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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THE CHICKASAW NATION OF
OKLAHOMA,

Plaintiff.

vs.

META PLATFORMS, INC. F/K/A
FACEBOOK, INC.; FACEBOOK
PAYMENTS INC.; SICULUS, INC.;
FACEBOOK OPERATIONS, LLC;
INSTAGRAM, LLC; SNAP, INC.; TIKTOK
INC. F/K/A MUSICAL.LY, INC.;
BYTEDANCE INC.; BYTEDANCE LTD.;
TIKTOK LTD.; TIKTOK LLC; TIKTOK U.S.
DATA SECURITY INC.; GOOGLE LLC;
YOUTUBE, LLC; and ALPHABET INC.,

Defendants.

Case No.

**COMPLAINT FOR DAMAGES AND
INJUNCTIVE RELIEF**

JURY DEMAND

“Social media is indiscriminately ruthless and knows no boundaries, even in remote places such as Indian Country.”

Promote Hope for the Future: Addressing Suicide in Indigenous Youth, Native News (Sept. 15, 2023)

I. INTRODUCTION

1. Native American tribes have persisted and thrived despite centuries of systemic oppression and violence by an alien dominant culture that seeks to assimilate and destroy their institutions, families, and youth.

2. For centuries, members of tribes were subjected to land dispossession, forced displacement, and brutal massacres. The destruction of their homes and way of life, coupled with exposure to new diseases brought by European settlers, decimated populations and disrupted the social fabric of hundreds of years of American Indian culture.¹

3. The most insidious and brutal cruelties inflicted on Indigenous communities were against their children, who were forcibly removed from their families and placed in boarding schools to assimilate them into Euro-American culture.² These institutions often subjected children to physical, emotional, and sexual abuse, while viciously punishing them for speaking their languages or practicing their traditions.³ The impact of these historical exposures is long-lasting and intergenerational. The result of the traumas inflicted on generations of Native children is the

¹ See Genevieve Kaplan, *A Legacy of Negligence: The Historical Mistreatment of Indigenous Peoples in the United States*, Berkeley Pub. Pol. J. (Apr. 20, 2022), <https://bppj.studentorg.berkeley.edu/2022/04/20/a-legacy-of-negligence-the-historical-mistreatment-of-indigenous-peoples-in-the-united-states/>.

² Erin Blakemore, *A century of trauma at U.S. boarding schools for Native American children*, Nat'l Geographic (July 9, 2021), <https://www.nationalgeographic.com/history/article/a-century-of-trauma-at-boarding-schools-for-native-american-children-in-the-united-states>.

³ Dr. Denise K. Lajimodiere, *Legacy of Trauma: The Impact of American Indianan Boarding Schools Across Generations*, PBS (Dec. 20, 2023), <https://www.pbs.org/native-america/blog/legacy-of-trauma-the-impact-of-american-indian-boarding-schools-across-generations>.

1 persistent poverty, substance abuse disorders, and socioeconomic disparity endemic to modern
2 Native communities.⁴

3 4. Now, yet another crisis is causing significant injury to tribal youth.⁵ Youth suicide
4 rates of Indigenous peoples far exceed the national average.⁶

5 5. Youth suicide has profound and multifaceted impacts on tribal populations,
6 affecting individuals, families, and entire communities. In closely connected tribal communities,
7 the loss of a single young person can deeply affect the entire population, causing grief and long-
8 term trauma.

9 6. Beyond the emotional toll, youth suicide poses a significant challenge to the long-
10 term vitality of tribal communities. Young people play a crucial role in preserving cultural
11 knowledge and traditions, and their loss disrupts the transmission of practices that are central to
12 tribal identity. Furthermore, the premature death of these individuals diminishes the workforce and
13 undermines the development of future leaders, creating lasting impacts on the stability and growth
14 of tribal nations.

15 7. Social media products have been a significant contributor to the current mental
16 health crisis facing young Indigenous peoples worldwide.⁷ Defendants, who are all so-called
17

18 ⁴ Matthew Brown, *Survivors say trauma from abusive Native American boarding schools stretches across generations*, Associated Press (Nov. 5, 2023), <https://apnews.com/article/native-american-boarding-schools-victims-3f927e5054b6790cef1c6012d8616ad6>; Zach Levitt *et al.*, *'War Against the Children'*, N.Y. Times (Aug. 30, 2023), <https://www.nytimes.com/interactive/2023/08/30/us/native-american-boarding-schools.html>.

21 ⁵ See, e.g., Tristian Kanne, *97% of Indigenous people report seeing negative social media content weekly*, The Conversation (June 11, 2021), <https://theconversation.com/97-of-indigenous-people-report-seeing-negative-social-media-content-weekly-heres-how-platforms-can-help-162353> (“Indigenous communities are facing a crisis in mental health, with harmful content on social media a major contributor to increased Indigenous suicide rates”).

24 ⁶ Deborah Stone, Sc.D., *et al.*, *Suicides Among American Indian or Alaska Native Persons—National Violent Death Reporting System, United States, 2015-2020*, Ctrs. for Disease Control, U.S. Dep’t of Health and Hum. Svs., <https://www.cdc.gov/mmwr/volumes/71/wr/mm7137a1.htm>.

27 ⁷ See, e.g., Tristian Kanne, *97% of Indigenous people report seeing negative social media content weekly*, The Conversation (June 11, 2021), <https://theconversation.com/97-of-indigenous-people-report-seeing-negative-social-media-content-weekly-heres-how-platforms-can-help-162353>.

“social-media companies,” recognize that Native Americans are already vulnerable populations—especially teens and adolescents, and have designed products to exploit and profit from those vulnerabilities.

8. The effects of social media addiction have been felt significantly among the youth of The Chickasaw Nation of Oklahoma (referred to as “Chickasaw Nation”, “Plaintiff” or “the Nation”), whose chronically underfunded health and welfare programs have been pushed to their breaking points by this new crisis.

9. The Nation brings this lawsuit after numerous shocking revelations by whistleblowers within the social media industry: that social media companies designed their products to be addictive, and that the products have contributed to a growing mental health crisis among children and adolescents.⁸

10. For several years—and, in the instances of some of the Defendants, over decades—Defendants have pursued an aggressive growth strategy that put profits above all else—prioritizing and maximizing user engagement in order to sell targeted advertisements at the expense of keeping children safe.⁹

11. Defendants designed their products to be addictive—preying on the developing brains of children. Defendants also knew that their products caused mental health problems in children and girls in particular.¹⁰

¹⁶²³⁵³ (“Indigenous communities are facing a crisis in mental health, with harmful content on social media a major contributor to increased Indigenous suicide rates”).

⁸ See, e.g., Daniel E. Slotnik, *Facebook Whistle-Blower Testimony*, N.Y. Times (Oct. 5, 2021), <https://www.nytimes.com/live/2021/10/05/technology/facebook-whistleblower-frances-haugen>.

⁹ Ryan Tarinelli, *Social media companies put profits over children, senators say*, Roll Call (Feb. 14, 2023), <https://rollcall.com/2023/02/14/sjc-hearing/>.

¹⁰ See Bobby Allyn, *Here are 4 key points from the Facebook whistleblower’s testimony on Capitol Hill*, NPR (Oct. 5, 2021), <https://www.npr.org/2021/10/05/1043377310/facebook-whistleblower-frances-haugen-congress>; Donna St. George, *TikTok is addictive for many girls, especially those with depression*, Washington Post (Mar. 30, 2023), <https://www.washingtonpost.com/education/2023/03/30/social-media-girls-teens-depression-tiktok/>; Lesley McClurg, *After compulsively watching YouTube, teenage girl lands in rehab for*

12. Each of the Defendants knowingly developed social media products that were addictive¹¹ so that they could maximize profits through advertising dollars by increasing user “engagement.”¹²

13. Defendants have systematically received complaints about children and teenagers becoming addicted to, and suffering from numerous mental health issues because of, their products; however, they have undertaken minimal—if any—action that would address the problems that their Social Media Products have caused.

14. It is widely recognized that social media use negatively impacts youth mental health, a fact supported by extensive scientific research.¹³ Unfortunately, this understanding comes too late for the Chickasaw Nation, which has already diverted significant limited resources both to the immediate and long-term consequences of suicide and the teen mental health crisis.

15. Because Defendants designed products for the purpose of being addictive, placing profits above the welfare of children and adolescents, the Chickasaw Nation should be compensated for their losses—proportionate to the significant resources needed to mitigate and address the growing crisis and the continuous danger posed by the Defendants’ products.

‘digital addiction’, PBS Washington (May 16, 2017), <https://www.pbs.org/newshour/health/compulsively-watching-youtube-teenage-girl-lands-rehab-digital-addiction>; Zara Abrams, *Why young brains are especially vulnerable to social media*, American Psych. Assoc. (Aug. 3, 2023), <https://www.apa.org/news/apa/2022/social-media-children-teens>.

¹¹ Catherine Price, *Trapped—the secret ways social media is built to be addictive (and what you can do to fight back)*, Sci. Focus (Oct. 29, 2018), <https://www.sciencefocus.com/future-technology/trapped-the-secret-ways-social-media-is-built-to-be-addictive-and-what-you-can-do-to-fight-back>.

¹² Hannah Metzler, *et al.*, *Social Drivers and Algorithmic Mechanisms on Digital Media*, Perspectives on Psych. Sci. (July 19, 2023), <https://journals.sagepub.com/doi/epub/10.1177/17456916231185057>.

¹³ *Surgeon General Issues New Advisory About Effects Social Media Has on Youth Mental Health*, U.S. Dep’t. of Health and Hum. Svs. (May 23, 2023), <https://www.hhs.gov/about/news/2023/05/23/surgeon-general-issues-new-advisory-about-effects-social-media-use-has-youth-mental-health.html>; Sujata Gupta, *Social media harms teens’ mental health, mounting evidence shows. What now?*, ScienceNews (Feb. 20, 2024), <https://www.sciencenews.org/article/social-media-teens-mental-health>.

II. JURISDICTION AND VENUE

16. This Court has general personal jurisdiction over Defendants because they are incorporated or have their principal places of business in California, or they have contacts with California that are so continuous and systematic that they are essentially at home in this State. Meta, Google, and ByteDance—as they are described below—maintain their principal places of business in this District. Snap and TikTok maintain their headquarters in this State. All Defendants regularly conduct and solicit business in California, provide their platforms to persons and tribal members from this State, and derive substantial revenue from their business as described herein. All Defendants affirmatively and extensively engage with a significant percentage of Chickasaw Nation individuals who live in this State through messages, notifications, recommendations, and other communications.

17. This Court has subject matter jurisdiction over the claims in this Complaint pursuant to 28 U.S.C. §1331 because this case arises, in part, under federal laws of the United States. Specifically, Plaintiff asserts a claim under the Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. §§1961, *et seq.* This Court has supplemental jurisdiction over Plaintiff’s common law claims pursuant to 28 U.S.C. §1367(a), as all claims alleged herein form part of the same case or controversy.

18. Venue is proper in this District because at least some of the Defendants reside in this District, their principal places of business are in this District, or a substantial part of the events or omissions giving rise to the claims at issue in this Complaint arose in this District.

III. PARTIES

A. Plaintiff

19. The **Chickasaw Nation** (the “Nation”) is a federally recognized Tribe that maintains a government-to-government relationship with the United States and whose governing body is recognized by the Secretary of the Interior.¹⁴ The Nation exercises sovereign powers of

¹⁴ See Indian Entities Recognized by and Eligible to Receive Services from the United States Bureau of Indian Affairs, 86 Fed. Reg. 7554, 7557 (Jan. 29, 2021), <https://www.federalregister.gov/documents/2022/01/28/2022-01789/indian-entities-recognized->

1 self-governance and jurisdiction over its reservation in thirteen counties in the State of Oklahoma:
2 Grady, McClain, Garvin, Pontotoc, Stephens, Carter, Murray, Johnston, Jefferson, Love, Marshall,
3 Bryan and Coal.

4 20. The Nation has over 80,000 members living worldwide, most of whom reside in
5 Oklahoma.

6 21. The Nation is headquartered at 520 E. Arlington Street, Ada, Oklahoma 74820.

7 22. The Nation is governed by its own Constitution, laws, and governmental
8 institutions, including a Chickasaw Nation Legislature. The Legislature is responsible for setting
9 policy and deciding on behalf of the Nation and its members. The Legislature oversees the
10 operation of the Nation's Tribal government and assures quality programs and services are
11 provided to its members. The Nation provides its members with a wide range of government
12 services and programs, including public safety and police services; education; a fire department; a
13 tribal court; a health clinic and various treatment programs; community and family services,
14 including vocational rehabilitation, disabilities services, a domestic violence/sexual assault shelter,
15 and family- centered advocacy; various social services, including adult and child protective
16 services, child support enforcement services, foster care and adoption, Indian child welfare
17 services, a group home, and preventive services; economic development; planning and
18 infrastructure; and other programs and services.

19 23. The Nation provides programs that specifically support the health and development
20 of the Nation's youth. A key component of this effort is Chickasaw Nation Department of Health
21 which operates Behavioral Health Services. The Nation operates a hospital connected to a variety
22 of outpatient clinics, three rural satellite clinics, eight pharmacies, a diabetes care center, an
23 ambulance service, four nutrition services centers, eight WIC offices, and five wellness centers
24 throughout south-central Oklahoma.

25
26 [by-and-eligible-to-receive-services-from-the-united-states-bureau-of](#). There are a total of 347
27 federally recognized Indian Tribes within the contiguous 48 states and 227 federally recognized
28 Tribal entities within the state of Alaska that comprise the 574 federally recognized Indian Tribes
of the United States. The term "Indian" is not included throughout the remainder of this Complaint.

24. In 2014, the Nation transformed its mental health care system into an integrated care model, moving clinicians out of traditional settings and embedding them directly within the Nation's healthcare departments, including the emergency room, hospital services, and clinics. The following year, the Nation launched "Zero Suicide", a comprehensive initiative aimed at implementing suicide prevention efforts across its healthcare system. The program began in the emergency department and soon expanded to all clinical settings, including outpatient clinic visits, dental visits, emergency department visits, and both acute and intensive care unit admissions.

25. The Nation was one of only eleven health systems—and the only tribal health system in Oklahoma—selected to receive three years of mentorship for Zero Suicide implementation. This initiative is supported by the Oklahoma Department of Mental Health & Substance Abuse Services (ODMHSAS), which secured funding from the Substance Abuse and Mental Health Services Administration (SAMHSA) to facilitate these partnerships. As part of Zero Suicide, the Nation strengthened its suicide prevention framework by integrating mental health screenings, enhancing electronic health record systems, and providing specialized training to staff, ensuring a more proactive and coordinated approach to suicide care.

26. The also Nation operates Aalhakoffichi' ("A Place for Healing"), a treatment center that serves youth and their families in need of support and recovery services stemming from mental health, substance abuse and family relational issues.

B. Defendants

27. Defendants are collectively referred to as "Defendants" or "Social Media Defendants" throughout this Complaint.

1. Meta Defendants

28. Defendant **Meta Platforms, Inc. f/k/a Facebook, Inc.** ("Meta Platforms") is a Delaware corporation and multinational technology conglomerate. Its principal place of business is in Menlo Park, California.

29. Meta Platforms' subsidiaries include, but are not limited to, the entities identified in this section, as well as a dozen others whose identity or involvement is presently unclear.

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

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

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

33. Defendant **Instagram, LLC** (“Instagram”) launched a product called Instagram in October 2010. On or around April 7, 2012, Meta Platforms purchased Instagram, LLC for over one billion dollars and reincorporated the company in Delaware. Meta Platforms is the sole member of this LLC, whose principal place of business is in Menlo Park, California.

34. Meta Platforms, Instagram, Siculus, Facebook 1, and Facebook 2 are referred to jointly as “Meta” or “Facebook.”

35. Meta owns, operates, controls, produces, designs, maintains, manages, develops, tests, labels, markets, advertises, promotes, supplies, and distributes digital products available through mobile- and web-based applications (“apps”), including Instagram and Facebook (together, “Meta products”); Messenger; and Messenger Kids. Meta’s apps and devices are widely distributed to consumers throughout the United States.

2. Snap

36. Defendant **Snap, Inc.** (“Snap”) is a Delaware corporation with its principal place of business in Santa Monica, California.

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

3. TikTok

38. Defendant **TikTok Inc. f/k/a Musical.ly, Inc.** is a California corporation with its principal place of business in Culver City, California. TikTok Inc. designs, owns, and operates the TikTok social media platform, an application that is widely marketed by TikTok Inc. and available to minors throughout the United States. TikTok is known as a video-sharing application, where users can create, share, and view short video clips.

39. Defendant **ByteDance Inc.** is a Delaware corporation with its principal place of business and headquarters in Mountain View, California. ByteDance Inc. design, owns, and/or operates TikTok, and designs, develops, owns, operates, and/or markets the TikTok social media platform, an application that is widely marketed by TikTok and available to users throughout the United States.

40. Defendant **ByteDance Ltd.** is a multinational internet technology holding company and is the parent company of TikTok Inc., TikTok Ltd., and ByteDance Inc. ByteDance Ltd. is headquartered in Beijing, China, and registered in the Cayman Islands. ByteDance Ltd. designs, owns, and/or operates TikTok, and designs, owns, and/or operates the TikTok social media platform, an application that is widely marketed by TikTok and available to minors throughout the United States. ByteDance Ltd. also maintains offices in the United States, Singapore, India, and the United Kingdom, among other locations.

41. ByteDance Ltd. wholly owns its subsidiary Defendant **ByteDance Inc.**, a Delaware corporation whose principal place of business is in Mountain View, California.

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

43. TikTok Ltd. wholly owns its subsidiary Defendant **TikTok LLC** which is, and at all relevant times was, a Delaware limited liability company. TikTok LLC wholly owns subsidiary Defendant TikTok, Inc. f/k/a Musical.ly, Inc.

44. Defendant **TikTok U.S. Data Security Inc.** (“USDS”) is a Delaware corporation with its principal place of business and headquarters in Culver City, California. Defendant **TikTok Inc.** wholly owns subsidiary Defendant USDS.

45. Defendants TikTok Ltd.; TikTok LLC; TikTok Inc.; ByteDance Ltd.; ByteDance Inc.; and USDS are referred to jointly as “ByteDance” or “TikTok.”¹⁵

4. YouTube

46. Defendant **Google LLC** (“Google”) is a limited liability company organized under the laws of the state of Delaware, and its principal place of business is in Mountain View, California. Google is a wholly owned subsidiary of XXVI Holdings Inc., and the managing member of YouTube, LLC. Google transacts or has transacted business in this District and throughout the United States. At all times material, acting alone or in concert with others, Google has advertised, marketed, and distributed its YouTube video sharing platform to minors throughout the United States. At all times material to this Complaint, acting alone or in concert with YouTube, LLC, Google formulated, directed, controlled, had the authority to control, or participated in the acts and practices set forth in this Complaint. Further, upon information and belief, Google oversees the operations of its various platforms and subsidiaries including YouTube, LLC.

47. Defendant **YouTube, LLC** (“YouTube”) is a limited liability company organized under the laws of the state of Delaware, and its principal place of business is in San Bruno, California. YouTube is a wholly-owned subsidiary of Google. YouTube transacts or has transacted business in this District and throughout the United States. At all times material to this Complaint, acting alone or in concert with defendant Google, YouTube has designed, developed, advertised, marketed, operated, and distributed its YouTube social media platform to minors throughout the United States. At all times material to this Complaint, acting alone or in concert with Google, YouTube formulated, directed, controlled, had the authority to control, or participated in the acts and practices set forth in this Complaint.

48. On October 2, 2015, Google reorganized and became a wholly owned subsidiary of a new holding company, **Alphabet Inc.**, a Delaware corporation with its principal place of business in Mountain View, California.

¹⁵ Corporate Structure, ByteDance (Feb. 2, 2023), <https://www.ByteDance.com/en/>.

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

IV. GENERAL FACTUAL ALLEGATIONS

A. Social Media Defendants Have Intentionally Designed Social Media Applications and Platforms to Be Addictive to Maximize Profit

50. Defendants’ social media products (referred to as “Social Media Platforms”) are meticulously designed to be addictive, leveraging physiological and psychological principles, and behavioral science to keep users engaged. One of the primary strategies employed is the use of variable rewards, akin to slot machines. Users are provided with unpredictable rewards—such as likes, comments, or new content—that trigger dopamine releases in the brain, fostering a habit-forming loop. This intermittent reinforcement keeps users coming back for more, as they seek the pleasure derived from these unpredictable stimuli.¹⁶

51. Another aspect of social media’s addictiveness is the infinite scroll feature. Platforms like Facebook and Instagram allow users to endlessly scroll through content, creating a sense of boundlessness. This design choice exploits the brain’s tendency to seek novelty, making it hard for users to find a natural stopping point. Without clear boundaries, users often lose track of time, spending far longer on these platforms than they originally intended.¹⁷

52. Notifications also play a crucial role in enhancing the addictive nature of Social Media Platforms. These alerts, which are often personalized, are designed to re-engage users by drawing their attention back to the app based upon the user’s “fear of missing out” on additional

¹⁶ Trevor Haynes, *Dopamine, Smartphones & You: A battle for your time*, Sci. in the News, Harvard Med. School (May 1, 2018), <https://sitn.hms.harvard.edu/flash/2018/dopamine-smartphones-battle-time>.

¹⁷ Kaitlin Woolley and Marissa A. Sharif, *The Psychology of Your Scrolling Addiction*, Harvard Bus. Rev. (Jan. 31, 2022), <https://hbr.org/2022/01/the-psychology-of-your-scrolling-addiction>.

opportunities to be connected. This fear further exacerbates this cycle, as users feel compelled to stay updated and connected.¹⁸

53. Moreover, Social Media Platforms employ sophisticated algorithms that curate content to match users' interests and behaviors. These algorithms analyze user data to deliver a personalized feed, ensuring that the content is always relevant and engaging. By continuously adapting to user preferences, Defendants' Social Media Platforms ensure that there is always something appealing to keep users hooked. This personalization not only maximizes engagement but also deepens the user's attachment to the platform, making it an integral part of their daily routine.¹⁹

54. According to Tristen Harris, former Google Design Ethicist, social media product designers maximize capitalizing on user attention by "play[ing] your psychological vulnerabilities (consciously and unconsciously) against you in the race to grab your attention."²⁰

55. Algorithms play a vital role in the race for attention using machine learning and data science to generate content based on the likelihood that the user will want to see the suggested content.²¹

56. Social media apps are designed to be addictive. Based upon their design, interactions with the apps can release large amounts of dopamine into a user's brain's reward pathway—identical to highly addictive substances.²²

¹⁸ Aditi Subramaniam, Ph.D., *The Irresistible Pull of Social Media*, Psych. Today (Dec. 21, 2021), <https://www.psychologytoday.com/us/blog/parenting-neuroscience-perspective/202112/the-irresistible-pull-social-media>.

¹⁹ Christopher Cocchiarella, *Social media's twofold problem: manipulative algorithms and addictive design*, Mindful Technics (Nov. 30, 2021), <https://mindfultechnics.com/manipulative-algorithms-and-addictive-design-summing-up-whats-wrong-with-social-media/>.

²⁰ Tristan Harris, *How Technology is Hijacking Your Mind—from a Magician and Google Design Ethicist*, Medium (May 18, 2016), <https://medium.com/thrive-global/how-technology-hijacks-peoples-minds-from-a-magician-and-google-s-design-ethicist-56d62ef5edf3>.

²¹ Brent Barnhart, *Everything you need to know about social media algorithms*, Sprout Social, (Mar. 26, 2021), <https://sproutsocial.com/insights/social-media-algorithms>.

²² Jim Zhao, *et al.*, *Risk Factors Associated with Social Media Addiction: An Exploratory Study*, Nat'l Lib. of Med. (Apr. 14, 2022),

57. Addiction to social media is by design: the more an individual interacts with an app, the more money the social media company makes. This is because each interaction with a user allows more opportunities to monetize that user's interactions to sell advertising access.²³

58. The addictive nature of social media usage is further increased when users engage in mental rituals like following certain accounts or posting frequently to stay in touch with friends.²⁴ Social media increasingly replaces physical human interactions, leading to feelings of isolation and loneliness.²⁵

59. Young people are more susceptible to social media addiction than older adults, and young people aged 16 to 25 have the highest rates of social media-related mental illness.²⁶

60. Social Media Defendants have known for years that their products—not only designed to be addictive—are addictive.

61. For example, Sandy Parakilas, a former Facebook employee who began working at the company in 2011, has likened “[s]ocial media [to be] very similar to a slot machine.”²⁷ He

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9046602/>; Bruce Goldman, *Addictive potential of social media, explained*, Stanford Med. Scope (Oct. 29, 2021), <https://scopeblog.stanford.edu/2021/10/29/addictive-potential-of-social-media-explained/>; Jena Hilliard, *New Study Suggests Excessive Social Media Use Is Comparable to Drug Addiction*, AddictionCenter (Sept. 4, 2019), <https://www.addictioncenter.com/news/2019/09/excessive-social-media-use/>; Sherri Gordon, *Excessive Social Media Use Comparable to Drug Addiction*, VeryWellMind (July 17, 2019), <https://www.verywellmind.com/excessive-social-media-use-4690882>.

²³ Catherine Price, *Trapped—the secret ways social media is built to be addictive (and what you can do to fight back)*, BBC Sci. Focus Mag. (Oct. 29, 2018), <https://www.sciencefocus.com/future-technology/trapped-the-secret-ways-social-media-is-built-to-be-addictive-and-what-you-can-do-to-fight-back/>.

²⁴ Werner Geyser, *The Real Social Media Addiction Stats for 2023*, Influencer Mktg. Hub (Dec. 14, 2022), <https://influencermarketinghub.com/social-media-addiction-stats/>.

²⁵ Alice G. Walton, *Social Media May Make You Feel Socially Isolated: Study*, Forbes (Mar. 6, 2017), <https://www.forbes.com/sites/alicegwalton/2017/03/06/social-media-and-social-isolation-go-hand-in-hand-but-which-comes-first/?sh=23dcc79d1785>.

²⁶ Michael Simon, *The Alarming Reality of Social Media Addiction Statistics in 2023*, TechReport (May 16, 2023), <https://techreport.com/statistics/social-media-addiction-statistics/>.

²⁷ Hilary Andersson, *Social media apps are ‘deliberately’ addictive to users*, BBC (July 3, 2018), <https://www.bbc.com/news/technology-44640959>.

1 explained that, when trying to stop using Facebook, “[i]t literally felt like I was quitting
2 cigarettes.”²⁸

3 62. Mr. Parakilas has confirmed that others at Facebook had also recognized the risk of
4 addiction. “There was definitely an awareness of the fact that the product was habit-forming and
5 addictive. . . . You have a business model designed to engage you and get you to basically suck as
6 much time out of your life as possible and then selling that attention to advertisers.”²⁹

7 63. Former Facebook executive Chamath Palihapitiya also noted that “[t]he short-term
8 dopamine-driven feedback loops that we have created are destroying how society works. . . . It
9 literally is a point now where I think we have created tools that are ripping apart the social fabric
10 of how society works. That is truly where we are. I would encourage all of you, as the future
11 leaders of the world to really internalize how important this is. If you feed the beast, that beast will
12 destroy you.”³⁰

13 64. Each Social Media Defendant has designed, engineered, marketed, and operated its
14 products to maximize the number of youth users who engage and use their respective products
15 compulsively.

16 65. This exploitation of young users, which includes the young children, adolescents,
17 and teenagers of the Chickasaw Nation, has become central to Defendants’ profitability. Like the
18 cigarette industry a generation earlier, Defendants understand that a child user today becomes an
19 adult user tomorrow.³¹ Indeed, Defendants’ insatiable appetite for growth has created a need for
20 younger and younger users. Defendants’ wrongfully acquired knowledge of their childhood
21

22 ²⁸ *Id.*

23 ²⁹ *Id.*

24 ³⁰ Devi B. Dilliard-Wright, Ph.D., *Technology Designed for Addiction*, Psychology Today
25 (Jan. 4, 2018), <https://www.psychologytoday.com/us/blog/boundless/201801/technology-designed-addiction>.

26 ³¹ Isobel Asher Hamilton, *Silicon Valley insiders say Facebook, Snapchat, and Twitter are*
27 *using ‘behavioral cocaine’ to turn people into addicts*, Bus. Insider (Jul 4, 2018),
28 <https://www.businessinsider.com/silicon-valley-insiders-tell-bbc-how-tech-firms-turn-users-into-addicts-2018-7>.

1 userbase has allowed them to develop product designs to target elementary school-age children,
2 who are uniquely vulnerable.

3 66. Like Joe Camel of old cigarette advertisements, Defendants’ recent attempts to
4 capture pre-adolescent audiences include “kid versions” of apps that are “designed to fuel [kids’]
5 interest in the grown-up version.”³²

6 67. While the passage of laws like the Children’s Online Privacy Protection Act
7 (“COPPA”) in 1999³³ require social media companies to obtain age verification before collecting
8 certain information about children,³⁴ for a significant period of time relevant to this Complaint,
9 Social Media Defendants did not conduct proper age verification or authentication. Instead, each
10 Defendant left it to users to self-report their age. Newer types of age verification adopted by the
11 Defendants are easy for adolescents to bypass. This unenforceable and facially inadequate system
12 allows children under thirteen to easily create accounts on Defendants’ apps.

13 68. This is particularly egregious for two reasons. *First*, Defendants have long been on
14 notice of the problem. For instance, in May 2011, Consumer Reports reported the “troubling news”
15 that 7.5 million children under the age of thirteen were on Facebook.³⁵ *Second*, given that
16 Defendants have developed and utilized age-estimation algorithms for the purpose of selling user
17 data and targeted advertisements, Defendants could readily use these algorithms to prevent
18 children under thirteen from accessing their products, but choose not to do so.

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20 ³² Leonard Sax, *Is TikTok Dangerous for Teens?*, Inst. Fam. Stud. (Mar. 29, 2022),
21 <https://ifstudies.org/blog/is-tiktok-dangerous-for-teens->.

22 ³³ See 15 U.S.C. §§6501-6506.

23 ³⁴ The FTC recently clarified that acceptable methods for obtaining verifiable parent consent
24 include: (a) providing a form for parents to sign and return; (b) requiring the use of a credit/card
25 online payment that provides notification of each transaction; (c) connecting to trained personnel
26 via video conference; (d) calling a staffed toll-free number; (e) asking knowledge-based questions;
27 or (f) verifying a photo-ID from the parent compared to a second photo using facial recognition
28 technology. Federal Trade Commission, *Complying with COPPA: Frequently Asked Questions*,
July 2020, <https://www.ftc.gov/business-guidance/resources/complying-coppa-frequently-asked-questions>.

³⁵ Emily Bazelon, *Why Facebook is After Your Kids*, N.Y. Times (Oct. 12, 2011),
<http://www.nytimes.com/2011/10/16/magazine/why-facebook-is-after-your-kids.html>.

69. Defendants have done this because children are financially lucrative, particularly when they are addicted to Defendants' Social Media Platforms.

70. This is because, the more time children spend on Social Media Platforms, the more money Defendants make off of advertising.³⁶

B. Social Media Has Widespread, Dire, and Often Tragic Effects on the Mental Health of Teenagers, Adolescents, and Children—a Vulnerable Population Uniquely Susceptible to Harm from Defendants' Addictive Applications and Platforms

71. Young people are not only Defendants' most lucrative market but are also those most vulnerable to harm resulting from Defendants' products.

72. Adolescents, on average, report spending between five to seven hours per day on social media, and half of those believe that they spent "too much time" on social media.³⁷

73. Social media companies, including the Social Media Defendants, know all of this.

[P]sychologist Nicholas Kardaras explains that the people behind Facebook and Instagram not only designed their platforms to be wildly addictive but have kept them that way even amid mounting evidence that social media overuse has a horrible effect on people's mental and physical well-being. (The same is true for Twitter, YouTube, TikTok, and most other social media.)³⁸

³⁶ Greg McFarlane, *How Facebook (Meta), X Corp (Twitter), Social Media Make Money From You*, Investopedia (Dec. 2, 2022), <https://www.investopedia.com/stock-analysis/032114/how-facebook-twitter-social-media-make-money-you-twtr-lnkd-fb-goog.aspx>; Hilary Andersson, *Social media apps are 'deliberately' addictive to users*, BBC (July 3, 2018), <https://www.bbc.com/news/technology-44640959> ("You have a business model designed to engage you and get you to basically suck as much time out of your life as possible and then selling that attention to advertisers."); Amanda Raffoul, *et al.*, *Social media platforms generate billions of dollars in revenue from U.S. youth: Findings from a simulated revenue model*, Nat'l Libr. of Med. (Dec. 27, 2023), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10752512/> ("The findings reveal that, across six major social media platforms, the 2022 annual advertising revenue from youth users ages 0-17 years is nearly \$11 billion. Approximately 30-40% of advertising revenue generated from three social media platforms is attributable to young people.").

³⁷ Tonya Mosley and Serena McMahon, *Social Media Use Linked to Anxiety, Depression Among Teens, New Study Finds*, WBUR (Jan. 9, 2020), <https://www.wbur.org/hereandnow/2020/01/09/social-media-anxiety-depression-teens>.

³⁸ Kelsey Gripenstraw, *Our Social Media Addiction*, Harvard Bus. Rev. (Nov.-Dec. 2022), <https://hbr.org/2022/11/our-social-media-addiction>.

74. Facebook’s founding president, Sean Parker, said publicly that the company set out to consume as much user time as possible. He claimed it was “exploiting a vulnerability in human psychology.” “The inventors,” he admitted, “understood this consciously and we did it anyway.”³⁹

75. Perhaps most tellingly about the negative effects that social media has on children, some significant tech moguls do not let their children use social media.⁴⁰

76. Young people are particularly more susceptible to social media addiction than older adults, and young people aged 16 to 25 have the highest rates of social media-related mental illness.⁴¹

77. Chris Said, who has a Ph.D. in psychology from Princeton University and who has worked at both Facebook and Twitter, notes that, “[s]ocial media was like a nuclear bomb on teen social life. . . . I don’t think there’s anything in recent memory, or even distant history, that has changed the way teens socialize as much as social media.”⁴²

78. Social media addiction can cause a number of negative problems in young users.

79. Teens, adolescents, and children are frequent and heavy users of social media, with studies showing that over 90% of this population regularly engages with Social Media Platforms.⁴³ These platforms have become integral to their social lives and identity formation, making them uniquely susceptible to the content and mechanisms that drive engagement.

³⁹ Hilary Andersson, *Social media apps are ‘deliberately’ addictive to users*, BBC News (July 4, 2018), <https://www.bbc.com/news/technology-44640959>.

⁴⁰ Kristin Conrad, *The Real Reason Tech Moguls Don’t Let Their Kids on Social Media*, The List (Dec. 6, 2021), <https://www.thelist.com/677684/the-real-reason-tech-moguls-dont-let-their-kids-on-social-media/>.

⁴¹ Michael Simon, *The Alarming Reality of Social Media Addiction Statistics in 2023*, TechReport (May 16, 2023), <https://techreport.com/statistics/social-media-addiction-statistics/>.

⁴² Michaelen Doucleff, *The truth about teens, social media and the mental health crisis*, NPR (Apr. 25, 2023), <https://www.npr.org/sections/health-shots/2023/04/25/1171773181/social-media-teens-mental-health>.

⁴³ The Bronfenbrenner Ctr. for Transnat’l Rsch., *Depression: New Evidence on Adolescent Mental Health and Social Media*, Psych. Today (June 8, 2023), <https://www.psychologytoday.com/us/blog/evidence-based-living/202306/new-evidence-on-adolescent-mental-health-and-social-media>.

80. Social Media Platforms are designed using sophisticated algorithms and psychological triggers that exploit reward systems in the brain, leading to compulsive usage. Features like infinite scrolling, notifications, and “likes” create a cycle of dependency, which negatively impacts mental health, particularly in young users whose brains are still developing.

81. Adolescents and children are particularly prone to social comparison. Social media magnifies these tendencies by constantly exposing them to highly curated, unrealistic portrayals of others’ lives. This fosters feelings of inadequacy, low self-esteem, and dissatisfaction with one’s own life.⁴⁴

82. Defendants’ Social Media Platforms provide new arenas for bullying, with cyberbullying becoming a widespread issue that disproportionately affects young users. The anonymity and distance provided by online platforms inflame the cruelty of harassment, leading to increased rates of depression, anxiety, and suicide among teenagers.⁴⁵

83. The compulsive use of social media often leads to disrupted sleep patterns, as teenagers and children use these platforms late into the night. Sleep deprivation is closely linked to mood disorders, irritability, and cognitive impairments, further exacerbating mental health issues.⁴⁶

84. Numerous studies have drawn a direct correlation between heavy social media use and heightened levels of anxiety and depression, particularly among adolescents. The constant

⁴⁴ Mental Health America, Back-to-School Toolkit 2003, *Social Media, Youth, and Comparison*, <https://www.mhanational.org/sites/default/files/back-to-school/2023/downloads/Social-Media-Youth-Comparison.pdf>.

⁴⁵ *Frequent Social Media Use and Experiences with Bullying Victimization, Persistent Feelings of Sadness or Hopelessness, and Suicide Risk Among High School Students—Youth Risk Behavior Study, United States, 2023*, Center for Disease Control and Prevention (Oct. 10, 2024), <https://www.cdc.gov/mmwr/volumes/73/su/su7304a3.htm>.

⁴⁶ *Heavy social media use linked to poor sleep*, BBC (Oct. 22, 2019), <https://www.bbc.com/news/health-50140111>.

connectivity and pressure to maintain an online persona contribute to feelings of stress, isolation, and hopelessness.⁴⁷

85. The “fear of missing out” is a documented psychological effect of social media usage, wherein adolescents experience anxiety over being excluded from events, experiences, or conversations. This fear fuels compulsive checking of social media feeds, increasing stress levels and exacerbating feelings of isolation.⁴⁸

86. Social Media Platforms often promote unrealistic beauty standards through edited, filtered images and influencer culture. This has a profound effect on teenagers and children, especially young girls, leading to body dysmorphia, eating disorders, and a distorted sense of self-worth.⁴⁹

87. Social media use has been linked to increased rates of self-harm and suicidal ideation among teenagers. The exposure to harmful content, such as glorification of self-harm, suicide pacts, or dangerous online challenges, can push vulnerable adolescents toward destructive behaviors.⁵⁰

88. Social Media Platforms’ algorithms often push users toward increasingly extreme content based on their viewing history. Adolescents, who are still forming their worldviews, are

⁴⁷ Christina Vogt, *Under Pressure: Are the Stresses of Social Media Too Much for Teens and Young Adults?*, Everyday Health (Sept. 1, 2021), <https://www.everydayhealth.com/emotional-health/under-pressure/are-the-stresses-of-social-media-too-much-for-teens-and-young-adults/>.

⁴⁸ Sebastian Ocklenberg, Ph.D., *FOMO and Social Media*, Psychology Today (June 13, 2021), <https://www.psychologytoday.com/us/blog/the-asymmetric-brain/202106/fomo-and-social-media>.

⁴⁹ Monica Gupta, *et al.*, *The association between social media use and body dysmorphic symptoms in young people*, Frontiers in Psychology (Aug. 17, 2023), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10471190/>.

⁵⁰ Sujata Gupta, *Social media harms teens’ mental health, mounting evidence shows. What now?*, ScienceNews (Feb. 20, 2024), <https://www.sciencenews.org/article/social-media-teens-mental-health>.

1 particularly vulnerable to online echo chambers that normalize harmful ideologies, conspiracy
2 theories, and even radicalization.⁵¹

3 89. The rapid adoption of social media by adolescents and children has outpaced
4 parents' ability to effectively supervise their online activities. Social Media Platforms are designed
5 to evade parental controls, exposing young users to harmful content without adequate oversight.⁵²

6 90. Social media use triggers dopamine release in the brain, much like addictive
7 substances. Adolescents, with their developing brains, are more susceptible to dopamine-driven
8 behavior, leading to a heightened risk of social media addiction and the corresponding negative
9 impacts on mental health.⁵³

10 91. Social media often amplifies the stigma and isolation surrounding mental health
11 issues. Adolescents may seek validation through likes, comments, and shares, but negative or
12 insufficient responses can worsen feelings of rejection and alienation, compounding mental health
13 struggles.⁵⁴

14 92. Despite being more "connected" than ever through social media, teenagers and
15 children are reporting higher levels of loneliness and social isolation. The superficial nature of
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20 ⁵¹ Arianna Prothero, *Teens are 'Digital Natives,' But More Susceptible to Online*
21 *Conspiracies Than Adults*, EducationWeek (Aug. 24, 2023), <https://www.edweek.org/teens-are-digital-natives-but-more-susceptible-to-online-conspiracies-than-adults/2023/08>.

22 ⁵² Christina Caron, *Worried About Your Teen on Social Media? Here's How to Help*, New
23 York Times (Sept. 21, 2021), <https://www.nytimes.com/2021/09/21/well/family/teens-social-media-help.html> ("kids 12 and under can easily evade any age-related restrictions on social media
24 platforms by lying about their birth year").

25 ⁵³ Marco Carotenuto, *et al.*, *The Impact of Social Media on Adolescent Mental Health*, Mental
26 Health of Children and Adolescents in the 21st Century (Nov. 8, 2023), *available at*
<https://www.intechopen.com/online-first/1166131>.

27 ⁵⁴ Hae Yeon Lee, *et al.*, *Getting Fewer "Likes" Than Others on Social Media Elicits*
28 *Emotional Distress Among Victimized Adolescents*, Nat'l Lib. of Med. (Sept. 6, 2020),
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7722198/>.

1 online interactions often fails to meet the deep, emotional connections that are crucial for
2 adolescent mental development.⁵⁵

3 93. The addictive nature of Defendants' Social Media Platforms distracts teenagers
4 from their academic responsibilities, leading to declining grades and school performance. This, in
5 turn, increases stress and anxiety levels, contributing to a negative feedback loop that impacts both
6 their education and mental well-being.⁵⁶

7 94. Social Media Platforms often glorify risky or harmful behaviors, such as substance
8 abuse, dangerous stunts, or hypersexuality. Adolescents and children, who are still developing
9 judgment and decision-making skills, are more likely than adults to imitate these behaviors,
10 increasing the likelihood of harm.⁵⁷

11 95. Social Media Platforms are largely unregulated, particularly in how they affect
12 vulnerable populations like children and adolescents. The absence of meaningful safeguards or
13 effective age restrictions allows young users unfettered access to content that can negatively
14 impact their mental health.⁵⁸

15 96. Children and adolescents are frequently exposed to violent, sexual, or otherwise
16 inappropriate content on Social Media Platforms, often without adequate warning or filtering. This
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20 ⁵⁵ Katherine Hobson, *Feeling Lonely? Too Much Time on Social Media May Be Why*, NPR
21 (Mar. 6, 2017), <https://www.npr.org/sections/health-shots/2017/03/06/518362255/feeling-lonely-too-much-time-on-social-media-may-be-why>.

22 ⁵⁶ Liana Heitin, *Students who use social media score lower in math, reading and science*,
23 PBS News (Aug. 17, 2016), <https://www.pbs.org/newshour/education/social-media-use-linked-low-math-reading-science-performance>.

24 ⁵⁷ Teresa Vente, DO, MPH, *et al.*, *Association of Social Media Use and High-Risk Behaviors*
25 *in Adolescents: Cross-Sectional Study*, JMIR Pediatrics and Parenting (May 26, 2020),
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7284392/>.

26 ⁵⁸ Meg Tirrell, *Social media presents 'profound risk of harm' for kids, surgeon general says,*
27 *calling attention to lack of research*, CNN (May 24, 2023),
28 <https://www.cnn.com/2023/05/23/health/social-media-kids-surgeon-general-advisory-wellness/index.html>.

1 can lead to trauma, desensitization to violence, and confusion about sexual relationships and
2 identity.⁵⁹

3 97. Adolescents are particularly susceptible to peer pressure, which is amplified
4 through social media use. Groupthink, viral challenges, and the desire to conform to online trends
5 can lead teenagers into dangerous situations or unhealthy behaviors that they might not otherwise
6 engage in.⁶⁰

7 98. The consequences of social media use in young people can be dire, extreme,
8 widespread, and cause significant damage to youth development.

9 **C. Young Users of Defendants’ Addictive Social Media Applications and**
10 **Platforms Are Especially Vulnerable Because Their Prefrontal**
11 **Cortexes (Which Affects Judgment) Are Not Fully Developed**

12 99. The addictive nature of Defendants’ applications and platforms is especially
13 damaging for teens and young people. MRI brain studies show that students who use social media
14 more frequently had increased activation points of their brain, “possibly making them more prone
15 to peer feedback and hypersensitivity and possibly leading to changes in impulse control and
16 regulation, according to ABC News chief medical correspondent Dr. Jennifer Ashton.”⁶¹

17 100. *Social media usage can hinder healthy development of the prefrontal cortex.*
18 Social Media Platforms often promote a culture of comparison, where teenagers constantly
19 compare themselves to their peers in terms of appearance, achievements, and social status. This
20 continuous exposure to idealized and curated representations of others’ lives can lead to feelings
21 of inadequacy, low self-esteem, and increased social anxiety. The prefrontal cortex, involved in

22 ⁵⁹ Surgeon General Issues New Advisory About Effects Social Media Use Has on Youth
23 *Mental Health* (May 23, 2023), <https://www.hhs.gov/about/news/2023/05/23/surgeon-general-issues-new-advisory-about-effects-social-media-use-has-youth-mental-health.html>.

24 ⁶⁰ Jacqueline Nesi, *Transformation of Adolescent Peer Relations in the Social Media Context: Part 2—Application to Peer Group Processes and Future Directions for Research*, *Clinical Child Family Psychological Review* Mar. 6, 2019), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6402323/>.

25 ⁶¹ Haley Yamada and Katie Kindelan, *Social media use linked to brain changes in teens, study finds*, ABC News (Jan. 5, 2023), <https://abcnews.go.com/GMA/Wellness/social-media-linked-brain-teens-study-finds/>.

self-reflection and emotional regulation, can be impacted by the constant pressure and negative emotions resulting from social comparison, potentially hindering healthy brain development.⁶²

101. Because social media companies push their defective products on developing brains, the effects are catastrophic. Studies have shown that teens who spend more than three hours per day using social media are at a heightened risk for mental health problems, poor mental health, and poor well-being.⁶³ Extensive research on the quantity and quality of social media use has shown an association between social media use and depression in adolescents.⁶⁴

102. Heavy use of Social Media Platforms is also associated with feelings of social isolation. People who report spending the most time on social media—more than two hours per day—had twice the odds of perceived social isolation than those who said they spent a half hour per day or less on those sites.⁶⁵

103. ***Social media usage leads to impulsive decision-making and risk-taking behavior.*** The prefrontal cortex is responsible for regulating impulsive behaviors and assessing risks. Social Media Platforms often encourage instant gratification, impulsive reactions, and seeking novelty. This can contribute to a greater inclination towards impulsive decision-making and risk-taking behavior, as teenagers may engage in potentially harmful activities driven by the desire for social

⁶² Michelle Achterberg, *et al.*, *Longitudinal associations between social media use, mental well-being and structural brain development across adolescence*, Developmental Cognitive Neuroscience (Apr. 2022), <https://www.sciencedirect.com/science/article/pii/S1878929322000329?via%3Dihub>; Eveline A. Crone and Emily A. Konijn, *Media use and brain development during adolescence*, Nature Commc'ns (Feb. 21, 2018), <https://www.nature.com/articles/s41467-018-03126-x>.

⁶³ *Teens and social media use: What's the impact*, Mayo Clinic Healthy Lifestyle, Tween and teen health, <https://www.mayoclinic.org/healthy-lifestyle/tween-and-teen-health/in-depth/teens-and-social-media-use/art-20474437> (last visited May 28, 2024).

⁶⁴ Carol Vidal, *et al.*, *Social media use and depression in adolescents: a scoping review*, Int'l Rev. of Psychiatry (Feb. 17, 2020), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7392374/#>.

⁶⁵ Katherine Hobson, *Feeling Lonely? Too Much Time on Social Media May Be Why*, NPR (Mar. 6, 2017), <https://www.npr.org/sections/health-shots/2017/03/06/518362255/feeling-lonely-too-much-time-on-social-media-may-be-why>; Brian A. Primack, M.D., Ph.D., *et al.*, *Social Media Use and Perceived Social Isolation Among Young Adults in the U.S.*, Am. J. of Preventative Med. (Mar. 6, 2017), [https://www.ajpmonline.org/article/S0749-3797\(17\)30016-8/fulltext](https://www.ajpmonline.org/article/S0749-3797(17)30016-8/fulltext).

validation or the need to conform to online trends. Such behavior can negatively impact the development of the frontal cortex, which is responsible for evaluating consequences and exercising self-control.⁶⁶

104. *Social media usage's dopamine rush impacts the ventral striatum.* Between the ages of 10 and 12, changes in the brain make social rewards—compliments on clothing or positive feedback—start to feel more satisfying. Specifically, receptors for oxytocin and dopamine multiply in a part of the brain called the ventral striatum, making preteens extra sensitive to attention and admiration from others.⁶⁷

105. Social Media Platforms provide a mechanism to experience these “social rewards,” giving the ventral striatum “a dopamine and oxytocin rush whenever we experience social rewards.”⁶⁸ And, “[r]ight next door to the ventral striatum lies the ventral pallidum, a region of the brain key for motivating action. These structures, which lie beneath the more recently evolved cortex, are older parts of the brain that drive instinctual behaviors.”⁶⁹ Teens continue to seek out approval and acceptance via these “social rewards” on social media and become isolated and feel lonelier if and when they do not receive them.⁷⁰

106. *Social media usage reduces face-to-face interactions, impeding the development of social skills in youth users.* Excessive reliance on Social Media Platforms for social interactions can reduce face-to-face interactions, which are crucial for the development of social skills,

⁶⁶ *Screen Addiction Affects Physical and Mental Health*, Premier Health (May 11, 2023), <https://www.premierhealth.com/your-health/articles/health-topics/screen-addiction-affects-physical-and-mental-health>.

⁶⁷ Zara Abrams, *Why young brains are especially vulnerable to social media*, American Psych. Ass’n (Aug. 25, 2022), <https://www.apa.org/news/apa/2022/social-media-children-teens>.

⁶⁸ *Id.*

⁶⁹ *Id.*

⁷⁰ Cory Turner, *10 things to know about how social media affects teens’ brains*, NPR (Feb. 16, 2023), <https://www.npr.org/2023/02/16/1157180971/10-things-to-know-about-how-social-media-affects-teens-brains>; *Written Testimony of Mitch Prinstein, Ph.D., ABPP, Chief Science Officer, American Psychological Association, Protective Our Children Online*, U.S. Senate Comm. on Judiciary (Feb. 14, 2023), <https://www.judiciary.senate.gov/imo/media/doc/2023-02-14%20-%20Testimony%20-%20Prinstein.pdf>.

cognitive development, and emotional intelligence. The prefrontal cortex is involved in understanding and navigating social dynamics, including interpreting facial expressions, body language, and non-verbal cues. Reduced face-to-face interactions may limit opportunities for teenagers to develop and refine these social skills, potentially affecting the maturation of the frontal cortex, and possibly leading to the development of narcissistic tendencies.⁷¹

D. Millions of Children, Adolescents, and Teenagers Are Addicted to Defendants' Social Media Products and Use Them Compulsively

107. Defendants have been staggeringly successful in their efforts to attract young users to their apps. In 2021, 32% of 7- to 9-year-olds,⁷² 49% of 10- to 12-year-olds,⁷³ and 90% of 13- to 17-year-olds in the United States used social media.⁷⁴ A majority of U.S. teens use Instagram, TikTok, Snapchat, and/or YouTube. 32% say they “wouldn’t want to live without” YouTube, while 20% said the same about Snapchat, and 13% said the same about both TikTok and Instagram.

108. Social media use among tribal youth is compulsive. The 2020 Native Youth Health Tech Survey determined that 65.3% of tribal youth (15-24) are on social media 3 to 7 hours per day, “with 86.0% reporting their primary activity on social media as scrolling, followed by watching videos (75.1%).”⁷⁵ The same survey found that “the most popular daily technology

⁷¹ Anthony Silard, Ph.D., *The Role of Social Media in Our Empathy Crisis*, Psych. Today (July 11, 2022), <https://www.psychologytoday.com/us/blog/the-art-living-free/202207/the-role-social-media-in-our-empathy-crisis>; Yamila Lezcano, LHMC, *How Social Media Affects Mental Health in Adolescents*, Psych. Today (Aug. 25, 2021), <https://www.psychologytoday.com/us/blog/becoming-resilient/202108/how-social-media-affects-mental-health-in-adolescents>.

⁷² *Sharing Too Soon? Children and Social Media Apps*, C.S. Mott Child’s Hosp. Univ. Mich. Health (Oct. 18, 2021), <https://mottpoll.org/reports/sharing-too-soon-children-and-social-media-apps>.

⁷³ *Id.*

⁷⁴ *Social Media and Teens*, Am. Acad. Child & Adolescent Psychiatry (Mar. 2018); *see also* Victoria Rideout *et al.*, *The Common Sense Census: Media Use by Tweens and Teens*, 2021 at 5, Common Sense Media (2022).

⁷⁵ Reed *et al.*, *Centering Native Youths’ Needs and Priorities: Findings from the 2020 Native Youth Health Tech Survey*, Mental Health Res. (Mar. 2022), <https://pubmed.ncbi.nlm.nih.gov/36178745/>.

1 use among [Native American Indian or Alaska Native] youth involved browsing Instagram
 2 (74.0%), sending/receiving snap messages via Snapchat (60.0%), using TikTok (50.4%), and
 3 watching videos on YouTube (48.4%).”⁷⁶

4 **V. SOCIAL MEDIA DEFENDANTS AND THEIR CORRESPONDING**
 5 **PLATFORMS HAVE EACH CONTRIBUTED TO THE MENTAL**
 6 **HEALTH CRISIS DEVASTATING INDIGENOUS YOUTH**

7 **A. Meta’s Social Media Products Are Designed to Be Addictive and Meta**
 8 **Profits from that Addiction**

9 109. Meta operates and designs two social media platforms at issue in this Complaint:
 10 Facebook and Instagram. Meta’s products are broadly popular and are among the most-used social
 11 media applications in the world. Facebook has nearly 3 billion monthly active users, and Instagram
 12 has over a billion monthly active users.⁷⁷

13 110. Meta’s platforms are mass-marketed products⁷⁸ which are consumed by the general
 14 public, including minors. The products work by collecting user data in exchange for providing a
 15 service.

16 111. Instagram’s evolution has focused on increasing user engagement in order to drive
 17 profits. The introduction of video sharing in 2013 allowed users to share dynamic content,⁷⁹ while
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20 ⁷⁶ *Id.*

21 ⁷⁷ Brian Dean, *Facebook Demographic Statistics: How Many People Use Facebook in 2023?*,
 22 Backlinko (Mar. 27, 2023), <https://backlinko.com/facebook-users>.

23 ⁷⁸ See Meta Platforms Annual Report 2022 at 3 (Feb. 3, 2022),
 24 <https://annualreport.stocklight.com/nasdaq/meta/22586105.pdf> (“The term ‘Family’ refers to our
 25 Facebook, Instagram, Messenger, and WhatsApp products. For references to accessing Meta's
 26 products on the ‘web’ or via a ‘website,’ such terms refer to accessing such products on personal
 computers. For references to accessing Meta's products on ‘mobile,’ such term refers to accessing
 such products via a mobile application or via a mobile-optimized version of our websites such as
 m.facebook.com, whether on a mobile phone or tablet.”

27 ⁷⁹ Colleen Taylor, *Instagram Launches 15-Second Video Sharing Feature, With 13 Filters*
 28 *and Editing*, Tech Crunch (June 20, 2013), <https://techcrunch.com/2013/06/20/facebook-instagram-video/>.

the introduction of Instagram Stories in 2016 facilitated real-time sharing that disappeared after 24 hours, challenging the dominance of Snapchat in ephemeral content.⁸⁰

112. Instagram is intentionally addictive and was designed and manufactured to addict its users to drive profits.⁸¹

113. Meta, the company behind Facebook and Instagram, has deliberately incorporated detrimental elements into their platforms that encourage addictive behavior among adolescents.

These defects include, but are not limited to:

- recommendation algorithms, powered by extensive data collection, which Meta intentionally designs and programs to promote excessive and frequent usage among adolescents;
- features that exploit young users' desire for validation and their tendency to engage in social comparisons;
- product features intentionally designed by Meta to create harmful cycles of repetitive and excessive usage;
- the intentional absence of effective mechanisms, despite having the capability to implement them, to restrict minors from using the products;
- inadequate parental controls and the facilitation of unsupervised usage of the platforms; and
- deliberate placement of obstacles to discourage and/or prevent users from ceasing their usage of the products.

114. One of the most addictive features of Instagram is its "infinite scroll" feature. "The convenience of the flick of a finger combined with our desire to solve the uncertainty of what the

⁸⁰ *Introducing Instagram Stories*, Instagram (Aug. 2, 2016), <https://about.instagram.com/blog/announcements/introducing-instagram-stories>.

⁸¹ Bruce Goldman, *Addictive potential of social media, explained*, Stanford Med. Scope (Oct. 29, 2021), <https://scopeblog.stanford.edu/2021/10/29/addictive-potential-of-social-media-explained/>; Hannah Schwär, *How Instagram and Facebook are intentionally designed to mimic addictive painkillers*, Insider (Aug. 11, 2021), <https://www.businessinsider.com/facebook-has-been-deliberately-designed-to-mimic-addictive-painkillers-2018-12>; Ashley Mateo, *Instagram Addiction Is Real: Step Away from the Smartphones*, Self (Nov. 29, 2014), <https://www.self.com/story/instagram-addiction-real>; Drake Baer, *The Psychology Behind Why Instagram Is So Addictive*, Insider (Nov. 18, 2014), <https://www.businessinsider.com/psychology-of-why-instagram-is-addictive-2014-11>.

1 next post is about, results in a powerfully addictive force which users often do not realize as they
2 subconsciously scroll.”⁸²

3 115. Additionally, Meta builds user engagement algorithms into its products, which
4 deliver content to users to elicit the largest reactions, favor posts that generate extreme
5 engagement, and lead isolated teens and adolescents down dangerous paths.

6 116. Meta is aware that its programmed recommendations push dangerous content to
7 adolescents and teens, and leaked internal documents from the company show that it was aware of
8 the harmful effects that its products were having.⁸³

9 117. While Meta is increasing user engagement through its algorithms, infinite scroll
10 feature, and “Explore” page, it is also profiting heavily from that addictive engagement⁸⁴ by
11 collecting user data. Instagram, like many social media platforms, collects data from its users to
12 offer personalized experiences, deliver targeted advertisements, and generate revenue.

13 118. Meta uses the data it collects, such as users’ interests, demographics, and behavior,
14 to offer targeted advertising to its users. Advertisers can select specific criteria, such as age range
15 or interests, to reach their desired audience. By leveraging user data, including that of minors,
16 Instagram can provide advertisers with valuable targeting options and charge them accordingly. To
17
18
19

20 ⁸² Grant Collins, *Why the infinite scroll is so addictive*, Medium (Dec. 10, 2020),
21 <https://uxdesign.cc/why-the-infinite-scroll-is-so-addictive-9928367019c5>; Anish Bhanot, *Infinite*
22 *Scroll Addiction: How Instagram just showed us they may be seeking to solve this trap*, Medium
23 (Jan. 9, 2019), https://medium.com/@anish_b/infinite-scroll-addiction-how-instagram-just-showed-us-they-may-be-seeking-to-solve-this-trap.

24 ⁸³ Kishalaya Kundu, *Documents Confirm Facebook Knew Exactly How It Was Harming Teen*
25 *Girls*, ScreenRant (Dec. 13, 2022), <https://screenrant.com/meta-instagram-document-leak/>; Max
26 A. Cherney and Anita Hamilton, *Meta may still face SEC probe over Instagram complaints*,
Barron’s, [https://www.barrons.com/visual-stories/meta-may-face-sec-investigation-over-](https://www.barrons.com/visual-stories/meta-may-face-sec-investigation-over-instagram-complaints-01639067729)
[instagram-complaints-01639067729](https://www.barrons.com/visual-stories/meta-may-face-sec-investigation-over-instagram-complaints-01639067729).

27 ⁸⁴ Dr. Marisa Azaret, *Why are kids so addicted to screens?*, Nicklaus Children’s Hos. (Feb.
28 19, 2024), [https://www.nicklauschildrens.org/campaigns/safesound/blogposts/why-are-kids-so-](https://www.nicklauschildrens.org/campaigns/safesound/blogposts/why-are-kids-so-addicted-to-screens)
[addicted-to-screens](https://www.nicklauschildrens.org/campaigns/safesound/blogposts/why-are-kids-so-addicted-to-screens).

monetize this data, Instagram collects and shares 62% of user data with third parties for use in marketing materials to users.⁸⁵

119. By gathering and analyzing user data, Meta compiles comprehensive profiles on its users, encompassing numerous specific data categories. This enables advertisers to finely target their marketing efforts and allocate advertising funds to precise user segments, facilitated by Meta's data segmentation. Only a fraction of this data stems from user generated content intended for publication or explicitly provided in user profiles. Instead, Meta covertly collects many of these data segments through undisclosed surveillance of user activity, both while using and even when not logged into the platform. This surveillance includes monitoring user behavior, such as tracking navigation paths, watch time, and hover time, unbeknownst to the users. Essentially, as Meta's user database expands, users spend more time on the platform, and Meta extracts increasingly detailed user information, resulting in greater profits for the company.

120. Meta has long known that adolescents who used Instagram felt higher rates of anxiety and depression.⁸⁶

121. Rather than address those serious issues, Meta chose to put profits before the well-being of vulnerable youth, and made billions of dollars advancing defective products, making money off of data collected from adolescents who disclose depression symptoms and suicidal ideation via social media as well as those who attempt to help.⁸⁷

122. In this way, Meta has promoted the mental health crisis among youth users as it pushes dangerous content, popularizing posts disclosing depression symptoms and suicidal

⁸⁵ Chris Stokel-Walker, *Instagram is sharing 79% of your personal data with third parties*, Cybernews (Feb. 9, 2022), <https://cybernews.com/privacy/instagram-is-sharing-79-of-your-personal-data-with-third-parties/>.

⁸⁶ Mehul Reuben Das, *Leaked documents reveal Meta knew Instagram was pushing girls toward content that harmed mental health*, Tech2 (Dec. 12, 2022), <https://www.firstpost.com/tech/news-analysis/leaked-documents-reveal-meta-knew-instagram-was-pushing-girls-towards-harmful-content-that-harmed-mental-health-11793621.html>.

⁸⁷ Rikki Schlott, *Mark Zuckerberg's Meta could protect teen girls but puts \$270 profit from each of them first: suit*, New York Post (Nov. 25, 2023), <https://nypost.com/2023/11/25/opinion/meta-wouldnt-risk-1-revenue-cut-to-keep-teens-from-harm/>.

ideation as Meta understands that those posts elicit the most engagement amongst its target youth market, while suppressing and censoring avenues for youth users to receive actual help mental health crisis.⁸⁸

B. Google Makes Significant Profits Off of Its YouTube Product Resulting from Its Algorithm that Promotes Suicidal Ideation and Exposes Youth Users to Further Concerning Content

123. YouTube, a Google product,⁸⁹ allows users to watch videos online and through applications. YouTube incorporates targeted and meticulously designed functionalities that are purposely aimed at leveraging the psychological mechanisms of user behavior and gratification, with the goal of maximizing their engagement in terms of duration, frequency, and intensity.

124. YouTube was designed to be addictive. It is the most popular social platform in the United States, and over half of Internet users use it every day (36% report using it several times per day).⁹⁰

125. Many users have documented their experiences with YouTube addiction online, many comparing the product to a “drug” and commenting:

(a) “If you’ve been watching videos on the Anunnaki and ancient alien space-traveling civilizations, YouTube will show you more of where you last left off when you next click on.”⁹¹

⁸⁸ APA report calls on social media companies to take responsibility to protect use, American Psych. Ass’n (Apr. 16, 2024), <https://www.apa.org/news/press/releases/2024/04/social-media-companies-protect-youth>.

⁸⁹ Alphabet, Inc. 2022 Annual Report, https://abc.xyz/investor/static/pdf/2022_alphabet_annual_report.pdf (“We have always been committed to building helpful products that can improve the lives of millions of people worldwide. Our product innovations are what make our services widely used, and our brand one of the most recognized in the world. Google Services’ core products and platforms include ads, Android, Chrome, hardware, Gmail, Google Drive, Google Maps, Google Photos, Google Play, Search, and YouTube, with broad and growing adoption by users around the world.”).

⁹⁰ Josh Howarth, *25 Starting Social Media Addiction Statistics (2023)*, Exploding Topics (Dec. 19, 2022), <https://explodingtopics.com/blog/social-media-addiction>.

⁹¹ Domingo Cullen, *YouTube addiction: binge watching videos became my ‘drug of choice,’* Guardian (May 3, 2019), <https://www.theguardian.com/us-news/2019/may/03/youtube-addiction-mental-health>.

1 (b) “I will try out the 3 videos a day strategy, which some people here already
2 suggested, but I don’t think I can control myself. Do you have any tips to how I can cut back on
3 my YT usage?”⁹²

4 (c) “I feel like I’ve tried so much putting limits on and just completely ignoring
5 it to deleting the app and then just going on safari instead. I genuinely think YouTube is killing
6 me and my productivity slowly I keep saying to myself one more video then next thing you know
7 one hours gone by then two hours, then I think to myself why the fuck am I doing this to myself
8 and I eventually forget about all the shit I’ve just watched and it’s a complete waste of time. I don’t
9 know man I feel like I’m even replacing person to person communication with watching videos as
10 in a weird way it still feels like I’m interacting with someone when I’m clearly not. I’m guessing
11 I’m semi addicted to it but has anyone got any advice, cheers.”⁹³

12 (d) “I thought quitting weed would help but it hasn’t. My addiction started with
13 adderall. I would take it and just go hour on end because every video seemed more interesting than
14 the last. It’s like I get stuck in this dopamine loop that I can’t get out of. I’ve quit all drugs for a
15 while now but I can’t seem to stop. I deleted the app on my phone but eventually I just go to the
16 website. Fuck my life y’all.”⁹⁴

17 126. Adolescent YouTube users are especially vulnerable to the addictive and defective
18 nature of YouTube⁹⁵ given the effect the product’s algorithm has on their still-developing brains.

19
20 ⁹² Reddit Post, *6 hours per day*, r/youtubeaddiction (Jan. 11, 2020),
https://www.reddit.com/r/youtubeaddiction/comments/en8kx5/6_hours_per_day/.

21 ⁹³ Reddit Post, *Semi ruining my life not gonna lie*, r/youtubeaddiction (Dec. 21, 2019),
22 https://www.reddit.com/r/youtubeaddiction/comments/edpuaq/semi_ruining_me_life_not_gonna_lie/.

23 ⁹⁴ Reddit Post, *I can’t look for work because of my YouTube addiction*, r/youtubeaddiction
24 (Nov. 14, 2019), https://www.reddit.com/r/youtubeaddiction/comments/dwe9ks/i_cant_look_for_work_because_of_my_youtube/.

25 ⁹⁵ Sean Seddon, *Terrifying reality of YouTube addiction for children as young as four*
26 *exposed*, Mirror (May 11, 2019), <https://www.mirror.co.uk/news/terrifying-reality-youtube-addiction-children-15243607>; Miah Duncan, *Why is YouTube so Addictive?*, MainStream, the
27 Student Newspaper of Paint Branch High Sch. (Feb. 19, 2020),
28 <https://pbmainstream.com/7836/features/why-is-youtube-so-addictive/> (notably, teens are writing

1 In a recent survey, 95% of teens said that they use YouTube, with three-quarters of them visiting it
 2 at least daily, and 19% of them using it “almost constantly.”⁹⁶ And YouTube remains the top social
 3 media product that teens would not want to “live without.”⁹⁷

4 127. YouTube’s recommendation algorithm, which is built on Google’s code, takes into
 5 account user watch history and video features to recommend highly engaging videos for individual
 6 users. The end-result is a highly addictive product:

7 YouTube as a platform fulfills those requirements for addiction. The videos
 8 provide us with relevant information that stimulate a dopamine response.
 9 This process is constantly reinforced by consistently supplying us with more
 10 appropriately recommended videos. YouTube can also modify our behavior
 11 by carefully selecting certain videos by the means of our own perceived
 12 autonomy.⁹⁸

13 128. YouTube was purposefully designed to be addictive through its autoplay and
 14 recommendation features. Recommended videos appear on a user’s home page and next to videos
 15 in an “Up Next” display. The “Up Next” display shows limitless videos that YouTube algorithms
 16 recommend to users, designed to be addictive. As a former engineer of YouTube’s recommendation
 17 stated:

18 “It isn’t inherently awful that YouTube uses AI to recommend video for
 19 you, because if the AI is well tuned it can help you get what you want. This
 20 would be amazing,” [Guillaume] Chaslot told TNW. “But the problem is
 21 that the AI isn’t built to help you get what you want—it’s built to get you

22 in high school newspapers about YouTube addiction); James Bridle, *The nightmare videos of*
 23 *children’s YouTube—and what’s wrong with the Internet today*, TED (July 13, 2018),
 24 <https://www.youtube.com/watch?v=v9EKV2nSU8w&t=855s>.

25 ⁹⁶ Emily A. Vogels, *et al.*, *Teens, Social Media and Technology 2022*, Pew Rsch. Ctr. (Aug.
 26 10, 2022), <https://www.pewresearch.org/internet/2022/08/10/teens-social-media-and-technology-2022/>.

27 ⁹⁷ *The Common Sense Census: Media Use by Tweens and Teens*, Common Sense (2021),
 28 https://www.common sense media.org/sites/default/files/research/report/8-18-census-integrated-report-final-web_0.pdf.

⁹⁸ *How YouTube is Addictive—Recommendation Systems & its Impacts*, Medium (Sept. 2,
 2019), <https://medium.com/dataseries/how-youtube-is-addictive-259d5c575883>.

addicted to YouTube. Recommendations were designed to waste your time.”⁹⁹

129. A recent study confirmed that, while YouTube’s features can increase ease of use, they are fundamentally defective because they result in over-watching and compulsive behaviors:

Through our online diary study, we performed an in-depth analysis of UI features, specifically Autoplay and Recommendations, on popular online streaming platforms in India. We studied their impact on the user's state of mind measuring their level of awareness and feeling of satisfaction while selecting and completing a video for watching. We also included contextual effects of individual characteristics and viewing preference as additional factors that also have a tendency to influence user behaviors. We have centered our analysis on the relation of UI interactions’ ease of use and autonomy affordability and their temporal effect on the user’s feelings, mostly over-watching and regret. We observed that although these features enable ease of use, they enforce compulsive behaviors on long term usage.¹⁰⁰

130. YouTube’s autoplay feature is a “dark pattern,” a design feature that manipulates users into scrolling for as long as possible to increase interaction with the product,¹⁰¹ and thus increase profits.

131. The result is addiction by design:

“But why are these tactics being used?

The simple answer is to keep you hooked. To the decision-makers behind this, it doesn’t matter if it’s ethical or not. For most of them, you are just a statistic, and they want you to stay on their platform, no matter what it takes.

⁹⁹ Már Másson Maack, ‘YouTube recommendations are toxic,’ says dev who worked on the algorithm, Next Web (June 14, 2019), <https://thenextweb.com/news/youtube-recommendations-toxic-algorithm-google-ai>.

¹⁰⁰ Akash Chaudhary, et al., “Are You Still Watching?”: Exploring Unintended User Behaviors and Dark Patterns on Video Streaming Platforms, ACM Digit. Lib. (June 2022), <https://dl.acm.org/doi/fullHtml/10.1145/3532106.3533562>.

¹⁰¹ Kate Raynes-Goldie, Ph.D., *Dark Patterns: The Secret Sauce Behind Addictive Tech*, Particle (Jan. 30, 2020), <https://particle.scitech.org.au/tech/dark-patterns-the-secret-behind-addictive-tech/>.

1 Some of them aren't even aware of how much damage these tactics are
2 doing. And those who are aware of this care only about the results.”¹⁰²

3 132. The autoplay feature was so damaging and created such an addictive effect in
4 children that YouTube eventually disabled it for children.

5 “Autoplay is a manipulative tool used by YouTube to addict users and
6 keeps them on the platform, and kids are especially vulnerable to this,”
7 [Justin] Ruben [co-Director of ParentsTogether, a family advocacy non-
8 profit] said in a press release. “Turning off autoplay is an important step in
9 the fight to keep kids safe on the Internet, and YouTube should extend it to
10 all children’s videos, even if they’re watched on a parent’s account on
11 YouTube.”¹⁰³

12 133. But the autoplay feature at times relevant to this Complaint continued to run even
13 if a user was not logged into his or her account—even if that user was a child.¹⁰⁴

14 134. YouTube’s decisionmakers knew that its defective design choices would create
15 young addicts and yet made those choices specifically to make its product addictive. More than
16 70% of the time people spend watching videos on YouTube is driven, explicitly, by YouTube’s
17 algorithmic recommendations.¹⁰⁵ And mobile device users watch YouTube for more than 60
18 minutes on average because, as YouTube Chief Product Officer Neal Mohan stated, “of what
19 [YouTube’s] recommendations engines are putting in front of” users.¹⁰⁶

20 135. YouTube’s addictive nature is one part of its problematic design; the other is that
21 its algorithm frequently recommends extreme and violent videos—to adults *and* adolescents,
22

23 ¹⁰² Dr. Marisa Azaret, *Why are kids so addicted to screens?*, Nicklaus Children’s Hos. (Feb.
24 19, 2024), <https://www.nicklauschildrens.org/campaigns/safesound/blogposts/why-are-kids-so-addicted-to-screens>.

25 ¹⁰³ Devan McGuinness, *You Tube Finally Turns off Autoplay for Kids. Here’s the Catch*,
26 Fatherly (Aug. 16, 2021), <https://www.fatherly.com/news/youtube-autoplay-kids>.

27 ¹⁰⁴ *Id.*

28 ¹⁰⁵ Casey Newton, *How YouTube perfected the feed*, Verge (Aug. 30, 2017),
 <https://www.theverge.com/2017/8/30/16222850/youtube-google-brain-algorithm-video-recommendation-personalized-feed>.

¹⁰⁶ Joan E. Solsman, *YouTube’s AI is the puppet master over most of what you watch*, CNET
 (Jan. 10, 2018), <https://www.cnet.com/tech/services-and-software/youtube-ces-2018-neal-mohan/>.

1 alike.¹⁰⁷ Engineers at YouTube have determined that pushing users to extremities increases
2 engagement with the platform.

3 136. “Engaging content” is recommended by YouTube based upon watch time—which
4 means that the videos YouTube recommends are those which can be monetized. This might be
5 great for a company trying to sell ads, but it doesn’t necessarily reflect what the user wants—and
6 has grave side-effects.¹⁰⁸

7 137. The basic structure of YouTube’s recommendation algorithm may have been
8 effective for the core types of content, such as cat videos, gaming, and music, yet as YouTube
9 becomes more central in people’s information and news consumption, former YouTube engineers
10 worry that will push people further to extremes—whether they want it or not—as it’s in YouTube’s
11 financial interest to keep users watching for as long as possible.¹⁰⁹

12 138. With the algorithm prioritizing engagement over all other matters, adolescents and
13 children became increasingly exposed to dangerous and harmful content, which YouTube
14 monetized for profit.¹¹⁰ YouTube has accomplished its mission—to create adolescent addicts to
15 make money.

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21 ¹⁰⁷ Grayson Quay, *How YouTube AutoPlay Becomes Your Child’s Worst Nightmare*, FEE
22 Stories (Apr. 4, 2019), [https://fee.org/articles/how-youtube-autoplay-becomes-your-child-s-
23 worst-nightmare/](https://fee.org/articles/how-youtube-autoplay-becomes-your-child-s-worst-nightmare/); Lesley McClurg, *After compulsively watching YouTube, teenage girl lands in
24 rehab for ‘digital addiction,’* PBS (May 16, 2017),
25 [https://www.pbs.org/newshour/health/compulsively-watching-youtube-teenage-girl-lands-rehab-
26 digital-addiction](https://www.pbs.org/newshour/health/compulsively-watching-youtube-teenage-girl-lands-rehab-digital-addiction).

27 ¹⁰⁸ *Id.*; Már Másson Maack, ‘YouTube recommendations are toxic,’ says dev who worked on
28 the algorithm, TNW (June 14, 2019, 10:58 AM), [https://thenextweb.com/news/youtube-
recommendations-toxic-algorithm-google-ai](https://thenextweb.com/news/youtube-recommendations-toxic-algorithm-google-ai).

¹⁰⁹ *Id.*

¹¹⁰ Guillaume Chaslot, *The Toxic Potential of YouTube’s Feedback Loop*, Wired (July 13,
2019), <https://www.wired.com/story/the-toxic-potential-of-youtubes-feedback-loop/>.

C. Snap Intentionally Created and Markets its Snapchat Product to Addict Young Users and Designed the Platform with Features that Expose Children, Adolescents, and Teenagers Directly to Harm

139. Snap describes itself as a camera company, and Snapchat, its primary product, allows users to send text, picture, and video messages called “snaps,” which disappear after being viewed by the recipients.¹¹¹

140. In 2014, Snap commenced displaying advertisements on Snapchat. Since then, Snap’s business model has primarily relied on generating revenue from advertising. In 2022, 70% of Snap’s revenue originated from North America, and 99% of that revenue was generated through advertising dollars.¹¹² Snapchat generated \$4.6 billion in revenue in 2022.¹¹³

141. Snap deliberately targets children, adolescents, and teenagers in its marketing efforts for Snapchat, exploiting their emotional and physiological underdevelopment, which causes their inclination towards instant gratification, which ultimately benefits Snap’s advertising business.

142. Snapchat’s design is carefully tailored to maximize user engagement, particularly among minors. The platform employs various strategies that entice young individuals to spend extended periods of time using the app.

143. One of the key tactics employed by Snapchat is the implementation of streaks, which are endless back-and-forth exchanges of snaps between users. Streaks create a sense of obligation and social pressure for users to maintain daily communication, leading to increased app

¹¹¹ Dan Levin, *A Racial Slur, a Viral Video, and a Reckoning*, N.Y. Times (Dec. 26, 2020), <https://www.nytimes.com/2020/12/26/us/mimi-groves-jimmy-galligan-racial-slurs.html>.

¹¹² Matthew Johnston, *Snapchat generates nearly all of its revenue from ads*, Investopedia (Dec. 7, 2022), <https://www.investopedia.com/articles/investing/061915/how-snapchat-makes-money.asp>.

¹¹³ Mansoor Iqbal, *Snapchat Revenue and Usage Statistics (2023)*, Bus. of Apps (May 2, 2023), <https://www.businessofapps.com/data/snapchat-statistics/#Snapchat%20Key%20Statistics>.

usage. This designed constant compulsion to keep streaks “alive” can disrupt real-life interactions, impede productivity, and contribute to a sense of dependency on the platform.¹¹⁴

144. Snapchat’s user interface contributes to increased engagement among minors. The app utilizes a “streak counter” that displays the number of consecutive days a user has maintained a streak with another user. This visual creates a designed sense of accomplishment and fuels the fear of losing the streak—specifically in adolescents—compelling users to frequently check and interact with the app to preserve their streaks.¹¹⁵

145. Furthermore, Snapchat’s use of gamification features (game elements used in non-game contexts), such as trophies and rewards for achieving certain milestones, encourages users to continually engage with the app. By incorporating elements of competition and achievement, Snapchat taps into the psychological desire for recognition and accomplishment, driving users, especially minors, to dedicate considerable time and attention to the platform.¹¹⁶

146. The detrimental effects of Snapchat’s design on minors are significant. Excessive usage of the platform can lead to decreased face-to-face social interactions, diminished focus on academic or extracurricular activities, and a heightened risk of developing addictive behaviors. Moreover, the constant exposure to carefully curated and filtered images on Snapchat can contribute to feelings of insecurity and a distorted sense of reality for young users.¹¹⁷

¹¹⁴ Jennifer Powell-Lunder, Psy.D., *Caution: Your Tween May be Stressing Over Snap Streaks*, Psych. Today (Mar. 26, 2017), <https://www.psychologytoday.com/us/blog/lets-talk-tween/201703/caution-your-tween-may-be-stressing-over-snap-streaks>.

¹¹⁵ William Antonelli, *How to start a Snapchat Streak and keep it alive to boost your Snap Score*, Insider (Aug. 18, 2022), <https://www.businessinsider.com/guides/tech/snapchat-streak>.

¹¹⁶ Dayana Hristova, et al., “Why did we lose our snapchat streak?” *Social media gamification and metacommunication*, Comp. in Hum. Behavior Rep. (Mar. 2022), <https://www.sciencedirect.com/science/article/pii/S2451958822000069>.

¹¹⁷ Julie Jargon, *Snapchat’s Friend-Ranking Feature Adds to Teen Anxiety*, Wall St. J. (Mar. 30, 2024), <https://www.wsj.com/tech/personal-tech/new-snapchat-feature-teen-insecurity-754ebae0>; *Scientists may have figured out why Snapchat is so addictive*, TechWire Asia (Oct. 2, 2017), <https://techwireasia.com/10/2017/scientists-may-figured-snapchat-addictive/>.

D. ByteDance Intentionally Targets Vulnerable Children, Adolescents, and Teenagers, Inducing Addictive and Compulsive Engagement on Its TikTok Product—Maximizing Ad Revenue at the Expense of Helpless Youth Victims

147. The former president of TikTok has confirmed that the revenue model for the Social Media Platform is straightforward: TikTok makes money by selling ads.¹¹⁸

148. ByteDance designed TikTok to optimize advertising revenue. TikTok was projected to receive \$11 billion in advertising revenue in 2022, over half of which is expected to come from the United States.¹¹⁹ Among teenage TikTok users, a quarter say they use the platform almost constantly.¹²⁰ In another recent report, more than 13% of young users declared they “wouldn’t want to live without” TikTok.¹²¹

149. The rampant growth in the number of young users and the amount of time such users spend on TikTok is a result of intentional design and marketing efforts on behalf of ByteDance.

“Teenagers in the U.S. are a golden audience,”

– Alex Zhu, Former TikTok President and current ByteDance Product Strategist.¹²²

¹¹⁸ Raymond Zhong, *TikTok’s Chief Is on a Mission to Prove It’s Not a Menace*, N.Y. Times (Nov. 18, 2019), <https://www.nytimes.com/2019/11/18/technology/tiktok-alex-zhu-interview.html>.

¹¹⁹ Jessica Bursztynsky, *TikTok says 1 billion people use the app each month*, CNBC (Sept. 27, 2021), <https://www.cnbc.com/2021/09/27/tiktok-reaches-1-billion-monthly-users.html>; Bhanvi Staija, *TikTok’s ad revenue to surpass Twitter and Snapchat combined in 2022*, Reuters (Apr. 11, 2022), <https://www.reuters.com/technology/tiktoks-ad-revenue-surpass-twitter-snapchat-combined-2022-report-2022-04-11/>.

¹²⁰ Emily Vogels *et al.*, *Teens, Social Media and Technology 2022*, Pew Rsch. Ctr. (Aug. 10, 2022), www.pewresearch.org/internet/2022/08/10/teens-social-media-and-technology-.

¹²¹ Victoria Rideout *et al.*, *Common Sense Census: Media use by tweens and teens 2021* at 31, Common Sense Media (2022), www.common Sense Media.org/sites/default/files/research/report/8-18-census-integrated-report-final-web_0.pdf.

¹²² Paul Mozur, *Chinese Tech Firms Forced to Choose Market: Home or Everywhere Else*, N.Y. Times (Aug. 9, 2016), <https://www.nytimes.com/2016/08/10/technology/china-homegrown-internet-companies-rest-of-the-world.html>.

1 150. Motivated by the fear of not being able to keep up with competitors' numbers, Mr.
 2 Zhu explained to *Business Insider* that businesses need to keep its adolescent users "always
 3 engaged."¹²³

4 151. To monetize a U.S. teenage audience, Mr. Zhu and ByteDance implemented a series
 5 of product features designed to attract and addict young users. ByteDance has since designed and
 6 coded TikTok with features that foster addictive and compulsive use by youth, leading to a cascade
 7 of additional mental and physical injuries.¹²⁴

8 152. Mr. Zhu knew that young users were vulnerable and susceptible to compulsive use
 9 of their Social Media Platform. Acting on that knowledge, TikTok employed addictive tactics in
 10 their design and marketing efforts, leading to rampant "engagement" of young users with its Social
 11 Media Platform.¹²⁵

12 153. One of TikTok's defining features is its "For You" page (or "FYP"), also known as
 13 the "For You" feed ("FYF"). The FYP is a personalized feed of videos that TikTok's algorithm
 14 curates based on a user's interests and interactions with the app.¹²⁶ According to ByteDance, FYP
 15 is "central to the TikTok experience and where most of our users spend their time." Also, according
 16 to the Addiction Center, TikTok's addictive nature was designed around the steady flow of content
 17 that provides enjoyment, demands a user's concentration, and distorts the perception of time.¹²⁷

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 19
 20 ¹²³ Biz Carson, *How a failed education startup turned into Musical.ly, the most popular app*
 21 *you've probably never heard of*, Bus. Insider (May 29, 2016),
<https://www.businessinsider.com/what-is-musically-2016-5>.

22 ¹²⁴ Sophia Petrillo, *What Makes TikTok so Addictive?: An Analysis of the Mechanisms*
 23 *Underlying the World's Latest Social Media Craze*, Brown Undergraduate J. of Pub. Health (Dec.
 13, 2021), <https://sites.brown.edu/publichealthjournal/2021/12/13/tiktok/>.

24 ¹²⁵ Adam Smith, *New study identifies 'TikTok addiction' and the symptoms that show users*
 25 *might have it*, Independent (May 5, 2022), <https://www.independent.co.uk/tech/tiktok-addiction-symptoms-study-users-b2072116.html>.

26 ¹²⁶ Brian Feldman, *Unraveling the Mystery of the TikTok 'For You' Page*, N.Y. Mag., (Nov.
 12, 2019), <https://nymag.com/intelligencer/2019/11/how-to-get-on-the-tiktok-for-you-page.html>.

27 ¹²⁷ Nadia Matta, LMSW, *TikTok Addiction*, Addiction Ctr. (May 14, 2024),
 28 <https://www.addictioncenter.com/drugs/social-media-addiction/tiktok-addiction>.

154. ByteDance designed TikTok so users could not disable the auto-play function on the FYP such that when a user opens the TikTok app or visits the TikTok website, the product immediately begins playing a video on the user's FYP. The user may request more videos with a simple upward swipe, and the product will deliver an endless content stream. If a user does not proceed from a video, it continues to play on an endless loop. The ability to scroll continuously induces a "flow-state" and distorts users' sense of time.¹²⁸

155. The TikTok interface is designed with only a limited number of buttons and sections for users to navigate, such that the platform's design does not impede "flow."

156. TikTok's FYP also leverages principles of intermittent reinforcement to encourage compulsive usage, in the same fashion as Instagram Reels. A user swipes to receive the next video, and each swipe offers the prospect (but not the certainty) of dopamine-releasing stimuli.

157. TikTok's FYP creates what psychology researchers refer to as being "caught in an entertainment spiral."¹²⁹ The FYP is enhanced by ByteDance's design of TikTok's algorithm, which determines what the user is interested in to show content they are most likely to enjoy, causing a user to become engrossed in a perpetual stream of content.¹³⁰

158. As one industry commentator explained, TikTok uses "a machine-learning system that analyzes each video and tracks user behavior so that it can serve up a continually refined,

¹²⁸ Christian Montag *et al.*, *Addictive Features of Social Media/Messenger Platforms and Freemium Games against the Background of Psychological and Economic Theories*, 16(14) Int'l J. Env't Rsch. & Pub. Health 2612 (July 23, 2019), <https://doi.org/10.3390/ijerph16142612>.

¹²⁹ Yao Kin, *et al.*, *The addiction behavior of short-form video app TikTok: The information quality and system quality perspective*, *Frontiers Psych.* (Sept. 6, 2022), <https://doi.org/10.3389/fpsyg.2022.932805>.

¹³⁰ Nadia Matta, LMSW, *TikTok Addiction*, *Addiction Ctr.* (May 14, 2024), <https://www.addictioncenter.com/drugs/social-media-addiction/tiktok-addiction>.

1 never-ending stream of TikToks optimized to hold [users'] attention."¹³¹ As another commentator
 2 put it, "you don't tell TikTok what you want to see. It tells you."¹³²

3 159. Mr. Zhu has divulged that TikTok's algorithms are "focused primarily on increasing
 4 the engagement of existing users."¹³³ As a consequence of TikTok's decision to focus on
 5 engagement, its algorithm causes harmful and exploitative content to be amplified to the young
 6 market it has cultivated and targeted.

7 160. The algorithm encourages use of the product, regardless of whether that use is
 8 enjoyable or healthy—the engagement itself is the end goal.

9 161. The Center for Countering Digital Hate ("CCDH") is a United States-headquartered
 10 international nonprofit that disrupts the architecture of online hate and misinformation.¹³⁴ CCDH's
 11 researchers conducted a robust study in December 2022, in which they set up new accounts at the
 12 minimum age TikTok allows, 13 years old.¹³⁵ For the first 30 minutes on the app, the accounts
 13 paused briefly on videos about body image and mental health and liked them. For all other videos,
 14 researchers on the minor accounts would immediately scroll the FYF to view the next video
 15 recommended by TikTok.

16 *Within 2.6 minutes, TikTok recommended suicide content to users*
 17 *it registered as minors.*

18 *Within 8 minutes, TikTok served content related to eating*
 19 *disorders to users it registered as minors.*

21 ¹³¹ Jia Tolentino, *How TikTok Holds Our Attention*, New Yorker (Sept. 30, 2019),
 22 <https://www.newyorker.com/magazine/2019/09/30/how-tiktok-holds-our-attention>.

23 ¹³² Drew Harwell, *How TikTok Ate the Internet*, Wash. Post. (Oct. 14, 2022),
 24 <https://www.washingtonpost.com/technology/interactive/2022/tiktok-popularity/>.

25 ¹³³ Joseph Steinberg, *Meet Musical.ly, the Video Social Network Quickly Capturing the Tween*
 26 *and Teen Markets*, Inc. (June 2, 2016), [https://www.inc.com/joseph-steinberg/meet-musically-the-](https://www.inc.com/joseph-steinberg/meet-musically-the-video-social-network-quickly-capturing-the-tween-and-teen-m.html)
 27 [video-social-network-quickly-capturing-the-tween-and-teen-m.html](https://www.inc.com/joseph-steinberg/meet-musically-the-video-social-network-quickly-capturing-the-tween-and-teen-m.html).

28 ¹³⁴ Deadly by Design, Ctr. for Countering Digit. Hate (Dec. 15, 2022),
<https://counterhate.com/research/deadly-by-design/>.

¹³⁵ *Id.*

1 *Every 39 seconds, TikTok recommended videos about body image*
2 *and mental health to users it registered as minors.*¹³⁶

3 162. CCDH's research demonstrates how ByteDance has successfully designed its
4 TikTok platform to bombard young users' feeds with harmful, harrowing content that has
5 devastating cumulative impacts on young users' understanding of the world around them, and their
6 physical and mental health.¹³⁷

7 163. In the context of young users, TikTok's rabbit holes are devastatingly problematic
8 for children, adolescents, and teenagers who, due to their young age, lack the necessary impulse
9 control required by the Social Media Platform to stop watching content that is continuously playing
10 with little to no effort on behalf of the user. The more the user engages with TikTok by viewing
11 content, hesitating on a particular piece of content, or without attempting to stop it, the more
12 TikTok's algorithms learn about the user. ByteDance uses this feature to exploit the vulnerabilities
13 of children and teenagers and addict them to its product.

14 164. TikTok identifies a young user's vulnerability and capitalizes on it. The vulnerable
15 accounts in the CCDH study received 12 times more recommendations for self-harm and suicide
16 videos than the standard accounts.

17 165. In another experiment, *The Wall Street Journal* found that TikTok's algorithm
18 quickly pushed users down rabbit holes where they were more likely to encounter harmful content.
19 *The Wall Street Journal* investigated how TikTok's algorithm chose what content to promote to
20 users by having 100 bots scroll through the FYF. Each bot was programmed with interests, such
21 as extreme sports, forestry, dance, astrology, and animals. Those interests were not disclosed in the
22 process of registering their accounts. Rather, the bots revealed their interests through their
23 behaviors, specifically the time they spent watching the videos TikTok recommended to them.

24
25
26 ¹³⁶ Elizabeth Germino, *TikTok pushes potentially harmful content to users as often as 39*
27 *seconds, study says*, CBS News (Dec. 14, 2022), <https://www.cbsnews.com/news/tiktok-pushes-potentially-harmful-content-to-users-as-often-as-every-39-seconds-study/>.

28 ¹³⁷ *Id.*

Consistent with TikTok’s leaked internal “Algo 101” document, *The Wall Street Journal* found that time spent watching videos was “the most impactful data on [what] TikTok serves [users].”¹³⁸

166. Over the course of 36 minutes in the experiment, one bot watched 224 videos, lingering over videos with hashtags for “depression” or “sad.” From then on, 93% of the videos TikTok showed this account were about depression or sadness.¹³⁹

167. This experience is not a rare occurrence, rather, it is what millions of young users are battling every day. Former YouTube engineer Guillaume Chaslot, who worked on the algorithm for YouTube, explained that 90% to 95% of the content users see on TikTok is based on its algorithm. “[E]ven bots with general mainstream interests got pushed to the margin as the recommendations got more personalized and narrow.” Deep in these rabbit holes, *The Wall Street Journal* found “users are more likely to encounter potential harmful content.”¹⁴⁰

168. Chaslot explained why TikTok feeds users this content:

[T]he algorithm is able to find the piece of content that you’re vulnerable to. That will make you click, that will make you watch, but it doesn’t mean you really like it. And that it’s the content that you enjoy the most. It’s just the content that’s most likely to make you stay on the platform.¹⁴¹

169. A follow-up investigation by *The Wall Street Journal* found “that through its powerful algorithms, TikTok can quickly drive minors—among the biggest users of the app—into endless spools of content about sex and drugs.” The bots in this follow-up investigation were registered as users aged 13 to 15 and, as before, programmed to demonstrate interest by how long they watched the videos TikTok’s algorithms served them. The bots scrolled through videos that did not match their interests without pausing. The bots lingered on videos that matched any of their programmed interests. Every second the bot hesitated or rewatched a video again proved

¹³⁸ *Inside TikTok’s Algorithm: A WSJ Video Investigation*, Wall St. J. (July 21, 2021), <https://www.wsj.com/articles/tiktok-algorithm-video-investigation-11626877477>.

¹³⁹ *Id.*

¹⁴⁰ *Id.*

¹⁴¹ *Id.*

key to what TikTok recommended to the accounts, which *The Wall Street Journal* found was used to “drive users of any age deep into rabbit holes of content.”¹⁴²

170. For example, one bot was programmed to pause on videos referencing drugs, among other topics. The first day on the platform, the “account lingered on a video of a young woman walking through the woods with a caption suggesting she was in search of marijuana.” The following day, the bot viewed a video of a “marijuana-themed cake.” The “majority of the next thousand videos” TikTok directed at the teenage account “tout[ed] drugs and drug use, including marijuana, psychedelics and prescription medication.”¹⁴³

171. TikTok similarly zeroed in on and narrowed the videos it showed accounts whether the bot was programmed to express interest in drugs, sexual imagery, or a multitude of interests. In the first couple of days, TikTok showed the bots a “high proportion of popular videos.” “But after three days, TikTok began serving a high number of obscure videos.”¹⁴⁴

172. For example, a bot registered as a 13-year-old was shown a series of popular videos upon signing up. The bot, which was programmed to demonstrate interest in sexual text and imagery, also watched sexualized videos.¹⁴⁵

173. At least 2,800 of the sexualized videos that were shown to *The Wall Street Journal*’s bots were labeled as being for adults only. However, TikTok directed these videos to the minor accounts because, as TikTok told *The Wall Street Journal*, it does not “differentiate between videos it serves to adults and minors.”¹⁴⁶

174. TikTok also directed a concentrated stream of videos at accounts programmed to express interest in a variety of topics. One such account was programmed to linger over hundreds

¹⁴² Rob Barry, *et al.*, *How TikTok Serves Up Sex and Drug Videos to Minors*, Wall St. J. (Sept. 8, 2021), https://www.wsj.com/articles/tiktok-algorithm-sex-drugs-minors-11631052944?st=e92pu5734lvc7ta&reflink=desktopwebshare_permalink.

¹⁴³ *Id.*

¹⁴⁴ *Id.*

¹⁴⁵ *Id.*

¹⁴⁶ *Id.*

of Japanese film and television cartoons. “In one streak of 150 videos, all but four” of the videos TikTok directed at the account “featured Japanese animation—many with sexual themes.”¹⁴⁷

175. ByteDance admits that its recommendation algorithm creates a “risk of presenting an increasingly homogeneous stream of videos.” As the studies discussed and experiments demonstrate, that homogeneous stream often includes harmful content, including posts about depression, self-harm, drugs, and extreme diets.¹⁴⁸

176. The relentless stream of content intended to keep users engaged “can be especially problematic for young people” because they may lack the capability to stop watching, says David Anderson, a clinical psychologist at the nonprofit mental health care provider, The Child Mind Institute.¹⁴⁹

177. TikTok’s rampant growth among youth users is enabled by the Social Media Platform’s defective age verification and parental control procedures, which ByteDance designed to allow children under 13 unfettered access to its platform.

178. When a user first initiates TikTok’s sign-up process, they are prompted to “Login in to TikTok” or “Sign up” for an account using a phone number or email address. TikTok then asks, “When’s your birthday?” In 2016, the birth date for those signing up for the platform defaulted to the year 2000 (*i.e.*, 16 years old).¹⁵⁰

179. ByteDance did not verify whether individuals were minors that had the consent of their parents or legal guardians to use its product. Even by 2020, TikTok still had not developed a

¹⁴⁷ *Id.*

¹⁴⁸ *How TikTok recommends videos #ForYou*, TikTok Inc. (June 18, 2020), <https://newsroom.tiktok.com/en-us/how-tiktok-recommends-videos-for-you>.

¹⁴⁹ Tawnell D. Hobbs *et al.*, *The Corpse Bride Diet: How TikTok Inundates Teens With Eating-Disorder Videos*, Wall St. J. (Dec. 17, 2021), <https://www.wsj.com/articles/how-tiktok-inundates-teens-with-eating-disorder-videos-11639754848> (some of the accounts performed searches or sent other, undisclosed signals indicating their preferences).

¹⁵⁰ Melia Robinson, *How to Use Musical.ly, The App With 150 million Users That Teens Are Obsessed With*, Bus. Insider (Dec. 7, 2016), <https://www.businessinsider.com/how-to-use-musically-app-2016-12>.

1 company position on age verification.¹⁵¹ The significant harm done as a result of TikTok’s delay
 2 has injured countless children and adolescents.

3 180. Further, for a period of time, TikTok users could circumvent TikTok’s age
 4 restrictions by using TikTok without creating an account. TikTok allows users, no matter what age,
 5 to “browse as [a] guest,” and watch TikTok’s FYP while TikTok’s algorithm collects data about
 6 that user and their viewing behavior.¹⁵²

7 181. Until recently, ByteDance’s Trust and Safety team recognized that one of the
 8 biggest challenges it faced was determining who is a minor on its platform; ByteDance knew that
 9 millions of TikTok users were under the age of 13 and do not to report their birth dates accurately.

10 182. In 2019, the FTC acted on this admission and alleged that ByteDance failed to
 11 comply with COPPA. ByteDance settled the FTC claims, agreeing to a then-record civil COPPA
 12 penalty and several forms of injunctive relief intended to protect children who use the product.¹⁵³

13 183. To comply with the terms of the resulting settlement, ByteDance created “TikTok
 14 for Younger Users,” a “limited app experience” for users under the age of 13.¹⁵⁴ “TikTok for
 15 Younger Users” does not permit users to “share their videos, comment on others’ videos, message
 16 with users, or maintain a profile or followers.”¹⁵⁵ Users, however, can still “experience what
 17
 18

19 ¹⁵¹ Ashley Belanger, *Mourning parents asked TikTok for age verification, got maturity ratings*
 20 *instead*, Ars Technica (July 13, 2022), [https://arstechnica.com/tech-policy/2022/07/after-child-](https://arstechnica.com/tech-policy/2022/07/after-child-deaths-tiktok-adds-maturity-ratings-not-age-verification/)
[deaths-tiktok-adds-maturity-ratings-not-age-verification/](https://arstechnica.com/tech-policy/2022/07/after-child-deaths-tiktok-adds-maturity-ratings-not-age-verification/).

21 ¹⁵² *Browse as Guest*, TikTok Support, [https://support.tiktok.com/en/log-in-troubleshoot/log-](https://support.tiktok.com/en/log-in-troubleshoot/log-in/browse-as-guest)
 22 [in/browse-as-guest](https://support.tiktok.com/en/log-in-troubleshoot/log-in/browse-as-guest) (last visited May 30, 2024).

23 ¹⁵³ Natasha Singer, *TikTok Broke Privacy Promises, Children’s Groups Say*, N.Y. Times (May
 24 14, 2020), [https://www.nytimes.com/2020/05/14/technology/tiktok-kids-](https://www.nytimes.com/2020/05/14/technology/tiktok-kids-privacy.html#:~:text=TikTok%2C%20the%20popular%20app%20for%20making%20and%20sha%20ring,20%20children%E2%80%99s%20and%20consumer%20groups%20said%20on%20Thursaday)
 25 [privacy.html#:~:text=TikTok%2C%20the%20popular%20app%20for%20making%20and%20sha%20ring,20%20children%E2%80%99s%20and%20consumer%20groups%20said%20on%20Thursaday](https://www.nytimes.com/2020/05/14/technology/tiktok-kids-privacy.html#:~:text=TikTok%2C%20the%20popular%20app%20for%20making%20and%20sha%20ring,20%20children%E2%80%99s%20and%20consumer%20groups%20said%20on%20Thursaday).

26 ¹⁵⁴ *TikTok for Younger Users*, TikTok (Dec. 13, 2019), <https://newsroom.tiktok.com/en-us/>.

27 ¹⁵⁵ Dami Lee, *TikTok Stops Young Users from Uploading Videos after FTC Settlement*, Verge
 28 (Feb. 27, 2019), [https://www.theverge.com/2019/2/27/18243510/tiktok-age-young-user-videos-](https://www.theverge.com/2019/2/27/18243510/tiktok-age-young-user-videos-ftc-settlement-13-childrensprivacy-law)
[ftc-settlement-13-childrensprivacy-law](https://www.theverge.com/2019/2/27/18243510/tiktok-age-young-user-videos-ftc-settlement-13-childrensprivacy-law).

TikTok is at its core” by recording and watching videos on TikTok. For that reason, experts state the app is “designed to fuel [kids’] interest in the grown-up version.”¹⁵⁶

184. Beyond these inadequate controls, children under the age of 13 can also easily delete their age-restricted accounts and sign up for an over-13 account on the same mobile device—without any restriction or verification—using a fake birthdate with ease.

185. ByteDance uses a series of interrelated design features, including those aforementioned, that exploit known mental processes to induce TikTok’s users to use the product more frequently, for more extended periods, and with more intensity (*i.e.*, providing more comments and likes).

186. As a result of ByteDance’s product design, implementation, marketing, and distribution, tribal youth have suffered severely in becoming addicted to the TikTok product, suffering mental health problems as a result.

VI. DEFENDANTS’ COLLECTIVE SCHEME TO EXPLOIT VULNERABLE CHICKASAW NATION YOUTH BY MISREPRESENTING THE SAFETY OF THEIR SOCIAL MEDIA PLATFORMS

A. The Social Media Defendants’ Gambit to Exploit and Addict Chickasaw Nation Youth by Similar, Industry-Shared Schemes

187. The Social Media Defendants, including ByteDance, Google, Meta, and Snap, formed an association-in-fact enterprise for the purpose of deliberately addicting vulnerable young users to their platforms, in order to maximize engagement and thus maximize advertising revenues.

188. While social media companies are technically “competitors,” there are ways in which they collaborate that contribute to the addictive nature of their platforms for Chickasaw Nation youth. This collaboration occurs through industry practices, research sharing, and the adoption of similar design strategies.

189. Social media companies often share research through academic collaborations, conferences, and trade associations, including, based upon information and belief, studies and strategies related to user engagement, retention, and optimization of products for habitual use.

¹⁵⁶ Leonard Sax, *Is TikTok Dangerous for Teens?*, Inst. Fam. Stud. (Mar. 29, 2022), <https://ifstudies.org/blog/is-tiktok-dangerous-for-teens->.

190. Conferences related to human-computer interaction, engineering, and product design and development attract researchers and engineers from social media companies who present findings on user behavior, algorithm optimization, and design innovations. Insights from these gatherings influence the development of new features that increase user engagement.

191. Defendants and their employees, researchers, and former engineers discuss and publish their findings on artificial intelligence, algorithms, attention metrics, and human-computer interaction, some of which directly informs how platforms are built to engage users. By sharing this research publicly, companies allow one another to benefit from discoveries on how to keep users engaged.

192. Many of the engineers, designers, and product managers who work on addictive features at one social media company often move to others. This creates a diffusion of knowledge and best practices across the industry.¹⁵⁷

¹⁵⁷ For instance, Google hired TikTok's North American head, Kevin Ferguson, to develop YouTube Shorts. J. Clara Chan, *TikTok Creators Turn to YouTube Shorts Amid "Insane" Subscriber Growth*, The Hollywood Reporter (Aug. 21, 2021), <https://www.hollywoodreporter.com/business/digital/tiktok-creators-youtube-shorts-amid-insane-subscriber-growth-1235002615/>; ByteDance hired Blake Chandlee, Facebook's former VP of global partnerships, as TikTok's new head of strategic partnerships. Chandlee spent about a decade working on Facebook's business partnerships in Europe, Latin America and the U.S. ByteDance also hired a seven-year veteran of YouTube, Vanessa Pappas, who was previously YouTube's global head of creative insights as TikTok's first general manager in the U.S. See Mark Bergen, *TikTok Ramps Up Recruiting From Big Tech With Facebook Exec Hire*, Yahoo!Finance (June 12, 2019), <https://finance.yahoo.com/news/tiktok-ramps-recruiting-big-tech-204212121.html>; Jorge Ruiz is the Head of Marketing Science at TikTok, he joined TikTok in December of 2019 and was previously the Head of Agency Measurement at Facebook. Advertising Week-New York, <https://newyork2024.advertisingweek.com/aw/schedule/speaker/-10510> (last visited Oct. 14, 2024); Aarti Bhaskaran currently leads the Global Ad Research & Insights team at Snap. Prior to joining Snap, she was a client leader at Kantar managing a portfolio that included TikTok and Snapchat. Advertising Week-New York, <https://newyork2024.advertisingweek.com/aw/schedule/speaker/-12428> (last visited Oct. 14, 2024); Patrick Harris, after nearly 12 years at Meta, joined Snap as senior VP of partnerships, and David Sommer, formerly with Meta, joins Snap's sales team as head of U.S. verticals. Todd Spangler, *Snap Hires Meta Veteran Patrick Harris as Senior VP of Partnerships*, Variety (May 1, 2023), <https://variety.com/2023/digital/news/snap-patrick-harris-meta-svp-partnerships-1235599639/>; Other former Meta execs who have joined Snap recently include VP of organic growth and product marketing, Ty Ahmad-Taylor; Doug Fraser, VP of business planning and operations; VP of product marketing Pooja Piyaratna; and Ajit Mohan, who joined Snap as

193. The Social Media Defendants exclusively control the most popular social media platforms and collectively dominate the social U.S. digital advertising market.¹⁵⁸

194. It is not a coincidence that the Social Media Defendants and each of their respective Social Media Platforms—Instagram, Facebook, TikTok, Snapchat, and YouTube—control the social media industry and all use the same exploitive business practices. Each of the Social Media Defendants and their executives maximize profits from advertising revenue by collectively engaging in the following shared practices: (1) pursuing business models that maximize the number of child users to monopolize as much of their attention as possible to generate more ad revenue; (2) suppressing knowledge that young users are uniquely susceptible to addictive features in digital products and highly vulnerable to the resulting harm; (3) implementing the same core addictive features on each platform through automated attention farming achieved by content-agnostic algorithms and recommendations fed by data about user interactions that deliberately exploit the psychology and neurophysiology of young people; (4) failing to implement effective parental controls; and (5) failing to implement age verification processes to determine users’ ages, among others.

195. The Social Media Defendants’ success is in significant part the result of a nearly decade-long scheme to collectively gaslight and defraud the public into believing that its products did not have detrimental effects on adolescents.¹⁵⁹ The Defendants’ association to accomplish the goals of increasing revenue via ensuring user engagement is referred to herein as the “Strategic Partnership Enterprise.”

president of Asia-Pacific in January 2023 after serving as Meta’s VP of India, and Ronan Harris, formerly Google’s VP, joined Snap as president of EMEA in late 2022. *Id.* Additionally, Darshan Kantak was recently named Snap’s SVP of revenue product, after serving as Google’s VP of search ads. *Id.*

¹⁵⁸ Stefan Larson, *Social Media Users 2024 (Global Data & Statistics)*, Priori Data (March 26, 2024), <https://prioridata.com/data/social-media-usage>.

¹⁵⁹ See, e.g., Georgia Wells, *et al.*, *Facebook Knows Instagram Is Toxic for Teen Girls, Company Documents Show*, Wall St. J. (Sept. 14, 2021), https://www.wsj.com/articles/facebook-knows-instagram-is-toxic-for-teen-girls-company-documents-show-11631620739?mod=hp_lead_pos7&mod=article_inline.

196. The Strategic Partnership Enterprise consists of the Social Media Defendants.

197. To fully appreciate the scope of Defendants' scheme to defraud guardians and the Chickasaw Nation's youth one must understand social media and advertising market, and the role that the members of the Strategic Partnership Enterprise play as social media companies that dominate the social media and digital advertising industry.

198. Social Media Defendants sell themselves as social media companies, but their actual source of revenue is in advertising sales. Although Defendants' platforms are ostensibly free of charge, in reality, Defendants charge users by collecting their data, which they then leverage into advertising revenue.

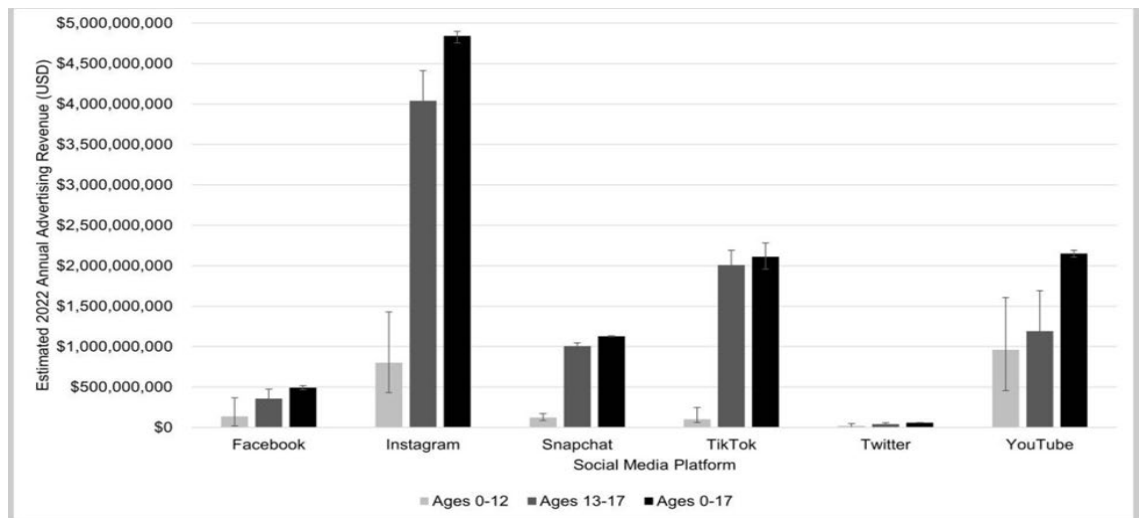
199. Recently, researchers at Boston Children's Hospital and Harvard University used public survey and market research data to comprehensively estimate Facebook, Instagram, Snapchat, TikTok, X (Twitter), and YouTube's number of youth users and related advertising revenue.¹⁶⁰ They combined these estimates with market research data on advertising revenue across the platforms in simulation models to assess how much ad revenue the various platforms earned from child and adolescent users. In December 2023, the study revealed that the Social Media Defendants' five platforms plus X (formerly known as Twitter) collectively made nearly \$11 billion in advertising revenue from U.S. users under the age of 18 in 2022. Researchers found that the Social Media Defendants' Social Media Platforms generate substantial advertising revenue from youth, highlighting the need for "greater data transparency as well as public health interventions[.]"¹⁶¹

¹⁶⁰ *Kids' Ad Revenue for Social Media*, Center for Health Decision Science (Feb. 28, 2024), <https://chds.hsph.harvard.edu/kids-ad-revenue-for-social-media/>.

¹⁶¹ Jessica Corbett, *Social Media Giants Make Billions Advertising to U.S. Kids*, Common Dreams (Dec. 27, 2023), <https://www.commondreams.org/news/social-media-and-children>; In 2022, YouTube had 49.7 million U.S.-based users under age 18; TikTok, 18.9 million; Snapchat, 18 million; Instagram, 16.7 million; Facebook, 9.9 million; and X, 7 million. YouTube derived the greatest ad revenue from users 12 and under (\$959.1 million), followed by Instagram (\$801.1 million) and Facebook (\$137.2 million). Instagram derived the greatest ad revenue from users ages 13-17 (\$4 billion), followed by TikTok (\$2 billion) and YouTube (\$1.2 billion). *See also Kids' Ad Revenue for Social Media*, Ctr. for Health Decision Science Harvard T.H. Chan School of Public Health (Feb. 28, 2024), <https://chds.hsph.harvard.edu/kids-ad-revenue-for-social-media/>

200. The recent study illustrates the incentive behind Defendants' platforms conscious efforts to prey on the time and attention of children who use them compulsively. Their powerfully addictive nature is intentional; each Defendant has designed, developed, produced, operated, promoted, distributed, and marketed its platforms not only to maximize the number of child users but to monopolize as much of their attention as possible.

201. Targeting and capturing young users is central to Defendants' business models. Because children use Defendants' platforms more than adults, they see more ads and, as a result, generate more ad revenue for Defendants. Young users also generate a trove of data about their preferences, habits, and behaviors. Information about their users is Defendants' most valuable commodity. Defendants mine and commodify that data, selling to advertisers the ability to reach incredibly narrow tranches of the population, including children. Each Defendants' platforms affect interstate and foreign commerce, and generate revenues through the distribution of those platforms at the expense of the Chickasaw Nation. This exploitation of the Chickasaw Nation's youth population is central to Defendants' profitability model.



*Estimated U.S. advertising revenue from users under 18 per social media platform.*¹⁶²

¹⁶² Amanda Raffoul, et al., *Social media platforms generate billions of dollars in revenue from U.S. youth: Findings from a simulated revenue model*. PLoS One (Dec. 27, 2023), <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0295337>.

1 202. In the past decade, Chickasaw Nation youth’s engagement with social media has
2 grown. This explosion in usage is no accident. Defendants, through their Social Media Platforms—
3 specifically Instagram, Facebook, TikTok, Snapchat, and YouTube—intentionally induced young
4 people to use their platforms compulsively. Defendants deliberately embedded design features in
5 their platforms to maximize youth engagement to drive advertising revenue. Defendants know
6 young people are in a developmental stage that leaves them particularly vulnerable to the addictive
7 effects of these features. Defendants target them anyway in pursuit of additional profit.

8 203. Defendants’ choices to design, develop, produce, operate, promote, distribute, and
9 market their Social Media Platforms in ways that are harmful to minors have generated
10 extraordinary corporate profits—and yielded immense tragedy. The Chickasaw Nation community
11 has seen a rise in anxiety, depression, and suicidal thoughts among its youth, leading to increased
12 delinquency and behavioral issues. Many young people struggle with time management and
13 impulse control related to social media use, expressing fear and anxiety over online posts.

14 204. The shared “business strategy” that has enabled the Strategic Partnership Enterprise
15 to successfully defraud vulnerable the Chickasaw Nation’s youth and their guardians rests on the
16 following 6 pillars: (1) collaborative sharing of industry research and best practices; (2)
17 coordinated fraudulent and misrepresentative efforts; (3) reliance on the same exploitive
18 monetization model and intentionally addictive design features; (4) collective concealment and
19 disregard for the known risks and harms associated with prolonged engagement of youth users; (5)
20 collaborative data sharing and targeting efforts; and (6) cross-pollination of executives.

21 205. In order to increase advertising revenues, the Social Media Defendants engaged in,
22 and continue to engage in, deliberately collaborative and coordinated business practices in
23 furtherance of the Strategic Partnership Enterprise’s common purpose of maximizing engagement
24 by making platforms addictive to vulnerable young users and misrepresenting the nature and safety
25 of their platforms.

26 206. Social Media Defendants and their executives working together within the Strategic
27 Partnership Enterprise knowingly devised a scheme to defraud vulnerable Chickasaw Nation youth
28

1 and their guardians by addicting vulnerable young users to their platforms thereby maximizing
2 profits.

3 207. During all relevant times, the Social Media Defendants and their executives
4 maintain complete control over their Social Media Platforms and the means by which minors are
5 able to access and use them exclusively. Defendants control how their Social Media Platforms are
6 designed, developed and operated, and the targeted production, promotion, distribution, and
7 marketing of their Social Media Platforms to attract and addict minors.

8 **B. For Years, the Strategic Partnership Enterprise Members Have**
9 **Coordinated Acts to Ensure High Engagement Among Chickasaw**
10 **Nation Youth by Misrepresenting Platform Safety**

11 208. The Social Media Defendants' exploitation of and harm to children has been driven
12 by their focus on increasing user engagement.

13 209. Each of the Social Media Defendants makes revenue through advertising dollars
14 and, in order to increase that revenue, they must also increase the amount of time that individual
15 users spend on the social media products.

16 210. Defendants collectively engaged in a years-long effort to hide from the public the
17 effects of their social media products. Engineers and employees at each of Defendants' companies
18 knew about the risks and potential risks of addiction of the products, but did not disclose them.
19 Instead, Defendants collectively and deliberately hid evidence of addiction and the negative
20 impacts of the social media products, actively downplayed the risks the products posed to
21 adolescents, or denied that the social media products had any negative impact on adolescents.

22 211. Nearly a decade of scientific and medical studies demonstrate that dangerous
23 features engineered into Defendants' platforms—particularly when used multiple hours a day –
24 can have a “detrimental effect on the psychological health of [their] users,” including compulsive
25 use, addiction, body dissatisfaction, anxiety, depression, and self-harming behaviors such as eating
26 disorders.¹⁶³

27 ¹⁶³ See, e.g., Fazida Karim *et al.*, *Social Media Use and Its Connection to Mental Health: A*
28 *Systemic Review*, Cureus Volume 12(6) (June 15, 2020),

212. Each Social Media Defendant has long been aware of research connecting use of their platforms with harm to its users' well-being but chose to intentionally suppress such information.

213. The following is a partial list of misrepresentations that Social Media Defendants have made, and continue to make, about the nature and safety of their respective Social Media Platforms:

1. Meta's Misleading and Deceptive Statements Regarding Platform Safety, the Targeting of Youth Users, and the Effects of Prolonged Engagement

214. In the year leading up to Meta's acquisition of Instagram, Meta publicly acknowledged its duty to children and worked to create false expectations about its platforms' safety. For example:

- Mark Zuckerberg: "So, *we're really focused on, on safety, especially children's safety*. So we're having folks under the age of 18. . . *we just take a lot of extra precautions for it*, to make sure that it's just a safe environment for them. . . to use this service that you know, the default for, for people sharing things isn't that they're sharing with everyone but that they're sharing with a smaller community. . . . *We really try to build a safe environment*. . . . That's gonna be the key long term. . . . Right, and they, *they feel like Facebook is this really secure place* and that it's a hundred percent safe, and . . . we're always thinking about little and big things like that that we can do to keep it safe for, for the people who use our service."¹⁶⁴ (emphasis added)

215. Following Meta's acquisition of Instagram, high-ranking executives continued to make public pronouncements about the safety of Meta's platforms, including, but not limited to, the following statements:

- Mark Zuckerberg: "Congressman, we have a number of measures in place to protect minors specifically. We make it so that adults can't contact minors who they. . . they

¹⁶⁴ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7364393/>; Alexandra R. Lonergan *et al.*, Protect me from my selfie: Examining the association between photo-based social media behaviors and self-reported eating disorders in adolescence, *Int. J. of Eating Disorders* 756 (Apr. 7, 2020), <https://onlinelibrary.wiley.com/doi/epdf/10.1002/eat.23256>.

¹⁶⁴ Mark Zuckerberg at BYU with Orrin Hatch, Part 1 (2011), <https://www.youtube.com/watch?v=zRsbWommvNo>.

aren't already friends with. We make it so that certain content that may be inappropriate for minors, we don't show."¹⁶⁵

- Mark Zuckerberg: "There are really two core principles at play here. There's giving people a voice, so that people can express their opinions. Then, there's keeping the community safe, which I think is really important."¹⁶⁶
- Mark Zuckerberg: "Looking ahead, we will continue to invest heavily in security and privacy because we have a responsibility to keep people safe. But as I've said on past calls, we're investing so much in security that it will significantly impact our profitability."¹⁶⁷
- Mark Zuckerberg: "[W]e have a responsibility to keep people safe on our services."¹⁶⁸
- Sheryl Sandberg: "[We] have to keep people safe and give them control over their experience on our apps. And we are."¹⁶⁹
- Sheryl Sandberg: "While we continue to invest in helping businesses, we are equally focused on keeping our platform safe."¹⁷⁰

¹⁶⁵ Transcript of Zuckerberg's appearance before House committee, Wash. Post (Apr. 11, 2018), <https://www.washingtonpost.com/news/the-switch/wp/2018/04/11/transcript-of-zuckerbergs-appearance-before-house-committee/>.

¹⁶⁶ Kara Swisher, *Zuckerberg: The Record Interview*, Vox (July 12, 2018), <https://www.vox.com/2018/7/18/17575156/mark-zuckerberg-interview-facebook-recode-karaswisher>.

¹⁶⁷ Facebook, Inc., *Second Quarter 2018 Results Conference Call* (July 25, 2018), https://s21.q4cdn.com/399680738/files/doc_financials/2018/Q2/Q218-earnings-call-transcript.pdf.

¹⁶⁸ Mark Zuckerberg, Facebook (Nov. 15, 2018), <https://www.facebook.com/notes/markzuckerberg/a-blueprint-for-content-governance-and-enforcement/10156443129621634/>; Mark Zuckerberg, *Mark Zuckerberg: The Internet needs new rules. Let's start in these four areas*, Wash. Post (Mar. 30, 2019), <https://www.washingtonpost.com/opinions/mark-zuckerbergthe-internet-needs-new-rules-lets-start-in-these-four-areas/2019/03/29/9e6f0504-521a-11e9-a3f7-78b7525a8d5f>.

¹⁶⁹ Meta Investor Relations, *Earnings Call Transcript*, Meta (Jan. 29, 2020), https://s21.q4cdn.com/399680738/files/doc_financials/2019/q4/Q4'19-FB-Earnings-Call-Transcript.pdf.

¹⁷⁰ Meta Investor Relations, *Earnings Call Transcript*, Meta (Oct. 29, 2020), https://s21.q4cdn.com/399680738/files/doc_financials/2020/q3/FB-Q3-2020-Earnings-Call-Transcript.pdf.

- 1 • Mark Zuckerberg: “[W]e certainly do not design [Facebook] in that way [to be
2 addictive].”¹⁷¹
- 3 • Meta: Answering that it was unable to “determine whether increased use of their
4 platform among teenage girls has any correlation with increased signs of
5 depression” and unable to “determine whether increased use of its platform among
6 teenage girls has any correlation with increased signs of self-harm[.]”¹⁷²
- 7 • Mark Zuckerberg: “I don’t believe [that Facebook harms children]. This is
8 something that we study and we care a lot about; designing products that improve
9 peoples’ well-being is very important to us. And what our products do is help people
10 stay connected to people they care about, which I think is one of the most
11 fundamental and important human things that we do, whether that’s for teens or for
12 people who are older than that.”¹⁷³
- 13 • David Wehner, Chief Financial Officer of Meta: “[M]ore than anyone else in the
14 industry, we invest on the safety and security side to sort of keep bad content off
15 the site before it gets ranked and put into what people see. So we’ve got. . . over
16 35,000 people on the safety and security side. We’ve got the most robust set of
17 content policies out there. We do a quarterly call, public call around our content
18 review process and procedures. So I think that on the front, before it even gets into
19 the algorithm, I think we really do more than anyone else in the industry on the
20 safety and security front to prevent things like misinformation and a bad content
21 going into the system in the first place.”¹⁷⁴

171 *Breaking the News: Censorship, Suppression, and the 2020 Election: Hearing Before the S. Comm. on the Jud.*, 116 Cong. (2020) (Statement of Mark Zuckerberg); see also *CEO Mark Zuckerberg on Whether Products are Addictive: “We Certainly Do Not Design the Product in that Way,”* The Recount, (Nov. 17, 2020), <https://therecount.com/watch/facebook-ceo-mark-zuckerbergon/2645864077>.

172 *Facebook, Inc. Responses to Questions for the Record from the Comm. on the Judiciary November 17, 2020 Hearing: Breaking the News: Censorship, Suppression, and the 2020 Election*, at 124-125 (Dec. 23, 2020), <https://www.judiciary.senate.gov/imo/media/doc/Zuckerberg%20Responses%20to%20QFRs.pdf>

173 *Disinformation Nation: Social Media’s Role in Promoting Extremism and Misinformation Hearing Before H. Energy and Commerce Subcomm. on Communications and Technology* (March 25, 2021), <https://www.congress.gov/117/meeting/house/111407/documents/HHRG-117-IF16-Transcript-20210325.pdf>.

174 Meta Investor Relations, *Earnings Call Transcript*, Meta (Apr. 28, 2021), <https://investor.fb.com/investor-events/event-details/2021/Facebook-Q1-2021-Earnings-/default.aspx>.

- 1 • Adam Mosseri, Head of Instagram: Dismissing concerns around Instagram’s
2 negative impact on teens as “quite small,” even though the company conducted a
3 thorough and deep dive into teen mental health.¹⁷⁵
- 4 • Adam Mosseri: “I don’t believe that research suggests that our products are
5 addictive.”¹⁷⁶

6 216. In addition, Meta has launched advertising campaigns designed to encourage more
7 children to use its platforms—by touting the purported safety of those platforms.

8 217. As an example of advertising promoting use by children, a Meta 2021 online
9 advertisement actively highlighted the posts available for fifth grade children on its Facebook
10 platform, highlighting the experience of an art teacher who used Facebook to communicate with
11 students during the pandemic—an experience the video noted was “a lot to unpack for little, tiny
12 people.”

13 218. Meta’s misstatements came to a head when Frances Haugen, a former Facebook
14 product manager, began publishing Meta’s internal documents that she leaked to *The Wall Street*
15 *Journal*, which revealed alarming issues concerning the mental health effects that Facebook was
16 having on teens.¹⁷⁷

17 219. The documents are disturbing. They reveal that, according to Meta’s researchers,
18 13.5% of U.K. girls reported more frequent suicidal thoughts, and 17% of teen girls reported
19 worsening eating disorders after starting to use Instagram.¹⁷⁸ Over 40% of Instagram users who

20 ¹⁷⁵ Taylor Hatmaker, *Facebook Knows Instagram Harms Teens. Now its Plan to Open the App*
21 *to Kids Looks Worse than Ever*, TechCrunch (Sept. 16, 2021),
22 <https://techcrunch.com/2021/09/16/facebook-instagram-for-kids-mosseri-wsj-teen-girls/>.

23 ¹⁷⁶ U.S. Senate Committee on Commerce, Science & Transportation, Hearing, Subcommittee:
24 Protecting Kids Online: Facebook, Instagram, and Mental Health Harms (Sept. 30, 2021),
25 <https://www.commerce.senate.gov/2021/9/protecting-kids-online-facebook-instagram-and-mental-health-harms>.

26 ¹⁷⁷ The Facebook Files: A *Wall Street Journal* Investigation, Wall St. J., available at
27 <https://www.wsj.com/articles/the-facebook-files-11631713039?mod=bigtop-breadcrumb>.

28 ¹⁷⁸ Morgan Keith, *Facebook’s Internal Research Found its Instagram Platform Contributes*
to Eating Disorders and Suicidal Thoughts in Teenage Girls, Whistleblower Says, Insider (Oct. 3,

1 reported feeling “unattractive” said that feeling began while using Instagram,¹⁷⁹ and 32% of teen
 2 girls who already felt bad about their bodies felt even worse because of the app.¹⁸⁰

3 220. Internal Meta presentations from 2019 and 2020 were transparent in their
 4 conclusions about the harms caused by Instagram: “We make body image issues worse for one
 5 in three teen girls.” “Mental health outcomes related to this can be severe.” “Aspects of Instagram
 6 exacerbate each other to create a perfect storm.”¹⁸¹

7 221. Yet, publicly, Meta only continues to hide the harms its platforms cause. On
 8 November 7, 2023, a second Meta whistleblower testified before a Senate subcommittee about the
 9 ways in which Meta has failed to act to protect its teenage users. Arturo Bejar, a former Facebook
 10 engineering director and Instagram consultant, testified that Meta leadership was aware of
 11 prevalent harms to its youngest users but declined to take adequate action in response. Bejar
 12 testified that he informed Chief Product Officer Chris Cox of research into platform harms to teens

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 16 2021), [https://www.businessinsider.com/facebook-knows-data-instagram-eating-disorders-](https://www.businessinsider.com/facebook-knows-data-instagram-eating-disorders-suicidalthoughts-whistleblower-2021-10)
 17 [suicidalthoughts-whistleblower-2021-10](https://www.businessinsider.com/facebook-knows-data-instagram-eating-disorders-suicidalthoughts-whistleblower-2021-10).

18 ¹⁷⁹ Georgia Wells, Jeff Horwitz, Deepa Seetharaman, *Facebook Knows Instagram is Toxic for*
 19 *Teen Girls, Company Documents Show*, Wall St. J. (Sept. 14, 2021),
 20 [https://www.wsj.com/articles/facebook-knows-instagram-is-toxic-for-teen-girls-](https://www.wsj.com/articles/facebook-knows-instagram-is-toxic-for-teen-girls-companydocuments-show-11631620739)
 21 [companydocuments-show-11631620739](https://www.wsj.com/articles/facebook-knows-instagram-is-toxic-for-teen-girls-companydocuments-show-11631620739); Facebook Staff, *Teen Girls Body Image and Social*
 22 *Comparison on Instagram—An Exploratory Study in the U.S.* 9 (Mar. 26, 2020),
 23 [https://s.wsj.net/public/resources/documents/teen-girls-body-image-and-social-comparison-](https://s.wsj.net/public/resources/documents/teen-girls-body-image-and-social-comparison-oninstagram.pdf)
 24 [oninstagram.pdf](https://s.wsj.net/public/resources/documents/teen-girls-body-image-and-social-comparison-oninstagram.pdf).

25 ¹⁸⁰ Billy Perrigo, *Instagram Makes Teen Girls Hate Themselves. Is That a Bug or a Feature?*,
 26 Time (Sept. 16, 2021), <https://time.com/6098771/instagram-body-image-teen-girls/>.

27 ¹⁸¹ Georgia Wells, Jeff Horwitz, Deepa Seetharaman, *Facebook Knows Instagram is Toxic for*
 28 *Teen Girls, Company Documents Show*, Wall St. J. (Sept. 14, 2021),
 29 [https://www.wsj.com/articles/facebook-knows-instagram-is-toxic-for-teen-girls-](https://www.wsj.com/articles/facebook-knows-instagram-is-toxic-for-teen-girls-companydocuments-show-11631620739)
 30 [companydocuments-show-11631620739](https://www.wsj.com/articles/facebook-knows-instagram-is-toxic-for-teen-girls-companydocuments-show-11631620739); Teen Girls Body Image and Social Comparison on
 31 Instagram—An Exploratory Study in the U.S., Wall St. J. (Sept. 29, 2021),
 32 [https://s.wsj.net/public/resources/documents/teen-girls-body-image-and-social-comparison-](https://s.wsj.net/public/resources/documents/teen-girls-body-image-and-social-comparison-oninstagram.pdf)
 33 [oninstagram.pdf](https://s.wsj.net/public/resources/documents/teen-girls-body-image-and-social-comparison-oninstagram.pdf).

1 and that Cox acknowledged he was already aware of the statistics. Bejar found this response
 2 “heartbreaking because it meant that they knew it and they were not acting on it.”¹⁸²

3 **2. Snap’s Misleading and Deceptive Statements Regarding**
 4 **Platform Safety, the Targeting of Youth Users, and the Effects**
 5 **of Prolonged Engagement**

6 222. Snap’s Vice President of Global Public Policy, Jennifer Stout, stated in written
 7 testimony to a Senate Subcommittee that Snap takes “into account the unique sensitivities and
 8 considerations of minors when we design products”¹⁸³ when, in fact, Snap intentionally designed
 9 its platform to promote compulsive and excessive use and help underage users conceal information
 10 from their parents.

11 223. Snapchat’s Terms of Service state its services are not directed to children under the
 12 age of 13 and that users must “confirm” that they are 13 or older to create an account.¹⁸⁴ Snap’s
 13 Terms of Service outline the following safety measures relating to age-appropriate use: (1)
 14 “Registration requires a date of birth,” (2) Snap reports that “registration fails if a user is under the
 15 age of 13 years”; (3) “If Snap is made aware that a Snapchat user is under the age of 13 years by
 16 a user, a parent or law enforcement report, Snap terminates the account and deletes the user’s data”;
 17 (4) “Snap prevents a user ages 13 to 17 years old from updating their year of birth to an age over
 18 18 years.”

19 224. Snap and its executives repeatedly make statements intended to reassure users,
 20 advertisers paying to reach those users, and guardians that it is a safe product.
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 22

23 ¹⁸² Lauren Feiner, *Meta Failed to Act to Protect Teens, Second Whistleblower Testifies*, CNBC
 24 (Nov. 7, 2023), <https://www.cnbc.com/2023/11/07/meta-failed-to-act-to-protect-teens-secondwhistleblower-testifies.html>.

25 ¹⁸³ Snap’s Senate Congressional Testimony—Our Approach to Safety, Privacy and Wellbeing
 26 (Oct. 26, 2021), <https://values.snap.com/news/senate-congressional-testimony-our-approach-to-safety-privacy-and-wellbeing?lang=en-US>.

27 ¹⁸⁴ Snapchat Terms of Service, “Who can use the services,” <https://snap.com/en-US/terms>,
 28 (last visited Oct. 14, 2024).

1 225. Snap has long known several pieces of information to be true: Snaps are incredibly
2 addictive,¹⁸⁵ and that its platform is used by many, many teenagers.¹⁸⁶

3 226. Snap has attempted to distance itself from other social media companies by
4 suggesting that its product is less addictive than others. In 2024, it released an advertisement
5 calling for “less social media,” and “more Snapchat.”

6 Finally, Snapchat claims that, unlike other apps, it doesn’t pressure users to
7 endlessly scroll through content or waste time on the app. This is also
8 completely false. The already-mentioned stories page contains a bottomless
9 feed with an algorithm meant to pump out the content its users want.
10 Snapchat was impressively lying, not just once, but twice here. The
11 spotlight feature, released in 2020, provides yet another TikTok-like feed of
12 short videos designed to keep its users on the app.¹⁸⁷

13 227. In an early 2024 memo, Snap’s CEO Evan Spiegel touted, “We’re certainly far from
14 perfect, but while our competitors are connecting pedophiles . . . we know that Snapchat makes
15 people happy.”¹⁸⁸

16 228. Snap’s executives touted the safety of its platform, and how its product was
17 designed to enhance the safety of minors.¹⁸⁹ However, Snap has done little—if anything—to
18 address how its ephemeral content-machine is addictive, prevents teens from “living in the
19 moment,” and leads to social isolation and mental health issues.

20 ¹⁸⁵ See, e.g., Victor Luckerson, *How Snapchat Built its Most Addictive Feature*, Time (Sept.
21 25, 2015), <https://time.com/4049026/snapchat-live-stories/>.

22 ¹⁸⁶ *What this Week’s Snapchat Updates Mean for Human Trafficking Prevention*, PBJ
23 Learning, (Jan. 21, 2022), <https://love146.org/snapchat-updates/>.

24 ¹⁸⁷ Josh Siatkowski, *Don’t be fooled by Snapchat’s latest ad: Media Companies want you*
25 *addicted*, Baylor Lariat (Feb. 19, 2024), <https://baylorldariat.com/2024/02/19/dont-be-fooled-by-snapchats-latest-ad-media-companies-want-you-addicted/>.

26 ¹⁸⁸ Kali Hays, *Evan Spiegel Proclaims ‘Social Media Is Dead,’ and Predicts Snap Is About to*
27 *‘Transcend’ the Smartphone, While Lashing Out at Rivals*, Entrepreneur.com (Jan. 16, 2024),
28 <https://www.entrepreneur.com/business-news/snapchat-ceo-evan-spiegel-social-media-is-dead-snap-is-not/468397>.

¹⁸⁹ Snap’s Senate Congressional Testimony—Our Approach to Safety, Privacy and Wellbeing
(Oct. 26, 2021), <https://values.snap.com/news/senate-congressional-testimony-our-approach-to-safety-privacy-and-wellbeing?lang=en-US>.

229. Snap’s platform, in truth, and as is well known to Snap, is in many ways more harmful than other forms of social media, including by fostering negative mental health outcomes among young people and because the product was manifestly designed to addict young people and force them to repeatedly check the service in fear of “missing out” on Snap’s hallmark disappearing content.

3. Google’s Misleading and Deceptive Statements Regarding Platform Safety, the Targeting of Youth Users, and the Effects of Prolonged Engagement with YouTube

230. Google knows that children and teenagers use YouTube in greater proportions than older demographics. YouTube now ranks as the world’s most popular social media product for minors. According to one recent report, more than 95% of children ages 13-17 have used YouTube.¹⁹⁰ Nearly 20% of U.S. teens use YouTube almost constantly.¹⁹¹ Among U.S. teenagers who regularly use social media, 32% “wouldn’t want to live without” YouTube.¹⁹²

231. YouTube’s age controls are defective (or non-existent, since registration is not required to watch most videos). In addition, Google has developed and marketed a version of YouTube, YouTube Kids, explicitly targeted at children under 13. Google developed this product to encourage early—and therefore lasting—adoption of YouTube by children.

232. Google knows that a robust and committed base of young users is key to maximizing advertising revenue. Indeed, it has aggressively touted its hold on child users to advertisers. In 2014, for example, Google pitched its YouTube product to Hasbro, a popular toy manufacturer, and specifically boasted of the product’s immense popularity among children,

¹⁹⁰ Emily Vogels et al., *Teens, Social Media and Technology 2022*, Pew Rsch. Ctr. (Aug. 10, 2022), <https://www.pewresearch.org/internet/2022/08/10/teens-social-media-and-technology-2022>.

¹⁹¹ *Id.*

¹⁹² Victoria Rideout et al., *Common Sense Census: Media Use by Tweens and Teens, 2021* at 31, *Common Sense Media* (2022), https://www.commonsensemedia.org/sites/default/files/research/report/8-18-census-integratedreport-final-web_0.pdf.

1 noting that it was “unanimously voted as the favorite website of kids 2-12” and that “93% of
2 tweens” use the product.¹⁹³

3 233. Google leveraged YouTube’s popularity among children with toy manufacturers to
4 convince companies to display advertisements on its website. And for good reason: Google collects
5 troves of data on children in order to display the most relevant advertisements to them. The longer
6 Google can hold children’s attention, the more data it can collect, and the more targeted
7 advertisements it can display to children. Google’s revenue machine has been so effective that in
8 2023, YouTube’s global advertising revenues surpassed \$31 billion.¹⁹⁴

9 234. Google has boasted that YouTube is “today’s leader in reaching children ages 6-
10 11,” “the new Saturday Morning Cartoons,” and “unanimously voted as the favorite website of
11 kids 2-12.”¹⁹⁵

12 235. With Google’s hypnotic ability to attract and hold rapt the attention of youth, child
13 safety is paramount. Google maintains that YouTube is a safe place for children, stating that its
14 guidelines prohibit images, videos, and comments that put children at risk, it places age restrictions
15 on videos, and that customers will not encounter violent or dangerous content on the platform
16 through various terms.

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20 ¹⁹³ Complaint for Permanent Injunction, Civil Penalties, and Other Equitable Relief, *FTC v.*
21 *Google LLC et al.*, No. 1-19-cv-02642-BAH, at 6 (D.D.C. Sept. 4, 2019) Dkt. No. 1-1.
22 https://www.ftc.gov/system/files/documents/cases/youtube_complaint_exhibits.pdf; Google and
23 YouTube Will Pay Record \$170 Million for Alleged Violations of Children’s Privacy Law, FTC
(Sept. 4, 2019), <https://www.ftc.gov/news-events/news/pressreleases/2019/09/google-youtube-will-pay-record-170-million-alleged-violations-childrensprivacy-law> (“YouTube touted its
popularity with children to prospective corporate clients,” said FTC Chairman Joe Simons).

24 ¹⁹⁴ *YouTube advertising and marketing in the United States*, Statista (Aug. 20, 2024),
25 <https://www.statista.com/topics/12644/youtube-advertising-and-marketing-in-the-united-states/>.
26 See also *Social media platforms generate billions in annual ad revenue from U.S. youth*, Harvard
T.H. Chan School of Public Health (Dec. 27, 2023), <https://www.hsph.harvard.edu/news/press-releases/social-media-platforms-generate-billions-in-annual-ad-revenue-from-u-s-youth/>.

27 ¹⁹⁵ Complaint for Permanent Injunction, Civil Penalties, and Other Equitable Relief, *FTC v.*
28 *Google LLC et al.*, No. 1-19-cv-02642-BAH, at 3,12, and 6-7 (D.D.C. Sept. 4, 2019) Dkt. No. 1-
1. https://www.ftc.gov/system/files/documents/cases/youtube_complaint_exhibits.pdf.

236. Google intentionally downplayed the dangers that children faced using their platform—both from an addiction standpoint and from the dangerous content that children were exposed to on the website—by comparing YouTube to “more like a library.”¹⁹⁶

237. Google has also represented that it “added a measure of ‘social responsibility’ to its recommendation algorithm” to ensure that “engagement” was not prioritized by promoting offensive or violent videos.¹⁹⁷

238. Leslie Miller, Vice President, YouTube Government Affairs & Public Policy, even represented in 2021 that Google had hired teams of “experts who come from child development, child psychology and children’s media backgrounds. They work closely with the product teams to ensure that product design reflects an understanding of children’s unique needs and abilities and how they evolve over time. [They] also work extensively with external experts in online safety, content quality, mental health, trauma, digital literacy and child development; this collaboration is essential to ensure we have the best information and evidence available to address new and emerging challenges kids may face online.”¹⁹⁸

239. Google was warned—numerous times by its employees and/or users—that it created an “addiction machine” through its algorithm of promoting more and more outrageous videos. But instead of addressing the problem, it made it worse: creating a new algorithm that promoted videos that achieved popularity by outrage.¹⁹⁹

¹⁹⁶ Mark Bergen, *YouTube executives ignored warnings, letting toxic videos run rampant*, Denver Post (Apr. 6, 2019), <https://www.denverpost.com/2019/04/06/youtube-rules-conspiracy-theories-misinformation/>.

¹⁹⁷ *Id.*

¹⁹⁸ See Leslie Miller, VP Government Affairs & Public Policy, YouTube—WorldPressFreedomDay Conference 2021, <https://youtu.be/9CY-iWe99Ac?si=uSTxtVknjj7Adls6>.

¹⁹⁹ *Id.*

240. Google also proactively dissuaded staff from being proactive, discouraging them from engaging in any form of content moderation to protect individuals from seeing offensive content.²⁰⁰

241. Google has been warned by lawmakers that its product is addictive, as well. The Congressional Subcommittee on Economic and Consumer Policy wrote the following in its request for information about the YouTube Kids program:

We also are concerned by the amount of time children are spending on your platform. YouTube Kids continues to utilize recommendation algorithms “based on watch and search history.” And unlike on traditional YouTube, YouTube Kids auto-plays new videos without warning, with no option to turn off the feature. This places the onus on the child to stop their viewing activity, rather than providing a natural break or end point. Without that natural stopping point, children are likely to continue watching for long periods of time. The optional timer tool on your platform can be helpful but is not a substitute for addressing the underlying reasons children are drawn to stay on your platform for long periods of time, including auto-play.

Studies have shown that too much screen time for preschool-aged children can lead to damage in the regions of the brain related to literacy, language processing, and speech. AAP found that children spend a shocking average of seven hours per day on entertainment media. By contrast, the American Academy of Child & Adolescent Psychiatry recommends that parents, “limit non-educational screen time to about 1 hour per weekday and 3 hours on the weekend days.” In addition to the threat of harm to children’s development, too much screen time can cause sleep problems, mental health issues, and obesity in children and young adults. YouTube Kids’ potentially addictive qualities also appear to be interfering with the regular course of education, especially during the pandemic. From 2019 to 2020, as YouTube usage increased 22%, one-third of parents reported that their children are distracted from remote learning by YouTube and apps like it.

As many parents know, YouTube Kids can be a useful tool to pacify and entertain children—and, we wish, to educate. However, YouTube appears to be exploiting children by serving them a non-stop stream of low-quality, commercial content. More must be done to protect children from exposure to marketing and too much screen time.²⁰¹

²⁰⁰ *Id.*

²⁰¹ Ltr. From Rep. Carolyn B. Maloney, Chairwoman, House of Representatives Committee on Oversight and Reform, to Susan Wojcicki, Chief Executive Officer, YouTube (Apr. 6, 2021), <https://oversightdemocrats.house.gov/sites/evo->

242. YouTube’s addiction machine uses algorithmic modeling to push more and more extreme videos upon children, who become fixated upon the outrageous content. Children are then fed an endless stream of videos showing violence, sexualized content, and dangerous “challenge” videos,²⁰² all which harm youth and cause them to use the product excessively.

243. Google has known of these harms, but has purposefully turned a blind eye to them, instead focusing parents on vague terms and conditions and newer, performative efforts to use artificial intelligence to remove content depicting harm. These efforts, however, do not address the problem. YouTube omits from its representations to consumers the fact that the burden is actually placed on the consumer—and often on the families of victims of violence—to police and secure the removal of violent or dangerous content on the platform. “In the rush to expand its advertising empire to preschoolers, Google has made promises about the content on YouTube Kids that it is incapable of keeping,” said Josh Golin, Associate Director of Campaign for a Commercial-Free Childhood. “As a parent, I was shocked to discover that an app that Google claims is safe for young children to explore includes so much inappropriate content from the Wild West of YouTube.”²⁰³

244. Google prioritized increasing engagement over children’s safety, and turned a blind eye when it received warnings about how its addicting product was harming children, even suppressing information and instead directing the public toward initiatives that did little to help children, but which were actually designed so as to not hurt earnings and maintain the status quo.

[subsites/democrattoversee.house.gov/files/2021-04-06.RK%20to%20Wojcicki-YouTube%20re%20YouTube%20Kids%20Content.pdf](https://www.democrattoversee.house.gov/files/2021-04-06.RK%20to%20Wojcicki-YouTube%20re%20YouTube%20Kids%20Content.pdf).

²⁰² Jessica Schrader, *Dangerous ‘You Tube Challenges’ and Kids: How Parents Can Avoid Tragedy*, Metro Parent (Aug. 19, 2019), <https://www.metroparent.com/parenting/advice/dangerous-youtube-challenges-kids-parents-can-avoid-tragedy/>; Alexis C. Madrigal, *Raised by YouTube*, The Atlantic (Nov. 2018), <https://www.theatlantic.com/magazine/archive/2018/11/raised-by-youtube/570838/>.

²⁰³ *Advocates Charge Google with Deceiving Parents about Content on YouTube Kids*, Center for Digital Democracy (May 19, 2015), <https://democraticmedia.org/filings/advocates-charge-google-deceiving-parents-about-content-youtube-kids>.

4. TikTok’s Misleading and Deceptive Statements and Announcements Regarding Platform Safety, the Targeting of Youth Users, and the Effects of Prolonged Engagement

245. TikTok continually misrepresents its platform as “safe,” “appropriate for children and teenagers,” and that safety is its “top priority.” It also misrepresents the effectiveness of built-in features designed to combat addictive use and harms, including parental controls, community standards, and age verification.²⁰⁴ TikTok further misrepresents the extent to which the platform is directed to children under 13 years old.

246. Despite knowing that TikTok is harmful to and inappropriate for young users, TikTok represents that the platform is “safe,” “appropriate for children and teenagers,” and that safety is its “top priority.”

247. On TikTok’s website, it falsely represents:

- “We care deeply about your well-being and seek to be a source of happiness, enrichment, and belonging. . . . We work to make sure this occurs in a supportive space that does not negatively impact your physical or psychological health.”²⁰⁵
- “Creating a welcoming environment where everyone feels safe and comfortable is our highest priority.”²⁰⁶
- “We are deeply committed to TikTok being a safe and positive experience for people under the age of 18” It goes onto say “We do not allow content that may put young people at risk of psychological, physical, or developmental harm.”²⁰⁷

²⁰⁴ *TikTok*, App Store, <https://apps.apple.com/us/app/tiktok/id835599320> (last visited Oct. 6, 2024).

²⁰⁵ *TikTok*, Mental and Behavioral Health (May 17, 2024), <https://www.tiktok.com/community-guidelines/en/mental-behavioral-health?cgversion=2024H1update>.

²⁰⁶ *TikTok*, Safety Principles (Sept. 27, 2024), https://www.tiktok.com/safety/en/our-approach-to-safety?sc_version=2024.

²⁰⁷ *TikTok*, Youth Safety and Well-Being (May 17, 2024), <https://www.tiktok.com/community-guidelines/en/youth-safety/?cgversion=2024H1update>.

1 • “We have a vibrant and inspiring community on TikTok, and it’s important that our
2 platform remains a safe, supportive, and joyful place for our community.”²⁰⁸

3 248. Additionally, the Chief Executive Officer of TikTok, Shou Chew, has publicly made
4 the following misrepresentative statements:

5 • On March 23, 2023, CEO Shou Chew, who previously explained that he is
6 “responsible for all the strategic decisions at TikTok,” stated in written testimony before the U.S.
7 House Committee on Energy and Commerce that “Safety and wellness—in particular for teens—
8 is a core priority for TikTok.”²⁰⁹

9 • Shou Chew’s written testimony also included the following promise: “**1) We will**
10 **keep safety—particularly for teenagers—a top priority for us;**”²¹⁰ (emphasis in original)

11 • During an April 2023 Ted Talk, “*TikTok’s CEO on its future—and what makes its*
12 *algorithm different*,” which has over 3.2 million views, Shou Chew referred to his aforementioned
13 written testimony before Congress, reiterating his commitment “that we take safety, especially for
14 teenagers, extremely seriously, and we will continue to prioritize that.” He went on to say, “[y]ou
15 know, I believe that [we] need to give our teenage users, and our users in general, a very safe
16 experience If they don’t feel safe, we cannot fulfill our mission. So, it’s all very organic to
17 me as a business to make sure that I do that.”²¹¹

18 249. TikTok Executives have also misrepresented TikTok’s intentional and extensive
19 efforts to encourage addiction to its platform through the development of compulsive design
20 elements. For example:

21 _____
22 ²⁰⁸ *TikTok, Enhancing the LIVE community experience with new features, updates, and*
23 *policies* (Oct. 17, 2022), <https://newsroom.tiktok.com/en-us/enhancing-the-live-community-experience>.

24 ²⁰⁹ Written Statement of Testimony of Show Chew, U.S. House Committee on Energy and
25 Commerce (Mar. 23, 2023), <https://docs.house.gov/meetings/IF/IF00/20230323/115519/HHRG-118-IF00-Wstate-ChewS-20230323.pdf>.

26 ²¹⁰ *Id.*

27 ²¹¹ *TikTok’s CEO on its future—and what makes its algorithm different*, TED (Apr. 21, 2023),
28 https://www.ted.com/talks/shou_chew_tiktok_s_ceo_on_its_future_and_what_makes_its_algorithm_different/transcript?subtitle=en.

1 • When asked by Congress if TikTok is specifically designed to keep users engaged
2 as long as possible, TikTok’s Vice President and Head of Public Policy, Michael Beckerman,
3 testified: “We want to make sure that people are having an entertaining experience, you know like
4 TV or movies, TikTok is meant to be entertaining. But we do think we have a responsibility, along
5 with parents, to make sure that it’s being used in a responsible way.”²¹²

6 • In the aforementioned April 2023 Ted Talk, Shou Chew reiterated that TikTok’s
7 “goal is not to optimize and maximize time spent. It is not.” He then denied that TikTok has a
8 financial incentive to maximize users’ time spent on the platform, stating: “Even if you think about
9 it from a commercial point of view, it is always best when your customers have a very healthy
10 relationship with your product. . .”²¹³

11 250. Following media reports describing the tragic death of children who had died of
12 asphyxiation while trying to complete the “Blackout Challenge” posted on TikTok, TikTok
13 released an official response which included the following statement: “At TikTok, we have no
14 higher priority than protecting the safety of our community, and content that promotes or glorifies
15 dangerous behavior is strictly prohibited and promptly removed to prevent it from becoming a
16 trend on our platform.”²¹⁴

17 251. By engaging in these similar misrepresentations, and by failing to disclose critical,
18 material information regarding its platform’s risks, TikTok deceives users, regulators, and the
19 public at large. TikTok’s deception and lack of transparency prevents young users and their
20 guardians from making truly informed decisions about platform usage.

21 _____
22 ²¹² Testimony of Michael Beckerman, U.S. Senate Committee on Commerce, Science &
23 Transportation, Subcommittee on Consumer Protection, Product Safety, and Data Security:
24 Hearing, Protecting Kids Online: Snapchat, TikTok, and YouTube (Oct. 26, 2021),
<https://www.commerce.senate.gov/services/files/8C751FF4-A1FD-4FCA-80F6-C84BEB04C2F9>.

25 ²¹³ *TikTok’s CEO on its future—and what makes its algorithm different*, TED (Apr. 21, 2023),
26 https://www.ted.com/talks/shou_chew_tiktok_s_ceo_on_its_future_and_what_makes_its_algorithm_different/transcript?subtitle=en.

27 ²¹⁴ Matthew Impelli, *TikTok Blackout Choking Challenge Leads to 12-Year-Old Boy*
28 *Becoming Brain Dead*, Newsweek (Mar. 30, 2021), <https://www.newsweek.com/tiktok-blackout-choking-challenge-leads-12-year-old-boy-becoming-brain-dead-1579927>.

1 252. While uniformly hiding the negative impacts of their products on adolescents, each
2 of the Social Media Defendants have simultaneously adopted successful engagement techniques
3 from each other, leading to a convergence in the features that make the platforms addictive to
4 young users. This includes the collective adoption of algorithmic features such as infinite scrolling,
5 autoplay, and personalized feeds that are now standard across social media platforms. It also
6 includes the collective adoption of reward mechanisms such as likes, streaks, and other features
7 that encourages young users to continually and consistently check their platforms. These features,
8 which are collectively adopted by all Defendants, are effective at engaging younger users who are
9 more vulnerable to social validation mechanisms and, as a result, they are now ubiquitous among
10 the social media platforms.

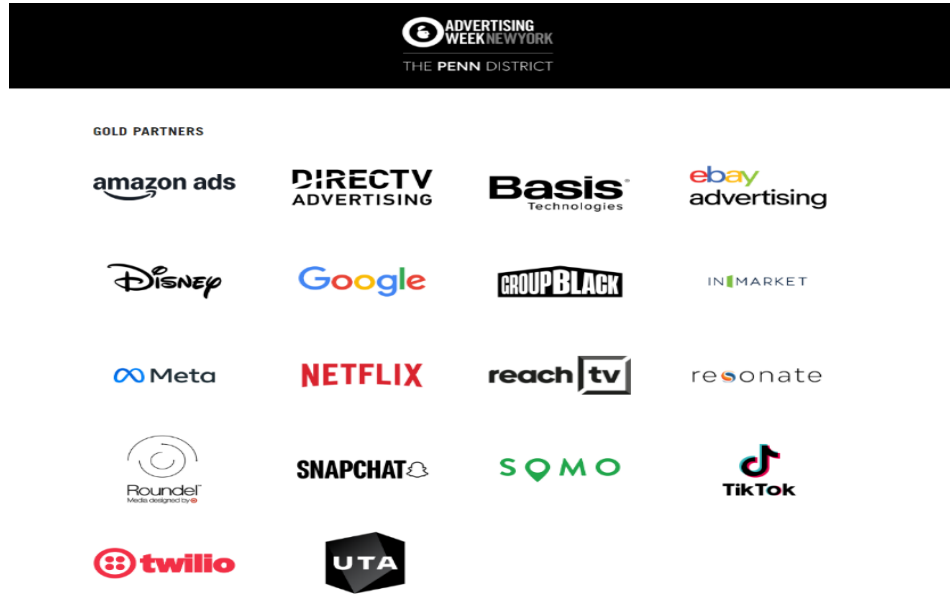
11 253. Further, each of the Social Media Defendants consistently benchmarks its
12 respective platform's performance and user engagement metrics in reference to the performance
13 of the other platforms. This indirect collaboration leads to further adoption of uniform addictive
14 design choices across platforms, including using engagement and attention metrics as key
15 measures, such as time spent and click-through rates.

16 254. Defendants also collectively participate in trade associations and industry
17 organizations to protect their shared interests. Defendants and their agents aggressively lobby
18 against regulation that threatens their collective ability to employ addictive features on their
19 platforms. The Defendants' relationships with these organizations allows for the uniform
20 implementation of user engagement and platform design strategies across companies.

21 255. Additionally, Defendants also collaborate through data sharing arrangements in
22 certain contexts, such as through advertising partnerships, which lead to more targeted and
23 personalized content shown to adolescents on their platforms.

24 256. For example, the screen grab below shows that all four Social Media Defendants
25 co-sponsored Advertising Week's 2024 New York event as top-tier donors.²¹⁵

26
27 ²¹⁵ AWWNewYork, 2024 Gold Partners, [https://advertisingweek.com/event/awnewyork-2024-](https://advertisingweek.com/event/awnewyork-2024-partners/)
28 [partners/](https://advertisingweek.com/event/awnewyork-2024-partners/) (last visited Oct. 17, 2024).



257. Advertising Week New York promotional materials state that it features numerous special events that provide a fun and engaging way for attendees to network, connect and exchange ideas. Meta, TikTok, Snap, and Google all were scheduled to have multiple speakers present throughout the week.²¹⁶

258. Additionally, all Social Media Defendants are members of the Interactive Advertising Bureau (IAB), an organization created to empower the media and marketing industries to thrive in the digital economy. IAB's membership cohort is comprised of more than 700 leading media companies, brands, agencies, and technology firms responsible for selling, delivering, and optimizing digital ad marketing campaigns. IAB advertises the following benefits of membership. Members can: (1) participate with interactive leaders in shaping the industry; (2) collaborate with peers to establish guidelines, standards, and best practices; (3) drive industry research; (4) protect your business interests by helping steer IAB public policy efforts; (5) power growth of the interactive industry, and (6) improve your organization's operational efficiency.²¹⁷

²¹⁶ AWWNewYork (Oct. 7-10, 2024), <https://newyork2024.advertisingweek.com/aw/speakers/> (last visited Oct. 17, 2024).

²¹⁷ Interactive Advertising Bureau, Join IAB, <https://www.iab.com/our-story/> (last visited Oct. 17, 2024).

1 259. IAB Board of Directors include: Patrick Harris, President of Americas at Snap Inc.;
 2 Alvin Bowles, Vice President, Global Business Group, Americas at Meta; and Jason Spero, Vice
 3 President, Global Product Lead at Google.²¹⁸

4 260. IAB's Measurement, Addressability, & Data Center ("MAD") specializes in
 5 measurement and attribution, addressability, advances in retail media, and privacy changes,
 6 providing a comprehensive approach to digital media challenges. Board members set the agenda
 7 and direction for IAB and the industry; approve and prioritize key initiatives; influence industry
 8 best practices; receive priority access to IAB experts, research, and tools; and participate in
 9 exclusive events and meetings. Google, Meta, and TikTok are listed as MAD Board Member
 10 Organizations.²¹⁹ The IAB Attention Task Force focuses on enhancing how attention is measured
 11 and understood within advertising and marketing. The Task Force aims to create a standardized
 12 framework, develop metrics for broad use, and establish a common industry language. Importantly,
 13 the Task Force is collaborating with the Media Rating Council to set guidelines for accrediting
 14 attention measurement solutions. Snapchat, Google, and Meta are listed as IAB Attention Task
 15 Force members.²²⁰

16 261. IAB's MAD published its Attention Measurement Explainer: Data Signal
 17 Approaches in August 2024. The Data Collection Process put forth by the 2024 Explainer is
 18 depicted in the screen grab below:²²¹

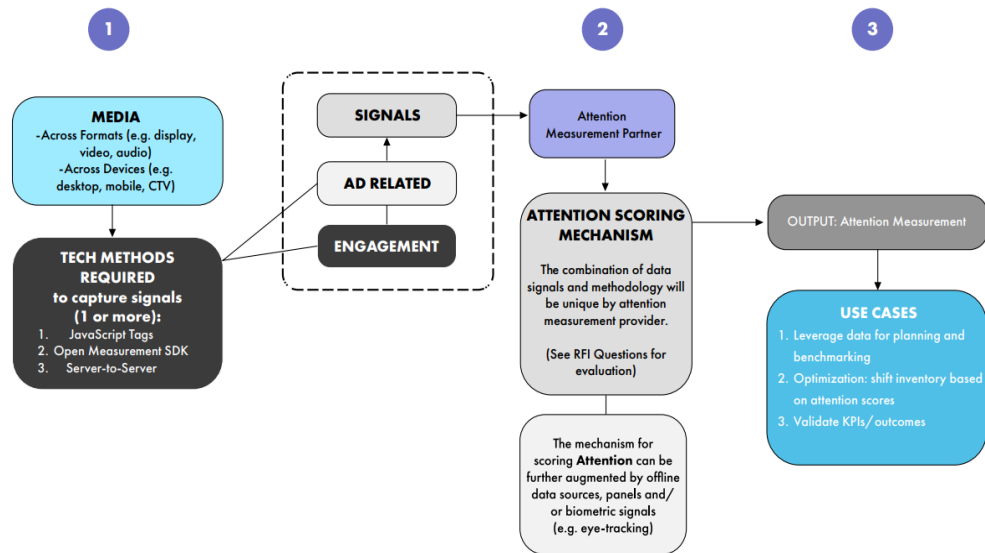
22 _____
 23 ²¹⁸ Interactive Advertising Bureau, Executive Committee, <https://www.iab.com/our-story/#board-of-directors> (last visited Oct. 17, 2024).

24 ²¹⁹ Interactive Advertising Bureau, Attention Measurement Explainer: Data Signal
 25 Approaches 13, Measurement, Addressability, & Data Center (Aug. 2024),
 26 https://www.iab.com/wp-content/uploads/2024/08/IAB_Attention_Measurement_Explainer_August_2024.pdf.

27 ²²⁰ *Id.* at 11.

28 ²²¹ *Id.* at 4.

Workflow to enable Attention Measurement: Data Signals



262. Notably, the following Defendants’ executives participated in meetings, provided edits or comments, and shared their insights or recommendations in developing the 2024 Attention Measurement Explainer:

- **Google**, David Parrott, Agency Measurement Lead;
- **Google**, Erez Levin, Product Specialist, Google Marketing Platform;
- **Google**, Suraj Rajdev, Head of Analytics and Insight;
- **Meta**, Brandon Klementzos, Marketing Science Partner;
- **Meta**, Sophie MacIntyre, Ads Research Lead, Marketing Science;
- **Meta**, Stephanie Martone, Global Industry Initiatives Lead, Measurement;
- **Snapchat**, Aarti Bhaskaran, Global Head of Ad Research and Insights;
- **Snapchat**, Takeshi Tawarada, Ads Research and Insights Lead, Augmented Reality; and
- **TikTok**, Susan Zemlyakova, Global Product Marketing and Strategy, Measurement.

263. Another example of formal collaboration among the Social Media Defendants is through the Association of National Advertisers (“ANA”) and its Growth Agenda and exclusive network.

264. The ANA is the U.S. advertising industry's oldest and largest trade association. Originally known as the Association of National Advertising Managers, it was established to

1 promote cooperative relationships between regional and national advertising industries,
2 manufacturers and dealers, and advertisers and agencies.²²²

3 265. ANA's mission is to drive growth for marketing professionals, for brands and
4 businesses, and for the industry. Growth is foundational for all participants in the ecosystem. The
5 ANA seeks to align those interests by leveraging the 12-point ANA Growth Agenda, which has
6 been endorsed and embraced by the ANA Board of Directors and the Global CMO Growth
7 Council.²²³

8 266. ANA partnership programs "allow a limited number of companies access,
9 involvement, and networking with various ANA member touchpoints including national industry
10 conferences, 1-Day Conferences, committee meetings, webinars, e-newsletters and more."²²⁴ ANA
11 states that its "partner programs also allow us [ANA] to expand our products and services,
12 intellectual capital, and the geographic reach of the association."²²⁵

13 267. ANA's Strategic Partnership Program is the association's "most exclusive
14 sponsorship level" and provides the thirteen enrolled Strategic Partners with "year-round access,
15 speaking engagements, and networking across various ANA member touchpoints, including
16 national industry conferences, the Masters of Marketing annual conference, virtual and member
17 only one-day conferences, committee meetings, webinars, email newsletters, and more."²²⁶

20
21 ²²² ANA, 2024 Media Conference (Mar. 18-20, 2024),
22 <https://eventsinamerica.com/events/ana-2024-media-conference-association-of-national-advertisers-2024/business> (last visited Oct. 17, 2024).

23 ²²³ ANA, ANA Membership, <https://www.ana.net/content/show/id/my-membership> (last
24 visited Oct. 17, 2024).

25 ²²⁴ ANA, Our Partners, <https://www.ana.net/content/show/id/our-partners-a> (last visited June
26 4, 2024).

26 ²²⁵ *Id.*

27 ²²⁶ ANA, Our Partner Programs, [https://www.ana.net/content/show/id/sponsorship-our-](https://www.ana.net/content/show/id/sponsorship-our-partners)
28 [partners](https://www.ana.net/content/show/id/sponsorship-our-partners) (last visited Oct. 17, 2024).

268. TikTok, Google, and Meta are exclusive Strategic Partners of the ANA.²²⁷ Snap participates, along with the other Social Media Defendants, through membership positions within ANA’s committees, such as the “Influencer Marketing Committee, Midwest Chapter.”²²⁸ All four Social Media Defendants are ANA Marketing Solutions Provider Members.²²⁹

269. The ANA 2024 Media Conference vignette specifically provides that the conference will address the industry’s most pressing media topics and issues, notably “cross-media measurement” and “attention metrics[.]”²³⁰

270. TikTok was the Presenting sponsor for the July 2024 ANA Digital & Social Media Conference in Los Angeles, California. The agenda included TikTok’s presentation titled “Engaging Gen Z On Social’s Hottest Platform” in which attendee learned “best practices for keeping audiences captivated on the platform and how TikTok is partnering with brands to drive engagement.”²³¹

271. Google was the Presenting Sponsor for the September 2024 ANA Measurement & Analytics Conference—Leverage the Latest Measurement Advances, in Chicago. The event website provided that the speaker lineup featured marketers and researchers who are “not afraid to . . . deploy new, advanced tools and solutions to drive their business forward.”²³²

²²⁷ *Id.*

²²⁸ ANA, Influencer Marketing Committee, Midwest Chapter, <https://www.ana.net/committee/profile/id/INFLMIDWEST> (last visited Oct. 17, 2024).

²²⁹ ANA, ANA Marketing Solutions Provider Member List, <https://www.ana.net/members/associatelist> (last visited Oct. 17, 2024).

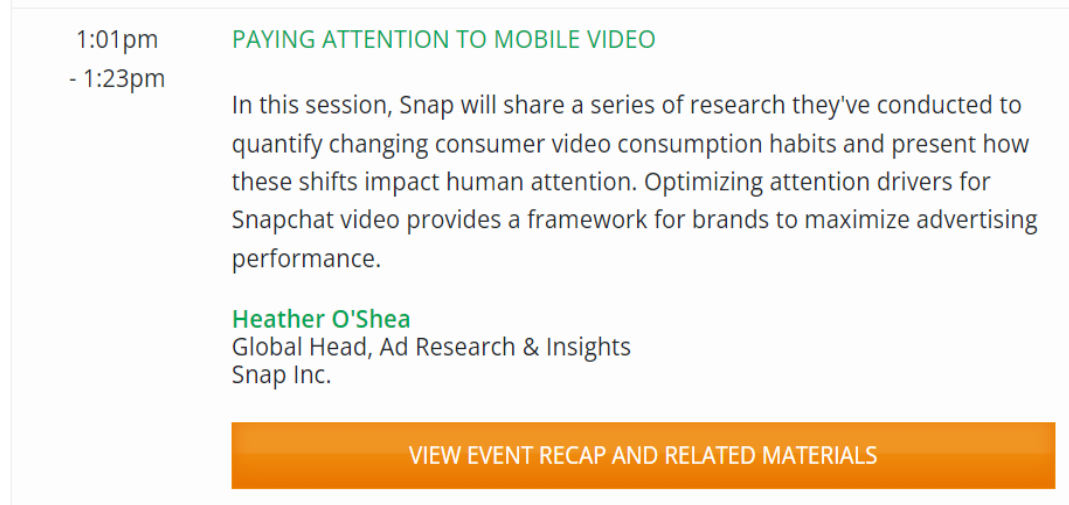
²³⁰ ANA, 2024 Media Conference (Mar. 18-20, 2024), <https://eventsinamerica.com/events/ana-2024-media-conference-association-of-national-advertisers-2024/business> (last visited Oct. 17, 2024).

²³¹ ANA, 2024 ANA Digital & Social Media Conference, *presented by TikTok* (July 17-19, 2024), <https://www.ana.net/content/show/id/ms-dsmc-jul24-agenda> (last visited Oct. 17, 2024).

²³² ANA, 2024 ANA Measurement & Analytics Conference, *presented by Google* (Sept. 16-18), <https://www.ana.net/content/show/id/ms-roi-sep24> (last visited Oct. 17, 2024).

272. Meta was the Presenting Sponsor for the May 2024 ANA Marketing Technology for Marketers Conference—Fully Leverage Your Tech Stack in Orlando, Florida.²³³

273. Snap presented for ANA in October 2021 on how to optimize attention drivers, as shown in the screenshot below.²³⁴



274. Through these meetings, Social Media Defendants shared strategies related to human attention and “optimizing attention drivers.”

275. In addition, the 2024 ANA Masters of Marketing Conference Agenda lists the following presentations from Social Media Defendants:²³⁵

²³³ ANA, 2024 ANA Marketing Technology for Marketers Conference, *presented by Meta* (May 20-22), <https://www.ana.net/content/show/id/ms-mfm-may24-agenda> (last visited Oct. 17, 2024).

²³⁴ ANA, Using Attention Metrics to Drive Media and Creative Effectiveness, <https://www.ana.net/membersconference/show/id/MOC-SEP21E4> (last visited Oct. 17, 2024).

²³⁵ ANA, 2024 Masters of Marketing: Setting the Agenda (Oct. 21-25), <https://www.ana.net/content/show/id/ms-anc-oct24-agenda> (last visited Oct. 17, 2024).

THE POWER OF TIKTOK: TURNING RELEVANCE INTO RESULTS (presented by TikTok)

With today's attention economy more fragmented than ever and consumer expectations changing by the day – this panel will explore the critical role relevance plays for marketers today and TikTok's unique role in unlocking it.

Join us for an exclusive preview of WARC's latest research on the topic and learn how your brand can translate on-trend behaviors into culture-shaping creative and transformative business impact.

Rema Vasan

Head of North America Business Marketing
TikTok

Corianda Dimes

NA Enterprise Business Marketing Lead
TikTok

Alexis Wolf

Head of Advisory
WARC North America

CROSS-MEDIA MEASUREMENT INITIATIVE REACHES NEW MILESTONES

The ANA recently announced significant progress and new milestones reached in its desire for a Cross-Media Measurement (CMM) solution, including the formation of Aquila, a new entity to govern, operationalize, and execute a CMM system in the U.S. Aquila will apply a principles-based approach to deliver a privacy-by-design, neutral and transparent technical solution to deliver cross-media measurement. Our expert panel will share an update on the groundbreaking progress this initiative has made over the past 9 months, where we are heading, and how the best and brightest minds in the industry are joining forces to operationalize Aquila's cross-media measurement solution.

Bill Tucker

Group Executive Vice President, ANA
President, Aquila

Maggie Burke

Global Director of Client Councils and Industry Initiatives
Meta

Kanishka Das (KD)

Global E-Business Analytics and Insights Director
The Procter & Gamble Company

George Ivie

CEO and Executive Director
Media Rating Council

Panelist TBA

Kantar Media

LUNCH SESSION: FANDOMS ARE SHAPING MAINSTREAM POP CULTURE: HERE'S HOW BRANDS CAN KEEP UP.

We're seeing a fundamental shift in video culture. Today, 85% of people describe themselves as a fan of someone or something. As more people become engaged and AI tools make creation easier, fans have moved from being consumers of culture to directly shaping it. YouTube is at the center of this shift, as a platform where viewers deeply engage with things they're fans of, find new fandoms, and express their own creativity. How do brands stay ahead of these shifts?

Join Madeline Buxton, YouTube Culture and Trends Manager, as she shares insights from the YouTube Culture and Trends Report and helps marketers understand the biggest shifts in culture right now and how they can leverage these new dynamics.

Madeline Buxton

YouTube Culture & Trends Manager
Google

C. Social Media Defendants Engaged In, and Continue to Engage In, Racketeering by Violating the Criminal Federal Wire Fraud Statute Numerous of Times Incident to Their Scheme to Defraud

276. The Social Media Defendants willfully or knowingly conducted or participated in, directly or indirectly, the affairs of the Strategic Partnership Enterprise through a pattern of racketeering activity within the meaning of 18 U.S.C. §§1961(1), 1961(5) and 1962(c), and systematically and continuously employed the use of wire facilities, in violation of 18 U.S.C. §1343.

277. Specifically, the Social Media Defendants—individually and collectively—have committed, conspired to commit, and/or aided and abetted in the commission of, at least two predicate acts of racketeering activity (*i.e.*, violations of 18 U.S.C. §1343), within the past ten years, as described herein.

278. The Strategic Partnership Enterprise’s scheme to defraud could not have been executed without each Social Media Defendant, its subsidiaries, and its executives using their separate legal incorporation to facilitate racketeering activity.

279. The multiple acts of racketeering activity that the Social Media Defendants committed, or aided or abetted in the commission of, were related to each other, pose a threat of continued racketeering activity, and therefore constitute a “pattern of racketeering activity.”

280. By intentionally targeting youth users and concealing the known risks regarding the safety of their social media platforms to guardians, youth, federal, state and local governments, and the public at large, including the Chickasaw Nation, the Social Media Defendants engaged in a fraudulent and unlawful course of conduct constituting a pattern of racketeering activity.

281. The Social Media Defendants used, directed the use of, and/or caused to be used, numerous interstate and foreign wire communications in service of the Strategic Partnership Enterprise’s objectives through transmitting common misrepresentations, concealments, and material omissions.

282. The Social Media Defendants committed these racketeering acts intentionally and knowingly, with the specific intent to defraud and to personally or directly profit from these actions. The Social Media Defendants’ predicate acts of racketeering (18 U.S.C. §1961(1)) include,

1 but are not limited to wire fraud, violations of 18 U.S.C. §1343, by transmitting and/or receiving,
2 or by causing to be transmitted and/or received, fraudulent materials by wire for the purpose of
3 deceiving the public, members of the Chickasaw Nation, the Chickasaw Nation's government,
4 U.S. regulators, and Congress.

5 283. The pattern of racketeering activity conducted by the Social Media Defendants
6 involved numerous, coordinated separate instances of the use of interstate and/or foreign wire
7 facilities in furtherance of the unlawful Strategic Partnership Enterprise, including materially
8 uniform concealments and material omissions in statements regarding the material safety risks of
9 their social media platforms, with the goal of collectively profiting from increased advertising
10 revenues due to maximizing the engagement from youth users, including Chickasaw Nation's
11 youth members, induced by the reliance on the Social Media Defendants' omissions and
12 misrepresentations.

13 284. As thoroughly described above, the Social Media Defendants devised and
14 knowingly carried out material schemes and/or artifices to defraud young users and their
15 guardians, the Chickasaw Nation's government, U.S. regulators, and Congress by: (1) transmitting
16 marketing materials and privacy statements that fraudulently and deceptively omitted any
17 reference to the known risks to youth users who engage on their platforms; (2) posting false and
18 misleading statements, including intentional misrepresentations and omissions, regarding the
19 safety of the platforms that Social Media Defendants had a duty to disclose on their respective
20 websites; and (3) transmitting written statements and televised testimony directed to Congress and
21 the public at large that concealed the safety risks of platforms and that deliberately suppressed
22 internal research findings showing the harmful effects social media platforms have on young users.

23 285. Each of these fraudulent interstate and/or foreign wire transmissions constitutes
24 racketeering activity and collectively, these violations constitute a pattern of racketeering activity,
25 through which the Social Media Defendants defrauded and intended to defraud the public,
26 including the Chickasaw Nation's youth and their guardians, in order to maximize advertising
27 revenues.

28

1 286. The Social Media Defendants devised and knowingly carried out an illegal scheme
2 and artifice to defraud by means of materially false or fraudulent pretenses and omissions of
3 material facts regarding the safety risks of their social media platforms on young users. The Social
4 Media Defendants as members the Strategic Partnership Enterprise knew that the weight of
5 contemporaneous scientific evidence established the existence of the safety risk to young users
6 and that this risk was material. They acted with reckless disregard in their statements to guardians,
7 the Chickasaw Nation's youth, and the public at large, wherein they omitted the material safety
8 risks. The Social Media Defendants intended that that their common purpose and scheme to
9 defraud would, and did, use the interstate wire facilities, intentionally and knowingly with the
10 specific intent to advance, and for the purpose of executing, their illegal scheme.

11 287. The Social Media Defendants, by transmitting or receiving, or causing to be
12 transmitted or received, materials via wire for the purpose of executing the scheme to defraud the
13 Chickasaw Nation's youth and their guardians to increase and sustain youth engagement on their
14 respective platforms and thus increase advertising revenue, which amounts to a material scheme
15 to defraud and to obtain money on false pretenses, misrepresentations, promises, and/or omissions.

16 288. The Social Media Defendants' use of interstate and/or foreign wires to perpetrate
17 the scheme involved numerous communications, publications, representations, statements, and
18 electronic transmissions. Illustrative and non-exhaustive examples of the Strategic Partnership
19 Enterprise's violations of the criminal federal wire fraud statute, 18 U.S.C. §1343, include the
20 following aforementioned instances:

21 (a) Written and recorded testimonial statements presented during the Tuesday,
22 October 26, 2021, congressional hearing titled "Protecting Kids Online: Snapchat, TikTok, and
23 YouTube" in which Social Media Defendants' executives collectively misrepresented the safety
24 of their respective platforms and concealed the intentional targeting of children to maximize
25 engagement, thereby preventing the public, including the Chickasaw Nation, from learning the
26 truth;

27 (b) Marketing materials, privacy policies, and press releases regarding Social
28 Media Defendants' respective platforms, and their corresponding risks and benefits, which the

1 Social Media Defendants transmitted through the internet and television, that include intentional
 2 misrepresentations and omissions regarding the safety of their respective platforms that Social
 3 Media Defendants had a duty to disclose;

4 (c) Written statements and televised testimony directed to Congress that
 5 concealed the safety risks of the Social Media Defendants' respective platforms and that
 6 deliberately suppressed internal research findings showing the harmful effects social media
 7 platforms have on young users;

8 (d) Communications and statements directed to the public at large that
 9 fraudulently misrepresented the known risks associated with prolonged engagement and the
 10 deliberate suppression of internal research showing social media platforms' harmful effects on
 11 young users, and Written communications and internal e-mails regarding the Social Media
 12 Defendants' misrepresentations, marketing statements, and claims about targeting youth users,
 13 optimizing attention metrics, and the harmful effects on young users generally.

14 **VII. THE DEFENDANT-INDUCED YOUTH MENTAL HEALTH CRISIS**
 15 **CAUSES SIGNIFICANT DISRUPTION AND HARM TO THE**
 16 **CHICKASAW NATION COMMUNITY AND ITS SOCIAL SERVICE**
 17 **SYSTEMS**

18 **A. Young Members of the Chickasaw Nation Are Addicted to Defendants'**
 19 **Social Media Platforms and Suffer Harm as a Result of Their Use**

20 289. Native youth (ages 10-24) are frequent users of social media, with nearly all
 21 maintaining accounts, similar to their non-Native peers.²³⁶

22 290. A study on Native youth found that all adolescent focus-group participants used
 23 social media at least once daily, with most reporting multiple interactions throughout the day.²³⁷

24
 25 ²³⁶ Jesse Gritton, MPH, et al., *Responding to Concerning Posts on Social Media: Insights and*
 26 *Solutions from American Indian and Alaska Native Youth* at 64, Ctrs. for American Indian and
 27 Alaska Native Health, Colorado School of Public Health (2017),
https://www.healthynativeyouth.org/wp-content/uploads/2018/12/Gritton_social_media_posts_2017.pdf.

28 ²³⁷ *Id.* at 69.

1 The most commonly used platforms among participants were Facebook, Instagram, and
2 Snapchat.²³⁸

3 291. Consistent with national research, members of the Chickasaw community report
4 that many Chickasaw youth regularly engage with Defendant’s Social Media Platforms and suffer
5 harmful effects, including increased delinquency and behavioral issues at home and in school.
6 Youth frequently struggle with time management and impulse control related to social media use,
7 while also experiencing heightened fear and anxiety over how they are portrayed by their peers on
8 social media.

9 292. The Nation has seen a sharp rise in youth experiencing anxiety, depression, and
10 suicidal ideation linked to Defendant’s Social Media Platforms—impacting individuals, families,
11 and the broader community.

12 **B. Defendants’ Social Media Platforms Exacerbate Suicide Contagion**

13 293. Native youth are disproportionately affected by high rates of suicide and depression.
14 Among those aged 14-18, the prevalence of suicidal thoughts, planning, and attempts has risen
15 nearly 15% since in 2017. Tribes today live with the devastating reality that suicide is the second
16 leading cause of death for Native youths aged 10-24 years, a rate that is 2.5 times higher than the
17 national average.²³⁹

18 294. Tribal Leadership recognizes the heightened vulnerability of Native youth to
19 suicide contagion and cluster formation and has identified Social Media Platforms as a powerful
20 vector for the spread of this public health crisis.

21 295. A 2017 report from the U.S. Department of Health and Human Services (“HHS”)
22 warned that Native “[a]dolescents and young adults, who—in some tribes—have alarmingly high
23 suicide rates, are at greater risk for suicide contagion and cluster formation than other age
24
25
26

27 ²³⁸ *Id.*

28 ²³⁹ Kerr et al., *supra* note 246.

1 demographics.”²⁴⁰ The report further cautioned that Defendants’ Social Media Products are
 2 potential triggers for suicide cluster contagion because they “significantly increase the size of a
 3 potential victim’s circle of influence. This creates the capacity for broader, faster, and more
 4 extensive spread of suicide stories and rumors.”²⁴¹

5 296. In 2024, HHS issued another report emphasizing the risks posed by social media in
 6 responding to suicide clusters. While these platforms can serve as public outreach tools, they also
 7 facilitate the rapid spread of misinformation and increase the likelihood of suicide contagion.²⁴²
 8 “Social media can serve as an unwelcome early notification system of a suicide or suicide cluster.
 9 The speed at which information travels via social media can prompt the spread of misinformation
 10 among community members and contagion among vulnerable persons. As a result, community
 11 leaders often are left to deal with the traumatic aftermath of many persons having to first learn of
 12 a loved one’s death by suicide online.”²⁴³

13 297. Emerging research continues to highlight the connection between social media
 14 exposure and suicide contagion. A 2021 study in Ohio found that students in grades 7-12 were at
 15 increased risk of suicidal ideation and attempts during a 2017-2018 suicide cluster due to exposure
 16 to related content on social media.²⁴⁴ The study recommended proactive interventions to mitigate
 17 these harmful effects.

18 298. In response to this growing crisis, the Nation has faced escalating costs in its suicide
 19 prevention programs as it works to protect and support at-risk youth.

20
 21 ²⁴⁰ *Suicide Clusters within American Indian and Alaska Native Communities: A review of the*
 22 *literature and recommendations*, U.S. Dep’t of Health and Hum. Servs., SAMHSA (2017),
<https://store.samhsa.gov/sites/default/files/sma17-5050.pdf>.

23 ²⁴¹ *Id.* at 12.

24 ²⁴² *CDC Guidance for Community Response to Suicide Clusters, United States, 2024*, U.S.
 25 Dep’t of Health and Hum. Servs., Center for Disease Control and Prevention (2024),
<https://www.cdc.gov/mmwr/volumes/73/su/pdfs/su7302a3-H.pdf>.

26 ²⁴³ *Id.* at 24.

27 ²⁴⁴ Swedo, Elizabeth A. et al. *Associations Between Social Media and Suicidal Behaviors*
 28 *During a Youth Suicide Cluster in Ohio*, *Journal of Adolescent Health*, Volume 68, Issue 2, 308 –
 316 (July 7, 2020), [https://www.jahonline.org/article/S1054-139X\(20\)30305-0/abstract](https://www.jahonline.org/article/S1054-139X(20)30305-0/abstract).

C. The Chickasaw Nation is Expending Significant Resources to Address the Youth Mental Health Crisis

299. Effectively addressing the youth mental health crisis demands the collective efforts of the entire Chickasaw community and its social services programs. These efforts strain already limited resources, making it increasingly difficult for the Nation to deliver essential social services.

300. The Nation needs more resources to: hire additional personnel, including counselors and medical professionals to address mental, emotional, and social health issues; develop additional resources to address mental, emotional, and social health issues; increase training for Tribal leaders and members to identify youth exhibiting mental, emotional, and social distress; educate Tribal leaders and members about the harms caused by Defendants' wrongful conduct; and develop lesson plans to teach youth about the dangers of using Defendants' Social Media Platforms.

301. The Nation alone cannot fully address the youth mental health crisis affecting its communities. Effectively mitigating the harm caused by Defendants' actions requires a comprehensive approach. Without the necessary resources to implement critical interventions, the Nation will continue to bear the lasting consequences of Defendants' conduct.

302. The Defendants' actions and omissions have significantly and unjustifiably disrupted the Nation's functions and operations, posing substantial harm to the public health, safety, and overall welfare of the Nation's community.

VIII. CAUSES OF ACTION

**FIRST CLAIM FOR RELIEF
Racketeer Influenced and Corrupt Organizations Act (RICO), 18 U.S.C. §1962(c)
Strategic Partnership Enterprise
(Brought by Plaintiff Against All Defendants)**

303. The Chickasaw Nation repeats and realleges ¶¶1-302, as if fully alleged herein.

304. This claim is brought by the Chickasaw Nation against the Social Media Defendants for actual damages, treble damages, and available injunctive and/or equitable relief under 18 U.S.C. §1964, for violations of 18 U.S.C. §§1961, *et seq.* ("RICO statute"), specifically, 18 U.S.C. §1962(c).

1 305. 18 U.S.C. §1962(c) provides, in relevant part:

2 It shall be unlawful for any person employed by or associated with any
3 enterprise engaged in, or the activities of which affect, interstate or foreign
4 commerce, to conduct or participate, directly or indirectly, in the conduct of
5 such enterprise's affairs through a pattern of racketeering activity . . .

6 306. At all relevant times, each of the Social Media Defendants were and are "persons"
7 for purposes of the RICO statute, 18 U.S.C. §§1961, *et seq.*, because each Social Media Defendant
8 is an entity capable of holding, and does hold, "a legal or beneficial interest in property[.]" *See* 18
9 U.S.C. §1961(3).

10 307. The Chickasaw Nation is a "person," as defined under 18 U.S.C. §1961(3), and has
11 standing to sue under 18 U.S.C. §1964(c) as it was and is injured in its business and/or property
12 "by reason of" the RICO Act violations described herein. because each Social Media Defendant is
13 an entity capable of holding, and does hold, "a legal or beneficial interest in property[.]" *See* 18
14 U.S.C. §1961(3).

15 308. As set forth above, the Social Media Defendants together formed an association-
16 in-fact enterprise—namely, the Strategic Partnership Enterprise—for the purpose of creating,
17 maintaining, and distributing addictive platforms and profiting from the resulting increased
18 advertising revenue due to the maximization of user engagement. The Strategic Partnership
19 Enterprise is an association-in-fact enterprise within the meaning of 18 U.S.C §1961. Each Social
20 Media Defendant and their respective executives are associated with the Strategic Partnership
21 Enterprise.

22 309. The Strategic Partnership Enterprise engages in and affects interstate and foreign
23 commerce.

24 310. Each Social Media Defendant conducts and participates in the Strategic Partnership
25 Enterprise's affairs through a pattern of racketeering activity, as defined in 18 U.S.C. §1961(5).
26 Social Media Defendants' pattern of racketeering activity includes numerous violations of the
27 federal wire fraud statute, 18 U.S.C. §1343.

28 311. Defendants formed a scheme to accomplish the purpose of maximizing youth
engagement on their respective platforms by collectively gaslighting and defrauding the public

1 into believing that its products, social media platforms, did not have detrimental effects on
2 adolescents, in order to achieve the goal of collectively increasing advertising revenue by ensuring
3 youth user engagement. The scheme was profitable, as evidenced by the Defendants' making
4 nearly \$11 billion in advertising revenue from users under the age of 18 in 2022.

5 312. Defendants' scheme to defraud was and is intended to deceive the public, including
6 the Chickasaw Nation's youth and their guardians in order to maximize advertising revenues by
7 means of materially false or fraudulent pretenses, representations, and promises regarding the
8 safety of their respective platforms and business practices targeting young users.

9 313. The scheme involves materially false representations and deceptive omissions to
10 the public about the known risks to youth users who engage on their platforms that Defendants
11 had a duty to disclose, as well the deliberate suppression of internal research findings showing the
12 harmful effects social media platforms have on young users, among other things.

13 314. Defendants' systematic and coordinated conduct in the development and operation
14 of each social media platform is in violation of RICO, 18 U.S.C. §1962(c), has injured Plaintiff,
15 thereby entitling Plaintiff to recover treble damages.

16 315. Defendants' intent to defraud is evidenced by their conduct. The written statements,
17 marketing materials and statements made on behalf of the Defendants collectively contain
18 numerous false representations and promises, and those falsehoods were and are capable of
19 portraying social media platforms as harmless, which is demonstrably untrue.

20 316. The Social Media Defendants devised and knowingly carried out an illegal scheme
21 and artifice to defraud by means of materially false or fraudulent pretenses and omissions of
22 material facts regarding the safety risks of their social media platforms on young users. The Social
23 Media Defendants, as members the Strategic Partnership Enterprise, knew that the weight of
24 contemporaneous scientific evidence established the existence of the safety risk to young users
25 and that the risk was material. They acted with reckless disregard in their statements to guardians,
26 the Chickasaw Nation's youth, and the public at large, wherein they omitted the material safety
27 risks. The Social Media Defendants intended that that their common purpose and scheme to
28

defraud would, and did, use the interstate wire facilities, intentionally and knowingly with the specific intent to advance, and for the purpose of executing, their illegal scheme.

317. The pattern of racketeering activity by the Social Media Defendants and the Strategic Partnership Enterprise involved numerous separate instances of the use of interstate wire facilities in furtherance of the unlawful Strategic Partnership Enterprise, including materially uniform concealments and material omissions in statements regarding the material safety risks of their social media platforms, with the goal of collectively profiting from increased advertising revenues due to maximizing the engagement from youth users, including the Chickasaw Nation's youth members, induced by the public, including the Chickasaw Nation's reliance on the Social Media Defendants omissions and misrepresentations.

318. Each of these fraudulent interstate wire transmissions constitutes racketeering activity and collectively, these violations constitute a pattern of racketeering activity, through which the Social Media Defendants defrauded and intended to defraud guardians and the Chickasaw Nation's youth in order to maximize advertising revenues.

319. All of these wire communications were both foreseeable and incident to an essential part of Defendants' fraudulent scheme. Defendants' violations of RICO injured Plaintiff in their property by fraudulently inducing them to dedicate funding and resources that they are otherwise entitled to in order to address the mental health crisis plaguing its youth population as a result of Defendants' intentional and coordinated fraudulent efforts.

320. Defendants' violations of RICO are the but-for cause of Plaintiff's injuries. Defendants' violations also are the proximate cause of Plaintiff's injuries, as the Nation's government would not have permitted the social media platforms to have been as widely used as they have been if Defendants not misrepresented and suppressed the known risks to a vulnerable youth population at the center of the Nation's communities.

SECOND CLAIM FOR RELIEF
Public Nuisance
(Brought by Plaintiff Against All Defendants)

321. The Chickasaw Nation repeats and realleges ¶¶1-302, as if fully alleged herein.

1 322. Section 821B of the Restatement (Second) Torts defines a “public nuisance” as “an
2 unreasonable interference with a right common to the general public.”

3 323. Sections 821B(2)(a),(c) of the Restatement (Second) Torts provide that an
4 unreasonable interference with a public right includes conduct that involves a “significant
5 interference with the public health, the public safety, the public peace, and the public comfort” and
6 conduct “of a continuing nature or has produced a permanent or long-lasting effect, and, as the
7 actor knows or has reason to know, has a significant effect upon the public right.”

8 324. The Chickasaw Nation brings this claim to abate the public nuisance that has and
9 is contemporaneously impacting the Chickasaw Nation’s communities, and that the Defendants
10 are responsible for creating.

11 325. Each Defendant, acting individually and in concert, unlawfully committed an act
12 or omitted to perform a duty by failing to use reasonable care in the design, promotion, and
13 operation of their respective social media products.

14 326. Defendants’ acts and omissions created and substantially contribute to the social
15 media addiction epidemic and youth mental health crisis in the communities of the Chickasaw
16 Nation, unreasonably interfering with the public health and safety in Chickasaw Nation’s
17 communities and significantly interfering with the operations, resource allocation, and welfare of
18 Chickasaw Nation’s communities.

19 327. Defendants’ conduct affects every one of Chickasaw Nation’s Reservation
20 communities, its programs and services, and every member within each community.

21 328. Defendants’ conduct is of a continuing nature and has produced permanent and
22 long-lasting damage and is likely to continue to cause significant harm to the health and welfare
23 of the Chickasaw Nation, its programs and services, and its members. Defendants know their
24 conduct has a significant effect upon the public right that is substantial and unreasonable.

25 329. Defendants’ conduct caused and continues to contribute to the aforementioned
26 social media addiction epidemic and youth mental health crisis devastating the public health,
27 safety, resources, and welfare of the Chickasaw Nation. The Nation has already expended, and will
28 need to continue to expend, substantial resources to mitigate the harm caused by Defendants’

1 conduct. The resulting harm to the Chickasaw Nation and its programs and services, members, and
2 respective communities substantially outweighs any offsetting benefit.

3 330. Defendants have a duty to abate the nuisance they create, yet they have failed to
4 fulfill this duty.

5 331. The public nuisance created, perpetuated, and maintained by Defendants can be
6 abated and further recurrence of such harm and inconvenience can be abated.

7 332. The rights, interests, and inconvenience to the Chickasaw Nation's communities far
8 outweighs the rights, interests, and inconvenience to Defendants, who have profited tremendously
9 from their wrongful conduct at the expense of the Chickasaw Nation's most vulnerable members.

10 333. Defendants knew or reasonably should have known that their design, promotion,
11 and operation of their social media products would cause Chickasaw Nation youth to become
12 addicted to their platforms, that their marketing methods were designed to addict youth, and that
13 their persistent efforts to increase youth engagement with their products were causing harm to
14 youth, including youth in Chickasaw Nation's communities. The public nuisance caused by
15 Defendants was reasonably foreseeable, including the financial and economic losses already
16 incurred by Plaintiff.

17 334. Additionally, Defendants' conduct was a substantial factor in bringing about the
18 public nuisance. By designing, marketing, promoting, and operating their social media products in
19 a manner intended to maximize the time youth spend on their respective platforms—despite
20 knowledge of the harms to young users resulting from their wrongful conduct—Defendants
21 directly facilitated the widespread, excessive, and addictive use of their social media products and
22 the resulting public nuisance plaguing the Chickasaw Nation's youth.

23 335. By seeking to capitalize on their success by refining their social media products to
24 increase the time youth spend on their platforms, Defendants directly caused this public nuisance
25 plaguing the Chickasaw Nation.

26 336. Defendants' actions were, at the very least, a substantial factor in their respective
27 social media products becoming widely available and widely used in the Chickasaw Nation's youth
28 population.

1 337. Defendants' actions were, at the very least, a substantial factor in the Chickasaw
2 Nation and its programs, services, and members' inability to educate its members about the risks
3 and benefits of youth users engaging with their social media products.

4 338. But for Defendants' actions, the Chickasaw Nation's youth would not use
5 Defendants' social media products as frequently or to the extent as they do today or be deluged
6 with exploitive and harmful content to the same degree, and the epidemic and mental health crisis
7 that currently exists because of Defendants' conduct would have been averted.

8 339. The Chickasaw Nation seeks an order providing for abatement of the public
9 nuisance that Defendants created or assisted in the creation of, and enjoining Defendants from
10 future conduct creating a public nuisance.

11 340. The Chickasaw Nation seeks damages from the Defendants to pay for the costs to
12 permanently eliminate the hazards to public health and safety and abate the public nuisance.

13 341. The Chickasaw Nation has had to take steps to mitigate the harm and disruption
14 caused by Defendants' conduct.

15 342. Defendants' conduct is especially injurious to Plaintiff because, as a direct and
16 proximate cause of Defendants' conduct creating or assisting in the creation of a public nuisance,
17 the Chickasaw Nation and its programs, services, and members have sustained and will continue
18 to sustain substantial injuries.

19 343. As a direct result of Defendants' conduct, the Chickasaw Nation and its respective
20 communities have suffered actual injury and economic damages including, but not limited to,
21 significant expenses for enforcement, emergency response services, health, education and training,
22 prosecution, child protection, corrections, judicial and other services.

23 344. Defendants are liable to the Chickasaw Nation for the costs borne by the Nation as
24 a result of the social media addiction epidemic and youth mental health crisis plaguing its
25 communities and for the costs of abating the nuisance created by Defendants.

26 345. The Chickasaw Nation requests all the relief to which it is entitled in their own right
27 and relating to the special damage or injury it has suffered, including in its *parens patriae* capacity
28 in the public interest to protect the health, safety, and welfare of all members of its respective

1 communities. This includes actual and compensatory damages in an amount to be determined at
2 trial and an order providing for the abatement of the public nuisance that Defendants have created
3 or assisted in the creation of, and enjoining Defendants from future conduct contributing to the
4 public nuisance described above. All Defendants are jointly and severally liable for the public
5 nuisance.

6
7 **THIRD CLAIM FOR RELIEF**
8 **Fraud**
9 **(Brought by Plaintiff Against All Defendants)**

10 346. The Chickasaw Nation repeats and realleges ¶¶1-302, as if fully alleged herein.

11 347. As alleged herein and throughout this Complaint, Defendants have made material
12 misrepresentations concerning the design, impacts, and/or operation of their social media products,
13 as well as false or misleading descriptions, omissions, and representations of fact during the
14 advertising and portrayal of their respective products, and those material misrepresentations and
15 false or misleading descriptions, omissions, and representations of fact were knowingly or
16 recklessly made.

17 348. Defendants made these material misrepresentations and false or misleading
18 descriptions, omissions, and representations of fact in an intentional effort to deceive and induce
19 The Chickasaw Nation's youth community members to engage with and maximize time spent on
20 their respective platforms, despite Defendants' knowledge that their social media products were
21 harmful to youth users and that the their social media products were highly addictive and subjected
22 youth users to exploitation and concerning content.

23 349. Defendants continued making these materials misrepresentations and omissions
24 regarding their respective social media products, and failed to correct them, despite multiple
25 regulatory settlements, publications, and investigations demonstrating the false nature of
26 Defendants' claims and their devastating consequences.

27 350. Youth members, their guardians, and all other community members in the
28 Chickasaw Nation relied on the Defendants' misrepresentations and omissions in engaging with
and permitting use of Defendants' social media products.

1 351. Defendants are liable to the Chickasaw Nation for the damage Defendants'
2 material, uncorrected, and knowingly or recklessly made misrepresentations, omissions, and false
3 statements have caused to Plaintiff and its programs, services, and members.

4
5 **FOURTH CLAIM FOR RELIEF**
6 **Negligence and Gross Negligence**
7 **(Brought by Plaintiff Against All Defendants)**

8 352. The Chickasaw Nation repeats and realleges ¶¶1-302, as if fully alleged herein.

9 353. All Defendants had a legal duty to act with the exercise of ordinary care or skill to
10 prevent injury to another.

11 354. Defendants owed the Chickasaw Nation and its members a duty to not expose them
12 to unreasonable risk of harm, and to act with reasonable care as a reasonably careful person and/or
13 company would act under the circumstances.

14 355. At all times relevant to this litigation, Defendants owed a duty to the Chickasaw
15 Nation and its members to exercise reasonable care in the design, research, development, testing,
16 marketing, supply, promotion, advertisement, operation, and distribution of their social media
17 products, including the duty to take all reasonable steps necessary to design, research, market,
18 advertise, promote, operate, and/or distribute their platforms in a way that is not unreasonably
19 dangerous to users, including vulnerable young users.

20 356. At all times relevant to this litigation, Defendants owed a duty to the Chickasaw
21 Nation and its members to exercise reasonable care in the design, research, development, testing,
22 marketing, supply, promotion, advertisement, operation, and distribution of their social media
23 products, including the duty to provide accurate, true, and correct information about the risks of
24 using Defendants' platforms; and appropriate, complete, and accurate warnings about the potential
25 adverse effects of extended social media use, particularly social media content Defendants directed
26 via their algorithms to young users.

27 357. At all times relevant to this litigation, Defendants knew or, in the exercise of
28 reasonable care, should have known of the hazards and dangers of their respective social media

1 products and specifically, the health hazards their platforms posed to youth in particular, especially
2 extended or problematic use of such products.

3 358. Accordingly, at all times relevant to this litigation, Defendants knew or, in the
4 exercise of reasonable care, should have known that use of Defendants' social media products by
5 the Chickasaw Nation's youth members could cause the Chickasaw Nation and its programs,
6 services, and members' injuries and thus created a dangerous and unreasonable risk of injury to
7 the Chickasaw Nation and its programs, services, and members.

8 359. Defendants also knew or, in the exercise of reasonable care, should have known
9 that users of Defendants' social media products were unaware of the risks and the magnitude of
10 the risks associated with the use of Defendants' platforms including but not limited to the risks of
11 extended or problematic social media use and the likelihood that algorithm-based
12 recommendations would expose young users to content that is violent, sexual, or encouraging of
13 self-harm, among other types of harmful content.

14 360. As such, Defendants, by action and inaction, representation and omission, breached
15 their duty of reasonable care, failed to exercise ordinary care, and failed to act as a reasonably
16 careful person and/or company would act under the circumstances in the design, research,
17 development, testing, marketing, supply, promotion, advertisement, operation, and distribution of
18 their social media products, in that Defendants designed, researched, developed, tested, marketed,
19 supplied, promoted, advertised, operated, and distributed social media platforms that Defendants
20 knew or had reason to know would negatively impact the mental health of users, particularly youth,
21 and failed to prevent or adequately warn of these risks and injuries.

22 361. Despite their ability and means to investigate, study, and test their social media
23 products and to provide adequate warnings and safety controls, Defendants have failed to do so.
24 Defendants have wrongfully concealed information and have made false and/or misleading
25 statements concerning the safety and use of Defendants' social media products. Defendants
26 breached their duty of care through their wrongful acts, including, but not limited to:

1 i. designing, researching, developing, marketing, supplying, promoting,
2 advertising, operating, and distributing their social media platforms without thorough research
3 testing;

4 ii. failing to sufficiently study and conduct necessary tests to determine
5 whether or not their social media platforms were safe for youth users;

6 iii. failing to use reasonable and prudent care in the research, design,
7 development, testing, marketing, supply, promotion, advertisement, operation, and distribution of
8 their social media platforms so as to avoid the risk of encouraging extended and compulsive social
9 media use;

10 iv. designing their social media platforms to maximize the amount of time users
11 spend on the platform and causing excessive and problematic use of their platforms, particularly
12 among youth, through the use of algorithm-based feeds;

13 v. failing to implement adequate safeguards in the design and operation of
14 their platforms to ensure they would not encourage excessive and problematic use of their
15 platforms;

16 vi. designing and manufacturing their platforms to appeal to minors and young
17 people who lack the same cognitive development as adults and are particularly vulnerable to social
18 rewards;

19 vii. failing to take adequate steps to prevent their platforms from being
20 promoted, distributed, and used by minors under the age of 13;

21 viii. failing to provide adequate warnings to young users or parents/guardians
22 who Defendants could reasonably foresee would use their platforms;

23 ix. failing to disclose to, or warn, the Chickasaw Nation, users, and the general
24 public of the negative mental health consequences associated with social media use, especially for
25 children and adolescents;

26 x. failing to disclose to the Chickasaw Nation, users, and the general public
27 that Defendants' platforms are designed to maximize the time users, particularly youth, spend on
28 Defendants' platforms and cause negative mental health consequences;

1 xi. representing that Defendants' platforms were safe for child and adolescent
2 users when, in fact, Defendants knew or should have known that the platforms presented acute
3 mental health concerns for young users;

4 xii. failing to alert users and the general public, including the Chickasaw
5 Nation's members, of the true risks of using Defendants' platforms;

6 xiii. advertising, marketing; and recommending Defendants' platforms while
7 concealing and failing to disclose or warn of the dangers known by Defendants to be associated
8 with, or caused by, youth use of Defendants' platforms;

9 xiv. continuing to design, research, develop, market, supply, promote, advertise,
10 operate, and distribute Defendants' platforms with knowledge that Defendants' platforms are
11 unreasonably unsafe, addictive, and dangerous to youth mental health;

12 xv. failing to modify Defendants' algorithms, which are used to recommend
13 content to users, in a manner that would no longer prioritize maximizing the amount of time users
14 spend on Defendants' platforms over the safety of its youth users;

15 xvi. failing to adequately modify Defendants' algorithm-based
16 recommendations to filter out content that expose child and adolescent users to content that is
17 violent, sexual, or encourages self-harm, among other types of harmful content, and

18 xvii. committing other failures, acts, and omissions set forth herein.

19 362. Defendants knew or should have known that it was foreseeable that Chickasaw
20 Nation and its programs, services, and members would suffer injuries as a result of Defendants'
21 failure to exercise reasonable care in designing, researching, developing, testing, marketing,
22 supplying, promoting, advertising, operating, and distributing Defendants' platforms, particularly
23 when Defendants' platforms were designed, developed, operated and marketed to maximize the
24 time youth spend on Defendants' platforms.

25 363. The Chickasaw Nation and its programs, services, and members did not know and
26 could not have known the nature and extent of the injuries that could result from the intended use
27 of Defendants' social media platforms.
28

1 364. Defendants' negligence helped to and did produce, and was the proximate cause of,
2 the injuries, harm, and losses that the Chickasaw Nation and its programs, services, and members
3 suffered and will continue to suffer, as detailed above. Such injuries, harm, and losses would not
4 have happened without Defendants' negligence as described herein.

5 365. The social media addiction epidemic and youth mental health crisis caused and/or
6 significantly contributed to by the Defendants has caused a major disruptive behavioral situation
7 in the Chickasaw Nation's communities and Plaintiff has had to take steps to mitigate the harm
8 and disruption caused by Defendants' conduct.

9 366. Defendants' conduct was also grossly negligent because Defendants acted
10 recklessly, willfully, and wantonly. Each Defendant knew of the substantial risk of harm that their
11 platforms posed to users' mental health, particularly young users, yet engaged in that conduct
12 anyway.

13 367. Defendants have acted with oppression, fraud, and malice, actual and presumed.

14 368. Defendants' conduct, as described above, was intended to serve their own interests
15 despite having reason to know and consciously disregarding a substantial risk that their conduct
16 might significantly injure the rights of others, including the Chickasaw Nation and its programs,
17 services, and members, and/or Defendants consciously pursued a course of conduct knowing that
18 it created a substantial risk of significant harm to others, including Chickasaw Nation and its
19 programs, services, and members. Defendants regularly risk the health of youth users of their
20 platforms with full knowledge of the significant dangers of their platforms.

21 369. Defendants consciously decided not to redesign, warn, or inform the unsuspecting
22 public, including the Chickasaw Nation or its members.

23 370. As a result of Defendants' negligence and gross negligence, the Chickasaw Nation
24 and its programs, services, and members suffered harm to their real and personal property along
25 with other economic losses, including the costs associated with past, present, and future mitigation
26 efforts to address, pay for and/or eliminate the social media addiction epidemic and youth mental
27 health crisis plaguing their communities, in an amount to be proven at trial.

28

FIFTH CLAIM FOR RELIEF
Product Liability—Failure to Warn
(Brought by Plaintiff Against All Defendants)

371. The Chickasaw Nation repeats and realleges ¶¶1-302, as if fully alleged herein.

372. Defendants engaged in the designing, developing, marketing, promoting, advertising, operating, of addictive and harmful social media products nationally and within the Chickasaw Nation's communities.

373. Defendants' conduct created the social media addiction epidemic and youth mental health crisis plaguing the Chickasaw Nation and its members.

374. Defendants knew or should have known that the social media products they designed and marketed would be used by vulnerable young users without supervision and that guardians, families, and the general public would rely on their marketing and product descriptions to understand the proper uses, risks, and benefits of their social media products.

375. Defendants had a duty to provide adequate warnings that clearly indicated the scope of the risk associated with the use of the social media products they designed and made available to young users.

376. As alleged herein and throughout this Complaint, rather than provide such adequate warnings, Defendants instead undertook a concerted and intentional effort to downplay the substantial risk of addiction, death, and/or other known negative outcomes associated with the use of their intentionally addictive products by their target market, young and vulnerable users.

377. Defendants' marketing efforts and false and misleading statements successfully convinced minors, guardians, families, and the general public that these risks were substantially lower than they actually were, and the social media products therefore failed to perform at the safety level expected by the consumers.

378. As a direct, legal, and proximate result of Defendants' failure to warn, and intentional misrepresentations of, the grave and substantial risks associated with the use of their social media products, the Chickasaw Nation has suffered and continues to suffer damages, both economic and to the health and welfare of the Chickasaw Nation and its members.

SIXTH CLAIM FOR RELIEF
Unjust Enrichment
(Brought by Plaintiff Against All Defendants)

379. The Chickasaw Nation repeats and realleges ¶¶1-302, as if fully alleged herein.

380. As an expected and intended result of their conscious wrongdoing as set forth in this Complaint, Defendants have profited and benefited from the vast number young users engaging with and compulsively using their intentionally addictive social media products within the Chickasaw Nation's communities.

381. The data that young people of the Chickasaw Nation provide to Defendants has value, which Defendants have exploited for profit.

382. The Chickasaw Nation has expended substantial amounts of money and resources to remedy and mitigate the societal harm plaguing its communities caused by Defendants' conduct.

383. The Chickasaw Nation needs more resources to hire counselors and medical professionals, create mental health programs, train leaders to recognize distress, educate about the harm caused by Defendants' actions, and teach youth about the risks of Defendants' Social Media Platforms.

384. The Chickasaw Nation incurs significant expenses to provide necessary, enhanced and expanded resources, and specialized healthcare services, to support youth members struggling with social media addiction and the resulting mental health crisis caused by Defendants' products. These expenditures have, in turn, contributed to the enrichment of the Defendants. The expenditures by the Chickasaw Nation have helped sustain Defendants' businesses.

385. The Chickasaw Nation has conferred a benefit upon Defendants, by paying for what should be the Defendants' externalities—the costs of the harm caused by Defendants' negligent or otherwise unlawful distribution and operation of their social media products.

386. Defendants are aware of this obvious benefit, and that retention of this benefit is unjust.

387. The Chickasaw Nation has paid for the cost of Defendants' externalities and Defendants have benefitted from those payments because they allowed them to continue to market, develop, and optimize their social media platforms and continue to target and exploit vulnerable

1 young users with their addictive and harmful products. Because of their deceptive marketing and
 2 design of their social media products, Defendants obtained enrichment they would not otherwise
 3 have obtained. The enrichment was without justification and the Chickasaw Nation lacks a remedy
 4 provided by law.

5 388. Defendants made substantial profits while fueling the social media addiction
 6 epidemic and youth mental health crisis plaguing the Chickasaw Nation.

7 389. Defendants continue to receive considerable profits from the engagement of
 8 vulnerable and addicted users within the Chickasaw Nation's youth population.

9 390. Defendants have been unjustly enriched by their negligent, intentional, malicious,
 10 oppressive, illegal and unethical acts, omissions, and wrongdoing.

11 391. It would be inequitable to allow Defendants to retain such benefits or financial
 12 advantage.

13 392. Defendants' misconduct alleged in herein is ongoing and persistent.

14 393. The Chickasaw Nation demands judgment against each Defendant for restitution,
 15 disgorgement, and any other relief allowed in law or equity.

16 **IX. REQUEST FOR RELIEF**

17 Plaintiff demands judgment against each of the Defendants to the full extent of the law,
 18 including but not limited to:

- 19 A. Entering an Order that the conduct alleged herein constitutes a public nuisance;
- 20 B. Entering an Order that Defendants are jointly and severally liable;
- 21 C. Entering an Order requiring Defendants to abate the public nuisance described herein
 22 and to deter and/or prevent the resumption of such nuisance;
- 23 D. Enjoining Defendants from engaging in further actions causing or contributing to the
 24 public nuisance as described herein;
- 25 E. Awarding Plaintiff restitution of the costs incurred as a result of Defendants' unjust
 26 enrichment and disgorgement of all amounts Defendants obtained from their unjust
 27 enrichment;
- 28

- 1 F. Awarding equitable relief to fund prevention education and treatment for excessive and
2 problematic use of social media;
- 3 G. Entering judgment against Defendants in an amount equal to three times the amount of
4 damages to Plaintiff's property by reason of Defendants' violation of 18 U.S.C.
5 §1962(c);
- 6 H. Awarding actual, compensatory, and punitive damages;
- 7 I. Awarding reasonable attorneys' fees and costs of suit;
- 8 J. Awarding pre-judgment and post-judgment interest; and
- 9 K. Such other and further relief as the Court deems just and proper under the
10 circumstances.

11 **X. TRIAL BY JURY**

12 The Chickasaw Nation hereby demands a trial by jury for all claims so triable.

13 DATED: September 15, 2025

s/ Brian O. O'Mara

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