiffs hereby incorporate as though set forth fully herein Paragraphs 958 through
976 of the Master Complaint.

1 TikTok, and Google Defendants) re-allege and incorporate by reference each preceding and
2 succeeding paragraph as though set forth fully at length herein, and hereby incorporate as though set
3 forth fully herein Paragraphs 994 through 1013 of the Master Complaint.

4 **COUNT 8:**
5 **WRONGFUL DEATH**
6 **(Against All Defendants)**

7 386. Plaintiffs Carol Todd, individually and as successor-in-interest to Amanda Todd (as
8 against the Meta Defendants), Jennifer Markus, individually and as successor-in-interest to Braden
9 Markus (as against the Meta Defendants), Carl Burke and Barbie Lavers, individually and as
10 successors-in-interest to Harry Burke (as against the Meta and Snap Defendants), Mia Bannister,
11 individually and as successor-in-interest to Ollie Hughes (as against the TikTok
12 Defendants),Bradley Richardson, individually and as successor-in-interest to Tyler Richardson (as
13 against the Meta, Snap, and TikTok Defendants), Amanda Zimmer, individually and as successor-
14 in-interest to Owen Zimmer (as against the Meta, TikTok, Google, and Discord Defendants)
15 realleges and incorporates by reference each preceding and succeeding paragraph as though set forth
16 fully at length herein.

17 387. This Cause of Action is asserted by and on behalf of Plaintiffs bringing their actions
18 as heirs of Decedents or as duly appointed representatives of the estates of Decedents or successor-
19 in-interests pursuant to the laws of various states.

20 388. As a direct and proximate result of the conduct of each of the Defendants and the
21 defective nature of its respective social media products as outlined above, Decedents suffered
22 wrongful death, and Plaintiffs suing as heirs or estate representatives of Decedents seek damages
23 therefor, including loss of financial support, loss of society, funeral expenses, estate administration
24 expenses, and noneconomic damages including pain and suffering as permitted under various states’
25 laws, and where applicable punitive damages.

26 389. These Plaintiffs demand judgment against each of the Defendants for compensatory,
27 treble, and punitive damages, together with interest, costs of suit, attorneys’ fees, as permitted under
28 various states’ laws and all such other relief as the Court deems proper.

COUNT 9:

1 **SURVIVAL ACTION**
2 **(Against All Defendants)**

3 390. Plaintiffs Carol Todd, individually and as successor-in-interest to Amanda Todd (as
4 against the Meta Defendants), Jennifer Markus, individually and as successor-in-interest to Braden
5 Markus (as against the Meta Defendants), Carl Burke and Barbie Lavers, individually and as
6 successors-in-interest to Harry Burke (as against the Meta and Snap Defendants), Mia Bannister,
7 individually and as successor-in-interest to Ollie Hughes (as against the TikTok Defendants),
8 Bradley Richardson, individually and as successor-in-interest to Tyler Richardson (as against the
9 Meta, Snap, and TikTok Defendants), Amanda Zimmer, individually and as successor-in-interest to
10 Owen Zimmer (as against the Meta, TikTok, Google, and Discord Defendants), re-allege and
11 incorporate by reference each preceding and succeeding paragraph as though set forth fully at length
12 herein.

13 391. This Cause of Action is asserted by and on behalf of heirs of Decedents or the duly-
14 appointed representatives of the estates of Decedents, pursuant to the laws of various states.

15 392. As a direct and proximate result of the conduct of each of the Defendants and the
16 defective nature of its respective social media products as outlined above, Decedents suffered bodily
17 injury resulting in pre-death pain and suffering, disability, disfigurement, mental anguish, emotional
18 distress, loss of capacity of the enjoyment of life, a shortened life expectancy, expenses for
19 hospitalizations and other medical and nursing treatments, loss of earnings, and loss of ability to
20 earn. Plaintiffs suing as heirs or estate representatives seek damages for these injuries to their
21 respective Decedents as permitted under various states' laws, including where applicable punitive
22 damages.

23 393. Plaintiffs demand judgment against each of the Defendants for compensatory, treble,
24 and punitive damages, together with interest, costs of suit, attorneys' fees, as permitted under
25 various states' law, and all such other relief as the Court deems proper.

26 **COUNT 10:**
27 **LOSS OF CONSORTIUM AND SOCIETY**
28 **(Against All Defendants)**

394. Plaintiffs Carol Todd (as against the Meta Defendants), Jennifer Markus individually

1 (as against the Meta Defendants), Carl Burke and Barbie Lavers (as against the Meta and Snap
2 Defendants), Mia Bannister (as against the TikTok Defendants), Bradley Richardson (as against the
3 Meta, Snap, and TikTok Defendants), Amanda Zimmer, individually and as successor-in-interest to
4 Owen Zimmer (as against the Meta, TikTok, Google, and Discord Defendants) re-allege and
5 incorporate by reference each preceding and succeeding paragraph as though set forth fully at length
6 herein, and hereby incorporate as though set forth fully herein Paragraphs 1033 through 1036 of the
7 Master Complaint.

8 **XIII. DEMAND FOR JURY TRIAL**

9 Plaintiffs hereby demand a jury trial on all issues so triable.

10 **XIV. PRAYER FOR RELIEF**

11 WHEREFORE, Plaintiffs pray for judgment against each of the Defendants, jointly and
12 severally, and as appropriate to each cause of action alleged and the standing of Plaintiffs as follows:

- 13 1. Past, present and future general damages, the exact amount of which has yet to be
14 ascertained, in an amount which will conform to proof at time of trial, to compensate
15 Plaintiffs for injuries sustained as a result of the use of each Defendant's respective
16 social media products including, but not limited to physical pain and suffering,
17 mental anguish, loss of enjoyment of life, emotional distress, expenses for
18 hospitalizations and medical treatments;
- 19 2. Past, present and future economic and special damages according to proof at the time
20 of trial;
- 21 3. Loss of earnings and impaired earning capacity according to proof at the time of trial;
- 22 4. Medical expenses, past and future, according to proof at the time of trial;
- 23 5. Funeral expenses and other special damages according to proof at the time of trial;
- 24 6. Punitive or exemplary damages according to proof at the time of trial;
- 25 7. All damages available for wrongful death and survival;
- 26 8. Exemplary and punitive damages in an amount in excess of the jurisdictional limits;
- 27 9. Attorneys' fees;

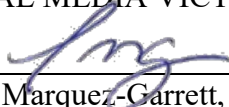
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- 10. For costs of suit incurred herein;
- 11. Pre-judgment and post-judgment interest as provided by law;
- 12. For such other and further relief as the Court may deem just and proper.

Dated: October 10, 2024.

SOCIAL MEDIA VICTIMS LAW CENTER

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