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16 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
17 **IN AND FOR THE COUNTY OF SAN MATEO**

18 **SELENA SCOLA, ERIN ELDER,**
19 **GABRIEL RAMOS, APRIL HUTCHINS,**
20 **KONICA RITCHIE, ALLISON**
21 **TREBACZ, JESSICA SWARNER, and**
22 **GREGORY SHULMAN, individually and on**
23 behalf of all others similarly situated,

24 *Plaintiffs,*

25 v.

26 **FACEBOOK, INC.,**

27 *Defendant.*

Civil Action No. 18CIV05135

SECOND AMENDED COMPLAINT
AND DEMAND FOR JURY TRIAL

CLASS ACTION

28 **NEED FOR ACTION**

1. Plaintiffs Selena Scola, Erin Elder, Gabriel Ramos, April Hutchins, Konica Ritchie, Allison Trebacz, Jessica Swarner, and Gregory Shulman seek to protect themselves and all others similarly situated from the dangers of psychological trauma resulting from Facebook's failure to provide a safe workplace for the thousands of contractors who are entrusted to provide the safest environment possible for Facebook users.

FILED
SAN MATEO COUNTY

JUN 30 2020

Clerk of the Superior Court

By 
DEPUTY CLERK

1 2. Every day, Facebook users post millions of videos, images, and livestreamed
2 broadcasts of child sexual abuse, rape, torture, bestiality, beheadings, suicide, and murder. To
3 maintain a sanitized platform, maximize its already vast profits, and cultivate its public image,
4 Facebook relies on people like Plaintiffs—known as “content moderators”—to view those posts and
5 remove any that violate the corporation’s terms of use.

6 3. From their cubicles in the offices of Facebook and its contractors, Plaintiffs
7 witnessed thousands of acts of extreme and graphic violence. As another Facebook content
8 moderator recently told the Guardian, “You’d go into work at 9am every morning, turn on your
9 computer and watch someone have their head cut off. Every day, every minute, that’s what you see.
10 Heads being cut off.”

11 4. As a result of constant and unmitigated exposure to highly toxic and extremely
12 disturbing images through Facebook’s content review systems, Plaintiffs developed and suffer from
13 significant psychological trauma and/or post-traumatic stress disorder (“PTSD”).

14 5. In an effort to cultivate its image, Facebook helped draft workplace safety standards
15 to protect content moderators like Plaintiffs and the proposed class from workplace trauma and
16 associated adverse consequences. Other tech companies have implemented these safety standards,
17 which include obtaining a candidate’s informed consent during the initial employment interview
18 process; providing moderators with robust and mandatory counseling and mental health support;
19 altering the resolution, audio, size, and color of trauma-inducing images and videos; and training
20 moderators to recognize the physical and psychological symptoms of PTSD.

21 6. But Facebook ignores the very workplace safety standards it helped create. Instead,
22 the multibillion-dollar corporation affirmatively requires its content moderators to work under
23 conditions known to cause and exacerbate psychological trauma.

24 7. By requiring its content moderators to work in dangerous conditions that cause
25 debilitating physical and psychological harm, Facebook violates California law.

26 8. Without this Court’s intervention, Facebook will continue to breach the duties it owes
27 to the content moderators who review content on Facebook’s platforms.

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1 9. On behalf of themselves and all others similarly situated, Plaintiffs bring this action
2 (1) to ensure that Facebook ceases to engage in these unlawful and unsafe workplace practices and
3 instead provides content moderators with safe tools, systems, and mandatory ongoing mental health
4 support; and (2) to establish a medical monitoring fund for testing and providing mental health
5 treatment to the thousands of current and former content moderators affected by Facebook's
6 unlawful practices.

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JURISDICTION AND VENUE

8 10. This Court has subject matter jurisdiction over all causes of action alleged in this
9 Complaint pursuant to article VI, section 10 of the California Constitution and is a court of
10 competent jurisdiction to grant the relief requested. Plaintiffs' claims arise under the laws of the State
11 of California, are not preempted by federal law, do not challenge conduct within any federal agency's
12 exclusive domain, and are not statutorily assigned to any other trial court.

13 11. This Court has personal jurisdiction over Facebook because the corporation is
14 headquartered in the County of San Mateo and regularly conducts substantial business there.

15 12. Venue is proper in this Court pursuant to California Code of Civil Procedure
16 sections 395 and 395.5. Facebook is headquartered in the County of San Mateo and conducts
17 substantial business there. Plaintiffs and the class they seek to represent have been injured as a result
18 of Facebook's illegal conduct in the County of San Mateo, and many of the injuries were sustained in
19 the County of San Mateo.

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PARTIES

21 13. Plaintiff Selena Scola is a resident of San Francisco County, California. From
22 approximately June 19, 2017 until March 1, 2018, Ms. Scola worked as a Public Content Contractor
23 at Facebook's offices in Menlo Park and Mountain View, California. During this period, Ms. Scola
24 was employed solely by PRO Unlimited, Inc.

25 14. Plaintiff Erin Elder is a resident of Contra Costa County, California. From
26 approximately March 2017 until December 27, 2017, Ms. Elder worked as a Community Operations
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1 Safety Analyst at Facebook's offices in Menlo Park, California. During this period, she was employed
2 solely by PRO Unlimited, Inc. and/or Accenture LLP.

3 15. Plaintiff Gabriel Ramos is a resident of San Francisco County, California. From
4 approximately June 17, 2017 until approximately April 1, 2018, Mr. Ramos worked as a Community
5 Operations Safety Analyst at Facebook's offices in Menlo Park, California. During this period, Mr.
6 Ramos was employed solely by US Tech Solutions, Inc., PRO Unlimited, Inc., Accenture LLP,
7 and/or Accenture Flex LLC ("Accenture Flex").

8 16. Plaintiff April Hutchins is a resident of Florida. From approximately December 2017
9 until approximately July 2019, Ms. Hutchins performed content moderation duties at the Tampa,
10 Florida offices of Cognizant Technology Solutions Corporation ("Cognizant"), one of the vendors
11 with whom Facebook contracted for content moderation services. During this period, Ms. Hutchins
12 was employed solely by Cognizant.

13 17. Plaintiff Konica Ritchie is a resident of Florida. From approximately October 2017
14 until approximately May 2019, Ms. Ritchie worked as a Content Moderator at Cognizant's Tampa,
15 Florida location. During this period, Ms. Ritchie was employed solely by Cognizant.

16 18. Plaintiff Allison Trebacz is a resident of Arizona. From approximately April 2017
17 through April 2018, Ms. Trebacz worked as a Process Specialist and Subject Matter Expert at
18 Cognizant's Phoenix, Arizona location. During this period, Ms. Trebacz was employed solely by
19 Cognizant.

20 19. Plaintiff Jessica Swarner is a resident of Arizona. From approximately August 2017
21 through August 2018, Ms. Swarner worked as a Social Media Content Analyst and Process Executive
22 at Cognizant's Phoenix, Arizona location. During this period, Ms. Swarner was employed solely by
23 Cognizant.

24 20. Plaintiff Gregory Shulman is a resident of Texas. From approximately July 2019
25 through December 2019, Mr. Shulman worked as a Content Review Analyst reviewing Facebook
26 content at Accenture's Austin, Texas location. During this period, Mr. Shulman was employed solely
27 by Accenture Flex.

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1 28. According to Monika Bickert, head of global policy management at Facebook,
2 Facebook conducts weekly audits of every content moderator's work to ensure that Facebook's
3 content rules are being followed consistently.

4 29. In August 2015, Facebook rolled out Facebook Live, a feature that allows users to
5 broadcast live video streams on their Facebook pages. Mark Zuckerberg, Facebook's chief executive
6 officer, considers Facebook Live to be instrumental to the corporation's growth. Mr. Zuckerberg has
7 been a prolific user of the feature, periodically "going live" on his own Facebook page to answer
8 questions from users.

9 30. But Facebook Live also provides a platform for users to livestream murder,
10 beheadings, torture, and even their own suicides, including the following:

11 In late April a father killed his 11-month-old daughter and livestreamed it before
12 hanging himself. Six days later, Naika Venant, a 14-year-old who lived in a foster
13 home, tied a scarf to a shower's glass doorframe and hung herself. She streamed the
14 whole suicide in real time on Facebook Live. Then in early May, a Georgia teenager
15 took pills and placed a bag over her head in a suicide attempt. She livestreamed the
16 attempt on Facebook and survived only because viewers watching the event unfold
17 called police, allowing them to arrive before she died.

18 31. Facebook understands the dangers associated with a person watching this kind of
19 imagery.

20 32. In the context of protecting users from this kind of content, Mr. Zuckerberg
21 announced on May 3, 2017:

22 Over the last few weeks, we've seen people hurting themselves and others on
23 Facebook—either live or in video posted later. Over the next year, we'll be adding
24 3,000 people to our community operations team around the world—on top of the
25 4,500 we have today—to review the millions of reports we get every week, and
26 improve the process for doing it quickly.

27 These reviewers will also help us get better at removing things we don't allow on
28 Facebook like hate speech and child exploitation. And we'll keep working with local
community groups and law enforcement who are in the best position to help
someone if they need it—either because they're about to harm themselves, or because
they're in danger from someone else.

29 33. According to Sheryl Sandberg, Facebook's chief operating officer, "Keeping people
safe is our top priority. We won't stop until we get it right."

1 34. Today, approximately 15,000 content moderators around the world review content
2 via Facebook's review platforms.

3 35. Most of these 15,000 content moderators, like Plaintiffs and the proposed class, are
4 employed by third-party vendors of Facebook and are not Facebook employees.

5 36. For many reasons, including short-term contracts and the trauma associated with the
6 work, most content moderators—like Plaintiffs—remain in the position for less than one year.

7 **B. Repeated exposure to graphic imagery can cause devastating psychological trauma,
8 including PTSD.**

9 37. It is well known that exposure to images of graphic violence can cause debilitating
10 injuries, including PTSD.

11 38. In a study conducted by the National Crime Squad in the United Kingdom, seventy-
12 six percent of law enforcement officers surveyed reported feeling emotional distress in response to
13 exposure to child abuse on the internet. The same study, which was co-sponsored by the United
14 Kingdom's Association of Chief Police Officers, recommended that law enforcement agencies
15 implement employee support programs to help officers manage the traumatic effects of exposure to
16 child pornography.

17 39. In a study of 600 employees of the Department of Justice's Internet Crimes Against
18 Children task force, the U.S. Marshals Service found that a quarter of the cybercrime investigators
19 surveyed displayed symptoms of psychological trauma, including secondary traumatic stress.

20 40. Another study of cybercrime investigators from 2010 found that "greater exposure to
21 disturbing media was related to higher levels of . . . secondary traumatic stress" and that "substantial
22 percentages" of investigators exposed to disturbing media "reported poor psychological well-being."

23 41. The Eyewitness Media Hub has also studied the effects of viewing videos of graphic
24 violence, including suicide bombing, and found that "40 percent of survey respondents said that
25 viewing distressing eyewitness media has had a negative impact on their personal lives."

26 42. Whereas viewing or hearing about another person's traumatic event used to be
27 considered "secondary traumatic stress," the current Diagnostic and Statistical Manual of Mental
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1 Disorders (American Psychiatric Association, 5th ed. 2013) (“DSM-5”) recognizes that secondary or
2 indirect exposure to trauma, such as repeated or extreme exposure to aversive details of trauma
3 through work-related media, meets the first diagnostic criterion for PTSD.

4 43. It is well established that stressful work conditions, such as especially demanding job
5 requirements or a lack of social support, reduce resilience in the face of trauma exposure and increase
6 the risk of developing debilitating psychological symptoms.

7 44. Depending on many factors, individuals who have experienced psychological trauma
8 may develop a range of subtle to significant physical and psychological symptoms, including extreme
9 fatigue, dissociation, difficulty sleeping, excessive weight gain, anxiety, nausea, and other digestive
10 issues.

11 45. Trauma exposure and PTSD are also associated with increased risk of chronic health
12 problems including cardiovascular conditions, pain syndromes, diabetes, and dementia.

13 46. There is growing evidence that early identification and treatment of PTSD is
14 important from a physical health perspective, as a number of meta-analyses have shown increased
15 risk of cardiovascular, metabolic, and musculoskeletal disorders among patients with long-term
16 PTSD.

17 47. Psychological trauma and/or PTSD are also often associated with the onset or
18 worsening of substance use disorders. Epidemiologic studies indicate that one-third to one-half of
19 individuals with PTSD also have a substance use disorder. Compared to individuals without PTSD,
20 those with PTSD have been shown to be more than twice as likely to meet the diagnostic criteria for
21 alcohol abuse or dependence; individuals with PTSD are also three to four times more likely to meet
22 the diagnostic criteria for drug abuse or dependence.

23 48. PTSD symptoms may manifest soon after the traumatic experiences, or they may
24 manifest later, sometimes months or years after trauma exposure.

25 49. An individual’s risk of developing PTSD or associated symptoms may be reduced
26 through prevention measures, categorized as primary, secondary, and tertiary interventions. Primary
27 interventions are designed to increase resilience and lower the risk of future PTSD among the general
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1 population. Secondary interventions are designed to lower the risk of PTSD among individuals who
2 have been exposed to trauma, even if they are not yet showing symptoms of traumatic stress. Finally,
3 tertiary interventions are designed to prevent the worsening of symptoms and improve functioning in
4 individuals who are already displaying symptoms of traumatic stress or who have been diagnosed
5 with PTSD.

6 50. Individuals who develop PTSD or other mental health conditions following traumatic
7 exposure require not only preventative measures but also treatment. Unlike prevention, treatment
8 measures are aimed at symptom resolution and recovery from the disorder.

9 51. Preliminary screening is necessary to determine the types of prevention or treatment
10 measures most appropriate for an individual.

11 **C. Facebook helped craft industry standards for minimizing harm to content moderators**
12 **but failed to implement the very standards it helped create.**

13 52. In 2006, Facebook helped create the Technology Coalition, a collaboration of internet
14 companies aiming “to develop technology solutions to disrupt the ability to use the Internet to
15 exploit children or distribute child pornography.”

16 53. Facebook was a member of the Technology Coalition at all times relevant to the
17 allegations herein.

18 54. In January 2015, the Technology Coalition published an “Employee Resilience
19 Guidebook for Handling Child Sex Abuse Images” (the “Guidebook”).

20 55. According to the Guidebook, the technology industry “must support those
21 employees who are the front line of this battle.”

22 56. The Guidebook recommends that internet companies implement a robust, formal
23 “resilience” program to support content moderators’ well-being and mitigate the effects of exposure
24 to trauma-inducing imagery.

25 57. With respect to hiring content moderators, the Guidebook recommends:

- 26 a. In an informational interview, “[u]se industry terms like ‘child sexual abuse
27 imagery’ and ‘online child sexual exploitation’ to describe subject matter”;
- 28 b. In an informational interview, “[e]ncourage candidate to go to websites [like the
National Center for Missing and Exploited Children] to learn about the problem”;

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- c. In follow-up interviews, “[d]iscuss candidate’s previous experience/knowledge with this type of content”;
- d. In follow-up interviews, “[d]iscuss candidate’s current level of comfort after learning more about the subject”;
- e. In follow-up interviews, “[a]llow candidate to talk with employees who handle content about their experience, coping methods, etc.”; and
- f. In follow-up interviews, “[b]e sure to discuss any voluntary and/or mandatory counseling programs that will be provided if candidate is hired.”

58. With respect to safety on the job, the Guidebook recommends:

- a. Limiting the amount of time an employee is exposed to child sexual abuse imagery;
- b. Teaching moderators how to assess their own reaction to the images;
- c. Performing a controlled content exposure during the first week of employment with a seasoned team member and providing follow up counseling sessions to the new employee;
- d. Providing mandatory group and individual counseling sessions administered by a professional with specialized training in trauma intervention; and
- e. Permitting moderators to “opt-out” from viewing child sexual abuse imagery.

59. The Technology Coalition also recommends the following practices for minimizing exposure to graphic content:

- a. Limiting time spent viewing disturbing media to “no more than four consecutive hours”;
- b. “Encouraging switching to other projects, which will allow professionals to get relief from viewing images and come back recharged and refreshed”;
- c. Using “industry-shared hashes to more easily detect and report [content] and in turn, limit employee exposure to these images. Hash technology allows for identification of exactly the same image previously seen and identified as objectionable”;
- d. Prohibiting moderators from viewing child pornography one hour before the individuals leave work; and
- e. Permitting moderators to take time off as a response to trauma.

60. According to the Technology Coalition, if a company contracts with a third-party vendor to perform duties that may bring vendor employees in contact with graphic content, the

1 company should clearly outline procedures to limit unnecessary exposure and should perform an
2 initial audit of the independent contractor's wellness procedures for its employees.

3 61. The National Center for Missing and Exploited Children ("NCMEC") also
4 promulgates guidelines for protecting content moderators from psychological trauma. For instance,
5 NCMEC recommends changing the color or resolution of the image, superimposing a grid over the
6 image, changing the direction of the image, blurring portions of the image, reducing the size of the
7 image, and muting audio.

8 62. Based on these industry standards, some internet companies take steps to minimize
9 harm to content moderators. For instance, at one company, "[t]he photos are blurred, rendered in
10 black and white, and shown only in thumbnail sizes. Audio is removed from video." Filtering
11 technology is used to distort images, and moderators are provided with mandatory psychological
12 counseling. Facebook does not take these steps.

13 63. At another company, each applicant for a content moderator position is assessed for
14 suitability by a psychologist, who asks about their support network, childhood experiences, and
15 triggers. Applicants are then interviewed about their work skills before proceeding to a final interview
16 where they are exposed to child sexual abuse imagery. Candidates sit with two current content
17 moderators and review a sequence of images getting progressively worse, working towards the worst
18 kinds of sexual violence against children. This stage is designed to see how candidates cope and let
19 them decide whether they wish to continue with the application process. Once they accept the job,
20 content moderators have an enhanced background check before they start their six months' training,
21 which involves understanding criminal law, learning about the dark web, and, crucially, building
22 relevant trauma resilience. Facebook does not use this process.

23 64. Content moderators review thousands of traumatic images each day through
24 Facebook's review platforms without the benefit of these known safeguards and with little training
25 on how to handle the resulting distress. The viewing platform on which content moderators review
26 images and videos is Facebook's, regardless of whether the content moderators are employed directly
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1 by Facebook or by a contractor and regardless of whether the content moderators are working at a
2 Facebook facility or a facility operated by a contractor.

3 65. Facebook monitors and is aware of the content of the images and videos the content
4 moderators view, the number of images the content moderators view per hour and per day, and the
5 length of continuous content moderation sessions and breaks. Facebook controls how the images are
6 displayed (e.g., full screen versus thumbnails, blurred versus unblurred, etc.), how the accompanying
7 audio is broadcast, and whether on-demand videos begin automatically upon completion of the prior
8 video or whether the content moderator can catch his or her breath by controlling the start of the
9 ensuing video.

10 66. In addition, Facebook sets overarching standards relating to the timeframe
11 for and accuracy of review.

12 67. Facebook understands that its standards impose intense pressure and stress
13 on content moderators and that such stress contributes to and exacerbates content
14 moderators' risk of developing psychological trauma.

15 68. As one moderator described the job:

16 [The moderator] in the queue (production line) receives the tickets (reports) randomly
17 Texts, pictures, videos keep on flowing. There is no possibility to know beforehand
18 what will pop up on the screen. The content is very diverse. No time is left for a mental
19 transition. It is entirely impossible to prepare oneself psychologically. One never
20 knows what s/he will run into. It takes sometimes a few seconds to understand what
a post is about. The agent is in a continual situation of stress. The speed reduces the
complex analytical process to a succession of automatisms. The moderator reacts. An
endless repetition. It becomes difficult to disconnect at the end of the eight-hour shift.

21 69. Facebook also demands that its content moderation vendors require their
22 employees to sign sweeping Non-Disclosure Agreements ("NDAs"). Facebook further
23 requires its vendors to provide Facebook-developed training to all content moderators that
24 instructs the moderators not to speak about the content or workplace conditions to anyone
25 outside of their review team. By prohibiting content moderators from discussing their work
26 or seeking outside social support, Facebook impedes the development of resiliency and
27 increases the risk that moderators will develop psychological trauma.

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1 **D. Plaintiff Scola’s individual allegations.**

2 70. From approximately June 19, 2017 until March 1, 2018, Plaintiff Selena Scola was
3 employed by PRO Unlimited as a “Public Content Contractor,” i.e., a content moderator, at
4 Facebook’s offices in Menlo Park and Mountain View, California.

5 71. During this period, Ms. Scola was employed solely by PRO Unlimited.

6 72. At all times relevant to this complaint, PRO Unlimited was an independent
7 contractor of Facebook.

8 73. During her employment, PRO Unlimited maintained an office on Facebook’s
9 campus.

10 74. PRO Unlimited directly oversaw all human resources matters concerning Ms. Scola.

11 75. Ms. Scola has never been employed by Facebook in any capacity.

12 76. Ms. Scola never received any wages from Facebook.

13 77. Ms. Scola never received Facebook’s employee benefits package (e.g., wellness
14 benefits, paid time off, and parental financial assistance).

15 78. During her employment as a content moderator, Ms. Scola was exposed to thousands
16 of images, videos, and livestreamed broadcasts of graphic violence.

17 79. Ms. Scola developed severe PTSD as a result of training for and providing content
18 moderation services through Facebook’s content review platform and in accordance with Facebook’s
19 policies.

20 80. Ms. Scola’s PTSD symptoms may be triggered when she touches a computer mouse,
21 enters a cold building, watches violence on television, hears loud noises, or is startled. Her symptoms
22 are also triggered when she recalls or describes graphic imagery she was exposed to as a content
23 moderator.

24 **E. Plaintiff Elder’s individual allegations.**

25 81. From approximately March 2017 until approximately December 27, 2017, Plaintiff
26 Erin Elder worked as a “Community Operations Safety Analyst,” i.e., a content moderator, at
27 Facebook’s offices in Menlo Park, California.

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1 82. Ms. Elder was employed solely by PRO Unlimited from March 2017 until
2 approximately November 20, 2017.

3 83. Ms. Elder was employed solely by Accenture LLP from approximately November 20,
4 2017 until approximately December 27, 2017.

5 84. PRO Unlimited and Accenture were independent contractors of Facebook.

6 85. At all relevant times, PRO Unlimited and Accenture each maintained an office on
7 Facebook's campus.

8 86. PRO Unlimited and Accenture directly oversaw all human resources matters
9 concerning Ms. Elder.

10 87. Ms. Elder has never been employed by Facebook.

11 88. Ms. Elder never received any wages from Facebook.

12 89. Ms. Elder never received Facebook's employee benefits package (e.g., wellness
13 benefits, paid time off, and tuition assistance).

14 90. During her employment as a content moderator, Ms. Elder was exposed to tens of
15 thousands of images, videos, and livestreamed broadcasts of graphic violence.

16 91. Ms. Elder developed trauma-related symptoms as a result of training for and
17 providing content moderation services through Facebook's content review platform and in
18 accordance with Facebook's policies.

19 92. Ms. Elder has experienced nightmares, hypervigilance around children, depression,
20 and a pervasive sense of helplessness about her work as a content moderator.

21 93. Ms. Elder's exposure to trauma as a content moderator and her resulting symptoms
22 are consistent with an elevated risk of PTSD or similar conditions.

23 **F. Plaintiff Ramos's individual allegations.**

24 94. From approximately June 17, 2017 until approximately April 1, 2018, Plaintiff Gabriel
25 Ramos worked as a "Community Operations Safety Analyst," i.e., a content moderator, at
26 Facebook's offices in Menlo Park, California.

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1 95. Mr. Ramos was employed solely by US Tech Solutions, Inc. and PRO Unlimited from
2 approximately June 17, 2017 until approximately November 20, 2017.

3 96. Mr. Ramos was employed solely by Accenture LLP and/or Accenture Flex from
4 approximately November 20, 2017 until approximately April 1, 2018.

5 97. PRO Unlimited and Accenture were independent contractors of Facebook.

6 98. At all relevant times, PRO Unlimited and Accenture each maintained an office on
7 Facebook's campus.

8 99. PRO Unlimited and Accenture directly oversaw all human resources matters
9 concerning Mr. Ramos.

10 100. Mr. Ramos has never been employed by Facebook.

11 101. Mr. Ramos never received any wages from Facebook.

12 102. Mr. Ramos never received Facebook's employee benefits package (e.g., wellness
13 benefits, paid time off, and tuition assistance).

14 103. During his employment as a content moderator, Mr. Ramos was exposed to tens of
15 thousands of images, videos, and livestreamed broadcasts of graphic violence.

16 104. Mr. Ramos developed and continues to suffer from debilitating symptoms as a result
17 of training for and providing content moderation services through Facebook's content review
18 platform. For example, Mr. Ramos experiences nightmares, anxiety, flashbacks, depression, and
19 hypervigilance about children. These symptoms interfere with his daily life.

20 105. Mr. Ramos's exposure to trauma as a content moderator and his resulting symptoms
21 are consistent with an elevated risk of PTSD or similar conditions.

22 **G. Plaintiff Ritchie's individual allegations.**

23 106. From approximately October 2017 until approximately May 2019, Plaintiff Konica
24 Ritchie worked as a content moderator at Cognizant's Tampa, Florida location.

25 107. Ms. Ritchie was employed solely by Cognizant during this time.

26 108. Cognizant was an independent contractor of Facebook.

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1 109. At all relevant times, Cognizant maintained a facility at 7725 Woodland Center
2 Boulevard in Tampa, Florida; Ms. Ritchie performed all of her work for Facebook at this location.

3 110. Cognizant directly oversaw all human resources matters concerning Ms. Ritchie.

4 111. Ms. Ritchie has never been employed by Facebook.

5 112. Ms. Ritchie never received any wages from Facebook.

6 113. Ms. Ritchie never received Facebook's employee benefits package (e.g., wellness
7 benefits, paid time off, and tuition assistance).

8 114. During her employment as a content moderator, Ms. Ritchie was exposed to tens of
9 thousands of images, videos, and livestreamed broadcasts of graphic violence.

10 115. Ms. Ritchie developed and was diagnosed with PTSD, anxiety, and depression as a
11 result of training for and providing content moderation services through Facebook's content review
12 platform. Her symptoms include insomnia, hypervigilance, social isolation, and flashbacks.

13 **H. Plaintiff Hutchins's individual allegations.**

14 116. From approximately December 2017 until approximately July 2019, Plaintiff April
15 Hutchins worked as a content moderator at Cognizant's Tampa, Florida location.

16 117. Ms. Hutchins was employed solely by Cognizant during this time.

17 118. Cognizant was an independent contractor of Facebook.

18 119. At all relevant times, Cognizant maintained a facility at 7725 Woodland Center
19 Boulevard in Tampa, Florida; Ms. Hutchins performed all of her work for Facebook at this location.

20 120. Cognizant directly oversaw all human resources matters concerning Ms. Hutchins.

21 121. Ms. Hutchins has never been employed by Facebook.

22 122. Ms. Hutchins never received any wages from Facebook.

23 123. Ms. Hutchins never received Facebook's employee benefits package (e.g., wellness
24 benefits, paid time off, and tuition assistance).

25 124. During her employment as a content moderator, Ms. Hutchins was exposed to tens
26 of thousands of images, videos, and livestreamed broadcasts of graphic violence.

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1 125. Ms. Hutchins developed and continues to suffer from debilitating symptoms as a
2 result of training for and providing content moderation services through Facebook's content review
3 platform. For example, Ms. Hutchins experiences increased anger, frustration, and hypervigilance and
4 has distanced herself from others. These symptoms interfere with her daily life.

5 126. Ms. Hutchins's exposure to trauma as a content moderator and her resulting symptoms
6 are consistent with an elevated risk of PTSD or similar conditions.

7 **I. Plaintiff Trebacz's individual allegations.**

8 127. From approximately April 2017 until approximately April 2018, Plaintiff Allison
9 Trebacz worked as a Process Specialist and Subject Matter Expert, which involved and included
10 content moderation, at Cognizant's Phoenix, Arizona location.

11 128. Ms. Trebacz was employed solely by Cognizant during this time.

12 129. Cognizant was an independent contractor of Facebook.

13 130. At all relevant times, Cognizant maintained a facility at 2510 and 2512 West Dunlap
14 Avenue, in Phoenix, Arizona; Ms. Trebacz performed all of her work for Facebook at this location.

15 131. Cognizant directly oversaw all human resources matters concerning Ms. Trebacz.

16 132. Ms. Trebacz has never been employed by Facebook.

17 133. Ms. Trebacz never received any wages from Facebook.

18 134. Ms. Trebacz never received Facebook's employee benefits package (e.g., wellness
19 benefits, paid time off, and tuition assistance).

20 135. During her employment as a content moderator, Ms. Trebacz was exposed on a daily
21 basis to images, videos, and livestreamed broadcasts of graphic violence.

22 136. Ms. Trebacz developed and continues to suffer from debilitating symptoms as a result
23 of training for and providing content moderation services through Facebook's content review
24 platform. For example, Ms. Trebacz experiences anxiety, social isolation, distrust of others, and
25 heightened stress response when listening to others discuss traumatic events. These symptoms
26 interfere with her daily life.

1 137. Ms. Trebacz's exposure to trauma as a content moderator and her resulting symptoms
2 are consistent with an elevated risk of PTSD or similar conditions.

3 **J. Plaintiff Swarner's individual allegations.**

4 138. From approximately April 2017 until approximately August 2018, Plaintiff Jessica
5 Swarner worked as a Social Media Content Analyst and Process Executive, i.e. a content moderator,
6 at Cognizant's Phoenix, Arizona location.

7 139. Ms. Swarner was employed solely by Cognizant during this time.

8 140. Cognizant was an independent contractor of Facebook.

9 141. At all relevant times, Cognizant maintained a facility at 2510 and 2512 West Dunlap
10 Avenue, in Phoenix, Arizona; Ms. Swarner performed all of her work for Facebook at this location.

11 142. Cognizant directly oversaw all human resources matters concerning Ms. Swarner.

12 143. Ms. Swarner has never been employed by Facebook.

13 144. Ms. Swarner never received any wages from Facebook.

14 145. Ms. Swarner never received Facebook's employee benefits package (e.g., wellness
15 benefits, paid time off, and tuition assistance).

16 146. During her employment as a content moderator, Ms. Swarner was exposed on a daily
17 basis to images, videos, and livestreamed broadcasts of graphic violence.

18 147. Ms. Swarner developed and continues to suffer from debilitating symptoms as a result
19 of training for and providing content moderation services through Facebook's content review
20 platform. For example, Ms. Swarner suffers from panic attacks and experiences anxiety, depression,
21 difficulty distinguishing fictional violence from reality, and difficulty maintaining healthy relationships
22 with family and friends. These symptoms interfere with her daily life.

23 148. Ms. Swarner's exposure to trauma as a content moderator and her resulting symptoms
24 are consistent with an elevated risk of PTSD or similar conditions.

25 **K. Plaintiff Shulman's individual allegations.**

26 149. From approximately July 2019 until approximately December 2019, Plaintiff Gregory
27 Shulman worked as a "Content Review Analyst" i.e., a content moderator, reviewing Facebook
28

1 content, at Accenture Flex's Austin, Texas location.

2 150. Mr. Shulman was employed solely by Accenture Flex during this time.

3 151. Accenture Flex was an independent contractor of Facebook.

4 152. At all relevant times, Accenture Flex maintained an office at 11601 Alterra Parkway,
5 in Austin, Texas; Mr. Shulman performed all his work for Facebook at this location.

6 153. Accenture Flex directly oversaw all human resources matters concerning Mr.
7 Shulman.

8 154. Mr. Shulman has never been employed by Facebook.

9 155. Mr. Shulman never received any wages from Facebook.

10 156. Mr. Shulman never received Facebook's employee benefits package (e.g., wellness
11 benefits, paid time off, and tuition assistance).

12 157. During his employment as a content moderator, Mr. Shulman was exposed to tens of
13 thousands of images, videos, and livestreamed broadcasts of graphic violence.

14 158. Mr. Shulman developed and continues to suffer from debilitating symptoms as a
15 result of training for and providing content moderation services through Facebook's content review
16 platform. For example, Mr. Shulman has been diagnosed with anxiety disorder, and experiences
17 hypervigilance around children, unnecessary aggression, irritability, and sleep loss. These symptoms
18 interfere with his daily life.

19 159. Mr. Shulman's exposure to trauma as a content moderator and his resulting symptoms
20 are consistent with an elevated risk of PTSD or similar conditions.

21 **CLASS ACTION ALLEGATIONS**

22 160. Plaintiffs Selena Scola, Erin Elder, Gabriel Ramos, April Hutchins, Konica Ritchie,
23 Allison Trebacz, Jessica Swarner, and Gregory Shulman bring this class action individually and on
24 behalf of all persons who performed content moderation work for Facebook in California, Arizona,
25 Texas, or Florida as an employee or subcontractor of one or more of Facebook's vendors from
26 September 15, 2015 to the present.

1 161. Excluded from this definition are Defendant's officers, directors, and management,
2 any judicial officer presiding over this action and the members of his/her immediate family and
3 judicial staff, and any juror assigned to this action. Plaintiffs reserve the right to revise the class
4 definition based upon information learned through discovery.

5 162. The class is so numerous that joinder of all members is impracticable. Plaintiffs do
6 not know the exact size of the class since that information is within the control of Facebook.
7 However, upon information and belief, Plaintiffs allege that the number of class members is in the
8 thousands. Membership in the class is readily ascertainable from Facebook's records such as those
9 relating to its contracts with third-party vendors or to registered users of its content review platforms.

10 163. There are numerous questions of law or fact common to the class, and those issues
11 predominate over any question affecting only individual class members. The common legal and
12 factual issues include the following:

- 13 a. Whether Facebook committed the violations of the law alleged herein;
- 14 b. Whether Facebook participated in and perpetrated the tortious conduct
15 complained of herein;
- 16 c. Whether Plaintiffs and the class are entitled to medical monitoring;
- 17 d. Whether Facebook should be ordered to implement and comply with industry
18 guidelines for safety in content moderation.

19 164. The claims asserted by Plaintiffs are typical of the claims of the class in that the
20 representative plaintiffs, like all class members, were exposed to highly toxic, unsafe, and injurious
21 content while providing content moderation services for Facebook. Each member of the proposed
22 class has been similarly injured by Facebook's misconduct.

23 165. Plaintiffs will fairly and adequately protect the interests of the class. Plaintiffs have
24 retained attorneys experienced in class actions and complex litigation. Plaintiffs intend to vigorously
25 prosecute this litigation. Neither Plaintiffs nor their counsel have interests that conflict with the
26 interests of the other class members.

27 166. Plaintiffs and the class members have all suffered and will continue to suffer harm
28 resulting from Facebook's wrongful conduct. A class action is superior to other available methods for

1 the fair and efficient adjudication of the controversy. Treatment as a class action will permit a large
2 number of similarly situated persons to adjudicate their common claims in a single forum
3 simultaneously, efficiently, and without the duplication of effort and expense that numerous
4 individual actions would engender. Class treatment will also permit the adjudication of claims by
5 many members of the proposed class who could not individually afford to litigate a claim such as is
6 asserted in this complaint. This action likely presents no difficulties in management that would
7 preclude maintenance as a class action.

8 **FIRST CAUSE OF ACTION**
9 **NEGLIGENCE**
10 **(Negligent Exercise of Retained Control)**

11 167. Plaintiffs reallege and incorporate by reference herein all allegations above.

12 168. The hirer of an independent contractor is liable to an employee of the
13 contractor insofar as the hirer's negligent exercise of retained control affirmatively contributed to the
14 employee's injuries.

15 169. If an entity hires an independent contractor to complete work but retains control
16 over any part of the work, the hiring entity has a duty to the independent contractor's employees or
17 subcontractors to exercise that control with reasonable care.

18 170. If the hiring entity negligently exercises its retained control in a manner that
19 affirmatively contributes to the injuries of the contractor's employees or subcontractors, the hiring
20 entity is liable for those injuries.

21 171. At all times relevant to the allegations herein, Plaintiffs and class members were
22 employees or subcontractors of independent contractors that Facebook hired to provide content
23 moderation services including, for example, PRO Unlimited and Accenture.

24 172. Facebook exercised retained control over certain aspects of the work performed by
25 Plaintiffs and the class, including:

- 26 a. Requiring content moderators to use Facebook-developed review platforms that
27 presented unmitigated traumatic content to content moderators according to
28 Facebook-developed algorithms;

- 1 b. Requiring that content moderators—through their employers—sign NDAs and
2 undergo Facebook-developed confidentiality trainings that prohibited content
3 moderators from discussing their work outside their review teams; and
4 c. Setting expectations as to the overall timeframe for and accuracy of content
5 review, calculating the amount of time it should take a content moderator to
6 review different types of posts, and deciding the overall number of manhours
7 required to meet the overarching timeframe and accuracy expectations.

8 173. Based on its exercise of retained control, Facebook has had at all relevant times a duty
9 to exercise reasonable care with regard to the safety of Plaintiffs and the class.

10 174. Facebook negligently exercised its retained control in a manner that affirmatively
11 contributed to the injuries of Plaintiffs and the class, including by exacerbating Plaintiffs' and class
12 members' risks of developing PTSD or other health issues. For example:

- 13 a. Facebook failed to provide adequate technological safeguards to protect content
14 moderators from risks associated with exposure to traumatic content via
15 Facebook's review platforms and algorithms;
16 b. Facebook's NDAs and confidentiality trainings diminished content moderators'
17 social support networks and resilience by prohibiting content moderators from
18 speaking about the content they reviewed or other related workplace conditions
19 to anyone outside of their review teams; and
20 c. By setting demanding standards for review, both in terms of quantity and quality
21 expectations, Facebook imposed stressful work conditions that served to further
22 reduce content moderators' resilience to trauma.

23 175. Facebook was aware of the psychological trauma that could be caused by viewing
24 video, images, and/or livestreamed broadcasts of child abuse, rape, torture, bestiality, beheadings,
25 suicide, murder, and other forms of extreme violence through its review platforms.

26 176. Facebook was also aware or should have been aware that its review platforms could
27 be made safer if proper precautions were followed, that requiring content moderators not to discuss
28 their work or workplace conditions reduced their ability to deal with traumatic content, and that
29 Facebook's overall quality and quantity standards had the effect of imposing intense workplace stress
30 and, accordingly, increasing content moderators' risk of injury from psychological trauma.

31 177. Facebook breached its duty to Plaintiffs and the class by failing to provide the
32 necessary and adequate technological safeguards, safety and instructional materials, warnings, social

1 support, and other means to reduce and/or minimize the physical and psychiatric risks associated
2 with exposure to graphic imagery through Facebook's review platforms.

3 178. Facebook continues to breach its duty to class members by failing to exercise its
4 retained control with reasonable care; that breach continues to elevate class members' risk of injury
5 from psychological trauma.

6 179. As a result of Facebook's tortious conduct, Plaintiffs and the class are at an increased
7 risk of developing serious mental health injuries, including, but not limited to, PTSD.

8 180. To remedy that injury, Plaintiffs and the class need medical monitoring that provides
9 specialized screening, assessment, and treatment not generally given to the public at large.

10 181. The medical monitoring regime includes, but is not limited to, baseline screening,
11 assessments, and examinations that will assist in diagnosing the adverse health effects associated with
12 exposure to trauma. This screening and assessment will also inform which behavioral and/or
13 pharmaceutical interventions are best suited to preventing or mitigating various adverse
14 consequences of post-traumatic stress and other conditions associated with exposure to graphic
15 imagery.

16 182. In particular, the medical monitoring regime includes (a) secondary preventative
17 interventions, designed to reduce the risk of later onset of PTSD among class members who are not
18 yet displaying symptoms of PTSD; (b) tertiary interventions, designed to reduce the worsening of
19 symptoms among those who are already experiencing symptoms associated with post-traumatic stress
20 or have a diagnosis of PTSD; and (c) evidence-based treatments to facilitate recovery from mental
21 health conditions.

22 183. Monitoring, assessing, and providing preventative interventions and/or treatment to
23 Plaintiffs and the class will significantly reduce the risk of long-term injury, disease, and economic
24 loss that Plaintiffs and the class have incurred as a result of Facebook's unlawful conduct.

25 184. Plaintiffs seek medical monitoring to facilitate the screening, diagnosis, and adequate
26 treatment of Plaintiffs and the class for psychological trauma, including to prevent or mitigate
27 conditions such as PTSD.

28

SECOND CAUSE OF ACTION
NEGLIGENCE
(Negligent Provision of Unsafe Equipment)

185. Plaintiffs reallege and incorporate by reference herein all allegations above.

186. An entity that hires an independent contractor to complete work is also liable to the independent contractor's employees or subcontractors if the hiring entity negligently provides unsafe equipment that contributes to a workplace injury.

187. Facebook provided to its independent contractors the review platforms that Plaintiffs and the class were required to use to complete their work.

188. Facebook had a duty to exercise reasonable care to furnish safe review platforms to its contractors.

189. Facebook was aware of the psychological trauma that could be caused by viewing video, images, and/or livestreamed broadcasts of child abuse, rape, torture, bestiality, beheadings, suicide, murder, and other forms of extreme violence through its review platforms.

190. Facebook was aware or should have been aware that its review platforms could be made safer if proper precautions were followed.

191. Facebook nevertheless provided unsafe review tools to its contractors. The review platforms presented unmitigated traumatic content to Plaintiffs and the class.

192. Facebook breached its duty to Plaintiffs and the class by failing to provide the necessary and adequate technological safeguards, safety and instructional materials, warnings, and other means to reduce and/or minimize the physical and psychiatric risks associated with exposure to graphic imagery through Facebook's review platform.

193. Facebook continues to breach its duty to class members by failing to provide a reasonably safe review platform; that breach continues to elevate class members' risk of injury from psychological trauma.

194. As a result of Facebook's tortious conduct, Plaintiffs and the class are at an increased risk of developing serious mental health injuries, including, but not limited to, PTSD.

1 195. To remedy that injury, Plaintiffs and the class need medical monitoring that provides
2 specialized screening, assessment, and treatment not generally given to the public at large.

3 196. The medical monitoring regime includes, but is not limited to, baseline screening,
4 assessments, and examinations that will assist in diagnosing the adverse health effects associated with
5 exposure to trauma. This screening and assessment will also inform which behavioral and/or
6 pharmaceutical interventions are best suited to preventing or mitigating various adverse
7 consequences of post-traumatic stress and other conditions associated with exposure to graphic
8 imagery.

9 197. In particular, the medical monitoring regime includes (a) secondary preventative
10 interventions, designed to reduce the risk of later onset of PTSD among class members who are not
11 yet displaying symptoms of PTSD; (b) tertiary interventions, designed to reduce the worsening of
12 symptoms among those who are already experiencing symptoms associated with post-traumatic stress
13 or have a diagnosis of PTSD; and (c) evidence-based treatments to facilitate recovery from mental
14 health conditions.

15 198. Monitoring, assessing, and providing preventative interventions and/or treatment to
16 Plaintiffs and the class will significantly reduce the risk of long-term injury, disease, and economic
17 loss that Plaintiffs and the class have incurred as a result of Facebook's unlawful conduct.

18 199. Plaintiffs seek medical monitoring to facilitate the screening, diagnosis, and adequate
19 treatment of Plaintiffs and the class for psychological trauma, including to prevent or mitigate
20 conditions such as PTSD.

21 **THIRD CAUSE OF ACTION**
22 **CALIFORNIA UNFAIR COMPETITION LAW**

23 200. Plaintiffs reallege and incorporate by reference herein all allegations above.

24 201. Facebook's negligent exercise of retained control of the content moderation work
25 performed by Plaintiffs and the class violates California common law.

26 202. Facebook's negligent provision of unsafe equipment to its independent contractors
27 for use by Plaintiffs and the class also violates California common law.

28

1 203. Plaintiffs each suffered an injury in fact because of Facebook's negligent conduct and
2 each has lost money because of Facebook's conduct.

3 204. Specifically, Ms. Scola paid out of pocket for medical treatment and therapy for her
4 PTSD, which was caused by Facebook's conduct.

5 205. Ms. Elder similarly paid out of pocket for therapy to treat the anxiety and other
6 symptoms she experienced as a result of Facebook's conduct.

7 206. Mr. Ramos paid out of pocket for medical visits and over-the-counter medicines to
8 treat posttraumatic stress-related symptoms he experienced as a result of Facebook's conduct.

9 207. Ms. Ritchie paid out of pocket for medical treatment and therapy for her PTSD,
10 anxiety, and depression, which were caused by Facebook's conduct.

11 208. Ms. Trebacz paid out of pocket for therapy to treat the anxiety and other symptoms
12 she experienced as a result of Facebook's content.

13 209. Ms. Swarner paid out of pocket for therapy to treat the anxiety and other symptoms
14 she experienced as a result of Facebook's conduct.

15 210. Mr. Shulman paid out of pocket for medical treatment and therapy for his anxiety
16 disorder, which was caused by Facebook's conduct.

17 211. There were and are reasonably available alternatives to the conduct described herein
18 that would further Facebook's legitimate business interests.

19 212. Plaintiffs seek all appropriate injunctive relief pursuant to section 17203 of the
20 California Business and Professions Code, including an order requiring Facebook to implement
21 safety guidelines for all prospective content moderation operations.

22 213. Plaintiffs also seek an injunction creating a court-supervised, Facebook-funded
23 medical monitoring program to facilitate the screening, diagnosis, and adequate treatment of
24 Plaintiffs and the class for psychological trauma, including preventing or mitigating conditions such
25 as PTSD. The program should include a trust fund to pay for the medical monitoring and treatment
26 of Plaintiffs and the class as frequently and appropriately as necessary.

27 214. Plaintiffs also seek an award of attorney's fees.
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FOURTH CAUSE OF ACTION
CALIFORNIA UNFAIR COMPETITION LAW
(as “Special Employer”)

215. Plaintiffs reallege and incorporate by reference herein all allegations above.

216. Solely in the alternative and to the extent that this Court concludes that Facebook is a “special employer” of Plaintiffs and the class, Plaintiffs bring this fourth cause of action under the UCL based on Facebook’s failure to provide a safe workplace and its violation of California’s prohibition on non-disclosure requirements concerning workplace conditions.

217. Section 6400 of California’s Labor Code requires employers to “furnish employment and a place of employment that is safe and healthful for the employees therein.” Similarly, section 6401 requires every employer to “furnish and use safety devices and safeguards, and [to] adopt and use practices, means, methods, operations, and processes which are reasonably adequate to render such employment and place of employment safe and healthful.”

218. To protect employees from unsafe workplaces, California law requires that “[e]very employer shall do every other thing reasonably necessary to protect the life, safety, and health of employees.” Cal. Labor Code § 6401. This includes “establish[ing], implement[ing], and maintain[ing] an effective injury prevention program.” Cal. Labor Code § 6401.7. Employers must “provide and use safety devices and safeguards reasonably adequate to render the employment and place of employment safe,” “adopt and use methods and processes reasonably adequate to render the employment and place of employment safe,” and “do every other thing reasonably necessary to protect the life, safety, and health of employees.” Cal. Labor Code § 6403.

219. No employer can “require or permit any employee to go or be in any employment or place of employment which is not safe and healthful.” Cal. Labor Code § 6402.

220. Facebook did not provide a safe working environment. Facebook routinely and repeatedly exposed Plaintiffs and the class to content known to cause psychological trauma, including PTSD. Even though Facebook knew of and could have reasonably implemented adequate safety measures, the corporation refused to implement necessary and adequate safety and instructional

1 materials, trainings, warnings, and means to reduce and/or minimize the risks associated with
2 exposure to graphic content.

3 221. Facebook's failure to provide a safe workplace for Plaintiffs and the class violates,
4 *inter alia*, sections 6400, 6401, 6401.7, 6402, and 6403 of the California Labor Code.

5 222. In requiring content moderators to sign sweeping NDAs and instructing moderators
6 not to disclose information about working conditions—including the traumatic nature of the content,
7 the intense stress from quantity and quality expectations, and the lack of training and safety measures
8 to protect moderators from trauma exposure—Facebook further violates section 232.5 of the
9 California Labor Code.

10 223. Facebook's illegal conduct was and is willful and serious and has directly caused harm
11 to Plaintiffs and the class.

12 224. Plaintiffs each suffered an injury in fact because of Facebook's conduct and each has
13 lost money because of Facebook's conduct.

14 225. Specifically, Ms. Scola paid out of pocket for medical treatment and therapy for her
15 PTSD, which was caused by Facebook's conduct.

16 226. Ms. Elder similarly paid out of pocket for therapy to treat the anxiety and other
17 symptoms she experienced as a result of her work as a content moderator.

18 227. Mr. Ramos paid out of pocket for medical visits and over-the-counter medicines to
19 treat posttraumatic stress-related symptoms that he experienced as a result of Facebook's conduct.

20 228. Ms. Ritchie paid out of pocket for medical treatment and therapy for her PTSD,
21 anxiety, and depression, which were caused by Facebook's content.

22 229. Ms. Trebacz paid out of pocket for therapy to treat the anxiety and other symptoms
23 she experienced as a result of Facebook's content.

24 230. Ms. Swarner paid out of pocket for therapy to treat the anxiety and other symptoms
25 she experienced as a result of Facebook's conduct.

26 231. Mr. Shulman paid out of pocket for medical treatment and therapy for his anxiety
27 disorder, which was caused by Facebook's conduct.

28

1 232. There were reasonably available alternatives to the conduct described herein that
2 would further Facebook's legitimate business interests.

3 233. Facebook's failure to follow worker safety laws amounts to an unlawful, unfair, and
4 fraudulent business practice under California Business and Professions Code section 17200.

5 234. Plaintiffs seek all appropriate injunctive relief pursuant to Business and Professions
6 Code section 17203, including an order requiring Facebook to implement safety guidelines for all
7 content moderators.

8 235. Plaintiffs also seek an injunction creating a court-supervised, Facebook-funded
9 medical monitoring program to facilitate the screening, diagnosis, and adequate treatment of
10 Plaintiffs and the class for psychological trauma, including preventing or mitigating conditions such
11 as PTSD. The program should include a trust fund to pay for the medical monitoring and treatment
12 of Plaintiffs and the class as frequently and appropriately as necessary.

13 236. Plaintiffs and the class will be irreparably harmed and/or denied an effective and
14 complete remedy if such an order is not granted.

15 237. Plaintiffs also seek an award of attorney's fees.

16 **PRAYER FOR RELIEF**

17 **WHEREFORE**, Plaintiffs, individually and on behalf of the class, requests that the Court:

- 18 a. Certify this action as a class action with a class as defined above;
- 19 b. Find that Plaintiffs are proper representatives of the class and appoint the undersigned as
20 class counsel;
- 21 c. Order Defendant to pay to notify class members of the pendency of this suit;
- 22 d. Order Defendant to create a medical monitoring fund for the benefit of Plaintiffs and the
class;
- 23 e. Award injunctive relief as is necessary to protect the interests of Plaintiffs and class
24 members, including by enjoining Defendant from continuing to conduct business
25 through the unlawful and unfair practices alleged herein, ordering Defendant to
26 implement safety guidelines for all prospective content moderation operations, and
27 ordering Defendant to establish a fund to pay for a medical monitoring program to
facilitate the ongoing screening, diagnosis, and adequate treatment of Plaintiffs and the
28 class for psychological trauma—including to prevent or mitigate conditions such as
PTSD—until it can be determined that psychological trauma is no longer a threat to their
health;

- 1 f. Award Plaintiffs and class members their reasonable litigation expenses and attorneys'
2 fees; and
3
4 g. Award any further relief that this Court deems just and equitable.

5 **DEMAND FOR JURY TRIAL**

6 Plaintiffs hereby request trial by jury.

7 Dated: April 9, 2020

8 Respectfully Submitted,

9 *Kyle P. Quackenbush*
10 Kyle P. Quackenbush

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