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DISTRICT COURT

CLARK COUNTY, NEVADA

STATE OF NEVADA,

Plaintiff,

v.

GOOGLE LLC; and YOUTUBE, LLC,

Defendants.

Case No. A-25-921270-B

Dept. No. XXXI

**AMENDED COMPLAINT AND
DEMAND FOR JURY TRIAL**

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1 Plaintiff, the State of Nevada, by and through Aaron D. Ford, Attorney
2 General, and the undersigned attorneys (the “State”) brings this Complaint
3 against Defendants Google LLC (“Google”), and YouTube, LLC (“YouTube”) for
4 their social media platform,¹ YouTube (collectively, Google, and YouTube are
5 referred to herein as “Defendants”) and alleges, upon information and belief, as
6 follows:

7 INTRODUCTION

8 1. The State of Nevada, by and through Aaron D. Ford, Attorney
9 General for the State of Nevada, and Ernest Figueroa, Consumer Advocate, files
10 this Complaint on behalf of the State—under their express statutory authority
11 provided in NRS 228.170, 228.308, 228.380(1), and 228.390(1)(a), as well as the
12 State’s *parens patriae* authority which is well-established under Nevada law—
13 to eliminate the hazard to public health and safety caused by Defendants’ social
14 media platform, YouTube, and to recover damages, civil penalties, and other
15 relief arising out of Defendants’ false, deceptive, and unfair marketing and
16 other unlawful conduct arising from the design and implementation of YouTube.
17 Based on this misconduct, and as more fully described below, Nevada brings
18 this action pursuant to the Nevada Deceptive Trade Practices Act, NRS
19 598.0903 through 598.0999 (“NDTPA”), and further brings claims of negligence,

21
22 ¹ In general, the term “social media platform” refers to a website and/or app
23 (often operating in conjunction, under the same name) that allows people to
24 create, share, and exchange content (such as posts of text, photos, videos, etc.)
with other users of the platform. Examples of popular social media platforms
include Facebook, Instagram, Messenger, YouTube, TikTok, and Snapchat.

1 products liability, and unjust enrichment.

2 2. YouTube is one of the world’s largest social media platforms and is
3 perhaps *the* most popular platform among people under the age of 18,
4 worldwide. A late-2023 Pew Survey found that 93% of teens reported using the
5 platform, with roughly 70% reporting daily use and 16% using the platform
6 “almost constantly.”²

7 3. Nor is this confined to a teen demographic. A comparable 2023
8 survey showed that roughly 90% of children aged 2-12 use the platform.³

9 4. The time spent on the platform is staggering—on average, children
10 between the ages of 4 and 18 watched videos on YouTube for approximately an
11 hour and a half each day.⁴

12 5. Of course, the more time that is spent on the platform, the more
13 Defendants make from YouTube, as its revenue is principally derived from ads
14 served during or in between the videos that play. YouTube generated \$28.8
15 billion in revenue in 2021⁵, with that number climbing to \$29.2 billion in 2022⁶,
16

17 ² Monica Anderson, et al., *Teens, Social Media and Technology 2023*, Pew
18 Research Center (Dec. 11, 2023), <https://www.pewresearch.org/internet/2023/12/11/teens-social-media-and-technology-2023/> (last visited Nov. 22, 2025).

19 ³ Sophia Scorziello, *TikTok No Match for YouTube Among Kids Under 12: Survey*, Variety (June 9, 2023), <https://variety.com/vip/tiktok-is-no-match-for-youtube-among-kids-under-12-survey-1235628301/> (last visited Nov. 22, 2025).

20 ⁴ Laura Ceci, *Average daily time spent by children in the United States on leading video apps in 2023*, Statista (Mar. 26, 2024),
21 <https://www.statista.com/statistics/1301730/us-time-spent-children-video-apps/>
22 (last visited Nov. 22, 2025).

23 ⁵ David Curry, *YouTube Revenue and Usage Statistics (2025)*, Business of Apps
(Nov. 20, 2025), <https://www.businessofapps.com/data/youtube-statistics/> (last
24 visited Nov. 22, 2025).

⁶ *Id.*

1 and \$36.1 billion in 2024.⁷

2 6. However, this massive revenue and revenue growth are only
3 possible as long as Defendants maintain and continue to increase their audience
4 on YouTube to view those highly-targeted advertisements. Thus, Defendants
5 are incentivized to keep as many of their users on the platform for as long as
6 possible.

7 7. Eric Schmidt, the former CEO of Google and, more recently, parent
8 company Alphabet, Inc., acknowledged the powerful and purposeful addictive
9 effect of social media platforms such as YouTube. Social media platforms are
10 about “maximizing revenue,” Mr. Schmidt said, and the best way to maximize
11 revenue is to “maximize engagement.” As Mr. Schmidt continued, in pursuit of
12 their goal of maximizing engagement to increase revenues, social media
13 platforms “playing into the addiction capabilities of every human.”⁸

14 8. Indeed, Defendants have crossed a line from simply *enticing* their
15 audience and instead take steps to *addict* their audience to YouTube. Highly-
16 skilled and highly-paid employees have invested years of research and analysis
17 into designing and deploying features on YouTube that make it impossible not
18 just to quit using the platform, but simply to put our phones down and attend to
19 the most basic functions of our daily lives. YouTube demands our attention first
20

21
22 ⁷ *Id.*

23 ⁸ Issie Lapowsky, *Eric Schmidt: Social Media Companies ‘Maximize Outrage’ for*
24 *Revenue*, Protocol (Jan. 6, 2022) (archived copy available at
<https://web.archive.org/web/20230219155400/https://www.protocol.com/bulletins/eric-schmidt-youtube-criticism>) (last visited Nov. 22, 2025).

1 thing in the morning and last thing at night, at the dinner table, while we are
2 walking down the street, even when we are driving. Computer scientist Francis
3 Irving describes the platform as an “addiction engine.”⁹

4 9. This addiction to social media—and its consequences—is
5 increasingly being called out by stakeholders and advocates. One of the most
6 succinct critiques can be found in the documentary film, *The Social Dilemma*,
7 which addresses our addiction to posts, likes, pokes, chats, and all of the other
8 prompts that Big Tech has deployed to keep us addicted to their apps. As an
9 interviewee in the film notes: “***There are only two industries that call their***
10 ***customers ‘users’: illegal drugs and software.***”¹⁰

11 10. And, much like an illegal drug, YouTube has been designed to be
12 an “addiction engine,” targeting people under the age of 18 (“Young Users”) and
13 more insidiously children under the age of 13 (“Youngest Users”) who, as
14 Defendants well know, have developmentally limited capacity for self-control.
15 Children are the most vulnerable to these intentionally addictive design
16 elements. As one specialist in social media addiction notes, “[a]dolescence is
17 second only to infancy when it comes to growth. Therefore, the impact of social
18
19

20 ⁹ Mark Bergen, *YouTube Executives Ignored Warnings, Letting Toxic Videos*
21 *Run Rampant*, Bloomberg (Apr. 2, 2019),
22 [https://www.bloomberg.com/news/features/2019-04-02/youtube-executives-](https://www.bloomberg.com/news/features/2019-04-02/youtube-executives-ignored-warnings-letting-toxic-videos-run-rampant)
[ignored-warnings-letting-toxic-videos-run-rampant](https://www.bloomberg.com/news/features/2019-04-02/youtube-executives-ignored-warnings-letting-toxic-videos-run-rampant) (last visited Nov. 22, 2025).

23 ¹⁰ *The Social Dilemma*. Directed by Jeff Orlowski-Yang; Produced by Exposure
24 Labs, Argent Pictures, The Space Program; 2020. Netflix,
<https://www.netflix.com/search?q=The%20Social%20Dilemma&jbv=81254224>
(last visited Nov. 22, 2025).

media on a developing teen’s mind and body can be huge.”¹¹ Social media platforms like YouTube, with design elements that intentionally keep children engaged for as long as possible—to the exclusion of all other activities—harm their users emotionally, developmentally, and physically. They lead to a condition known as “problematic internet use,”¹² which is associated with a range of harms, including but not limited to exposure to predators and online bullies, age-inappropriate content, damage to children’s self-esteem, increased risk of eating disorders, and even suicide.

11. As the U.S. Surgeon General recently explained, children’s and parents’ attempts to resist social media is an unfair fight: “You have some of the best designers and product developers in the world who have designed these products to make sure people are maximizing the amount of time they spend on these platforms. And if we tell a child, use the force of your willpower to control how much time you’re spending, you’re pitting a child against the world’s greatest product designers.”¹³

///

¹¹ *Teen Social Media Addiction and Mental Health*, Newport Academy (Oct. 24, 2023), <https://www.newportacademy.com/resources/mental-health/teens-social-media-addiction/> (last visited Nov. 22, 2025).

¹² Wen Li, et al., *Diagnostic Criteria for Problematic Internet Use among U.S. University Students: A Mixed-Methods Evaluation*, PLoS ONE (Jan. 11, 2016), <https://doi.org/10.1371/journal.pone.0145981> (last visited Nov. 22, 2025).

¹³ Allison Gordon & Pamela Brown, *Surgeon General says 13 is ‘too early’ to join social media*, CNN (Jan. 29, 2023), <https://www.cnn.com/2023/01/29/health/surgeon-general-social-media/index.html> (last visited Nov. 22, 2025).

1 12. On April 9, 2025, during a hearing of the U.S. Senate Judiciary
2 Subcommittee on Privacy, Technology, and the Law, Senator Richard J. Durbin,
3 Chair of the Senate Judiciary Committee, publicly compared the conduct of
4 major social media platforms to that of the tobacco industry.

5 13. In his statement, Senator Durbin described how social media
6 executives had internally discussed how to manage growing public criticism and
7 regulatory pressure by modeling their strategy on that of Big Tobacco.

8 14. He stated: “In one chapter, Ms. Wynn-Williams describes a board
9 meeting where the company discussed ways to head off regulation and change
10 the narrative surrounding Facebook.¹⁴ She writes that the board, ‘gets into a
11 conversation about what other companies or industries have navigated similar
12 challenges, where they have to change a narrative that says that they’re a
13 danger to society, extracting large profits, pushing all the negative externalities
14 onto society and not giving back.’ Guess what model they chose? Big Tobacco.
15 Like Big Tobacco, Big Tech tells us they can be trusted. And like Big Tobacco,
16 they fight to prevent any regulation that might make them pay for the costs
17 their products impose on society.”¹⁵

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19
20 ¹⁴ Plaintiffs are aware that the hearing in question was specifically directed at
21 Meta and Meta products. However, upon information and belief, the Defendants
22 have engaged in similar “Big Tobacco” strategies by extracting large profits
23 from society while largely externalizing the costs and negative consequences to
24 society, including negative consequences to Young Users.

¹⁵ See Press Release, Sen. Richard J. Durbin, *Durbin Delivers Opening
Statement in Judiciary Subcommittee Hearing with Meta Whistleblower* (Apr. 9,
2025) (available at [https://www.durbin.senate.gov/newsroom/press-
releases/durbin-delivers-opening-statement-in-judiciary-subcommittee-hearing-
with-meta-whistleblower](https://www.durbin.senate.gov/newsroom/press-releases/durbin-delivers-opening-statement-in-judiciary-subcommittee-hearing-with-meta-whistleblower)) (last visited Nov. 22, 2025).

1 15. While these statements focus on Meta, they apply with equal force
2 to Defendants and the YouTube platform. Indeed, these remarks, entered into
3 the official congressional record, reflect a broader understanding among federal
4 lawmakers that social media platforms have adopted strategic, profit-driven
5 approaches to public relations and regulation that mirror those of the tobacco
6 industry—deliberately minimizing known harms, externalizing costs to the
7 public, and obstructing efforts at oversight.

8 16. Unlike other consumer products that have appealed to children for
9 generations—like candy or soda—with social media platforms there is no
10 natural break point where the consumer has finished the unit of consumption.
11 Instead, social media platforms are a bottomless pit where users can spend an
12 infinite amount of their time. And Defendants profit from each additional
13 second a user spends on their platform.

14 17. Defendants have designed YouTube to exploit that dynamic by
15 embedding within the platform an array of product design features that
16 maximize youth engagement, peppering them with reminders to “log on” and
17 making it psychologically difficult to “log off.” Specifically, Defendants rely on
18 design elements to make YouTube addictive to all users, and to Young Users in
19 particular (“Design Elements”). These Design Elements—Low-Friction Variable
20 Rewards; Social Manipulation; Push Notifications; and Ineffective and
21 Misleading Parental Controls (each defined below)—each serve as an obstacle to
22 Young User’s free decision-making.

23 ///
24

1 18. YouTube’s product design and platform features have fueled the
2 explosive increase in the amount of time that Young Users spend on its
3 platform. As Defendants’ internal conversations confirm—and as anyone who
4 has recently spent time with adolescents can attest—Defendants have
5 successfully induced Young Users to spend vast amounts of time on their social
6 media platform. Indeed, for many Young Users, social media platforms are
7 viewed as an indispensable part of their identity, a forum to share a carefully
8 cultivated personality “highlight reel,” and a place where they must constantly
9 be “present”—whether they want to be or not.

10 19. All the while, Defendants understand that Young Users’ time
11 spent on YouTube is not a function of free choice. As a growing chorus of
12 independent researchers have confirmed—Young Users feel addicted to the
13 platform. And they frequently express that they would prefer to spend
14 meaningfully less time on social media platforms, including YouTube, but feel
15 powerless to do so. Still, Defendants have not introduced any product changes to
16 meaningfully reduce the platform’s addictiveness.

17 20. The widespread compulsive use that Defendants induced—and
18 allowed to continue unabated to generate enormous profits—has come at a
19 massive societal cost. In effect, Defendants are conducting a potentially society-
20 altering experiment on a generation of Young Users’ developing brains.¹⁶ While
21

22 ¹⁶ Research indicates that “[e]xcessive use of digital platforms, including
23 YouTube, has been associated with adverse outcomes, such as diminished
24 academic performance, poor social relationships, sleep disturbances, low life

1 this experiment’s full impact may not be realized for decades, the early returns
2 are alarming.

3 21. Researchers warn that compulsive use of social media platforms
4 impose a wide range of harms, including increased levels of depression, anxiety,
5 and attention deficit disorders; altered psychological and neurological
6 development; and reduced sleep, to name a few. And that is to say nothing of
7 the immense opportunity cost imposed when youth spend critical years glued to
8 social media platforms, not engaged in the varied and profound experiences
9 associated with growing up in the physical world.

10 22. In short, Defendants’ business strategy that purposefully addicts
11 Young Users to YouTube has caused widespread and significant injury to
12 Nevadans, and young Nevadans in particular.

13 23. Defendants also deceived and continues to deceive Nevada
14 consumers—and, critically, parents—on a large scale. Here, Defendants misled
15 consumers, parents, and guardians by concealing the various and significant
16 risks social media platforms present to its users, particularly Young Users.

17
18
19 satisfaction, and increased levels of anxiety and depression. The YouTube
20 addiction scale highlights key behavioural conflicts, such as reduced physical
21 activity, impaired life management, and a perceived loss of control over video
22 consumption. These findings underscore the necessity of targeted interventions
23 to address unhealthy digital habits.” Divvi A, Kengadaran S. *Addressing the*
24 *impact of YouTube short video addiction on adolescents-a growing public health*
concern. J Family Med Prim Care. 2025 Jul;14(7):3055-3056. doi:
10.4103/jfmprc.jfmprc_1925_24. Epub 2025 Jul 21. PMID: 40814470; PMCID:
PMC12349809. (citations omitted) (available online at
https://journals.lww.com/jfmprc/fulltext/2025/07000/addressing_the_impact_of_youtube_short_video.79.aspx) (last visited Nov. 22, 2025).

1 Defendants further made multiple, affirmative misrepresentations and engaged
2 in material omissions regarding the safety of its platform—and its
3 appropriateness for Young Users and Youngest Users—to the detriment of
4 Nevadans.

5 24. In sum, through their acts, omissions, and statements, Defendants
6 carefully created the impression that YouTube was and *is still* a safe platform
7 where users were unlikely to experience significant harm and where users'
8 mental health was an important Company priority. That representation was
9 material, false, and misleading.

10 25. Based on this misconduct, and as more fully described below,
11 Nevada brings this action pursuant to the NDTPA under NRS Chapter 598 et
12 seq, including all relief available to the State and as *parens patriae* of persons
13 residing in the State, and further brings claims of negligence, products liability,
14 and unjust enrichment.

15 26. The State brings this action exclusively under the laws of the State
16 of Nevada. No federal claims are being asserted, and to the extent that any
17 claim or factual assertion set forth herein may be construed to have stated any
18 claim for relief arising under federal law, such claim is expressly and
19 undeniably disavowed and disclaimed by the State.. The State further
20 irrevocably stipulates, waives, and disclaims the following allegations and
21 claims to the extent that they are raised in the State's Complaint or otherwise:
22
23
24

1. The allegations in the State's Complaint do not include and specifically exclude Defendants' services pursuant to contracts with any federal agency.
2. The State does not seek to recover moneys paid by the federal government pursuant to such contracts. The State does not seek declaratory relief, injunctive relief, abatement relief, or any other relief for the conduct of Defendants related to the provision of any services pursuant to contracts with any federal agency.
3. The State disavows any cause of action or claim for recovery related to the social media use or addiction of military personnel, veterans or federal customers under the authority or direction of a federal officer, federal agency, or pursuant to any federal contract.
4. The State expressly disclaims and disavows any and all federal claims or questions related to allegations at issue in this lawsuit and disavows any cause of action or claim for recovery related to allegations at issue that could give rise to federal subject matter jurisdiction under either 28 U.S.C. § 1331 (federal question) or 28 U.S.C. § 1442(a)(1) (federal officer). Plaintiff is not seeking relief for any and all claims for damages against any Defendant whose conduct whether by omission or commission, was engaged in at the behest of the United States or any agency or person acting under him or under color of such office to the extent that such a claim would implicate federal court jurisdiction under 28 U.S.C. §

1 1442(a)(1), predicated on preemption by the government
2 contractor's defense articulated in *Boyle v. United Technologies*
3 *Corp.*, 487 U.S. 500 (1988). All such claims that legitimately
4 implicate such defenses, in the unlikely event that they exist and
5 are factually supported, are not asserted and are hereby expressly
6 and preemptively disclaimed. Plaintiff hereby puts any Defendant
7 who may nonetheless assert such defenses as a basis for federal
8 jurisdiction over this case on notice that Plaintiff seeks no recovery
9 for injuries as a result of conduct that meets the three-prong *Boyle*
10 test and constitute actions of a federal officer sufficient to trigger
11 jurisdiction under 28 U.S.C. § 1442(a)(1). Plaintiff specifically
12 advises all Defendants of their position that such an express, clear
13 and unequivocal disclaiming of exposures and of claims implicating
14 the Boyle defense, as well as any other claims that legitimately
15 implicate 28 U.S.C. § 1442(a)(1), render any potential future
16 removal of this case to federal court on one of these clearly-
17 disclaimed bases objectively unreasonable under *Martin v.*
18 *Franklin Capital Corp.*, 546 U.S. 132 (2005). Nor would
19 Defendants have any colorable defense because the State's claims
20 do not involve federal programs or federal actors.

21 27. Nor does the State bring this action on behalf of a class or any
22 group of persons that can be construed as a class. The claims asserted herein
23 are brought solely by the State and are wholly independent of any claims that
24

1 individual Nevadans may have against Defendants, including all relief available
2 to the State pursuant to NRS chapter 598 et seq. The Attorney General is
3 authorized to bring an action—independently in the name of the State as well
4 as in a *parens patriae* capacity on behalf of the persons residing in Nevada—to
5 remedy violations of Nevada law.

6 PARTIES

7 28. The State of Nevada is a body politic created by the Constitution
8 and laws of the State; as such, it is not a citizen of any state. This action is
9 brought by the State in its sovereign capacity in order to protect the interests of
10 the State of Nevada and its residents as *parens patriae*, by and through Aaron
11 D. Ford, the Attorney General of the State of Nevada. Attorney General Ford is
12 acting pursuant to his authority under, inter alia, NRS 228.310, 228.380,
13 228.390, and 598.0963(3).

14 29. Defendant Google LLC is a Delaware limited liability company
15 with its principal place of business in Mountain View, California. Google LLC
16 transacts or has transacted business in the State of Nevada. At all times
17 material to this Complaint, acting alone or in concert with others, Google LLC
18 has advertised, marketed, and distributed its YouTube video sharing social
19 media platform to consumers in Nevada, including Young Users and Youngest
20 Users. At all times material to this Complaint, acting alone or in concert with
21 Defendant YouTube, LLC, Google LLC formulated, directed, controlled, had the
22 authority to control, or participated in the acts and practices set forth in this
23 Complaint.
24

1 30. Defendant YouTube, LLC is a Delaware limited liability company
2 with its principal place of business in San Bruno, California and is a wholly
3 owned subsidiary of Google LLC. YouTube, LLC transacts or has transacted
4 business in the State of Nevada. At all times material to this Complaint, acting
5 alone or in concert with Defendant Google LLC, YouTube, LLC has advertised,
6 marketed, and distributed its YouTube video sharing platform to consumers in
7 Nevada, including Young Users and Youngest Users. At all times material to
8 this Complaint, acting alone or in concert with Defendant Google LLC,
9 YouTube, LLC formulated, directed, controlled, had the authority to control, or
10 participated in the acts and practices set forth in this Complaint.

11 31. All of the allegations described in this Complaint were part of, and
12 in furtherance of, the unlawful conduct alleged herein, and were authorized,
13 ordered and/or done by Defendants' officers, agents, employees, or other
14 representatives while actively engaged in the management of Defendants'
15 affairs within the course and scope of their duties and employment, and/or with
16 Defendants' actual, apparent and/or ostensible authority.

17 **JURISDICTION AND VENUE**

18 32. Subject matter jurisdiction for this case is conferred upon this
19 Court pursuant to, inter alia, Article 6, Section 6 of the Nevada Constitution.

20 33. This Court has personal jurisdiction over Defendants because
21 Defendants do business in Nevada and/or have the requisite minimum contacts
22 with Nevada necessary to constitutionally permit the Court to exercise
23 jurisdiction with such jurisdiction also within the contemplation of the Nevada
24

1 “long arm” statute, NRS § 14.065. More specifically, and set forth in greater
2 detail in Section II(A), (E), *infra*, Defendants enrich themselves by selling
3 advertisements targeted to Nevada. Defendants regularly sell advertisements
4 specific to Nevada, and allow businesses to target specific cities in Nevada, as
5 well as specific individuals in Nevada. All manner of Nevada entities advertise
6 on YouTube to reach a Nevada audience and expand their business in Nevada.
7 Further, YouTube actively partners with and generates advertising revenue
8 alongside various content producers who live and work in Nevada.¹⁷ Defendants’
9 targeted Nevada marketing and Nevada data-collection activities constitute
10 purposeful direction aimed at Nevada. *TikTok, Inc. v. Eighth Jud. Dist. Ct.*, 141
11 Nev., Adv. Op. 51, 578 P.3d 640 (2025).

12 34. The instant Complaint does not confer diversity jurisdiction upon
13 the federal courts pursuant to 28 USC § 1332, as the State is not a citizen of any
14 state and this action is not subject to the jurisdiction of the Class Action
15 Fairness Act of 2005.¹⁸ Likewise, federal question subject matter jurisdiction
16 pursuant to 28 USC § 1331 is not invoked by the Complaint, as it sets forth
17 herein exclusively viable state law claims against Defendants. Nowhere herein
18 does Plaintiff plead, expressly or implicitly, any cause of action or request any
19

20
21 ¹⁷ Carolyn Williams, *A day with some of Las Vegas’ biggest YouTube stars*, 8
22 News (Mar. 2, 2021) <https://www.8newsnow.com/news/local-news/a-day-with-some-of-las-vegas-biggest-youtube-stars/> (last visited Nov. 22, 2025).

23 ¹⁸ See, e.g., *Postal Tel Cable Co. v. Alabama*, 155 U.S. 482, 487, 15 S. Ct. 192
24 (1894) (“A State is not a citizen. And, under the Judiciary Acts of the United States, it is well settled that a suit between a State and a citizen or a corporation of another State is not between citizens of different States....”).

1 remedy that arises under federal law. The issues presented in the allegations of
2 this Complaint do not implicate any substantial federal issues and do not turn
3 on the necessary interpretation of federal law. No federal issue is important to
4 the federal system as a whole under the criteria set by the Supreme Court in
5 *Gunn v. Minton*, 568 U.S. 251 (2013) (e.g., federal tax collection seizures, federal
6 government bonds). Specifically, the causes of action asserted, and the remedies
7 sought herein, are founded upon the positive statutory, common, and decisional
8 laws of Nevada. Further, the assertion of federal jurisdiction over the claims
9 made herein would improperly disturb the congressionally approved balance of
10 federal and state responsibilities. Accordingly, any exercise of federal
11 jurisdiction is without basis in law or fact.

12 35. In this Complaint, to the extent Plaintiff cites federal statutes and
13 regulations. Plaintiff does so to state the duty owed under Nevada law, not to
14 allege an independent federal cause of action and not to allege any substantial
15 federal question under *Gunn v. Minton*. “A claim for negligence in Nevada
16 requires that the plaintiff satisfy four elements: (1) an existing duty of care, (2)
17 breach, (3) legal causation, and (4) damages.” *Turner v. Mandalay Sports*
18 *Entertainment, LLC*, 124 Nev. 213, 180 P.3d 1172 (2008). The element of duty is
19 to be determined as a matter of law based on foreseeability of the injury. *Estate*
20 *of Smith ex rel. Smith v. Mahoney’s Silver Nugget, Inc.*, 127 Nev. 855, 265 P.3d
21 688, 689 (2011).

22
23 ///

1 36. To be clear, to the extent Plaintiff cites federal statutes and federal
2 regulations, it is for the sole purpose of stating the duty owed under Nevada law
3 to the residents of Nevada. Thus, any attempted removal of this complaint
4 based on a federal cause of action or substantial federal question is without
5 merit.

6 37. Venue is proper in this Court pursuant to NRS § 598.0989(3)
7 because Defendants' conduct alleged herein took place in Clark County, Nevada.

8 STATUTORY AND PARENS PATRIAE STANDING

9 I. THE NEVADA ATTORNEY GENERAL'S OFFICE HAS 10 STATUTORY AND PARENS PATRIAE STANDING TO INSTITUTE 11 AND MAINTAIN BOTH COMMON LAW AND STATUTORY 12 CLAIMS.

13 38. Under NRS Chapter 228, the Consumer Advocate is authorized to
14 exercise the Attorney General's power in the areas of consumer protection. NRS
15 228.390(1)(a) gives the Consumer Advocate "sole discretion" to represent the
16 "public interest and any class of customers in any proceeding." Public interest
17 includes "the interests or rights . . . of the residents of this State, **or a broad**
18 **class of those residents**, which arise from the constitutions, court decisions
19 and statutes of this State and of the United States **and from the common**
20 **law.**" NRS 228.308 (emphasis added).

21 39. The Nevada Supreme Court affirmed in *State ex rel. Fowler v.*
22 *Moore* that, "the office of attorney-general in this state has all of the powers
23 belonging to it at common law, in addition to those conferred by statute[.]" *See*
24 46 Nev. 65, 79 (1922); *see also Ryan v. Eighth Jud. Dist. Ct.*, 88 Nev. 638, 642-43

1 (1972) (upholding the Nevada Attorney General’s common law powers, insofar
2 as those powers harmonize with legislation).

3 40. Accordingly, the State’s capacity to initiate and pursue civil actions
4 asserting common law claims such as product liability, negligence, and unjust
5 enrichment does not derive solely from Nevada’s statutes; it is rooted in broad,
6 inherent authority derived from common law, which can be traced back to
7 ecclesiastical England. *See Moore*, 46 Nev. at 81 (“The decisions from the
8 different states of the Union which hold that the office of Attorney General is
9 clothed with all its common–law powers do not generally attempt to specify
10 them[.]”); *see also* Robert Stewart, *The Common Law Powers of the Nevada*
11 *Attorney General: Ryan v. Eighth Judicial District Court*, 14 NEV. L.J. 1023,
12 1023–27 (2014).

13 41. At common law, “[t]he attorney general had the power, and it was
14 his duty . . . to recover money or other chattels, or damages for wrongs
15 committed on the land[.]” *People v. Miner*, 2 Lans. (N. Y.) 396; *see also Moore*, 46
16 Nev. at 81 (looking at the nonexclusive, enumerated list of common law powers
17 outlined in *People v. Miner* to determine that the State could not challenge a
18 divorce decree).

19 42. In jurisdictions that recognize the common law powers of the
20 Attorney General, courts consistently interpret these powers in an expansive
21 manner. *See, e.g., Lund ex rel. Wilbur v. Pratt*, 308 A.2d 554, 558 (Me.1973)
22 (absent express legislative restrictions, the Attorney General “may institute,
23 conduct, and maintain *all such actions* and proceedings as he deems necessary
24

1 for . . . the protection of public rights”) (emphasis added); *State by Humphrey v.*
2 *Ri-MEL, Inc.*, 417 N.W. 2d 102 at 111-12 (Minn. Ct. App. 1988) (holding that
3 even in the absence of express statutory authority, the Attorney General could
4 bring an action for restitution on behalf of injured consumers “under his broad
5 common law powers and the doctrine of *parens patriae*”).

6 43. The case law on State’s statutory *parens patriae* authority is quite
7 clear: In *Nevada v. Bank of America Corp.*, Bank of America sought to remove a
8 consumer protection case brought by the Nevada Office of the Attorney General
9 from state to federal court on the basis, *inter alia*, that the State was seeking
10 restitution to be paid to individual Nevada consumers, making those consumers
11 real parties in interest. 2011 WL 2633641 at *5 (D. Nev. July 5, 2011). Like this
12 case, the *Nevada* case was brought under the NDTPA by the State to protect
13 Nevada consumers facing foreclosure from a variety of deceptive acts and
14 practices engaged in by Bank of America regarding loan modifications. *Id.* at *1.
15 The Ninth Circuit reversed, holding that:

16 Nevada—not the individual consumers—is the real party in interest
17 in this controversy. Nevada brought this suit pursuant to its
18 statutory authority under the DTPA because of its interest in
19 protecting the integrity of mortgage loan servicing
20 Foreclosures work a widespread and devastating injury not only to
21 those borrowers who are defrauded, but also on other Nevada
22 residents and the Nevada economy as a whole. Nevada has been
23 particularly hard-hit by the current mortgage crisis, and has a
24 specific, concrete interest in eliminating any deceptive practices
that may have contributed to its cause *Nevada’s sovereign
interest in protecting its citizens and economy* from deceptive
mortgage practices is not diminished merely because it has tacked
on a claim for restitution.

1 *Nevada v. Bank of America Corp.*, 672 F.3d 661, 670-71 (9th Cir. 2012) (citations
2 omitted) (emphasis added).

3 44. Here, the State alleges a similar “widespread and devastating
4 injury” to Nevada’s children, to their parents, and to the State’s economy as a
5 whole. Nevada’s current teen mental health crisis has been caused by the
6 actions of Defendants in creating their platform specifically to addict young
7 people. The State and its people have suffered grievous injury at the hands of
8 Defendants, and the State possesses “a specific and concrete interest” in
9 protecting its citizens from such harm, especially Nevada’s vulnerable children.

10 45. The case law on States’ common law *parens patriae* authority is
11 also quite clear. In order for a State to exercise its common law *parens patriae*
12 authority, the State ““must articulate an interest apart from the interests of
13 particular private parties, *i.e.*, the State must be more than a nominal party.”
14 *Alfred L. Snapp & Son, Inc. v. Puerto Rico, ex rel. Barez*, 458 U.S. 592, 607, 102
15 S.Ct. 3260, 3268 (1982). A state’s quasi-sovereign interests include, *inter alia*,
16 ensuring “the health and well-being—both physical and economic—of its
17 residents in general.” *Id.*

18 46. Again, here the State seeks unequivocally to protect the health and
19 well-being of its residents by bringing this action—specifically the mental
20 health and well-being of Nevada’s children. Nevada has a vested sovereign
21 interest in preventing defective and dangerous products from harming its youth,
22 facilitating everything from bullying and body shaming to child sexual
23 exploitation and drug overdose. Nevada also has a vested sovereign interest in
24

1 ensuring that companies that avail themselves of Nevada’s markets, break
2 Nevada’s laws, and harm Nevada’s citizens and economy are not permitted to
3 profit from such malfeasance, as the State alleges herein. *See, e.g. In re Vehicle*
4 *Carrier Services Antitrust Litig.*, 846 F.3d 71, 85 (3rd Cir. 2017) (noting that
5 both consumer protection and unjust enrichment laws “reflect the exercise of
6 traditional police powers” wielded by States); *see also Washington v. Geo Group,*
7 *Inc.*, 283 F.Supp.3d 967, 981 (D. Wash. 2017) (holding State had *parens patriae*
8 standing to pursue unjust enrichment claim on behalf of residents, workers, and
9 detainees harmed by defendant’s violation of minimum wage laws); *Cherokee*
10 *Nation v. McKesson Corp.*, 529 F.Supp.3d 1225, 1240-41 (D. Okla. 2021) (motion
11 to dismiss denied to allow nation to “show, if necessary, that it is equitably
12 entitled to restitution”); *Commonwealth v. Monsanto Co.*, 269 A.3d 623, 640-41
13 (Ct. Penn. 2021) (holding Commonwealth had identified quasi-sovereign
14 interest sufficient to demonstrate standing to bring unjust enrichment claim).

15 47. The State, through its duly elected Attorney General and duly
16 appointed Consumer Advocate, has elected to use its *parens patriae* standing to
17 institute and maintain the following causes of action asserted in this Complaint
18 on behalf its citizens against Defendants.

19 FACTS

20 I. YOUTUBE, GENERALLY.

21 48. YouTube is a social media platform that is based upon the
22 uploading, viewing, and sharing of videos. Its principal components are its
23 website and app, with the latter being available on smartphones and tablets,
24

1 and also coming pre-loaded on a host of other devices such as smart TVs,
2 personal computers, and video game consoles.

3 49. By design, YouTube is a purpose-built consumer product
4 engineered for delivery to the general public and optimized for digital
5 consumption, entertainment, and user engagement. Like other consumer
6 products, Defendants' platform is packaged, updated, versioned, and distributed
7 to end users through app stores, and includes defined functions, interfaces, and
8 visual elements designed for repeat use.

9 50. According to recent SEC 10-K filings, Defendants highlight that
10 their "product innovations are what make our services widely used," identifying
11 YouTube as one of several "core products and platforms."¹⁹

12 51. YouTube video categories include music videos, films, television,
13 clips, news, songs, documentaries, and other traditional items of produced video
14 content that one might watch on a television network. However, the vast
15 majority of content uploaded to and viewed upon YouTube is generated by its
16 users, typically in an amateur capacity.



Fig. 1

22 ¹⁹ Defendants' Parent Holding Company, Alphabet Inc., Form 10-K,
23 <https://www.sec.gov/Archives/edgar/data/1652044/000165204423000016/goog-20221231.htm#ia96e4fb0476549c99dc3a2b2368f643f> 16 (last visited Nov. 22,
24 2025).

1 52. There is also a subset of users who post videos on the platform
2 called “**YouTubers**”—these are individuals or entities who professionally or
3 semi-professionally create and post videos to the platform, and who have gained
4 a meaningful following on YouTube.

5 53. Being a successful YouTuber results not only in celebrity, but also
6 remuneration. When a YouTuber’s videos reach a large enough audience (that
7 is, they get a certain number of subscribers to their videos, or their videos
8 surpass a certain threshold of views on the platform), Defendants will share
9 some of the revenue they have received from the advertisements they aired
10 during the YouTuber’s videos.

11 54. Some of the most successful YouTubers have made astounding
12 amounts of money from their popularity on the platform. For example, Jimmy
13 Donaldson, known by his YouTuber handle as “MrBeast,” has 239 million
14 subscribers to his YouTube channel and generates between \$500 million and
15 \$700 million, annually.²⁰

16 **A. YouTube is a “good or service” within the ambit of the**
17 **NDTPA.**

18 55. As set forth more fully below, YouTube is a “good,” “service,” or
19 some combination thereof, within the meaning of the NDTPA.

22 ²⁰ *Why does YouTube’s MrBeast say he’s not rich despite \$700 mn annual*
23 *earnings?*, Economic Times (Feb. 17, 2024), [https://economictimes.](https://economictimes.indiatimes.com/magazines/panache/why-does-youtubes-mrbeast-say-hes-not-rich-despite-700-million-annual-earning/articleshow/107770790.cms?from=mdr)
24 [indiatimes.com/magazines/panache/why-does-youtubes-mrbeast-say-hes-not-](https://economictimes.indiatimes.com/magazines/panache/why-does-youtubes-mrbeast-say-hes-not-rich-despite-700-million-annual-earning/articleshow/107770790.cms?from=mdr)
[rich-despite-700-million-annual-earning/articleshow/107770790.cms?from=mdr](https://economictimes.indiatimes.com/magazines/panache/why-does-youtubes-mrbeast-say-hes-not-rich-despite-700-million-annual-earning/articleshow/107770790.cms?from=mdr)
(last visited Nov. 22, 2025).

56. The central commercial purpose of YouTube is to facilitate sales both on and through its platform.

57. YouTube’s fundamental purpose for Defendants is to facilitate the sale of goods and services to YouTube’s users. YouTube, as a social media platform, is the medium through which advertising is targeted to Defendants’ users, and sales are transacted.

58. In point of fact, Defendants created a feature called “YouTube Shopping” which “make[s] it easy for you to share your products directly with your audience and help grow your business” and “let[s] you sell your products directly from your [YouTube] channel, videos, shorts, and livestreams.” “When a product is tagged [through YouTube Shopping], a products overlay will appear that lets viewers learn more and buy your products directly from your content.”²¹

59. Through YouTube Shopping, brands are encouraged to:

Give viewers a boutique shopping experience by sharing a collection of recommended products from your store, and if you’re in the Affiliate program, products you like from other brands too.

...

Collections can surface for viewers in your channel store, product lists, and video descriptions. We’ll show your most recent collection in your channel store and the most relevant collection for a viewer in product lists and video descriptions.²²

²¹ *Get Started With Shopping on YouTube*, YouTube Help <https://support.google.com/youtube/answer/12257682?hl=en> (last visited Nov. 22, 2025).

²² *Create and manage Shopping collections on YouTube*, YouTube Help, https://support.google.com/youtube/answer/14683062?hl=en&ref_topic=9153997&sjid=13114039951853998185-NC (last visited Nov. 22, 2025).

60. Defendants even allow product sales to be facilitated while
YouTubers livestream—meaning that the platform streams live video and
allows participants to insert product placements in real time, so that viewers
can actually buy the given product(s) through and during the live stream (in a
manner similar to the Home Shopping Network or QVC).²³

61. Defendants explain YouTube Shopping to prospective consumers
as follows:

Buy products on YouTube

You can browse and buy products featured in content from your favorite creators or shop
products that are relevant to your interests.

Fig. 2²⁴

62. Defendants offer multiple ways for retailers to promote their goods
and services for sale on YouTube, including a “promotions & price reduction
feature highlights deals on tagged products to viewers” as well as a “product
drops feature,” by which a retailer “can build excitement and maintain the
element of surprise when you release a new product during a live stream.”²⁵

²³ *Tag products in your live streams*, YouTube Help,
https://support.google.com/youtube/answer/12299016?hl=en&ref_topic=9153997&sjid=13114039951853998185-NC (last visited Nov. 22, 2025).

²⁴ *Buy products on YouTube*, YouTube Help,
<https://support.google.com/youtube/answer/9162845?hl=en> (last visited Nov. 22, 2025).

²⁵ *Create and manage activities for tagged products*, YouTube Help,
https://support.google.com/youtube/answer/13202713?hl=en&ref_topic=9153997&sjid=13114039951853998185-NC (last visited Nov. 22, 2025).

63. Beyond facilitating monetary transactions on YouTube Shopping (for commercial gain), Defendants also monetize the platform by acquiring massive amounts of their users' personal data, which users provide as consideration in exchange for use of the YouTube platform and which YouTube uses to hyper-target advertising to those users.

64. Although users can use and/or establish accounts on YouTube without paying a monetary fee, Defendants do not provide their products and services for free—rather, they charge users by collecting their data and time, which Defendants then convert into advertising dollars.

65. In exchange for the right to use YouTube (and Google more broadly), consumers agree to a host of terms that power Defendants' advertising business. This is confirmed by Google's Terms of Service,²⁶ which state, *inter alia*, as follows:

Your relationship with Google

These terms help define the relationship between you and Google. When we speak of "Google," "we," "us," and "our," we mean Google LLC and its affiliates. Broadly speaking, we give you permission to access and use our services if you agree to follow these terms, which reflect how Google's business works and how we earn money [🔗](#).

Fig. 3²⁷

²⁶ *Google Terms of Service*, Google (effective May 22, 2024), <https://policies.google.com/terms?hl=en> (last visited Nov. 22, 2025).

²⁷ *Id.*

How our business works

Ads help fund our products

Our mission to organize the world's information and make it universally accessible and useful has always been core to everything we do at Google. It's why we make so many of our products, like Search, Maps, and Gmail, accessible and free of charge to everyone.

Advertising is what makes it possible to offer our products to everyone. While we sell things like Pixel phones, apps on the Play Store, YouTube subscriptions, and tools for businesses, we make the vast majority of our money from advertising.

So how does advertising at Google work? We make money selling ad space to businesses – big and small, global and local – in two key ways. First, businesses can reach potential customers by showing ads on a range of Google products such as Search, Maps, and YouTube.

Fig. 4²⁸

66. Consumers pay for YouTube by agreeing to give Defendants access to vast reams of data arising out of their platform use. Pursuant to Google's Privacy Policy²⁹ (which users also agree to upon account creation), each account holder must agree that Defendants may collect a host of data, ranging from information about the consumer's activity on its platforms; the messages and/or emails the consumer sends and receives; biometric information, such as fingerprints; unique identifiers associated with the consumer; geolocation data, including GPS, IP address, and other "precise location data"; voice and audio information; health and employment information; the ways the consumer interacts with ads; the time the user spends interacting with various pieces of content; purchase history; and many other categories of data.

²⁸ *How Our Business Works*, Google, https://about.google/intl/ALL_us/how-our-business-works/ (last visited Nov. 22, 2025).

²⁹ *Privacy Policy*, Google (effective July 1, 2025), <https://policies.google.com/privacy?hl=en-US> (last visited Nov. 22, 2025).

67. But beyond providing their data as consideration, consumers also are encouraged to pay for a subscription to YouTube Premium, with plans starting at \$13.99 a month (and including family membership options), that enables individuals to access the platform ad free.³⁰

68. Defendants represent themselves as a common enterprise. Google's advertising products pervade the YouTube platform, and YouTube video ads use Google data to deliver promised results for advertisers.³¹ The financial disclosures of Defendants' parent company, Alphabet, describe the company as "a collection of businesses" that includes Google and YouTube as components, and reports revenue and expenses for the entire "collection" together. YouTube ads revenues increased by \$398 million from 2021 to 2022 ³² and by \$2.3 billion from 2022 to 2023.³³

69. Like all social media platforms, YouTube access is purportedly offered "free of charge."³⁴ But, as discussed above, YouTube monitors its users

³⁰ YouTube Premium, *Experience a more premium YouTube: ad-free and more*, <https://www.youtube.com/premium?ybp=Sg0IBhIJdW5saW1pdGVk4AEB> (last visited Nov. 22, 2025).

³¹ Google Ads, *A beginner's guide to YouTube video ads: Drive action with video advertising*, (August 2023), <https://business.google.com/us/resources/articles/beginners-guide-youtube-ads/#:~:text=By%20advertising%20on%20YouTube%20with,through%20your%20Google%20Ads%20account> (last visited Nov. 22, 2025).

³² <https://www.sec.gov/Archives/edgar/data/1652044/000165204423000016/goog-20221231.htm#ia96e4fb0476549c99dc3a2b2368f643f> 16 (last visited Nov. 26, 2024).

³³ <https://www.sec.gov/ix?doc=/Archives/edgar/data/0001652044/000165204424000022/goog-20231231.htm> (last visited Nov. 26, 2024).

³⁴ *How Our Business Works*, Google, https://about.google/intl/ALL_us/how-our-business-works/ (last visited Nov. 22, 2025).

1 and surreptitiously collects data related to their online lives—including the
2 ways in which they use the product, the posts with which they interact, the
3 friends they have, the advertisements they view, and even what they do on
4 other sites or apps.

5 70. Consumers’ payment for YouTube in the form of time, attention,
6 and data enables Defendants to sell highly targeted, data-informed advertising
7 opportunities, which is the foundation of Defendants’ business.

8 71. The practical effect of this arrangement—supposed free access to
9 the YouTube platform in exchange for personal data—is best expressed in the
10 documentary *The Social Dilemma*, which quotes Google’s former design ethicist,
11 Tristan Harris: “*if you’re not paying for the product, then you are the product.*”³⁵

12 72. Because Defendants view YouTube’s users as the product, and
13 because they can best monetize and collect information about its users while
14 they are on its various platforms (including YouTube), Defendants are
15 incentivized to keep YouTube’s users on the platform as long as possible, and as
16 often as possible.

17 73. Defendants acknowledge this fact in their parent holding
18 company’s recent Form 10-K filings: “Google Services generates revenues
19 primarily by delivering both performance and brand advertising that appears
20
21

22
23 ³⁵ Abigail McCormick, *Review: The Social Dilemma*, Panther Press (Aug. 8,
24 <https://sauconpanther.org/2535/arts-and-entertainment/if-youre-not-paying-for-the-product-then-you-are-the-product/> (last visited Nov. 22, 2025)).

1 on Google Search & other properties, YouTube, and Google Network partners'
2 properties ("Google Network properties")."³⁶

3 74. Defendants' recent Form 10-K goes on to warn that decreased use
4 of the YouTube platform—resulting in fewer opportunities to profile users and
5 serve targeted advertising—is fatal to its business model:

6 ***We generate a significant portion of our revenues from***
7 ***advertising. Reduced spending by advertisers, a loss of***
8 ***partners, or new and existing technologies that block ads***
9 ***online and/or affect our ability to customize ads could harm***
10 ***our business.*** We generated more than 75% of total revenues from
11 online advertising in 2023. Many of our advertisers, companies that
12 distribute our products and services, digital publishers, and content
13 providers can terminate their contracts with us at any time. These
14 partners may not continue to do business with us if we do not create
15 more value (such as increased numbers of users or customers, new
16 sales leads, increased brand awareness, or more effective
17 monetization) than their available alternatives. Changes to our
18 advertising policies and data privacy practices, such as our
19 initiatives to phase out third-party cookies, as well as changes to
20 other companies' advertising and/or data privacy practices have in
21 the past, and may in the future, affect the advertising that we are
22 able to provide. In addition, technologies have been developed that
23 make customized ads more difficult, or that block the display of ads
24 altogether, and some providers of online services have integrated
these technologies that could potentially impair the availability and
functionality of third-party digital advertising. Failing to provide
superior value or deliver advertisements effectively and
competitively could harm our business, reputation, financial
condition, and operating results.³⁷

21 ³⁶ Defendants' Parent Holding Company, Alphabet Inc., Form 10-K,
22 <https://www.sec.gov/Archives/edgar/data/1652044/000165204423000016/goog-20221231.htm#ia96e4fb0476549c99dc3a2b2368f643f> 16 (last visited Nov. 22, 2025).

23 ³⁷ Alphabet Inc., Form 10-K,
24 <https://www.sec.gov/Archives/edgar/data/1652044/000165204424000022/goog-20231231.htm> (last visited Nov. 22, 2025).

75. Further, Defendants acknowledge, “Data privacy and security concerns relating to our technology and our practices could harm our reputation, cause us to incur significant liability, and deter current and potential users or customers from using our products and services.”³⁸

76. Via his current project, The Center for Humane Technology, Tristan Harris further explains this concept:

Our attention is a limited resource. There are only so many waking hours in the day, and therefore only so many things we can focus on. When we pay attention to one thing, we’re not paying attention to something else.

This fact of life has been deeply complicated by technology. With more information and more choices at our fingertips than ever before, there are unprecedented demands on our attention.

This feeling of constant distraction is fueled by tech companies that rely on capturing your attention to make money, normally by selling it to advertisers.

...

Each app is caught in a race for your attention, competing not just against other apps, but also against your friends, your family, your hobbies, and even your sleep.

[S]ocial media companies don’t sell software, they sell influence. They collect in-depth data about how to influence your decisions, then sell that influence to the highest bidder. The more time they can get you to spend scrolling and clicking, the more data they can collect and the more ads they can sell.³⁹

77. Competition for users’ attention is fierce, and social media platforms—like YouTube—are purposely designed to addict their users.

³⁸ *Id.*

³⁹ *The Attention Economy – Why do tech companies fight for our attention?*, Center for Humane Technology (Aug. 17, 2021), <https://www.humanetech.com/youth/the-attention-economy> (last visited Nov. 22, 2025).

1 Fundamentally, the YouTube platform is built not for user experience, but for
2 maximization of profit.

3 78. And this maximization of profit is achieved through addiction. As
4 set forth below, Defendants employ sophisticated principles, first identified by
5 psychologists and other academics, which they manifest through intentional
6 design elements that exploit those psychological principles.

7 79. These design elements are not subjective—instead they are part
8 and parcel of YouTube’s code. They operate consistently, and universally, across
9 the platform, for all users, including the vulnerable children who Defendants
10 know—to a certainty—are using YouTube.

11 **B. Unlike other social media platforms, YouTube does not**
12 **require users to create accounts, and instead acquires vast**
13 **troves of user data and subjects Young Users to harmful**
14 **Design Elements without notice or consent of either the**
15 **users or their parents.**

16 80. Typically, in order for an individual to utilize a social media
17 platform, he or she must make an account with the platform (e.g., an Instagram
18 or TikTok account). However, YouTube does not require an individual to create
19 an account, and instead users may watch videos and interact with the platform
20 simply by visiting the website or using the app on a smart device, like a phone,
21 tablet, or smart TV. Indeed, Google’s Terms of Service state that “by accessing
22 or using our services (whether you’re signed in to a Google account or not),
23 you’re agreeing to these terms.”⁴⁰

24 ⁴⁰ *Terms of Service*, Google <https://policies.google.com/terms?hl=en> (last visited Nov. 22, 2025).

1 81. This has multiple harmful effects, but several are particularly
2 relevant to this lawsuit.

3 82. **First**, Defendants collect profound amounts of personal data about
4 these users, but never seek the user’s consent to do so. Defendants’ privacy
5 policy⁴¹ states that use of their services—including YouTube—results in the
6 following information, *inter alia*, being collected:

- 7 1. “information about the apps, browsers, and devices you use to
8 access Google services . . . includ[ing] unique identifiers, browser
9 type and settings, device type and settings, operating system,
10 mobile network information including carrier name and phone
11 number, and application version number. We also collect
12 information about the interaction of your apps, browsers, and
13 devices with our services, including IP address, crash reports,
14 system activity, and the date, time, and referrer URL of your
15 request.”
- 16 2. “your activity in our services . . . includ[ing] Terms you search for[;]
17 Videos you watch[;] Views and interactions with content and ads[;]
18 Voice and audio information[;] Purchase activity[;] People with
19 whom you communicate or share content[;] Activity on third-party
20 sites and apps that use our services[;] and Chrome browsing
21 history you’ve synced with your Google Account.”

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24 ⁴¹ *Privacy Policy*, Google (July 1, 2025),
<https://policies.google.com/privacy?hl=en#infocollect> (last visited Nov. 22, 2025).

3. “Your location information [including] GPS and other sensor data from your device[;] IP address[;] Activity on Google services, such as your searches and places you label like home or work[;] [and] Information about things near your device, such as Wi-Fi access points, cell towers, and Bluetooth-enabled devices[.]”

83. However, Defendants do not require users to agree to these terms before watching videos on YouTube. In fact, Defendants obscure their privacy policy on their website. A visitor to YouTube’s home page will see an endless list of videos, but there is no discernable link to the website’s terms, or its privacy policy:

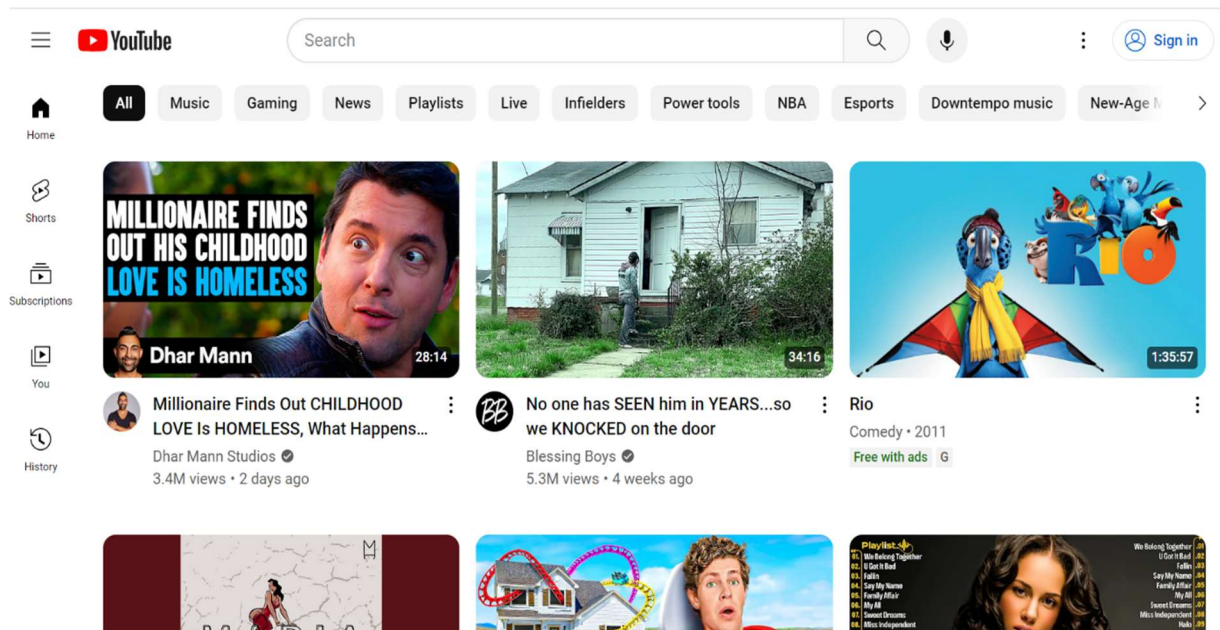


Fig. 5⁴²

⁴² www.youtube.com (last visited Nov. 22, 2025).

84. The visitor must click on the three bars next to the YouTube logo in the top left of the screen in order to engage a drop down menu:

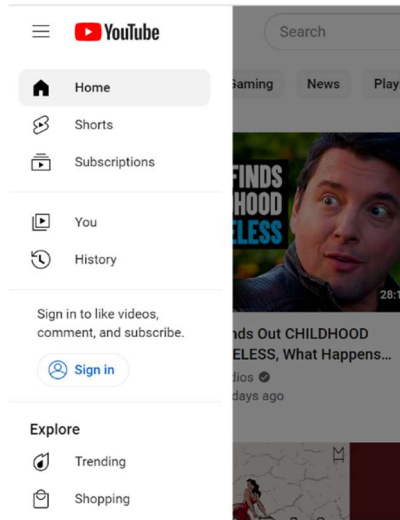


Fig. 6⁴³

85. Then, the user must scroll down the bottom of the menu, past myriad other options, before he or she finds an unassuming link to Defendants' privacy policy:

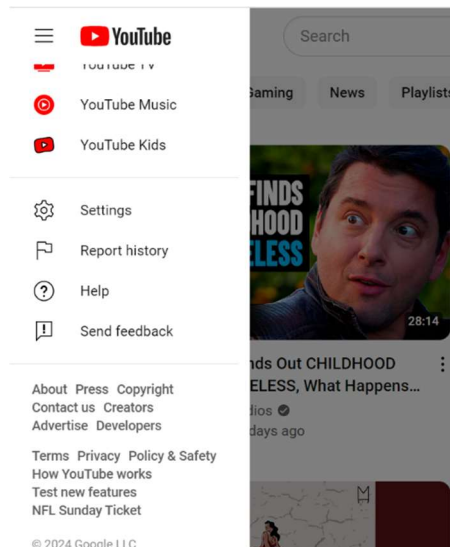


Fig. 7⁴⁴

⁴³ *Id.*

⁴⁴ *Id.*

1 86. Absent taking these non-intuitive actions, no YouTube user would
2 even be aware of, much less have consented to, Defendants' data collection
3 practices.

4 87. **Second**, and as discussed in further detail below, the lack of the
5 requirement of an account means that users—including Young Users and
6 Youngest Users—are subjected to Defendants' addictive Design Elements and
7 voracious data collection without any point at which a parent or caretaker is
8 required to intermedicate. Monitoring a child's use on YouTube is thus a
9 profoundly difficult endeavor.

10 88. Moreover, even if a parent or caretaker *forbade* a Young User or
11 Youngest User to use the platform, YouTube's frictionless access makes that
12 proposition difficult, if not outright impossible.

13 **C. Defendants know that YouTube is the dominant social**
14 **media platform among minors.**

15 89. As discussed throughout, YouTube sits in a unique position of
16 dominance among minors using social media in the United States, including in
17 Nevada. Far and away, more users visit YouTube daily than any other social
18 media platform.

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90. Defendants have capitalized on this dominance when soliciting business from advertisers. In one presentation to the toymaker Hasbro, Defendants stated that YouTube is “[t]he new ‘Saturday Morning Cartoons.’”⁴⁵

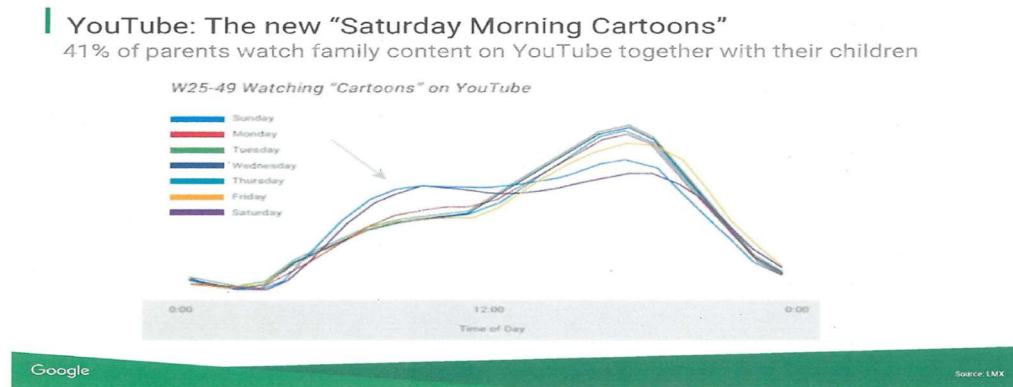


Fig. 8⁴⁶

91. “In Fact,” Defendants further touted, YouTube is “the #1 website regularly visited by kids.”⁴⁷

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⁴⁵ *Federal Trade Commission and People of the State of New York, by Letitia James, v. Google LLC, et al.*, Case No.: 1:19-cv-2642 (D.D.C.), ECF No. 1, p. 8 (hereafter, “FTC Complaint”).

⁴⁶ *Id.* at Dkt. No. 1-1, p. 12.

⁴⁷ *Id.* at p. 10.

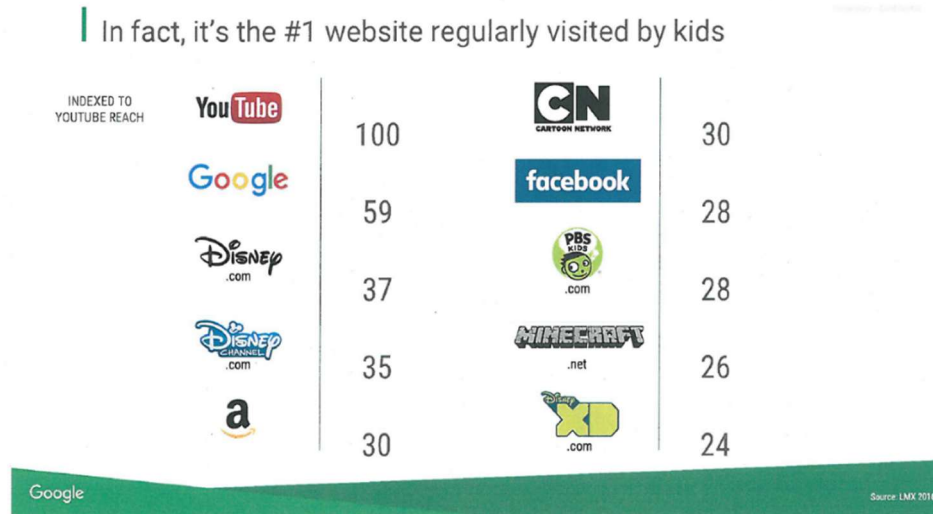


Fig. 9⁴⁸

92. Notwithstanding Defendants' informed view that it is the dominant platform for young viewers, including users under the age of 13, Defendants consistently took the position that they were not obligated to comply with federal laws governing the online privacy of YouTube's child users.

93. Specifically, Defendants routinely ignored their obligations under the Children's Online Privacy Protection Act, 15 U.S.C. § 6501, *et seq.* ("COPPA"), which mandates that users under the age of 13 may not have their personal data collected for advertising purposes, unless a website or app (1) provides the child's parent or guardian with explicit notice and (2) obtains verified consent from the parent or guardian, prior to collecting said data.

94. Defendants refused to do this, under the inexplicable rationale that its platform was *not* directed to children under 13.

⁴⁸ *Id.*

1 95. But this position could not be credited, especially in light of
2 Defendants' internal representations to advertisers that it was—and remains—
3 the premier media outlet for minors.

4 96. As a result, in 2019, Defendants were ordered to pay a record-
5 setting fine of \$170 million to the FTC and New York Attorney General for their
6 COPPA-violative conduct.⁴⁹

7 97. As illustrated by the above paragraphs, Defendants have engaged
8 in longstanding patterns and practices of (1) having full knowledge of the
9 number of minors on their platform, but (2) ignoring even the most
10 unambiguous legal obligations to that same group of users.

11 **D. Defendants also created YouTube Kids, which putatively is**
12 **geared towards young children and tweens, but which**
13 **ultimately serves as a feeder for YouTube.**

14 98. In 2015, Defendants launched YouTube Kids, a standalone app
15 that was part of the larger YouTube platform, but which curated videos oriented
16 solely towards children under 13 and which purported to collect less personal
17 information than the main YouTube platform (ostensibly in compliance with
18 COPPA).
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22 ⁴⁹ *Google and YouTube Will Pay Record \$170 Million for Alleged Violations of*
23 *Children's Privacy Law*, FTC (Sept. 4, 2019), [https://www.ftc.gov/news-](https://www.ftc.gov/news-events/news/press-releases/2019/09/google-youtube-will-pay-record-170-million-alleged-violations-childrens-privacy-law)
24 [events/news/press-releases/2019/09/google-youtube-will-pay-record-170-million-](https://www.ftc.gov/news-events/news/press-releases/2019/09/google-youtube-will-pay-record-170-million-alleged-violations-childrens-privacy-law)
 [alleged-violations-childrens-privacy-law](https://www.ftc.gov/news-events/news/press-releases/2019/09/google-youtube-will-pay-record-170-million-alleged-violations-childrens-privacy-law) (last visited Nov. 22, 2025).



Fig. 10⁵⁰

99. Defendants represent YouTube Kids to be “made just for kids,” and state that it was “created to give kids a more contained environment that makes it simpler and more fun for them to explore on their own[.]”⁵¹

100. But Defendants require that every video available on YouTube Kids App is also uploaded to YouTube. Thus, YouTube still contains 100% of the child-directed content from YouTube Kids, in addition to all of the other content of the main platform.

101. Practically, this means that YouTube Kids serves as a feeder to the larger platform, with its higher prevalence of addictive features⁵² and more lucrative advertising regimes (due to the fact that Defendants ignore COPPA on YouTube).

102. Fundamentally, then, YouTube Kids is nothing more than a Trojan horse to lure children users onto the larger, more addictive, and more remunerative YouTube platform.

⁵⁰ <https://www.youtubekids.com/> (last visited Nov. 22, 2025).

⁵¹ YouTube Kids home page (available at https://www.youtube.com/intl/ALL_us/kids/) (last visited Nov. 22, 2025).

⁵² It must be noted, however, that YouTube Kids has many, if not all, of the same harmful Design Elements as YouTube, and presents similar dangers to its users, accordingly. For example, YouTube Kids employs autoplay just like the larger YouTube platform. *See, e.g.,* Rebecca Heilweil, *YouTube’s kids app has a rabbit hole problem*, Vox (May 12, 2021), <https://www.vox.com/recode/22412232/youtube-kids-autoplay> (last visited Nov. 22, 2025).

1 **E. Defendants prioritize acquiring Young Users and**
2 **maximizing their time spent on YouTube.**

3 103. In Defendants’ business model, not all consumers are created
4 equal. Young Users and Youngest Users are a prized demographic.

5 104. As discussed in Section II(C), *supra*, Defendants have long known
6 that YouTube is the most popular social media platform for children in the
7 world, making minor users an essential demographic for its monetization
8 strategy.

9 105. Unfortunately, however, Defendants also understand that their
10 monetization strategy relies on maximizing the amount of time users spend on
11 the platform, and increasing “engagement” (that is, getting each individual user
12 to watch an endless stream of videos) is the paramount goal of the platform,
13 with any other concern subordinated.

14 106. As discussed in greater detail below, YouTube sacrificed all other
15 objectives in order to ensure that users, in aggregate, watched *one billion hours*
16 *of videos on the platform each day*.⁵³ This goal—long since met, was the
17 company’s “North Star,” in the words of its then-CEO.⁵⁴

18 107. Defendants do not distinguish between children and adults when
19 pursuing this goal, and they have knowledge that minors are a significant part
20

21 ⁵³ Mark Bergen, *YouTube Executives Ignored Warnings, Letting Toxic Videos*
22 *Run Rampant*,
23 Bloomberg (Apr. 2, 2019), <https://www.bloomberg.com/news/features/2019-04-02/youtube-executives-ignored-warnings-letting-toxic-videos-run-rampant> (last
24 visited Nov. 22, 2025).

⁵⁴ *Id.*

of the platform’s user base who are being hooked by the Design Elements used to drive the 1-billion-hour-per-day viewing metric. Indeed, they explicitly intended this result.

108. Defendants pursue users under the age of 18 because their advertising customers value that audience. Among other reasons, Defendants’ advertising partners want to reach Young Users and Youngest Users because they: (1) are more likely to be influenced by advertisements, (2) may become lifelong customers, and (3) set trends that the rest of society emulates.

109. This is particularly true for YouTube, which touts itself to advertisers as “the #1 source where children discover new toys + games.”⁵⁵

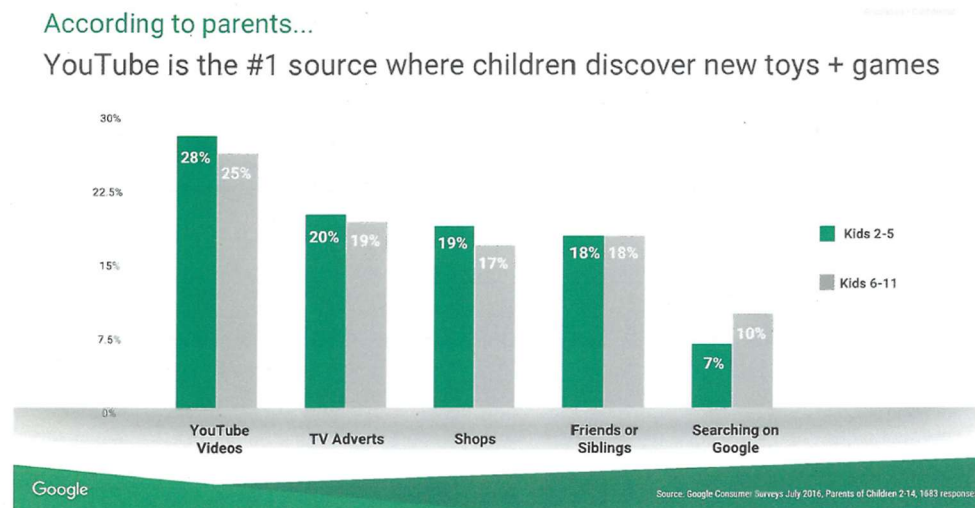


Fig. 11⁵⁶

110. Advertisers pay Defendants a premium to serve advertisements to Young Users and Youngest Users. And many advertisers are willing to pay

⁵⁵ FTC Complaint, Dkt. No. 1-1 at p. 11.

⁵⁶ *Id.*

1 Defendants for the opportunity to reach this demographic in specific markets,
2 including those in Nevada.

3 111. Defendants are motivated to increase Young Users' and Youngest
4 Users' time spent on YouTube not only because it is a meaningful stream of
5 advertising business, but also, because the data that Defendants collect from
6 that use is itself highly valuable.

7 112. In short, Defendants have many strong short-term and long-term
8 financial incentives to increase the time that minors spend on YouTube. And as
9 described in further detail below, Defendants have chased that goal with
10 incredible success, capturing a mind-boggling amount of time and attention
11 from a generation of Young Users and Youngest Users.

12 113. This approach has been profitable. YouTube generated \$28.8
13 billion in revenue in 2021⁵⁷, with that number climbing to \$29.2 billion in
14 2022⁵⁸, and \$36.1 billion in 2024.⁵⁹

15 114. A significant portion of these earnings comes from children using
16 YouTube. A recent study estimated the revenue derived from Young Users
17 across the world's largest social media platforms, including YouTube, and found
18 that YouTube led all competitors in revenue derived from children ages 0-12
19
20
21

22 ⁵⁷ David Curry, *YouTube Revenue and Usage Statistics (2025)*, Business of Apps
23 (Nov. 20, 2025), <https://www.businessofapps.com/data/youtube-statistics/> (last
24 visited Nov. 22, 2025).

⁵⁸ *Id.*

⁵⁹ *Id.*

1 (“The greatest advertising revenue profits derived [from] children ages 0–12
2 years old was from YouTube (\$959.1 million”).⁶⁰

3 115. Within the ages 13-17 cohort, YouTube generated \$1.2 billion
4 during that same period (finishing third behind Instagram and TikTok).⁶¹

5 116. In 2022, roughly 27% of YouTube’s overall revenue was
6 attributable to users ages 0-17 years.⁶²

7 117. Upon information and belief, a significant portion of these income-
8 generating Young Users reside in Nevada.⁶³

9 **F. Social media use—and ensuing exposure to harms—is**
10 **especially prevalent among Young Users of color.**

11 118. Research shows that a higher percentage of children of color in
12 America use social media platforms—including YouTube—than their white
13 counterparts.

14 119. A recent study by Pew, entitled *Teens, Social Media and*
15 *Technology 2023*, reveals that Black and Hispanic teenagers between ages 13
16 and 17 spend more time on social media platforms than their white
17 counterparts.⁶⁴

19 ⁶⁰ Amanda Raffoul, et al., *Social media platforms generate billions of dollars in*
20 *revenue from U.S. youth: Findings from a simulated revenue model*, PLoS ONE
21 (Dec. 27, 2023), <https://doi.org/10.1371/journal.pone.0295337>; *id.* at tbl. 1 (last
visited Nov. 22, 2025).

22 ⁶¹ *Id.*

⁶² *Id.*

23 ⁶³ Carolyn Williams, *A day with some of Las Vegas’ biggest YouTube Stars*, 8
News (March 2, 2021) [https://www.8newsnow.com/news/local-news/a-day-with-](https://www.8newsnow.com/news/local-news/a-day-with-some-of-las-vegas-biggest-youtube-stars/)
24 [some-of-las-vegas-biggest-youtube-stars/](https://www.8newsnow.com/news/local-news/a-day-with-some-of-las-vegas-biggest-youtube-stars/) (last visited Nov. 22, 2025).

⁶⁴ Anderson, *supra* footnote 2.

1 120. According to that study, “[l]arger shares of Black and Hispanic
2 teens report being on YouTube...almost constantly, compared with a smaller
3 share of White teens who say the same.”⁶⁵

4 121. Researchers have found that due to lower income levels, Black and
5 Hispanic teenagers are less likely to have broadband access or computers at
6 home, causing disproportionate reliance on smartphones and corresponding use
7 of social media platforms.

8 122. Thus, while 95% of children between the ages of 13 and 17 have
9 access to a smartphone at home, having access to a home computer remains less
10 common for those in lower-income households.

11 123. Experts believe that internet usage among teenagers may be
12 displacing other activities, including sports participation, in-person socializing,
13 and reading, among other things.

14 124. With respect to reading, the 2023 *Scholastic Kids & Family*
15 *Reading Report* found that the average amount of reading across all racial
16 groups is in decline and continues to trend downward as children transition to
17 their teenage years.⁶⁶

18 125. The *Scholastic* study found that while 70% of kids between the
19 ages of 6 and 8 report reading for fun, only 46% of children between the ages of
20

21
22 ⁶⁵ *Id.*

23 ⁶⁶ *Kids & Family Reading Report*TM 8th Ed. Scholastic,
24 <https://www.scholastic.com/content/corp-home/kids-and-family-reading-report/reading-lives.html> (last visited Nov. 22, 2025).

1 12 and 17 report the same. Further, while 46% of children ages 6-8 report
2 reading “frequently” for fun, only 18% of children ages 12 to 17 report the same.

3 126. These statistics raise the concern that the disparities in internet
4 and social media platforms use may, in turn, intensify overall declines and
5 existing differences in reading across racial groups.

6 127. As of the 2020 Census, Nevada’s Black community constitutes
7 roughly 12.4% of the State’s population, and the Hispanic community
8 constitutes 18.7% of the State’s population.⁶⁷

9 **G. YouTube directs its business towards Nevada.**

10 128. Notably, Defendants allow advertisers to target Young Users based
11 on the user’s location⁶⁸ and YouTube is popular among Young Users in Nevada.

12 129. Moreover, Defendants have established their various businesses in
13 Nevada, registering with the Secretary of State for a host of their enterprises,
14 including Google LLC (Nevada Business ID No. NV20161275322); Google Fiber
15 Nevada, LLC (Nevada Business ID No. NV20222624291); Google North America
16 Inc. (Nevada Business ID No. NV20151026364); and Google Voice Inc. (Nevada
17 Business ID No. NV20191175930).

21 ⁶⁷ Nevada: 2020 Census, archived copy available at
22 <https://web.archive.org/web/20250415172241/https://www.census.gov/library/stories/state-by-state/nevada.html#race-ethnicity> (last visited Nov. 22, 2025).

23 ⁶⁸ See, e.g., <https://support.google.com/google-ads/answer/1722043?hl=en&sjid=7686732037677063566-NC#zippy=%2Chow-to-reach-audiences-in-areas-within-a-country>
24 (explaining how to target ads based on location, including by city and state in the United States) (last visited Nov. 22, 2025).

130. Further, two of Defendants’ subsidiaries are registered with the Nevada Secretary of State: Callisto Enterprises, LLC (Nevada Business ID No. NV20151727939) and Jasmine Development, LLC (Nevada Business ID No. NV20181708862).

131. Additionally, Google has two data centers in Nevada, one in Henderson and one in Storey County. Google’s economic impact page for Nevada indicates that its data centers are used in part to keep YouTube operational.⁶⁹

Henderson

Google has invested more than \$2.3 billion in Nevada between the Henderson and Storey County data centers. Data centers are what keep the internet up and running. Our employees at the Henderson data center work to keep Google Search, Gmail, YouTube, and many other Google applications operational, enabling Google to provide fast and reliable services around the clock to millions of people. Learn more about [Google data centers](#).

Fig. 12⁷⁰

132. On the same webpage, Google refers to its “home in the Silver State” and states that it “is proud to call Nevada home with data centers in Henderson and Storey County.”⁷¹

133. At the beginning of 2024, Google announced that it would be bringing Google Fiber to Clark County, an internet service for residential addresses. This project is currently underway, and it is anticipated that the first customers to be served by Google Fiber will be served in mid-2025.⁷²

⁶⁹ Google Economic Impact | state detail: Nevada - Google (available at <https://economicimpact.google/state/nv/>) (last visited January 30, 2025).

⁷⁰ *Id.*

⁷¹ *Id.*

⁷² Sean Hemmersmeier, *Google Fiber shares target date of Las Vegas launch*, Las Vegas Review Journal (Feb. 7, 2024)

134. Starting in 2021, Google entered a pilot program with Fervo Energy to provide Google with 3.5 megawatts of power from geothermal energy produced in Nevada.⁷³ The Google/Fervo geothermal plant became operational in 2023 and has been feeding energy to Google’s Nevada data centers ever since. As the Nevada data centers are used in part to keep YouTube operational, so too does the geothermal plant because it is keeping the data centers operational.⁷⁴

135. Further, Defendants have entered into agreements whereby YouTube is pre-installed on smartphones that use the Android operating system, meaning that Defendants arranged for every sale of an Android smartphone in Nevada to include YouTube as part of the bargained-for exchange.⁷⁵ As of 2018, roughly 32% of Nevada residents owned Android devices.⁷⁶

<https://www.reviewjournal.com/business/google-fiber-shares-target-date-of-las-vegas-launch-2994736/>) (last accessed Nov. 22, 2025).

⁷³ Reuters, *Google partners with Nevada utility for geothermal to power data centers*, (Jun. 12, 2024) <https://www.reuters.com/business/energy/google-partners-with-nevada-utility-geothermal-power-data-centers-2024-06-13/>) (last accessed Nov. 22, 2025).

⁷⁴ *Id.*

⁷⁵ *What Are Preloaded Apps?* SplitMetrics <https://splitmetrics.com/glossary/what-are-preloaded-apps/> (last visited Nov. 22, 2025).

⁷⁶ James Kielty, *Mobile OS popularity by US State – 2018*, DeviceAtlas (Nov. 7, 2018) <https://deviceatlas.com/blog/mobile-os-popularity-by-us-state> (last visited Nov. 22, 2025).

1 136. As just one example, Defendants manufacture a smartphone—the
2 Google Pixel—which comes with YouTube pre-loaded on the device and which is
3 for sale through, *inter alia*, T-Mobile,⁷⁷ Verizon,⁷⁸ and AT&T.⁷⁹

4 137. There are dozens of T-Mobile stores in Nevada, at which a
5 customer may purchase a Google smartphone with YouTube pre-loaded.⁸⁰

6 138. There are dozens of Verizon stores in Nevada, at which a customer
7 may purchase a Google smartphone with YouTube pre-loaded.⁸¹

8 139. There are dozens of AT&T stores in Nevada, at which a customer
9 may purchase a Google smartphone with YouTube pre-loaded.⁸²

10 140. Additionally, Defendants seek to hook Nevada’s Young Users on
11 YouTube by incorporating it into the Young Users’ educational curriculum.
12 Specifically, Defendants offer Google for Education, a program by which schools
13 can utilize a suite of Google apps—notably, including YouTube⁸³—either for free
14 or at a deep discount, for students’ everyday educational activities.

15 141. Further, to implement the use of the Google for Education apps
16 among Young Users, Defendants partner with schools and school districts to
17

18 ⁷⁷ *Google Smart Phones at T-Mobile Las Vegas Strip*, T-Mobile [https://www.t-](https://www.t-mobile.com/stores/pl/t-mobile-las-vegas-nv-89109-5521/smart-phones?brand=google)
19 [mobile.com/stores/pl/t-mobile-las-vegas-nv-89109-5521/smart-](https://www.t-mobile.com/stores/pl/t-mobile-las-vegas-nv-89109-5521/smart-phones?brand=google)
[phones?brand=google](https://www.t-mobile.com/stores/pl/t-mobile-las-vegas-nv-89109-5521/smart-phones?brand=google) (last visited Nov. 22, 2025).

20 ⁷⁸ *Shop Google smartphones*, Verizon website
<https://www.verizon.com/smartphones/google/> (last visited Nov. 22, 2025).

21 ⁷⁹ *Shop Google Pixels*, AT&T website
<https://www.att.com/buy/phones/browse/google/> (last visited Nov. 22, 2025).

22 ⁸⁰ <https://www.t-mobile.com/stores/nv> (last visited Nov. 22, 2025).

23 ⁸¹ <https://www.verizon.com/stores/state/nevada/> (last visited Nov. 22, 2025).

23 ⁸² <https://www.att.com/stores/nevada> (last visited Nov. 22, 2025).

24 ⁸³ *Service categories available to Google Workspace for Education Users*, Google
<https://support.google.com/a/answer/6356441> (last visited Nov. 22, 2025).

1 provide students with Chromebooks, which are laptops specifically designed to
2 run Google apps, including Google for Education (and therefore including
3 YouTube). These laptops are provided to schools for as little as \$20 per device
4 per month.⁸⁴

5 142. Defendants have provided Chromebooks to multiple school districts
6 in Nevada, including but not limited to the Nevada Joint Union High School
7 District⁸⁵ and the Churchill County School District,⁸⁶ as well as charter schools
8 in the State.⁸⁷

9 143. And of course, Defendants enrich themselves by selling
10 advertisements targeted to Nevada. As noted above, YouTube facilitates the
11 targeting of advertisements specific to Nevada, and even allows businesses to
12 target specific cities in Nevada. Further, all manner of Nevada entities utilize
13 YouTube to reach a Nevada audience and expand their business in Nevada.
14 Some examples include:

- 15 • The Sphere - <https://www.youtube.com/@WatchTheSphere>

18 ⁸⁴ *Chromebooks for Education* Chrome-
19 extension://efaidnbmnnnibpcajpcglefindmkaj/https://static.googleusercontent.c
om/media/www.google.com/en//chromebook/static/pdf/Chromebooks_for_Educati
on.pdf (last visited Nov. 22, 2025).

20 ⁸⁵ *Student Chromebooks: 2025-2026*, Nevada Joint Union High School District
21 [https://www.njuhsd.com/Our-District/District-Departments/Technology/Tech-
Help/Chromebooks/index.html](https://www.njuhsd.com/Our-District/District-Departments/Technology/Tech-Help/Chromebooks/index.html) (last visited Nov. 22, 2025).

22 ⁸⁶ *Chromebook & Connectivity*, Churchill County School District
23 [https://www.churchillcsd.com/families-students/student-resources/chromebook-
connectivity](https://www.churchillcsd.com/families-students/student-resources/chromebook-connectivity) (last visited Nov. 22, 2025).

24 ⁸⁷ *Nevada Prep Chromebook Rental Agreement*, Nevada Prep
https://www.nvprep.org/apps/pages/index.jsp?uREC_ID=3494336&type=d&pREC_ID=2393086 (last visited Nov. 22, 2025).

- 1 • The Las Vegas Raiders - <https://www.youtube.com/@raiders>
- 2 • KTNV Channel 13 Las Vegas - <https://www.youtube.com/@KTNV>
- 3 • Discovery Children's Museum - <https://www.youtube.com/@DiscoveryLV>
- 4 • Nevada Community School District -
5 <https://www.youtube.com/channel/UCvSnHIEOKZb7SjDFQykP7rw/video>
6 [s](#)
- 7 • A host of “influencers” (*i.e.*, YouTubers who are paid, by advertisers, to
8 promote products due to their large YouTube following, and with whom
9 Defendants partner to promote the products at issue and split the profits)
10 – *see, e.g.*, “*Top 44 Youtube Influencers In Las Vegas, NV* -
11 <https://collabstr.com/top-influencers/youtube/in/las-vegas-nv-united->
12 [states](#)).

13 144. In sum, Defendants not only make YouTube available in Nevada,
14 they also—at a minimum—promote the YouTube brand in Nevada, track
15 YouTube’s performance in Nevada, study YouTube’s impact on Nevada’s
16 economy and residents, and sell advertisements to Nevada entities so that they
17 can expand their businesses in Nevada. And by virtue of Defendants’ business
18 model, Defendants have entered into (at least) hundreds of thousands of
19 contracts with consumers in Nevada and sold the opportunity to serve ads
20 specifically to those Nevada consumers.

21 ///

22
23 ///

II. DEFENDANTS UTILIZE MULTIPLE DESIGN PRACTICES PURPOSELY INTENDED TO HOOK YOUNG USERS AND KEEP THEM ON YOUTUBE IN PERPETUITY.

A. YouTube is designed to induce compulsive use among Young Users.

145. For generations, companies have marketed products to Young Users—from bikes to Barbies to baseball cards. Unquestionably, products like those appealed to a young audience, and their creators marketed them accordingly and achieved success.

146. Defendants could have followed a similar course. They might have offered a version of YouTube that was simply appealing, but not addictive.

147. Instead, Defendants intentionally designed YouTube to exploit known vulnerabilities in Young Users' neurological development, making its platform profoundly difficult—and in some cases impossible—for children and teens to resist.

B. Defendants implement specific design elements into YouTube that induce compulsive use or otherwise harm Young Users.

148. Defendants exploit Young Users' diminished capacity for self-control (and accordingly propensity for addiction) through an array of product features, including the challenged Design Elements.

149. Collectively, these features cause Young Users and Youngest Users to spend more time on YouTube than they otherwise would.

150. Several categories of engagement-optimizing design features are especially pernicious: Low-Friction Variable Rewards; Social Manipulation;

1 Push Notifications; and Ineffective and Misleading Parental Controls. The State
2 discusses each, in turn.

3 **1. Low-friction variable rewards**

4 151. The “Low-Friction Variable Reward” design element (also called
5 the “Hook Model”⁸⁸) is a powerful cognitive manipulation principle, first
6 identified by the psychologist B.F. Skinner in the early 20th Century.⁸⁹ It is
7 premised on the observation that when test subjects—both humans and other
8 animals—are rewarded unpredictably for a given action, they will engage in the
9 action for a longer period of time than if the reward is predictable.⁹⁰ In his
10 testing, Skinner observed that lab mice responded voraciously to random
11 rewards. The mice would press a lever and sometimes they would get a small
12 treat, other times a large treat, and other times nothing at all. Unlike the mice
13 that received the same treat every time, the mice that received variable rewards
14 seemed to press the lever compulsively.

15 152. At a chemical level, this is because the brain generates more
16 dopamine in response to an uncertain reward than in response to an expected
17
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19 ⁸⁸ Bart Krawczyk, *What is the hook model? How to build habit-forming products*,
20 Log Rocket Frontend Analytics (Dec. 2, 2022),
21 <https://blog.logrocket.com/product-management/what-is-the-hook-model-how-to-build-habit-forming-products/> (last visited Nov. 22, 2025).

22 ⁸⁹ B. F. Skinner, *Two Types of Conditioned Reflex: A Reply to Konorski and Miller*, 16 J. Gen. Psychology, 272-279 (1937),
<https://doi.org/10.1080/00221309.1937.9917951> (last visited Nov. 22, 2025).

23 ⁹⁰ Laura MacPherson, *A Deep Dive into Variable Designs and How to Use Them*,
24 DesignLi (Nov. 8, 2018), <https://designli.co/blog/a-deep-dive-on-variable-rewards-and-how-to-use-them/> (last visited Nov. 22, 2025).

1 and reliable one.⁹¹ The tendency of variable rewards to drive compulsive
2 behavior is sometimes referred to as the “Vegas Effect,” and is the primary
3 mechanism at work in slot machines, keeping players sitting in front of
4 machines for hours on end (machines that, due to their limited mental
5 development, Young Users and Youngest Users are of course forbidden from
6 using or interacting with).⁹²

7 i. Autoplay

8 153. One of the most effective examples of low-friction variable rewards
9 designed by Defendants is “autoplay.” Simply put, once one YouTube video is
10 over, another one begins without any further prompting from the user. The
11 continuously playing video content encourages Young Users and Youngest
12 Users to remain on the platform *ad infinitum*.

13 154. This is because, as Defendants concluded in 2012 “the more people
14 watched, the more ads it could run—and that recommending videos, alongside a
15 clip or after one was finished, was the best way to keep eyes on the site.”⁹³

18 ⁹¹ Anna Hartford & Dan J. Stein, *Attentional Harms and Digital Inequalities*, 9
19 JMIR Mental Health 2, 3 (Feb. 11, 2022),
20 <https://pubmed.ncbi.nlm.nih.gov/35147504/> (“At the level of our neural reward
system, an uncertain reward generates a more significant dopamine response
than those generated by a reliable reward.”) (last visited Nov. 22, 2025).

21 ⁹² Mike Brooks, *The “Vegas Effect” of Our Screens*, Psychol. Today (Jan. 4, 2019),
22 <https://www.psychologytoday.com/us/blog/tech-happy-life/201901/the-vegas-effect-our-screens> (last visited Nov. 22, 2025).

23 ⁹³ Mark Bergen, *YouTube Executives Ignored Warnings, Letting Toxic Videos*
24 *Run Rampant*, Bloomberg (Apr. 2, 2019)
<https://www.bloomberg.com/news/features/2019-04-02/youtube-executives-ignored-warnings-letting-toxic-videos-run-rampant> (last visited Nov. 22, 2025).

1 155. Autoplay was introduced with the specific intention of increasing
2 time spent on YouTube. As early as 2012, YouTube users were watching close
3 to four billion hours of video every month. Yet, the average YouTube user spent
4 just fifteen minutes daily engaged with the platform.⁹⁴

5 156. This was because users “were coming to YouTube when they knew
6 what they were coming to look for,”⁹⁵ that is, they had a specific goal in mind
7 when they went to the platform, and once they had found the particular item of
8 content for which they were searching (for example, a specific “how to” video, or
9 a particular funny clip), they would leave.

10 157. To drive greater revenue, “YouTube . . . set a company-wide
11 objective to reach one billion hours of viewing a day[.]”⁹⁶

12 158. As Susan Wojcicki, YouTube’s then-CEO explained, the goal of a
13 “billion hours of daily watch time gave our tech people a North Star.”⁹⁷

14 159. Defendants decided that “the best way to keep eyes on the site”
15 was to introduce a feature that would “[recommend] videos, [that were playing]
16 or after one was finished” (*i.e.*, autoplay).⁹⁸

18 ⁹⁴ John Seabrook, *Streaming Dreams: YouTube Turns Pro*, New Yorker (Jan. 8,
19 2012), (available at <https://www.newyorker.com/magazine/2012/01/16/streaming-dreams>) (last visited Nov. 22, 2025).

20 ⁹⁵ Casey Newton, *How YouTube Perfected the Feed*, Verge (Aug. 30, 2017),
21 [https://www.theverge.com/2017/8/30/16222850/youtube-google-brain-algorithm-](https://www.theverge.com/2017/8/30/16222850/youtube-google-brain-algorithm-video-recommendation-personalized-feed)
[video-recommendation-personalized-feed](https://www.theverge.com/2017/8/30/16222850/youtube-google-brain-algorithm-video-recommendation-personalized-feed)) (last visited Nov. 22, 2025).

22 ⁹⁶ Mark Bergen, *YouTube Executives Ignored Warnings, Letting Toxic Videos*
23 *Run Rampant*, Bloomberg (Apr. 2, 2019), [https://www.bloomberg.com/news/features/2019-04-02/youtube-executives-](https://www.bloomberg.com/news/features/2019-04-02/youtube-executives-ignored-warnings-letting-toxic-videos-run-rampant)
[ignored-warnings-letting-toxic-videos-run-rampant](https://www.bloomberg.com/news/features/2019-04-02/youtube-executives-ignored-warnings-letting-toxic-videos-run-rampant)) (last visited Nov. 22, 2025).

24 ⁹⁷ *Id.*

⁹⁸ *Id.*

1 160. But the videos being queued up are not indiscriminately chosen.
2 Instead, Defendants rely on a host of signals—including the data that they
3 surreptitiously collect from users, as described above—in order to profile each
4 viewer and curate their video feed to constantly provide more videos for the
5 viewer to watch (and by extension, to keep the viewer on the platform for as
6 long as possible). The VP of Engineering at YouTube explained:

7 To provide such custom curation, our recommendation system
8 doesn't operate off of a 'recipe book' of what to do. It's constantly
9 evolving, learning every day from over 80 billion pieces of
10 information we call signals. That's why providing more
11 transparency isn't as simple as listing a formula for
recommendations, but involves understanding all the data that
feeds into our system. A number of signals build on each other to
help inform our system about what you find satisfying: clicks,
watchtime, survey responses, sharing, likes, and dislikes.⁹⁹

12 161. The algorithm uses these nonintuitive data points to “develop[]
13 dynamically” when deciding what video to queue next.¹⁰⁰ It can even re-evaluate
14 and change which types of signals to prioritize in real time, for each individual
15 user. If, for example, one user shares every video he or she watches, including
16 those they rate low, the algorithm learns to discount the significance of that
17 user's shares when recommending videos; and in contrast, if another user rarely
18 shares videos, the algorithm will view the act of a share as a much more
19 significant data point when determining what to show next.¹⁰¹

22 ⁹⁹ Cristos Goodrow, *On YouTube's recommendation system*, Inside YouTube,
23 Sept. 15, 2021 (available at [https://blog.youtube/inside-youtube/on-youtubes-
recommendation-system/](https://blog.youtube/inside-youtube/on-youtubes-recommendation-system/)) (last visited Nov. 22, 2025).

24 ¹⁰⁰ *Id.*

¹⁰¹ *Id.*

1 162. Defendants’ autoplay recommendations have become increasingly
2 successful over time. By 2018, YouTube Chief Product Officer Neal Mohan said
3 that the YouTube algorithm was responsible for more than 70% of users’ time
4 using the platform.¹⁰² That is, more than 70% of the time users spend on
5 YouTube was from autoplayed videos suggested by YouTube, rather than videos
6 identified by users through independent searches.

7 163. Francis Irving, a computer scientist who has written extensively
8 about YouTube, explained that this feature of recommending content without
9 any prompt is “an addiction engine.”¹⁰³ He raised concerns with YouTube staff,
10 who said they had no intention to change the platform. After all, the engineer
11 explained, YouTube works as intended: “it makes a lot of money.”¹⁰⁴

12 164. Autoplay takes away a user’s sense of control, increasing the
13 chances of binge-watch or going down a “rabbit hole.” Moreover, because there
14 is no longer any user choice in the interaction (YouTube chooses what videos
15 will be played next), there is an increased risk of children being exposed to
16 inappropriate, harmful content.

17 165. This is because the videos recommended through autoplay are
18 designed to keep a user engaged, and therefore on the platform. However, this
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20 ¹⁰² Joan E. Solsman, *YouTube’s AI Is the Puppet Master over Most of What You*
21 *Watch*, CNET (Jan. 10, 2018) [https://www.cnet.com/tech/services-and-](https://www.cnet.com/tech/services-and-software/youtube-ces-2018-neal-mohan/)
[software/youtube-ces-2018-neal-mohan/](https://www.cnet.com/tech/services-and-software/youtube-ces-2018-neal-mohan/)) (last visited Nov. 22, 2025).

22 ¹⁰³ Mark Bergen, *YouTube Executives Ignored Warnings, Letting Toxic Videos*
23 *Run Rampant*, Bloomberg (Apr. 2, 2019),
[https://www.bloomberg.com/news/features/2019-04-02/youtube-executives-](https://www.bloomberg.com/news/features/2019-04-02/youtube-executives-ignored-warnings-letting-toxic-videos-run-rampant)
[ignored-warnings-letting-toxic-videos-run-rampant](https://www.bloomberg.com/news/features/2019-04-02/youtube-executives-ignored-warnings-letting-toxic-videos-run-rampant) (last visited Nov. 22, 2025).

24 ¹⁰⁴ *Id.*

1 can prioritize videos with increasingly disturbing subject matter, as the brain
2 responds to such content by producing dopamine.¹⁰⁵ Because users respond to
3 a video that might frighten them, thus providing a dopamine response, YouTube
4 will prioritize the video due to its large number of views. This amplification of
5 disturbing content will snowball—in a *Wall Street Journal* report, former
6 Google engineers explained that “[t]he algorithm doesn’t seek out extreme
7 videos . . . but looks for clips that data show are already drawing high traffic
8 and keeping people on the site. Those videos often tend to be sensationalist[.]”¹⁰⁶

9 166. A similar investigation by *Bloomberg* explains: “In the race to one
10 billion hours, a formula emerged: Outrage equals attention.”¹⁰⁷

11 167. Importantly, autoplay does not begin its recommended video list
12 with the most extreme content. Rather, as time progresses, viewers are
13 (without their input or agency) given increasingly extreme videos to watch. For
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18 ¹⁰⁵ Josephine Bila, *YouTube’s Dark Side Could be Affecting Your Child’s Mental*
19 *Health*, CNBC (Feb. 13, 2018) <https://www.cnbc.com/2018/02/13/youtube-is-causing-stress-and-sexualization-in-young-children.html> (last visited Nov. 22,
20 2025).

21 ¹⁰⁶ Jack Nicas, *How YouTube Drives People to the Internet’s Darkest Corners*,
The Wall Street Journal (Feb. 7, 2018) <https://www.wsj.com/articles/how-youtube-drives-viewers-to-the-internets-darkest-corners-1518020478> (last
22 visited Nov. 22, 2025).

23 ¹⁰⁷ Mark Bergen, *YouTube Executives Ignored Warnings, Letting Toxic Videos*
24 *Run Rampant*, Bloomberg (Apr. 2, 2019) <https://www.bloomberg.com/news/features/2019-04-02/youtube-executives-ignored-warnings-letting-toxic-videos-run-rampant> (last visited Nov. 22, 2025).

1 example, a user might “[w]atch clips about bicycling,” and YouTube might
2 subsequently “suggest shocking bike race crashes.”¹⁰⁸

3 168. This is done incrementally—as one observer noted in a *New York*
4 *Times* article: “It seems as if you are never ‘hard core’ enough for YouTube’s
5 recommendation algorithm. It promotes, recommends and disseminates videos
6 in a manner that appears to constantly up the stakes.”¹⁰⁹

7 169. “In effect,” the author explains, “YouTube has created a restaurant
8 that serves us increasingly sugary, fatty foods, loading up our plates as soon as
9 we are finished with the last meal. Over time, our tastes adjust, and we seek
10 even more sugary, fatty foods, which the restaurant dutifully provides. When
11 confronted about this by the health department and concerned citizens, the
12 restaurant managers reply that they are merely serving us what we want.”¹¹⁰

13 170. This problem persists with *all* types of content—that is, one does
14 not simply see increasingly disturbing or radicalizing content *only* if one starts
15 with a politically-charged video; rather, this race to the bottom occurs
16 regardless of what the original video is that one viewed (i.e., the subject matter
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20 ¹⁰⁸ Max Fisher & Amanda Taub, *On YouTube’s Digital Playground, an Open*
21 *Gate for Pedophiles*, NY Times (June 3, 2019)
22 <https://www.nytimes.com/2019/06/03/world/americas/youtube-pedophiles.html>
(last visited Nov. 22, 2025).

23 ¹⁰⁹ Zeynep Tufekci, *YouTube, the Great Radicalizer*, NY Times (Mar. 10, 2018)
24 [https://www.nytimes.com/2018/03/10/opinion/sunday/youtube-politics-
radical.html](https://www.nytimes.com/2018/03/10/opinion/sunday/youtube-politics-radical.html)) (last visited Nov. 22, 2025).

¹¹⁰ *Id.*

1 could be a cooking video just as easily as it could be news coverage of a political
2 rally).¹¹¹

3 171. Further, this problem also persists on YouTube Kids, Defendants'
4 platform designed exclusively for children under the age of 13. Amy Kloer, a
5 campaign director with the child safety group Parents Together, spent an hour
6 on her preschool-age child's YouTube Kids account and found videos
7 "encouraging kids how to make their shirts sexier, a video in which a little boy
8 pranks a girl over her weight, and a video in which an animated dog pulls
9 objects out of an unconscious animated hippo's butt."¹¹² Another parent
10 recounted how YouTube Kids autoplay feature led her 6-year-old daughter to
11 "an animated video that encouraged suicide."¹¹³

12 172. Critically, Young Users and Youngest Users are not *choosing* these
13 increasingly extreme videos. Rather, YouTube is deciding to show them,
14 through its autoplay feature, in order to provoke a dopamine response from the
15 children and keep them on the platform for as long as possible.

16 173. As noted above, this has a revenue-maximizing purpose: YouTube
17 primarily generates revenue by selling advertising. The more people who use
18 YouTube and spend time on the site, the more ads YouTube can sell.¹¹⁴ The ads
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20 ¹¹¹ *Id.*

21 ¹¹² Rebecca Heilweil, *YouTube's Kids App Has a Rabbit Hole Problem*, Vox (May
22 12, 2021) <https://www.vox.com/recode/22412232/youtube-kids-autoplay>) (last
visited Nov. 22, 2025).

23 ¹¹³ *Id.*

24 ¹¹⁴ Mark Bergen, *YouTube Executives Ignored Warnings, Letting Toxic Videos
Run Rampant*, Bloomberg (Apr. 2, 2019)

are then embedded or placed within the endless stream of videos that are automatically played for the viewer.

ii. Endless Scroll

174. Another example of a variable rewards design feature, comparable to Defendants' autoplay, is the infinite or endless scroll mechanism used to deliver variable content. When a platform uses endless scroll, a user is continuously fed more pieces of content, with no endpoint, as they scroll down a feed or page. When platforms load content into streams viewed by endless scroll, a user can never predict what will come next or how interesting it will be. The user is rewarded at unpredictable intervals and levels with pieces of content they find funny, entertaining, or otherwise interesting.¹¹⁵

175. Critically, the action required by the user is "low-friction"—that is to say, there is little commitment required of the user beyond simply scrolling through the app. This enables the user to engage in the pursuit of the next "rewarding" piece of content in perpetuity.

176. YouTube employs the endless scroll, supplying Young Users and Youngest Users with unpredictable variable rewards by strategically and intermittently surfacing content that the platform predicts users will want to see.

<https://www.bloomberg.com/news/features/2019-04-02/youtube-executives-ignored-warnings-letting-toxic-videos-run-rampant>) (last visited Nov. 22, 2025).

¹¹⁵ GCFGlobal.org, *Digital Media Literacy: Why We Can't Stop Scrolling*, <https://edu.gcfglobal.org/en/digital-media-literacy/why-we-cant-stop-scrolling/1/> (last visited Nov. 22, 2025).

1 177. But, as discussed above, Defendants are not just making a “lucky”
2 guess about the type of content with which children and others would wish to
3 engage. Rather the predictions are incredibly precise and effective as they are
4 made because YouTube siphons private and personal user data to create
5 individualized user profiles—including of children who use the apps.

6 178. And to that end, endless scroll is just as pernicious as autoplay—it
7 uses bedrock scientific principles to offer up an endless stream of content, with
8 no friction or meaningful action required on the part of the viewer, while also
9 service up an increasingly extreme and harmful array of content in the hopes of
10 provoking a reaction (that is, the viewing of a video).

11 iii. YouTube Shorts

12 179. Perhaps the most pernicious instance of low-friction variable
13 rewards on Defendants’ platform are YouTube Shorts, which harness autoplay
14 and endless scroll to particularly addicting effect.

15 180. In September 2020, YouTube announced that it would be
16 launching a beta version of a new platform of incredibly short videos, similar to
17 TikTok, called YouTube Shorts. YouTube Shorts are videos with a maximum
18 length of 60 seconds and various features for user interaction. By January 2022,
19 less than a year-and-a-half after the launch of this content format, Shorts had
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1 over **5 trillion views** on YouTube.¹¹⁶ By late 2023, they were receiving **50**
2 **billion views per day**, up from 30 billion in 2022.¹¹⁷

3 181. Critically, YouTube Shorts rely on endless scroll and autoplay to
4 continually release dopamine in viewers' brains. Researchers from the Guizhou
5 University of Finance and Economics and Western Michigan University found
6 that short-form videos like YouTube Shorts make it easier for young adults and
7 children to develop addictive behavior because short-form videos provide "short
8 bursts of thrills."¹¹⁸

9 182. Academic researchers—specifically addressing YouTube Shorts—
10 explain as follows: "[s]hort video addiction is increasingly recognized as a
11 specific subtype of Internet addiction, distinct from broader social media
12 addiction due to its unique characteristics. The concise, high-intensity nature of
13 short videos promotes immersive viewing experiences, often leading to
14 compulsive behaviours. Among adolescents, this addiction adversely impacts
15 learning motivation, emotional well-being, and overall cognitive functioning."¹¹⁹
16

17 ¹¹⁶ Todd Spangler, *YouTube Shorts Tops 5 Trillion Views to Date, Platform to*
18 *Test Shopping and Branded Content for TikTok-Style Videos*, Variety (Jan. 25,
19 2022) <https://variety.com/2022/digital/news/youtube-shorts-5-trillion-views-shopping-branded-content-1235162043/> (last visited Nov. 22, 2025).

20 ¹¹⁷ Bartosz Jaworski, *Why YouTube created Shorts to compete with TikTok*,
LogRocket (Nov. 21, 2023) (available at <https://blog.logrocket.com/product-management/why-youtube-created-shorts/>) (last visited Nov. 22, 2025).

21 ¹¹⁸ Zhang, Ning; Hazarika, Bidyut; Chen, Kuanchin; Shi, Yinan, *A cross-*
22 *national study on the excessive use of short-video applications among college*
23 *students*, Computers in Human Behavior. 145: 107752 (August 1, 2023)
[doi:10.1016/j.chb.2023.107752](https://doi.org/10.1016/j.chb.2023.107752). ISSN 0747-5632) (last visited Nov. 22, 2025).

24 ¹¹⁹ Divvi A., Kengadaran S. *Addressing the impact of YouTube short video*
addiction on adolescents-a growing public health concern. J Family Med Prim

183. YouTube Shorts offers creators the ability to interact with viewers by responding to comments with additional videos, a feature primarily made popular by TikTok. As an aside, this also increases the risk of parasocial relationships forming on YouTube.

184. The rapid-fire speed at which these videos are delivered and consumed by Young Users makes these particular videos especially addictive. The content is ephemeral—it can only be consumed quickly (due to its short duration), and videos are presented to Young Users in immediate and unending succession—and as research shows and Defendants know, Young Users are developmentally wired such that the fear of missing out (or “FOMO”) is a “repeatedly identified driver of smartphone and social media use[.]”¹²⁰ This dovetails with a psychological concept identified by B.F. Skinner as “avoidance,” meaning that an individual performs a behavior to avoid a negative outcome.¹²¹

185. Unlike content delivery systems that permit a user to view existing posts on a schedule convenient for the user, or at minimum allow the user to search for and choose their own content with a modicum of agency, YouTube shorts offer brief dopamine hit and brief dopamine hit in interval of fewer than

Care. 2025 Jul;14(7):3055-3056. doi: 10.4103/jfmmpc.jfmmpc_1925_24
https://journals.lww.com/jfmmpc/fulltext/2025/07000/addressing_the_impact_of_youtube_short_video.79.aspx (last visited Nov. 22, 2025).

¹²⁰ Laura Marciano, Anne-Linda Camerini, Rosalba Morese, *The Developing Brain in the Digital Era: A Scoping Review of Structural and Functional Correlates of Screen Time in Adolescence*, Front. Psychol., Vol. 12 (Aug. 26, 2021), <https://www.frontiersin.org/articles/10.3389/fpsyg.2021.671817/full> (last visited Nov. 22, 2025).

¹²¹ GameQuitters, *Are Video Games Designed to Be Addictive?*, <https://gamequitters.com/are-video-games-addictive/> (last visited Nov. 22, 2025).

60 second, thus incentivizing users to engage with the content (1) immediately and (2) constantly.

186. Defendants have made a significant investment in this design element for YouTube, earmarking \$100 million to pay content creators to create Shorts.¹²² By August 2021, Defendants were paying creators with the highest-performing YouTube Shorts up to \$10,000 per month. Some of Defendants' most popular creators in this space are from Nevada.¹²³

187. Defendants could restrict the pacing of and exposure to particularly addicting content like YouTube Shorts, for example by mixing shorts with longer-form videos to break the pace of dopamine hits for the viewer. Instead, they deploy a continual stream of especially fast-paced content to create false sense of urgency because they know this will keep Young Users glued to the platform.

2. Social Manipulation

188. Defendants also utilize social manipulation to keep children addicted to their platforms. At its most basic form, this design practice leverages a child's desire for social relationships to encourage more time spent

¹²² Todd Spangler, *YouTube Shorts Tops 5 Trillion Views to Date, Platform to Test Shopping and Branded Content for TikTok-Style Videos*, Variety (Jan. 25, 2022) <https://variety.com/2022/digital/news/youtube-shorts-5-trillion-views-shopping-branded-content-1235162043/>) (last visited Nov. 22, 2025).

¹²³ See, e.g., TubeRanker, *Top Teenage YouTubers You Need to Watch in 2023* (Mar. 17, 2023) <https://tuberanker.com/blog/teenage-youtubers>) (identifying, as the number 1 ranking, Reno NV native Alex Guzman, with 1.35 million subscribers) (last visited Nov. 22, 2025).

1 on the platform and more engagement with the platform (which in turn leads to
2 more opportunities for Defendants to monetize child users).

3 189. Children are particularly vulnerable to social manipulation
4 techniques. Younger adolescents have specific developmental needs for social
5 connectedness and are particularly attuned to social validation.¹²⁴ This can
6 “lead to greater relinquishing of security in certain arenas to gain social
7 validation and belonging, for example, disclosing publicly to participate in
8 online communities and accrue large amounts of likes, comments, and
9 followers.”¹²⁵ One pair of researchers investigating the phenomena write:

10 [T]o tweens and teens, the kind of “rewards” social media promise
11 are even more meaningful. Teens are primed to crave and value
12 social validation, which is part of how they make sense of where
13 they fit into their social worlds. Their biological sensitivity to social
14 feedback makes them more susceptible to the pull of social media,
15 which is at the ready with a promise of 24/7 access to likes and
16 praising comments. Capacities for self-regulation and impulse
17 control are also a work in progress during the teen years, which
18 adds to the challenge of pulling away.¹²⁶

19 190. Many social manipulation design features induce anxiety in
20 children that they or their content may not be as popular as that of their peers.

21 ¹²⁴ Nicholas D. Santer, et al., *Early Adolescents’ Perspectives on Digital Privacy*,
22 Algorithmic Rights and Protections for Children (June 29, 2021)

23 [https://wip.mitpress.mit.edu/pub/early-adolescents-perspectives-on-digital-
24 privacy/release/1](https://wip.mitpress.mit.edu/pub/early-adolescents-perspectives-on-digital-privacy/release/1) (last visited Nov. 22, 2025).

¹²⁵ *Id.* (citing J.C. Yau & S. M. Reich, “It’s Just a Lot of Work”: Adolescents’ Self-
Presentation Norms and Practices on Facebook and Instagram, 29 J. Res. on
Adolescence 196, 196-209 (2019)).

¹²⁶ Emily Weinstein & Carrie James, *Behind Their Screens: What Teens Are
Facing (And Adults Are Missing)*, MIT Press, at 33 (2022) (citing Lucy Foulkes
and Sarah-Jayne Blakemore, *Is There Heightened Sensitivity to Social Reward in
Adolescence?*, 40 Current Opinion Neurobiology 81 (2016)).

1 In the words of a Massachusetts high school student who spoke with Common
2 Sense Media, “[I]f you get a lot of likes, then ‘Yay,’ you look relevant, but then if
3 you don’t get a lot of likes and/or views, it can completely crush one’s confidence.
4 Especially knowing that you’re not the only one who’s able to see it.”¹²⁷ Not only
5 are children spotting and seeing videos, but now they are obsessing over the
6 popularity of their own videos and those of others. These factors all converge to
7 create a feedback loop: because children crave this social reinforcement, they
8 seek it out, but ultimately children are unequipped with the tools to protect
9 themselves against the allure of “rewards” that these manipulative social media
10 designs purportedly promise.

11 i. Quantified popularity

12 191. This design element “gamifies” a video’s popularity by displaying
13 (publicly, privately, or both) the number the number of interactions a specific
14 item of content has received, and sometimes also the names or usernames of
15 specific other users who have interacted with the user or their content. Metrics
16 that may be displayed include views, likes, dislikes, reactions, and comments
17 received on content.

18 192. These tallies act as a sort of quantified “proof” of popularity and
19 exploit children’s natural tendency to pursue social relevance. If Young User’s
20 posts get quantifiable attention from other users, they feel validated, but the
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23 ¹²⁷ Katie Joseff, *Social Media Is Doing More Harm than Good*, Common Sense
24 Media (Dec. 17, 2021), <https://www.common sense media.org/kids-action/articles/social-media-is-doing-more-harm-than-good> (last visited Nov. 22, 2025).

1 less attention they get, the worse they feel. Alternatively, Young Users often
2 gravitate towards posts with high numbers of likes or comments in order to feel
3 relevant and validated by associating themselves with the posts. The harms
4 arising from quantified popularity features on YouTube also dovetail with
5 another addiction-causing Design Element—parasocial relationships.

6 ii. Parasocial relationships

7 193. As described above, YouTube has created a sub-genre of high-
8 volume posters called YouTubers, whose videos attract large amounts of
9 attention and interaction on the platform, and who become celebrities in their
10 own right due to their videos and platform-based popularity.

11 194. While posts from YouTubers may feel unscripted, or otherwise
12 authentic, they are not individual conversations with fans. Instead, it remains
13 a one-sided relationship because it is physically impossible for virtual
14 influencers to separately know their thousands or millions of fans. Whereas, for
15 fans, it is easier to know more about the handful of celebrities they follow. There
16 is a term for this concept called ‘parasocial interaction’ used in psychology or
17 media communication. Recent studies of YouTube users in Britain and the US
18 found that 52% of respondents said they have a strong parasocial relationship
19 with one or more YouTubers (*i.e.*, YouTube influencers)¹²⁸

23 ¹²⁸ Shivani Chaudhari and Theo Beevers, *People ‘happier’ watching parasocial*
24 *YouTube films*, BBC (May 24, 2024)
<https://www.bbc.com/news/articles/cp003n1ldr0o> (last visited Nov. 22, 2025).

1 195. The concept of a parasocial relationship was coined in 1956
2 by Donald Horton and R. Richard Wohl to describe the way mass media users
3 acted like they were in a typical social relationship with a media figure, such as
4 feeling as though they are friends with a radio personality or a TV character.¹²⁹
5 The definition of a parasocial relationship is when an individual becomes
6 attached to and invested in a media character (be they real or fictional) who
7 doesn't return the emotion. A sense of intimacy and closeness develops on one
8 side but the other party, in all likelihood, does not know the former exists.¹³⁰

9 196. Some fans get so engrossed by their online idols they start caring
10 about their lives more than about what is happening in their own life. They
11 enjoy watching for entertainment, and at the same time, they're prepared to
12 defend their idols by any means, even by attacking fans of other streamers or
13 influencers, creating a toxic online environment.¹³¹

14 197. The most common population groups that develop parasocial
15 relationships are teenagers and young adolescents. These relationships also
16 happen with people who feel lonely or lack self-esteem.¹³² The parasocial
17 relationships between teens and social media influencers are growing faster. In
18 2015, nine percent of teens aged 13 to 17 had a "media influence" online. This
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21 ¹²⁹ Sathbh O'Sullivan, *The Internet is Obsessed With Parasocial Relationships*,
22 Refinery29 (Oct. 4, 2021) <https://www.refinery29.com/en-gb/parasocial-relationships-online-cancelling-bon-appetit>) (last visited Nov. 22, 2025).

¹³⁰ *Id.*

23 ¹³¹ *Parasocial Relationships: What are They, and Are They Bad?* Game Quitters
24 <https://gamequitters.com/parasocial-relationships/>) (last visited Nov. 22, 2025).

¹³² *Id.*

1 number increased by 12 percent in 2017. Young people who experience bullying
2 are also more likely to develop parasocial relationships.¹³³ Many young people
3 are not comfortable with establishing relationships in real life. They don't have
4 a social circle or a group of friends they can rely upon. Therefore, they turn to
5 their online idols as a form of self-esteem boosting and social interaction.¹³⁴

6 198. "These relationships are vital to YouTubers' success," one reporter
7 explains, "and they are what turns viewers into a loyal community. High view
8 counts generate more ad money and the potential for a trending spotlight; large
9 subscriber bases ensure better visibility."¹³⁵

10 199. But these legions of fans often do more than simply view the videos
11 posted by their favorite YouTubers. Instead, the parasocial relationship leaves
12 them emotionally invested in the YouTubers, themselves, and induces fans—
13 including Young Users and Youngest Users—to engage in metrics-boosting
14 activities or even pick sides in feuds. "After [YouTuber] PewDiePie playfully
15 addressed being overtaken by T-Series as the biggest channel on YouTube, his
16 fans rallied and ran to their comments to fan the flames of feud. It can even
17 make or break a YouTuber's career, especially in the face of extreme
18 controversy. While Logan Paul was reviled for filming a dead body for his

21 ¹³³ *Id.*

22 ¹³⁴ *Id.*

23 ¹³⁵ Megan Farokhmanesh, *YouTubers are not your friends*, The Verge (Sep. 17,
24 2018) [https://www.theverge.com/2018/9/17/17832948/youtube-youtubers-](https://www.theverge.com/2018/9/17/17832948/youtube-youtubers-influencer-creator-fans-subscribers-friends-celebrities)
[influencer-creator-fans-subscribers-friends-celebrities](https://www.theverge.com/2018/9/17/17832948/youtube-youtubers-influencer-creator-fans-subscribers-friends-celebrities)) (last visited Nov. 22,
2025).

1 channel, his fans (or the Logang, as he calls them) remained his most
2 loyal, loudest defenders.”¹³⁶

3 200. Parasocial relationships are particularly acute on YouTube. In a
4 presentation for marketers, authored by Google employees and drawing from
5 Defendants’ internal data, Google itself asserted that “70% of teenage YouTube
6 subscribers say they related to YouTube creators more than traditional
7 celebrities,” and 4 in 10 “say their favorite creator understands them better
8 than their friends.”¹³⁷

9 201. This one-sided emotional investment between YouTubers, on the
10 one hand, and their viewers including Young Users and Youngest Users, on the
11 other, fuels addiction and problematic use. Recent research posits that,
12 “through parasocial relationships with YouTubers, YouTube may offer to
13 individuals with elevated social anxiety the opportunity to experiment less
14 stressful relationships than real-life ones, promoting the development of
15 YouTube addiction.”¹³⁸

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19 ¹³⁶ *Id.*

20 ¹³⁷ Celie O’Neil-Hart and Howard Blumenstein, *Why YouTube stars are more*
influential than traditional celebrities, Think with Google (Jul. 2016)
21 [https://web.archive.org/web/20250417180658/https://www.thinkwithgoogle.com/](https://web.archive.org/web/20250417180658/https://www.thinkwithgoogle.com/marketing-strategies/video/youtube-stars-influence/)
[marketing-strategies/video/youtube-stars-influence/](https://web.archive.org/web/20250417180658/https://www.thinkwithgoogle.com/marketing-strategies/video/youtube-stars-influence/) (last visited Nov. 22, 2025).

22 ¹³⁸ Pierre de Bérail, Marlène Guillon, Catherine Bungener, *The relations*
between YouTube addiction, social anxiety and parasocial relationships with
YouTubers: A moderated-mediation model based on a cognitive-behavioral
23 *framework*, Computers in Human Behavior, Vol. 99 (Oct. 2019)
24 <https://www.sciencedirect.com/science/article/abs/pii/S0747563219301827> (last
visited Nov. 22, 2025).

202. At base, the researchers conclude, “[t]he more intense the parasocial relationship with a favorite YouTuber is, the higher YouTube addiction is.”¹³⁹

3. Push notifications

203. Defendants cause Young Users to increase their time spent on its platforms by inundating them with notifications when they are off YouTube, in an effort to entice them to stop whatever else they are doing and return to engaging with social media. Defendants explain as follows: “YouTube notifications let you know when there are new videos and updates from your favorite channels and other content. We’ll send you notifications for channels you’re subscribed to and may also send notifications based on your interests.”¹⁴⁰

204. YouTube peppers users (including Young Users) with frequent alerts or notifications intended to cause users to open the application.

205. These alerts are disruptive for all users but are especially harmful for minor children, who are particularly vulnerable to distraction and psychological manipulation. Independent academics have observed that these notifications impact the brain in similar ways as narcotic stimulants.

206. Preying on that vulnerability, YouTube notifies Young Users whenever anything happens on the platform that may affect the Young User, or warrant an action from them.

¹³⁹ *Id.*

¹⁴⁰ YouTube Help, *Manage YouTube notifications* <https://support.google.com/youtube/answer/3382248> (last visited Nov. 22, 2025).

1 207. As Defendants have known for years, Young Users have a difficult
2 time resisting these notifications.

3 **4. Ineffective and misleading parental controls**

4 208. YouTube purports to allow parental controls on the platform,
5 however, these controls are intended only for minors under the age of 13.

6 209. Specifically, Defendants offer a “Supervised Account” which they
7 describe as a “parent-managed version of regular YouTube with limited features
8 and digital well-being protections,” designed for “[k]ids under 13...whose
9 parents decide they’re ready to explore YouTube with parent-selected content
10 settings applied.”¹⁴¹

11 210. Additionally, Defendants offer the YouTube Kids platform,
12 discussed *supra*, which they claim to be an entirely separate app for “[k]ids
13 whose parents want to handpick content for them to watch. Kids whose parents
14 want to choose content for them to watch based on 3 age-based content
15 settings[.]”¹⁴²

16 211. However, these two different control regimes are illusory—the way
17 that YouTube is designed allows Young Users and Youngest Users to have
18 unfettered access to the platform, without parental notification, supervision, or
19 control.

22 ¹⁴¹ YouTube Help Center, *Understand Your Choices as a Family*
23 [https://support.google.com/youtube/answer/10315420?hl=en&ref_topic=1031493](https://support.google.com/youtube/answer/10315420?hl=en&ref_topic=10314939)
24 [9](https://support.google.com/youtube/answer/10315420?hl=en&ref_topic=10314939) (last visited Nov. 22, 2025).

¹⁴² *Id.*

1 212. This is due to a key differentiator between YouTube and virtually
2 all other social media platforms: one does not need to create an account in order
3 to access YouTube. Instead, users simply go to the YouTube website or
4 download the YouTube app, and then instantly users can start consuming
5 content (and instantly be exposed to each of the addictive Design Elements
6 discussed above).

7 213. Thus, to the extent that YouTube offers any type of parental
8 controls, they are particularly ineffective, as Young Users and Youngest users
9 may simply access the platform on their own without control or supervision.

10 **C. The challenged YouTube features have no relation to**
11 **traditional publishing activities—any content they utilize is**
12 **distinct from their functionality and the harm they cause.**

13 214. The State does not challenge or seek to curtail the publishing of
14 any specific type of third-party content by challenging the above-described
15 addicting and harmful Design Elements. *See TikTok*, 578 P.3d at 652 (holding
16 that First Amendment does not bar the State's NDTPA design-based claims as
17 pleaded because the State included an express disclaimer).

18 215. The State's claims do not trigger immunity under Section 230 of
19 the Communications Decency Act because the State seeks to hold Defendants
20 liable for their "own statements and omissions and resulting duties to users
21 with only a tangential relationship to third-party content." *TikTok*, 578 P.3d at
22 651.

23 216. Notably, these Design Elements—Low-Friction Variable Rewards;
24 Social Manipulation; Push Notifications; and Ineffective and Misleading

1 Parental Controls—are not tethered to any specific third-party content. Indeed,
2 the substance of any content incorporated into or used by the Design Elements
3 is immaterial. Instead, the Design Elements themselves create the risk of harm
4 of addiction and risk to physical safety, which is separate and apart from other
5 harms caused by the platform.

6 217. Regardless of the substance of *any* content on YouTube—either
7 first- or third-party—the purpose of deploying the Design Elements is to extract
8 additional time and attention from Young Users whose developing brains were
9 not equipped to resist those manipulative tactics.

10 **III. DEFENDANTS KNOW THAT YOUTUBE'S HARMFUL AND**
11 **ADDICTION-CAUSING DESIGN ELEMENTS WORK AS**
12 **INTENDED, AND THAT YOUTUBE INDUCES WIDESPREAD**
13 **COMPULSIVE USE AMONG YOUNG USERS.**

14 218. Because of Defendants' design choices, it is not hyperbole to say
15 that YouTube already has hooked a generation of Young Users.

16 219. Defendants know that Young Users use YouTube at alarming
17 rates. They know—or should know¹⁴³—that Young Users want to reduce their
18 time on YouTube, but that this desire is overpowered by the platform's
19 engagement-inducing features. They further know that compulsive use has

20 ¹⁴³ Under Nevada law, “‘knowingly’ means that the defendant is aware that the
21 facts exist that constitute the act or omission.” *Poole v. Nev. Auto Dealership*
22 *Invs., LLC*, 135 Nev. 280, 281, 449 P.3d 479, 481 (2019). Similarly, “a
23 ‘knowing[]’ act or omission under the NDTPA does not require that the
24 defendant intend to deceive with the act or omission, or even know of the
prohibition against the act or omission, but simply that the defendant is aware
that the facts exist that constitute the act or omission.” *Id.* at 284, 483
(alteration original).

1 detrimental effects on Young Users’ mental health, sleep, and relationships.
2 However, since Young Users’ compulsive use benefit Defendants’ bottom line,
3 they have not taken meaningful steps to rescue Young Users from this emerging
4 crisis.

5 220. Indeed, Defendants explicitly ignored and stifled concerns voiced
6 by employees, when those concerns would harm engagement on the platform.
7 Per an investigation by Bloomberg,

8 The company spent years chasing one business goal above others:
9 “Engagement,” a measure of the views, time spent and interactions
10 with online videos. Conversations with over twenty people who
11 work at, or recently left, YouTube reveal a corporate leadership
12 unable or unwilling to act on these internal alarms for fear of
13 throttling engagement.¹⁴⁴

14 221. Yet the alarms were explicit, and consistently provided by
15 Defendants’ employees who were aghast at the harms the platform was
16 creating:

17 Yonatan Zunger, a privacy engineer at Google, recalled a suggestion
18 he made to YouTube staff before he left the company in 2016. He
19 proposed a third tier: Videos that were allowed to stay on YouTube,
20 but, because they were “close to the line” of the takedown policy,
21 would be removed from recommendations. “Bad actors quickly get
22 very good at understanding where the bright lines are and skating
23 as close to those lines as possible,” Zunger said.

24 His proposal, which went to the head of YouTube policy, was turned
down. “I can say with a lot of confidence that they were deeply
wrong,” he said.¹⁴⁵

¹⁴⁴ Mark Bergen, *YouTube Executives Ignored Warnings, Letting Toxic Videos Run Rampant*, Bloomberg (Apr. 2, 2019)
<https://www.bloomberg.com/news/features/2019-04-02/youtube-executives-ignored-warnings-letting-toxic-videos-run-rampant> (last visited Nov. 22, 2025).

¹⁴⁵ *Id.*

1 222. In particular, Defendants were warned about addiction on the
2 platform. As one researcher correctly observed, YouTube is “an addiction
3 engine.”¹⁴⁶ The researcher raised concerns with Defendants, who either
4 “responded with incredulity, or an indication that they had no incentives to
5 change how its software worked.”¹⁴⁷

6 223. In the words of one of the engineers who authored many of the
7 technologies that fuel the challenged Design Elements, “It’s kind of a product
8 decision...Product tells us that we want to increase this metric, and then we go
9 and increase it. So it’s not really left up to us.”¹⁴⁸ In other words, if maximizing
10 time on the platform (and therefore revenue) is the goal, then everything else—
11 including user wellbeing—is subordinated.

12 224. Internally, Defendants understood the specific ways that their
13 Design Elements harm Young Users on YouTube. Externally, they failed to
14 disclose any of this material information. Had YouTube done so, Young Users
15 and their parents could have made more informed choices about whether and
16 how to engage with the platform, including the choice not to engage with such a
17 harmful product at all.

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23 ¹⁴⁶ *Id.*

24 ¹⁴⁷ *Id.*

¹⁴⁸ *Id.*

1 **A. Defendants harm Young Users by inducing compulsive use**
2 **of YouTube.**

3 225. Defendants have substantially injured Young Users by designing
4 YouTube to induce compulsive and excessive use, which interferes with
5 important developmental processes and behaviors.

6 226. These injuries include Young Users' lack of sleep and related
7 health outcomes, diminished in-person socialization skills, reduced attention,
8 increased hyperactivity, self-control challenges and interruption of various
9 brain development processes.

10 **1. Mental health harms**

11 227. Maximizing children's time and activities online is linked with
12 worse psychological well-being in children in concrete and serious ways that
13 cannot be ignored in the context of the current youth mental health crisis.
14 Defendants have caused Young Users to experience mental health harms, such
15 as increased levels of depression and anxiety. In addition, Defendants have
16 caused Young Users to have diminished social capacity and other developmental
17 skills by virtue of the "opportunity cost" associated with devoting significant
18 time to social media, rather than partaking in other developmentally important,
19 in-person life experiences.

20 228. The United States Surgeon General's May 2023 Advisory, titled
21 "Social Media and Youth Mental Health" (the "Advisory"), describes some of the
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1 harms caused by Defendants.¹⁴⁹ As the Advisory explains, “[a] Surgeon
2 General’s advisory is a public statement that calls the American people’s
3 attention to an urgent public health issue . . . Advisories are reserved for
4 significant public health challenges that require the nation’s immediate
5 awareness and action.”¹⁵⁰ According to the Surgeon General, Young Users’
6 social media use is one such significant public health challenge.

7 229. As the Advisory explains, “[e]xcessive and problematic social media
8 use, such as compulsive or uncontrollable use, has been linked to sleep
9 problems, attention problems, and feelings of exclusion among adolescents.”¹⁵¹

10 230. The Advisory also identifies “changes in brain structure,” “altered
11 neurological development,” “depressive symptoms, suicidal thoughts, and
12 behaviors,” “attention deficit/hyperactivity disorder (ADHD)” and “depression,
13 anxiety and neuroticism,” as additional harms to Young Users associated with
14 compulsive social media use.¹⁵²

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20 ¹⁴⁹ U.S. Dep’t of Health & Hum. Servs., Social Media and Youth Mental Health:
21 The U.S. Surgeon General’s Advisory 4 (2023),
[https://www.hhs.gov/sites/default/files/sg-youth-mental-health-social-media-](https://www.hhs.gov/sites/default/files/sg-youth-mental-health-social-media-advisory.pdf)
22 [advisory.pdf](https://www.hhs.gov/sites/default/files/sg-youth-mental-health-social-media-advisory.pdf) (last visited Nov. 22, 2025).

23 ¹⁵⁰ *Id.*

24 ¹⁵¹ *Id.*

¹⁵² To be clear, this Complaint is focused on harms arising out of compulsive or
“problematic” platform use, not harms caused by exposure to any individual,
specific pieces or categories of content on YouTube.

2. Harm to body image

231. Design features that maximize time spent on social media can also lead to heightened exposure to negative body image-related content, which increases children’s susceptibility to poor body image and, consequently, disordered eating. A study of data from 7th and 8th graders published in 2019 in the *International Journal of Eating Disorders* “suggest[ed] that [social media], particularly platforms with a strong focus on image posting and viewing, is associated with elevated [disordered eating] cognitions and behaviors in young adolescents.”¹⁵³ YouTube, specifically, has been criticized for its role in fomenting eating disorders in teens,¹⁵⁴ with one research group publishing a report excoriating “YouTube’s Anorexia Algorithm.”¹⁵⁵

232. Time spent on social media can harm children’s body image and increase their susceptibility to disordered eating in multiple ways. First, visual social media platforms trigger social comparison as children compare their appearance to others, including influencers and YouTubers.

233. Second, platforms use algorithms to deliver content related to topics or themes that the platform believes will maximize a user’s time spent on

¹⁵³ Simon M. Wilksch, et al., *The Relationship Between Social Media Use and Disordered Eating in Young Adolescents*, 53 Int. J. Eat. Disord. 96, 104 (2020) <https://pubmed.ncbi.nlm.nih.gov/31797420/> (last visited Nov. 22, 2025).

¹⁵⁴ Elizabeth Germinoa, CBS – 60 Minutes Overtime, *YouTube algorithms consistently push eating disorder and self-harm content to teen girls, new study finds* (Dec. 10, 2024) <https://www.cbsnews.com/news/youtube-anorexia-algorithm-60-minutes/> (last visited Nov. 22, 2025).

¹⁵⁵ Center for Countering Digital Hate, *YouTube’s EU Anorexia Algorithm* (Feb. 3, 2025) <https://counterhate.com/research/youtube-anorexia-algorithm-eu/> (last visited Nov. 22, 2025).

1 the platform. These recommendation systems create “bubbles” or “rabbit holes”
2 of content around a specific theme and, in accordance with YouTube’s design,
3 expose users to increasingly extreme content on a given topic. This has proven
4 especially true for negative body image and pro-eating disorder content.¹⁵⁶
5 Research shows that social media platforms’ content selection algorithms have
6 pushed disordered eating and harmful diet techniques to teenage girls.¹⁵⁷ Girls
7 who express an interest in dieting or dissatisfaction with their looks are
8 bombarded with content targeted to these insecurities and often pushed to more
9 extreme content such as pro-anorexia posts and videos. And because platforms
10 know teenage girls disproportionately engage with this type of content,¹⁵⁸ even
11 minor users who do not express interest in these topics are often delivered this
12 content.

13 234. The harm that social media does to children’s body image and
14 eating habits has been widely discussed in public discourse in recent months,
15 but even as of the filing of this Action, content depicting disordered eating
16 remains widely available to children and profitable to platforms, including
17 YouTube, and even popular among teens, who are exposed to more of it as they
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22 ¹⁵⁶ *Id.*

23 ¹⁵⁷ *Id.*

24 ¹⁵⁸ Fabrizio Bert, et al., *Risks and Threats of Social Media Websites: Twitter and the Proana Movement*, 19 *Cyberpsychology, Behav. Soc. Networking* (Apr. 2016), <https://pubmed.ncbi.nlm.nih.gov/26991868/> (last visited Nov. 22, 2025).

1 spend more time online. As noted above, YouTube in particular has been called
2 out for its “Anorexia Algorithm.”¹⁵⁹

3 235. In 2020, a longitudinal study investigated whether social media
4 platform addiction predicted suicide-related outcomes and found that children
5 and adolescents addicted to social media use are more likely to engage in self-
6 injurious behavior, such as cutting and suicide.¹⁶⁰ Other studies examining the
7 link between these increases found that adolescents who spent more time on
8 screen activities were significantly more likely to have high depressive
9 symptoms or have at least one suicide-related outcome, and that the highest
10 levels of depressive symptoms were reported by adolescents with high social
11 media use and fewer in-person social interactions.¹⁶¹

14 ¹⁵⁹ Center for Countering Digital Hate, *YouTube’s EU Anorexia Algorithm* (Feb.
15 3, 2025) <https://counterhate.com/research/youtube-anorexia-algorithm-eu/> (last
16 visited Nov. 22, 2025).

17 ¹⁶⁰ Julia Brailovskaia, et al., *Positive mental health mediates the relationship*
18 *between Facebook addiction disorder and suicide-related outcomes: a*
19 *longitudinal approach* *Cyberpsychology, Behavior, and Social Networking*
(2020), <https://doi.org/10.1089/cyber.2019.0563> (last visited Nov. 22, 2025); Jean
20 M. Twenge, et al., *Increases in Depressive Symptoms, Suicide-Related Outcomes,*
21 *and Suicide Rates Among U.S. Adolescents After 2010 and Links to Increased*
22 *New Media Screen Time*, 6 *Clinical Psych. Sci.* 3–17 (2017),
23 <https://doi.org/10.1177/2167702617723376> (last visited Nov. 22, 2025).

24 ¹⁶¹ Jean M. Twenge, et al., *Increases in Depressive Symptoms, Suicide-Related*
Outcomes, and Suicide Rates Among U.S. Adolescents After 2010 and Links to
Increased New Media Screen Time, 6 *Clinical Psych. Sci.* 3–17 (2017),
<https://doi.org/10.1177/2167702617723376> (last visited Nov. 22, 2025); Anthony
Robinson, et al., *Social comparisons, social media addiction, and social*
interaction: An examination of specific social media behaviors related to major
depressive disorder in a millennial population, *Journal of Applied Biobehavioral*
Research (Jan. 8, 2019), <https://doi.org/10.1111/jabr.12158> (last visited Nov. 22,
2025).

236. Fueled by social media addiction, youth suicide rates are up an alarming 57%.¹⁶² In the decade leading up to 2020, there was a 40% increase in high school students reporting persistent sadness and hopelessness,¹⁶³ and a 36% increase in those who attempted to take their own lives. In 2019, one in five high school girls had made a suicide plan.¹⁶⁴ By 2018, suicide was the second leading cause of death for youth ages 10–24.¹⁶⁵

237. Because of the extent of this youth mental health crisis fueled by social media addiction, the number of teens and adolescents waiting in emergency rooms for mental health treatment for suicide nationwide tripled from 2019 to 2021.¹⁶⁶

3. “Problematic internet use”

238. Maximizing time and activities online also fosters “problematic internet use”—psychologists’ term for excessive internet activity that exhibits

¹⁶² *Protecting Youth Mental Health: The U.S. Surgeon General’s Advisory* at 8, U.S. Dep’t of Health & Hum. Servs. (Dec. 7, 2021), <https://www.hhs.gov/sites/default/files/surgeon-general-youth-mental-health-advisory.pdf> (last visited Nov. 22, 2025).

¹⁶³ *Id.*

¹⁶⁴ *Id.*

¹⁶⁵ *AAP-AACAP-CHA Declaration of a National Emergency in Child and Adolescent Mental Health*, Am. Acad. Pediatrics (Oct. 19, 2021), <https://www.aap.org/en/advocacy/child-and-adolescent-healthy-mental-development/aap-aacap-cha-declaration-of-a-national-emergency-in-child-and-adolescent-mental-health/> (last visited Nov. 22, 2025).

¹⁶⁶ Stephen Stock, et al., *Children languish in emergency rooms awaiting mental health care*, CBS News (Feb. 27, 2023), <https://www.cbsnews.com/news/emergency-rooms-children-mental-health/> (last visited Nov. 22, 2025).

1 addiction, impulsivity, or compulsion.¹⁶⁷ Indeed, the design features discussed
2 in this Action plainly impede children’s ability to put their devices down, even
3 when they want to use those devices less. For example, a high school student
4 told Common Sense Media,

5 One of the challenges I face with social media is getting off it. Once
6 I get on, I have to really force myself off it because it’s so addictive.
7 All I’m doing is scrolling, but I’m subconsciously looking for an end
8 so I can feel accomplished. But the scrolling never stops.¹⁶⁸

9 239. Problematic internet use is linked to a host of additional problems.
10 For example, in one study of 564 children between the ages of 7 and 15
11 spearheaded by the Child Mind Institute in New York, researchers found that
12 problematic internet use was positively associated with depressive disorders,
13 Attention Deficit Hyperactivity Disorder (“ADHD”), general impairment, and
14 increased sleep disturbances.¹⁶⁹ An analysis of peer-reviewed studies involving
15 cognitive findings associated with problematic internet use in both adults and
16 adolescents found “firm evidence that [problematic internet use] . . . is
17 associated with cognitive impairments in motor inhibitory control, working

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20 ¹⁶⁷ Chloe Wilkinson, et al., *Screen Time: The Effects on Children’s Emotional, Social, and Cognitive Development*, Koi Tu Centre for Informed Futures (Apr. 9, 2021), <https://informedfutures.org/screen-time/> (last visited Nov. 22, 2025).

21 ¹⁶⁸ Katie Joseff, *Social Media Is Doing More Harm than Good*, Common Sense Media (Dec. 17, 2021), <https://www.commonsensemedia.org/kids-action/articles/social-media-is-doing-more-harm-than-good> (last visited Nov. 22, 2025).

22 ¹⁶⁹ Restrepo, et al., *Problematic Internet Use in Children and Adolescents: Associations with Psychiatric Disorders and Impairment*, 20 BMC Psychiatry 252 (2020), <https://doi.org/10.1186/s12888-020-02640-x> (last visited Nov. 22, 2025).

memory, Stroop attentional inhibition and decision-making.”¹⁷⁰ Another study of over 11,000 European adolescents found that among teens exhibiting problematic internet use, 33.5% reported moderate to severe depression; 22.2% reported self-injurious behaviors such as cutting; and 42.3% reported suicidal ideation.¹⁷¹ The incidence of attempted suicide was also ten times higher for teens exhibiting problematic internet use than their peers who exhibited healthy internet use.¹⁷²

4. Harm to physical health

240. Maximizing children’s time spent online at the expense of sleep or physical movement also harms children’s physical health. When children are driven to spend more time online, they sleep less—because it is impossible to be online and sleep at the same time, because stimulation before bedtime disrupts sleep patterns, because many of the design features discussed in this Action make users feel pressured to be connected constantly, and because that feeling doesn’t simply go away at nighttime. Indeed, research shows that children who exhibit problematic internet use often suffer from sleep problems.¹⁷³ One-third

¹⁷⁰ Konstantinos Ioannidis, et al., *Cognitive Deficits in Problematic Internet Use: Meta-Analysis of 40 Studies*, 215 *British Journal of Psychiatry* 639, 645 (2019), <https://pubmed.ncbi.nlm.nih.gov/30784392> (last visited Nov. 22, 2025).

¹⁷¹ Michael Kaess, et al., *Pathological Internet use among European adolescents: psychopathology and self-destructive behaviours*, 23 *Eur. Child & Adolescent Psychiatry* 1093, 1096 (2014), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4229646/> (last visited Nov. 22, 2025).

¹⁷² *Id.*

¹⁷³ Restrepo, et al., *Problematic Internet Use in Children and Adolescents: Associations with Psychiatric Disorders and Impairment*, 20 *BMC Psychiatry* 252 (2020) <https://doi.org/10.1186/s12888-020-02640-x> (last visited Nov. 22, 2025).

of teens say that at least once per night, they wake up and check their phones for something other than the time, such as to check their notifications or social media.¹⁷⁴ Some teens set alarms in the middle of the night to remind them to check their notifications or complete video game tasks that are only available for a limited time.¹⁷⁵ In addition, screen time before bed is known to inhibit academic performance in children.¹⁷⁶ Teenagers who use social media for more than five hours per day are about 70% more likely to stay up late on school nights.¹⁷⁷ A lack of sleep in teenagers has been linked to inability to concentrate, poor grades, drowsy-driving incidents, anxiety, depression, thoughts of suicide, and even suicide attempts.¹⁷⁸

241. Decades of research have shown that more time online is consistently correlated with children's risk of obesity, which in turn increases their risk of serious illnesses like diabetes, high blood pressure, heart disease,

¹⁷⁴ Common Sense, *Screens and Sleep: The New Normal: Parents, Teens, Screens, and Sleep in the United States* at 7 (2019) <https://www.common sense media.org/sites/default/files/research/report/2019-new-normal-parents-teens-screens-and-sleep-united-states-report.pdf> (last visited Nov. 22, 2025).

¹⁷⁵ Emily Weinstein & Carrie James, *Behind Their Screens: What Teens Are Facing (And Adults Are Missing)*, MIT Press, at 31 (2022).

¹⁷⁶ Chloe Wilkinson, et al., *Screen Time: The Effects on Children's Emotional, Social, and Cognitive Development*, Koi Tu Centre for Informed Futures (2021), <https://informedfutures.org/screen-time/> (last visited Nov. 22, 2025).

¹⁷⁷ *Heavy Social Media Use Linked to Poor Sleep*, BBC News (Oct. 22, 2019), <https://www.bbc.com/news/health-50140111> (last visited Nov. 22, 2025).

¹⁷⁸ Ruthann Richter, *Among teens, sleep deprivation an epidemic*, Stanford Medicine News Ctr. (Oct. 8, 2015), <https://med.stanford.edu/news/all-news/2015/10/among-teens-sleep-deprivation-an-epidemic.html> (last visited Nov. 22, 2025).

1 and depression.¹⁷⁹ Spending time online displaces time when children could be
2 engaging in physical activity.¹⁸⁰ Further, when children spend more time online,
3 they are exposed to more advertisements for unhealthy products,¹⁸¹ which are
4 heavily targeted toward children.¹⁸² In addition, poor sleep quality—which, as
5 discussed above, is associated with problematic internet use—increases the risk
6 of childhood obesity by 20%.¹⁸³ Broadly, the harms of social media use include
7 increased rates of major depressive episodes, anxiety, eating disorders, body
8 image problems, sleep disturbances, suicidal ideation, and suicide attempts.¹⁸⁴

12 ¹⁷⁹ Jeff Chester, et al., *Big Food, Big Tech, and the Global Childhood Obesity*
13 *Pandemic* at 3, Center for Digital Democracy (May 2021),
https://democraticmedia.org/assets/resources/full_report.pdf (last visited Nov.
14 22, 2025).

15 ¹⁸⁰ E de Jong, et al., *Association Between TV Viewing, Computer Use and*
16 *Overweight, Determinants and Competing Activities of Screen Time in 4- to 13-*
17 *Year-Old Children*, 37 *Int'l J. Obesity* 47, 52 (2013),
<https://pubmed.ncbi.nlm.nih.gov/22158265/> (last visited Nov. 22, 2025).

18 ¹⁸¹ *Id.*

19 ¹⁸² Jeff Chester, et al., *Big Food, Big Tech, and the Global Childhood Obesity*
20 *Pandemic* at 3 Center for Digital Democracy (May 2021),
https://democraticmedia.org/assets/resources/full_report.pdf (last visited Nov.
21 22, 2025).

22 ¹⁸³ Yanhui Wu, et al., *Short Sleep Duration and Obesity Among Children: A*
23 *Systematic Review and Meta-Analysis of Prospective Studies*, 11 *Obesity Rsch. &*
24 *Clinical Prac.* 140, 148 (2015), <https://pubmed.ncbi.nlm.nih.gov/27269366/> (last
visited Nov. 22, 2025); Michelle A. Miller, et al., *Sleep Duration and Incidence of*
Obesity in Infants, Children, and Adolescents: A Systematic Review and Meta-
Analysis of Prospective Studies, 41 *Sleep* 1, 15 (2018),
<https://pubmed.ncbi.nlm.nih.gov/29401314/> (last visited Nov. 22, 2025).

¹⁸⁴ See, e.g., Jonathan Haidt & Jean Twenge, *Social Media and Mental Health: A Collaborative Review* (New York University, unpublished manuscript),
tinyurl.com/SocialMediaMentalHealthReview (last visited Nov. 22, 2025);
Jacqueline Nesi, et al., *Handbook of Adolescent Digital Media Use and Mental Health*, Cambridge Univ. Press (2022).

5. Privacy harms

242. Design features that maximize children’s time and activities online also exacerbate privacy harms. Like all users, children are tracked as they engage in online activities.¹⁸⁵ Data about what children do online is collected by a vast network that includes platforms, marketers, and third-party data brokers all over the world that use the information apps, websites, and other services collect and retain about children to profile them, make predictions about their choices, and influence their behavior. Children typically do not developmentally understand digital privacy. The constant surveillance they are subjected to as a result of these techniques is manipulative, limits creativity and experimentation, and perpetuates discrimination, substantially harming children and teens.

243. Invasion of privacy has been recognized as a common law tort for over a century. *See Matera v. Google Inc.*, 15-CV-0402, 2016 WL 5339806, at *10 (N.D. Cal, Sept. 23, 2016) (citing Restatement (Second) of Torts §§ 652A-I for the proposition that “the right to privacy was first accepted by an American court in 1905, and ‘a right to privacy is now recognized in the great majority of the American jurisdictions that have considered the question’”); *see also*, Restatement (Second) of Torts § 652B and defining an intrusion claim as

¹⁸⁵ *See, e.g.*, Reyes, et al., “*Won’t Somebody Think of the Children?*” *Examining COPPA Compliance at Scale*, 3 Proceedings on Privacy Enhancing Technologies 63, at 77 (2018), <https://petsymposium.org/2018/files/papers/issue3/popets-2018-0021.pdf> (finding that out of 5,855 child-directed apps, roughly 57% were collecting personal information in potential violation of the Children’s Online Privacy Protection Act) (last visited Nov. 22, 2025).

1 follows: “One who intentionally intrudes, physically or otherwise, upon the
2 solicitude or seclusion of another or his private affairs or concerns, is subject to
3 liability to the other for invasion of his privacy, if the intrusion would be highly
4 offensive to a reasonable person.”

5 244. As Justice Brandeis explained in his seminal article, *The Right to*
6 *Privacy*, “[t]he common law secures to each individual the right of determining,
7 ordinarily, to what extent his thoughts, sentiments, and emotions shall be
8 communicated to others.” Samuel D. Warren & Louis Brandeis, *The Right to*
9 *Privacy*, 4 HARV. L. REV. 193, 198 (1890). The Supreme Court similarly
10 recognized the primacy of privacy rights, explaining that the Constitution
11 operates in the shadow of a “right to privacy older than the Bill of Rights.”
12 *Griswold v. Connecticut*, 381 U.S. 479, 486 (1965).

13 245. More recently, the Supreme Court explicitly recognized the
14 reasonable expectation of privacy an individual has in her cell phone, and in the
15 personal data generated therefrom, in its opinion in *Carpenter v. United States*,
16 138 S. Ct. 2206 (2018). There, the Court held that continued access of an
17 individual’s cell phone location data constituted a search under the Fourth
18 Amendment because “a cell phone—almost a “feature of human anatomy[]”—
19 tracks nearly exactly the movements of its owner . . . A cell phone faithfully
20 follows its owner beyond public thoroughfares and into private residences,
21 doctor’s offices, political headquarters, and other potentially revealing
22 locales . . . Accordingly, when the Government tracks the location of a cell phone
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24

1 it achieves near perfect surveillance, as if it had attached an ankle monitor to
2 the phone's user." *Id.* at 2218 (internal citations omitted).

3 246. And, even more recently, the Northern District of California, in an
4 order denying a motion to dismiss an intrusion upon seclusion claim for the
5 exfiltration of children's personal data in different mobile apps, held that
6 "current privacy expectations are developing, to say the least, with respect to a
7 key issue raised in these cases – whether the data subject owns and controls his
8 or her personal information, and whether a commercial entity that secretly
9 harvests it commits a highly offensive or egregious act." *McDonald v. Kiloo ApS*,
10 385 F. Supp.3d 1022, 1035 (N.D. Cal. 2019). The *McDonald* court's reasoning
11 was subsequently adopted in the District of New Mexico in analogous litigation.
12 *See New Mexico ex rel. Balderas v. Tiny Lab Prods.*, 457 F. Supp. 3d 1103, 1127
13 (D.N.M. 2020), *on reconsideration*, No. 18-854 MV/JFR, 2021 WL 354003
14 (D.N.M. Feb. 2, 2021).

15 247. It is precisely because of YouTube's capacity for "near perfect
16 surveillance" that courts have consistently held that time-honored legal
17 principles recognizing a right to privacy in one's affairs naturally apply to online
18 monitoring. Defendants' unlawful intrusion into their minor users' privacy is
19 made even more egregious and offensive by the fact that the Defendants are
20 targeting and collecting *children's* information, without obtaining parental
21 consent. The conduct described herein violates Young Users' expectations of
22 privacy, as well as a parent's inherent right to protect his or her child and set
23 the parameters of what, when, and how information pertaining to the child will
24

1 be obtained. Parents' interest in the care, custody, and control of their children
2 is perhaps the oldest of the fundamental liberty interests recognized by society.
3 The history of Western civilization reflects a strong tradition of parental
4 concern for the nurture and upbringing of children in light of children's
5 vulnerable predispositions. Our society recognizes that parents and other
6 caretakers should maintain control over who interacts with their children and
7 how, in order to ensure the safe and fair treatment of their children.

8 **6. Risk to physical safety**

9 248. Finally, YouTube provides fertile ground for bad actors who use
10 the platform expressly to harm Young Users. The National Center on Sexual
11 Exploitation has lambasted Defendants for allowing posters and commenters to
12 use YouTube to seek out and share eroticized videos of children.¹⁸⁶ The
13 situation became so severe that advertisers like Walt Disney Co., Nestle,
14 Fortnite, and AT&T reportedly suspended advertising with YouTube over the
15 issue.¹⁸⁷

16 249. In response, Defendants claimed to have purged 400 channels and
17 deleted the ability of users to post comments "on videos that are featuring young
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22 ¹⁸⁶ National Center on Sexual Exploitation, *NCOSE confirms child erotica &*
23 *pedo ring on YouTube. TAKE ACTION* (Feb. 21, 2019)
<https://endsexualexploitation.org/articles/youtubeaction/> (last visited Nov. 22,
24 2025).

¹⁸⁷ *Id.*

1 minors and older minors that are engaged in risky behavior” per then-CEO
2 Susan Wojcicki.¹⁸⁸

3 250. The videos, themselves, remained on the platform however. Per an
4 NCOSE executive:

5 Despite YouTube’s claims to be cleaning up this content, YouTube
6 so far still continues to monetize videos that eroticize young
7 children and that serve as hubs for pedophiles to network and trade
8 information and links to more graphic child pornography. I saw ads
9 for LinkedIn, O’Reilly Autoparts, Google CS First, Promo, and even
10 a YouTube ad survey.

11 Further, YouTube is blocking the comments on many of these
12 videos because the algorithms recognize predatory comments are
13 proliferating, yet they leave the video up to gain hundreds of
14 thousands of additional views, and sometimes even continue to
15 monetize these videos after turning off the comments. Some of these
16 videos also contain flags for potential sex traffickers or child sexual
17 abusers trying to get in contact with the children in the videos via
18 social media, in addition to pedophiles networking amongst
19 themselves to trade more extreme child sexual abuse images—i.e.
20 child pornography. **YouTube is putting these children at risk
21 by not removing these videos.**¹⁸⁹

22 251. This was not the first time a problem of this magnitude presented
23 itself on YouTube. In 2017 more than 250 top-tier advertisers suspended their
24 campaigns on YouTube until Google could give them assurances that their ads
would not appear next to videos containing hate speech, promoting terror

20 ¹⁸⁸ Marley Jay, *Speaking for first time about pedophilia scandal, YouTube CEO*
21 *promises to keep comments off of kids videos*, Business Insider (Mar. 3, 2019)
22 [https://www.businessinsider.com/youtube-ceo-susan-wojcicki-speaks-about-](https://www.businessinsider.com/youtube-ceo-susan-wojcicki-speaks-about-pedophilia-scandal-2019-3)
23 [pedophilia-scandal-2019-3](https://www.businessinsider.com/youtube-ceo-susan-wojcicki-speaks-about-pedophilia-scandal-2019-3) (last visited Nov. 22, 2025).

23 ¹⁸⁹ National Center on Sexual Exploitation, *NCOSE confirms child erotica &*
24 *pedo ring on YouTube. TAKE ACTION* (Feb. 21, 2019)
<https://endsexualexploitation.org/articles/youtubeaaction/> (last visited Nov. 22,
2025).

1 organizations, or other obviously unsafe content for their brands to be
2 associated with.¹⁹⁰

3 252. The threats to children on YouTube continue. In May 2021, the
4 child protection non-profit Thorn published quantitative research, based on data
5 collected in 2020.¹⁹¹ According to this report, YouTube ranked among the top
6 platforms for various harms caused to minors. Per the report, “[t]he platforms
7 with the highest number of survey participants reporting a potentially harmful
8 online experience included Snapchat (26%), Instagram (26%), YouTube (19%),
9 TikTok (18%), and Messenger (18%).”¹⁹² Thorn found the following regarding
10 harm on YouTube:

- 11 • 19% of surveyed minors reported having had a potentially harmful online
12 experience on YouTube.
- 13 • 9% of all respondents said they have had an online sexual
14 interaction, which includes being asked to send a nude photo or video, go
15 ‘on cam’ with a sexually explicit stream, being sent a sexually explicit
16 photo (of themselves or another child), or sexually explicit messages, etc.

19 ¹⁹⁰ Lara O’Reilly, *The real motivations behind the growing YouTube advertiser*
20 *boycott*, Business Insider (Mar. 22, 2017) [https://www.businessinsider.com/why-](https://www.businessinsider.com/why-advertisers-are-pulling-spend-from-youtube-2017-3)
21 [advertisers-are-pulling-spend-from-youtube-2017-3](https://www.businessinsider.com/why-advertisers-are-pulling-spend-from-youtube-2017-3)) (last visited Nov. 22, 2025).

22 ¹⁹¹ Thorn, *Responding to Online Threats: Minors’ Perspectives on Disclosing,*
23 *Reporting, and Blocking Findings from 2020 quantitative research among 9–17*
24 *year olds* (May 2021), [https://info.thorn.org/hubfs/Research/Responding%20to%20Online%20Threats](https://info.thorn.org/hubfs/Research/Responding%20to%20Online%20Threats%2021-Full-Report.pdf)
[2021-Full-Report.pdf](https://info.thorn.org/hubfs/Research/Responding%20to%20Online%20Threats%2021-Full-Report.pdf) (last visited Nov. 22, 2025).

¹⁹² *Id.*

1 253. YouTube is uniquely positioned to place Young Users in contact
2 with bad actors, without the knowledge of their parents or caretakers, and to
3 date, they have operated with flagrant disregard for the safety of their Young
4 Users.

5 **IV. DEFENDANTS ENGAGE IN DECEPTIVE CONDUCT BY**
6 **OMITTING AND MISREPRESENTING MATERIAL FACTS**
7 **ABOUT YOUTUBE.**

8 254. For years, Defendants led reasonable consumers, parents, and
9 guardians to believe YouTube is safer and less harmful than it truly is.
10 Defendants deceived consumers, parents, and guardians by failing to disclose
11 that YouTube is, on balance, harmful to consumers (and especially damaging to
12 Young Users), by concealing information about some of its most popular
13 platform features, and by promoting misleading metrics about platform safety.

14 **A. Through Public Misrepresentations, Defendants Lead the**
15 **Public to Trust That YouTube is Safe for Young Users.**

16 **1. Misrepresentations concerning the differences**
17 **between YouTube and YouTube Kids**

18 255. As noted above, Defendants consistently have misrepresented the
19 differences between YouTube and YouTube Kids, to the detriment of parents.
20 Historically, Defendants lied to regulators and to the public about the fact that
21 it (1) knew that vast numbers of children were on the YouTube platform and (2)
22 touted that fact to advertisers. Defendants consistently told the public that
23 children were not allowed on YouTube, and claimed that the only portion of the
24 platform with a child audience was YouTube Kids.

1 256. For example, in 2018, when a consumer advocacy group filed a
2 complaint with the FTC over YouTube’s data collection practices, a YouTube
3 spokesman told the New York Times: “Because YouTube is not for children,
4 we’ve invested significantly in the creation of the YouTube Kids app to offer an
5 alternative specifically designed for children.”¹⁹³

6 257. This representation was demonstrably false. As discussed above,
7 at the same time that Defendants were misleading the public, they actively
8 were representing to advertisers that YouTube—and *not* YouTube Kids—was
9 “the new Saturday morning cartoons.”

10 258. Moreover, beyond knowing that the content on YouTube is
11 coextensive with YouTube Kids (but not vice versa), recent third-party forensic
12 analysis indicates that there is “strong evidence” that Defendants are
13 separately able to identify the age of a given viewer using data-driven
14 heuristics, but the platform does not “redirect” those child users to YouTube
15 Kids.¹⁹⁴

16 **2. Misrepresentations concerning parental controls**

17 259. As discussed above, Defendants represent that parents or
18 guardians of Young Users may control the content that Young Users see, and
19 the manner in which they see it, on YouTube and YouTube Kids. In reality,
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21 ¹⁹³ *Child advocates ask FTC to investigate YouTube*, Associated Press (Apr. 9,
22 2018) [https://www.nbcnews.com/tech/internet/child-advocates-ask-ftc-](https://www.nbcnews.com/tech/internet/child-advocates-ask-ftc-investigate-youtube-n863836)
[investigate-youtube-n863836](https://www.nbcnews.com/tech/internet/child-advocates-ask-ftc-investigate-youtube-n863836)) (last visited Nov. 22, 2025).

23 ¹⁹⁴ Tracking Exposed Special Report: Non-Logged-In Children Using YouTube
24 at 6, 19 (July 1, 2022) [https://tracking.exposed/pdf/youtube-non-logged-kids-](https://tracking.exposed/pdf/youtube-non-logged-kids-03July2022.pdf)
[03July2022.pdf](https://tracking.exposed/pdf/youtube-non-logged-kids-03July2022.pdf) (last visited Nov. 22, 2025).

1 however, Young Users may access YouTube without creating an account, and
2 therefore may access the platform without *any* controls being put in effect.

3 260. Further, as discussed herein, Defendants are able to establish—
4 and do establish—a user’s age, even if that user is not logged into YouTube.
5 Yet, when Defendants conclude that teens or younger children are utilizing the
6 platform without first logging in, Defendants do not change the user experience
7 in any way to mitigate against the harms caused by their Design Elements.

8 261. Thus, Defendants’ controls are little more than a PR stunt, and the
9 weaknesses of those controls are not conveyed to parents or guardians of Young
10 Users.

11 **3. Misrepresentations concerning prioritizing well**
12 **being**

13 262. Defendants create the impression that their focus on user
14 wellbeing extends beyond mere compliance with regulation, and instead stems
15 from a free-standing commitment to keep children safe on YouTube. For
16 example, in response to advocates’ request for an FTC investigation into
17 YouTube’s collection of children’s data in 2018 (which led to the FTC COPPA
18 settlement discussed in paragraphs 92-96 *supra*), Defendants stated that
19 “Protecting kids and families has always been a top priority for us.”¹⁹⁵
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23 ¹⁹⁵ Michelle Cook, *Google and YouTube targeting ads at kids*, Great Basin Sun
24 (Feb. 19, 2019) <https://greatbasinsun.com/news/2019/feb/19/google-and-youtube-targeting-ads-at-kids/> (last visited Nov. 22, 2025).

263. Similar statements can be found on YouTube’s FAQs—examples include, but are not limited to, the following:

- **“Safety features for video recommendations:** YouTube has video recommendation safety features that provide more responsible recommendations for teens. This system automatically minimizes exposure to content that could negatively impact their self-image or behaviors.”¹⁹⁶

In reality, Young Users are routinely subjected to extreme content, as are all users, because Defendants have purposely engineered their autoplay recommendations to provide viewers with increasingly extreme content in an effort to keep them on the platform for as long as possible. *See, e.g.*, paragraphs 167-173, *supra*.

- “[W]e do not allow content on YouTube that promotes suicide, self-harm or eating disorders that is intended to shock or disgust, or that poses a considerable risk to viewers.”¹⁹⁷

Similarly, this statement is demonstrably false, and for the same reason as stated above: engagement thrives on outrage, and YouTube consistently has been (and remains) a platform for extreme content that not only is harmful to viewers, but also can radicalize them and lead them to harm others.

¹⁹⁶ YouTube For Families Help, *Tips & resources for parents of teens on YouTube* https://support.google.com/youtubekids/answer/2802272?hl=en&ref_topic=15278051#:~:text=Supervised%20experiences,about%20supervised%20experiences%20for%20teens (last visited Nov. 22, 2025).

¹⁹⁷ YouTube Help, *Suicide, self-harm and eating disorders policy* https://support.google.com/youtube/answer/2802245?hl=en-GB&ref_topic=9386941 (last visited Nov. 22, 2025).

1 264. As discussed above, the only thing Defendants have proactively
2 promoted are addiction-causing Design Elements, meant to keep Young Users
3 on YouTube for as long as possible, without regard to their well-being.

4 265. These misrepresentations, and other, comparable
5 misrepresentations made by Defendants, are as material as they are
6 demonstrably false, and they lead one to conclude that YouTube is healthier (or
7 at least less harmful) for Young Users than it really is.

8 **V. DEFENDANTS ACTIVELY ALLOW THEIR YOUNGEST USERS**
9 **ON YOUTUBE DESPITE PUBLICLY CLAIMING THOSE UNDER**
10 **13 ARE NOT ALLOWED ON THE PLATFORM.**

11 266. Defendants' disregard for the health and well-being of its Young
12 Users is even more repugnant because YouTube's *Youngest* Users include
13 children under age 13, who are prohibited from having accounts on the platform
14 without verified consent from parents prior to collecting personal information of
those under age 13.

15 267. As discussed in Section V(A), *supra*, Defendants have claimed for
16 roughly a decade that they do not allow users under age 13 to create accounts
17 and be on the platform. And Defendants represent publicly that they take steps
18 to prevent Youngest Users from establishing accounts on YouTube. As alleged
19 above, limiting account creation on YouTube is a meaningless gesture since
20 anyone can interact with the platform without an account at any time. But in
21 addition to that, Defendants have long been aware—and even promoted the
22 fact—that children engage with YouTube almost universally in the United
23 States, that the platform is the modern-day equivalent of Saturday morning
24

1 cartoons, and that YouTube has a larger market share with young people than
2 any other website in the country.

3 268. In sum, and as confirmed by the \$170 million FTC fine (which at
4 the time was the largest in the Commission's history for violations of COPPA),
5 Defendants actively pursue users under 13 despite public statements to the
6 contrary, fail to effectively exclude under age 13 users from using YouTube, and
7 acquire additional knowledge that specific children are on its platforms when
8 concerned parents, siblings, teachers, and community members report
9 individual children on YouTube. Still, Defendants decline to prevent platform
10 engagement without an account, fail to remove many of those children's
11 accounts that are created, fail to limit access to YouTube for these children, and
12 continue to falsely reassure the public that Defendants do not allow under age
13 13 users on their platform.

14 269. Children under the age of 13 are particularly vulnerable to the
15 harms caused by YouTube, and Defendants' conduct violates longstanding
16 societal norms meant to protect children, and to preserve parents' autonomy to
17 ensure the same.

18 ///

20 ///

22 ///

1 CAUSES OF ACTION

2 COUNT I:

3 **DECEPTIVE ACTS OR PRACTICES BY DEFENDANTS IN VIOLATION**
4 **OF NEVADA'S DECEPTIVE TRADE PRACTICES ACT**
5 **(NRS 598.0903 THROUGH 598.0999)**

6 270. Plaintiff repeats and realleges the preceding paragraphs of this
7 Complaint as if fully set forth herein.

8 271. The Attorney General is authorized to bring an action—
9 independently in the name of the State as well as in a *parens patriae* capacity
10 on behalf of the persons residing in Nevada—to remedy violations of the
11 Deceptive Trade Practices Act. *See, e.g.*, NRS 598.0963 and 598.0999.

12 272. As discussed above, the State has pled that Defendants' platform,
13 YouTube, is a good or service within the scope of the Nevada Deceptive Trade
14 Practices Act, both by virtue of the consideration exchanged in the form of time,
15 attention, and personal data in return for provision of platform services as well
16 as by virtue of the monetization occurring through the advertisement and sale
17 of products that are facilitated on YouTube.

18 273. Moreover, Defendants' platform is "for sale or lease" for purposes of
19 NRS § 598.0915 because users pay for the use of YouTube with their own
20 personal information which absolutely has a monetary value.¹⁹⁸ Users cannot
21 use or access the platform unless they consent to this data collection. From

22
23 ¹⁹⁸ Chandra Steele, *How Much Is Your Personal Data Worth?* PC Magazine
24 (Nov. 25, 2020) <https://www.pcmag.com/news/know-your-datas-worth> (last
visited Nov. 22, 2025).

1 Defendants' Company Information: "[W]e're able to offer our products to users
2 around the world free of charge" and "we give you permission to access and use
3 our services if you agree to follow these terms, which reflect how Google's
4 business works and how we earn [most of our money by showing ads....]¹⁹⁹

5 274. In other words, Defendants vacuum up untold terabytes of this
6 information when a user agrees to the terms of service and therefore agrees to
7 give them the data, then can either sell that information for hard currency or
8 use that information to hyper-target advertising to their users. These
9 advertisements are paid for with hard currency to the tune of billions of dollars
10 per year. As a result of this supposedly "free" platform, Defendants have
11 achieved a market capitalization of over 2 *trillion* dollars.²⁰⁰ Clearly then,
12 Defendants' users are providing consideration in return for use of the YouTube
13 platform.

14 275. At all times relevant herein, the Defendants violated the Nevada
15 Deceptive Trade Practices Act, §§ 598.0903 to 598.0999, by repeatedly and
16 willfully committing deceptive acts or practices, in the conduct of commerce,
17 which are violations of the Act.

18 276. The Attorney General is authorized to bring an action in the name
19 of the State to remedy violations of the Deceptive Trade Practices Act. NRS §§
20 598.0999. This action is proper in this Court because Defendants are using,

22 ¹⁹⁹ *How Our Business Works*, Google, <https://about.google/company-info/how-our-business-works/> (last visited Nov. 22, 2024).

23 ²⁰⁰ <https://companiesmarketcap.com/alphabet-google/marketcap/> (last visited
24 Nov. 22, 2025).

1 have used, and/or are about to use practices that are unlawful under the Act.
2 NRS § 598.0915(5).

3 277. Defendants willfully committed deceptive trade practices because
4 of false representations as well as omission of material facts. *See* NRS §
5 598.0915(5); *see also* §§ 598.0915(2) (“[k]nowingly makes a false representation
6 as to the source, sponsorship, approval or certification of goods or services for
7 sale...”), 598.0915(3) (“[k]nowingly makes a false representation as to affiliation,
8 connection, association with or certification by another person”), and
9 598.0915(15) (“[k]nowingly makes any other false representation in a
10 transaction”).

11 278. Defendants acted knowingly under Nevada law, which states that
12 under the NDTPA, “‘knowingly’ means that the defendant is aware that the
13 facts exist that constitute the act or omission.” *Poole v. Nev. Auto Dealership*
14 *Invs., LLC*, 135 Nev. 280, 281, 449 P.3d 479, 481 (2019). Similarly, “a
15 ‘knowing[]’ act or omission under the NDTPA does not require that the
16 defendant intend to deceive with the act or omission, or even know of the
17 prohibition against the act or omission, but simply that the defendant is aware
18 that the facts exist that constitute the act or omission.” *Id.* at *8 (alteration
19 original).

20 279. As set forth in Sections II-VI, *supra*, Defendants knowingly failed
21 to disclose the material facts concerning the true nature of the risks of harm
22 posed to Young Users on YouTube.

1 280. As set forth in Sections II-VI, *supra*, Defendants knowingly
2 misrepresented to regulators and the public that YouTube was safe for Young
3 Users, and prioritized the wellbeing of Young Users, when in fact Defendants
4 knew that those representations were false.

5 281. As set forth in Sections II-VI, *supra*, Defendants, at all times
6 relevant to this Complaint, willfully violated the Deceptive Trade Practices Act
7 by committing deceptive trade practices by representing that YouTube “ha[s] ...
8 characteristics, ... uses, [or] benefits” that it does not have. NRS § 598.0915(5).

9 282. As set forth in Sections II-VI, *supra*, Defendants willfully
10 committed further deceptive trade practices by causing confusion or
11 misunderstanding as to the safety and risks associated with the YouTube social
12 media platform. NRS § 598.0915(2).

13 283. As set forth in Sections II-VI, *supra*, Defendants willfully
14 committed further deceptive trade practices by making “false representation as
15 to [the] affiliation, connection, association with or certification” of YouTube.
16 NRS § 598.0915(3).

17 284. As set forth in Sections II-VI, *supra*, Defendants willfully
18 committed further deceptive trade practices by representing that YouTube was
19 “of a particular standard, quality or grade” (to wit, designed to be safe for Young
20 Users), despite knowing that this was not true. NRS § 598.0915(7).

21 285. As set forth in Sections II-VI, *supra*, Defendants willfully
22 committed further deceptive trade practices by representing that YouTube is
23
24

1 safe and not harmful to Young Users' wellbeing when such representations were
2 untrue, false, and misleading. NRS § 598.0915(15).

3 286. As set forth in Sections II-VI *supra*, Defendants willfully
4 committed further deceptive trade practices by using exaggeration and/or
5 ambiguity as to material facts and omitting material facts, which had a
6 tendency to deceive and/or did in fact deceive. NRS § 598.0915(15).

7 287. As set forth in Sections II-VI, *supra*, Defendants willfully
8 committed further deceptive trade practices by violating one or more laws
9 relating to the sale or lease of goods or services. NRS § 598.0923(1)(c).

10 288. As set forth in Sections II-VI, *supra*, Defendants willfully
11 committed further deceptive trade practices by failing to disclose a material fact
12 in connection with the sale or lease of goods or services. Nev. Rev. Stat. Ann. §
13 598.0923(1)(b).

14 289. As set forth in Sections II-VI, *supra*, Defendants willfully
15 committed further deceptive trade practices by making false assertions of
16 scientific, clinical or quantifiable facts in its advertisements and public
17 statements which would cause a reasonable person to believe that such
18 assertions were true. NRS § 598.0925(1)(a).

19 290. Defendants' deceptive representations, concealments, and
20 omissions were knowingly made in connection with trade or commerce, were
21 reasonably calculated to deceive the public and the State, were statements that
22 may deceive or tend to deceive, were willfully used to deceive the public and the
23 State, and did in fact, deceive the public and the State.
24

1 291. As described more specifically above, Defendants' representations,
2 concealments, and omissions constitute a willful course of conduct which
3 continues to this day. Unless enjoined from doing so, Defendants will continue
4 to violate the Nevada Deceptive Trade Practices Act.

5 292. Defendants' deceptive trade practices are willful and subject to a
6 civil penalty and equitable relief. NRS § 598.0999.

7 293. Because Defendants' deceptive trade practices are toward minors,
8 Defendants are subject to additional civil penalties and equitable relief. NRS §
9 598.09735.

10 294. Each exposure of a Nevada Young User to YouTube resulting from
11 the aforementioned conduct of each Defendant constitutes a separate violation
12 of the Nevada Deceptive Trade Practices Act.

13 295. Defendants engaged in deceptive and unconscionable trade
14 practices in violation of NRS 598.0903 through 598.0999 knowingly, willfully, or
15 with fraudulent intent. Their conduct was malicious and carried out with a
16 conscious disregard for the rights and safety of consumers, particularly
17 vulnerable populations such as minors and Young Users.

18 296. Defendants' actions were fraudulent, oppressive, and despicable,
19 and would be regarded with contempt by ordinary, decent people. Through
20 misrepresentation, concealment, or material omissions, Defendants
21 intentionally misled consumers to gain an unfair business advantage while
22 disregarding the foreseeable harm their conduct would cause.

1 297. Plaintiff, State of Nevada, seeks all legal and equitable relief as
2 allowed by law, including *inter alia* injunctive relief and all recoverable
3 penalties under all sections of the Deceptive Trade Practices Act including all
4 civil penalties per each violation, attorney fees and costs, and pre- and post-
5 judgment interest.

6 298. Pursuant to NRS 42.005 and 42.007, Defendants are liable for
7 exemplary and punitive damages. *See D.R. Horton, Inc. v. Betsinger*, 130 Nev.
8 842, 335 P.3d 1230 (2014). The misconduct was authorized, ratified, or
9 committed by Defendants' officers, directors, or managing agents, or was
10 adopted and implemented as a matter of corporate policy. Defendants are
11 therefore vicariously liable for the fraudulent and malicious conduct of their
12 agents and representatives.

13 **COUNT II:**

14 **UNCONSCIONABLE ACTS OR PRACTICES BY DEFENDANTS IN**
15 **VIOLATION OF NEVADA'S DECEPTIVE TRADE PRACTICES ACT**
 (NRS 598.0903 THROUGH 598.0999)

16 299. Plaintiff repeats and realleges the preceding paragraphs of this
17 Complaint as if fully set forth herein.

18 300. The Attorney General is authorized to bring an action—
19 independently in the name of the State as well as under his statutory authority
20 and in a *parens patriae* capacity on behalf of the persons residing in Nevada—to
21 remedy violations of the Deceptive Trade Practices Act. *See, e.g.*, NRS 598.0963
22 and 598.0999. As discussed above, the State has pled that Defendants' platform
23 is a good or service within the scope of the Nevada Deceptive Trade Practices
24

1 Act, both by virtue of the consideration exchanged in the form of time, attention,
2 and personal data in return for provision of platform services as well as by
3 virtue of the monetization occurring through the advertisement and sale of
4 products that are facilitated on Defendants' platform.

5 301. Moreover, Defendants' platform is "for sale or lease" for purposes of
6 NRS § 598.0915 because users pay for the use of YouTube with their own
7 personal information which absolutely has a monetary value.²⁰¹ Users cannot
8 use or access the platform unless they consent to this data collection. From
9 Defendants' Company Information: "[W]e're able to offer our products to users
10 around the world free of charge" and "we give you permission to access and use
11 our services if you agree to follow these terms, which reflect how Google's
12 business works and how we earn [most of our money by showing ads....]"²⁰²

13 302. In other words, Defendants vacuum up untold terabytes of this
14 information when a user agrees to the terms of service and therefore agrees to
15 give them the data, then can either sell that information for hard currency or
16 use that information to hyper-target advertising to their users. These
17 advertisements are paid for with hard currency to the tune of billions of dollars
18 per year. As a result of this supposedly "free" platform, Defendants have
19
20
21

22 ²⁰¹ Chandra Steele, *How Much Is Your Personal Data Worth?* PC Magazine
23 (Nov. 25, 2020) <https://www.pcmag.com/news/know-your-datas-worth> (last
24 visited Nov. 22, 2025).

²⁰² *How Our Business Works*, Google, <https://about.google/company-info/how-our-business-works/> (last visited Nov. 22, 2025).

1 achieved a market capitalization of over 2 *trillion* dollars.²⁰³ Clearly then,
2 Defendants’ users are providing consideration in return for use of the YouTube
3 platform.

4 303. At all times relevant herein, Defendants violated the Nevada
5 Deceptive Trade Practices Act, §§ 598.0903 to 598.0999, by repeatedly and
6 willfully committing unconscionable trade practices, in the conduct of
7 commerce, which are violations of the Act.

8 304. The Attorney General is authorized to bring an action in the name
9 of the State to remedy violations of the Deceptive Trade Practices Act. NRS §§
10 598.0999. This action is proper in this Court because Defendants are using,
11 have used, and/or are about to use practices that are unlawful under the Act.
12 NRS § 598.0915(5).

13 305. As set forth in Sections II-VI, *supra*, Defendants willfully
14 committed unconscionable trade practices in designing and deploying the
15 Design Elements on the YouTube social media platform. Such conduct violates
16 the NDTPA’s prohibition of knowingly using “an unconscionable practice in a
17 transaction.” NRS § 598.0923(1)(e).

18 306. Defendants acted knowingly under Nevada law, which states that
19 under the NDTPA, “‘knowingly’ means that the defendant is aware that the
20 facts exist that constitute the act or omission.” *Poole v. Nev. Auto Dealership*
21 *Invs., LLC*, 135 Nev. 280, 281, 449 P.3d 479, 481 (2019). Similarly, “a
22

23 ²⁰³ <https://companiesmarketcap.com/alphabet-google/marketcap/> (last visited
24 Nov. 22, 2025).

1 ‘knowing[]’ act or omission under the NDTPA does not require that the
2 defendant intend to deceive with the act or omission, or even know of the
3 prohibition against the act or omission, but simply that the defendant is aware
4 that the facts exist that constitute the act or omission.” *Id.* at *8 (alteration
5 original).

6 307. The Design Elements identified in Sections I-III, *supra*, are
7 “unconscionable trade practices” because they (1) “[t]ake[] advantage of the lack
8 of knowledge, ability, experience or capacity of the consumer to a grossly unfair
9 degree;” and (2) “[r]esult[] in a gross disparity between the value received and
10 the consideration paid, in a transaction involving transfer of consideration.”
11 NRS § 598.0923(2)(b)(1)-(2).

12 308. NRS § 598.0923(2)(b)(1): As discussed, *supra*, the Design Elements
13 represent a vast asymmetry in sophistication and knowledge between
14 Defendants, on the one hand, who have devoted extensive time, energy, and
15 resources in identifying ways in which Young Users may be manipulated and
16 exploited into compulsive use of YouTube; and Young Users (and their
17 caretakers), on the other hand, who do not—and could not be expected to—have
18 the same fundamental and sophisticated knowledge of behavioral psychology,
19 biology of young people, and social media platform design principles. This
20 asymmetry in knowledge is compounded by the fact that Defendants knowingly
21 and intentionally hide, obscure, or minimize critical information, preventing
22 public access to anything that might be damaging to their reputation and that
23 would alert the public to the harms identified herein.
24

1 309. NRS § 598.0923(2)(b)(2): Further, as discussed, *supra*, use of the
2 YouTube platform is a transaction that involves consideration (exemplified by
3 the fact that Defendants seek to bind Young Users to, *inter alia*, a contract in
4 the form of YouTube's Terms of Use). Due to the harms identified herein that
5 afflict Young Users as a result of using YouTube, and which are the result of the
6 Design Elements deployed by YouTube for purposes of inducing compulsive use
7 of the platform, the disparity between the value received and the consideration
8 paid is so vast as to be unconscionable.

9 310. As described more specifically above, Defendants' conduct is willful
10 and continues to this day. Unless enjoined from doing so, Defendants will
11 continue to violate the Nevada Deceptive Trade Practices Act.

12 311. But for this unconscionable conduct, Nevada's Young User citizens
13 would not have suffered the harms detailed herein.

14 312. Defendants' unconscionable practices are willful and subject to a
15 civil penalty and equitable relief. NRS § 598.0999.

16 313. Because Defendants' unconscionable practices are toward minors,
17 Defendants are subject to additional civil penalties and equitable relief. NRS §
18 598.09735.

19 314. Each exposure of a Nevada Young User to YouTube resulting from
20 Defendants' aforementioned conduct constitutes a separate violation of the
21 Nevada Deceptive Trade Practices Act.

22 315. Defendants engaged in deceptive and unconscionable trade
23 practices in violation of NRS 598.0903 through 598.0999 knowingly, willfully, or
24

1 with fraudulent intent. Their conduct was malicious and carried out with a
2 conscious disregard for the rights and safety of consumers, particularly
3 vulnerable populations such as minors and Young Users.

4 316. Defendants' actions were fraudulent, oppressive, and despicable,
5 and would be regarded with contempt by ordinary, decent people. Through
6 misrepresentation, concealment, or material omissions, Defendants
7 intentionally misled consumers to gain an unfair business advantage while
8 disregarding the foreseeable harm their conduct would cause.

9 317. Plaintiff, State of Nevada, seeks all legal and equitable relief as
10 allowed by law, including *inter alia* injunctive relief and all recoverable
11 penalties under all sections of the Nevada Deceptive Trade Practices Act
12 including all civil penalties per each violation, attorney fees and costs, and pre-
13 and post-judgment interest.

14 318. Pursuant to NRS 42.005 and 42.007, Defendants are liable for
15 exemplary and punitive damages. *See D.R. Horton, Inc. v. Betsinger*, 130 Nev.
16 842, 335 P.3d 1230 (2014). The misconduct was authorized, ratified, or
17 committed by Defendants' officers, directors, or managing agents, or was
18 adopted and implemented as a matter of corporate policy. Defendants are
19 therefore vicariously liable for the fraudulent and malicious conduct of their
20 agents and representatives.

21 ///

22
23 ///

COUNT III:

PRODUCT LIABILITY – DESIGN DEFECT

319. Plaintiff repeats and realleges the preceding paragraphs of this Complaint as if fully set forth herein.

320. The Attorney General is authorized to bring an action— independently in the name of the State as well as in a *parens patriae* capacity on behalf of the persons residing in Nevada—to remedy violations of Nevada law.

321. Nevada recognizes the “sound public policy favoring the strict product liability doctrine.” *Ward v. Ford Motor Co.*, 99 Nev. 47, 49, 657 P.2d 95, 96 (1983).

322. Defendants designed, created, and distributed YouTube, and have continued to maintain and distribute it to Nevada consumers, including Young Users in Nevada, rendering Defendants the product’s designer, manufacturer, and distributor for strict product liability purposes.

323. Defendants designed defective features of YouTube that render it unreasonably dangerous to end users, including Young Users in Nevada. *See* Section III-IV, *supra*.

324. Because those design defects are built into the YouTube product, it is defective upon distribution.

325. YouTube’s end users, including Young Users in Nevada, use YouTube in a manner reasonably foreseeable by Defendants. *See* Sections II-VI, *supra*.

1 326. The YouTube product lacks adequate, feasible safety features. *See*
2 Section II-VI, *supra*.

3 327. YouTube’s defective designs have caused and continue to cause
4 injury to end users, including Young Users in Nevada. *See* Section II-VI, *supra*.

5 **A. YouTube is a Product for Purposes of Nevada’s Strict Product**
6 **Liability Law.**

7 328. Defendants do not provide video content via YouTube—content
8 creators provide that service—but rather Defendants design and distribute the
9 YouTube platform itself. And because YouTube is defectively designed, it
10 creates a safety risk for users and is subject to strict product liability.

11 **1. Recognizing YouTube as a product for purposes of strict**
12 **product liability advances the three public policy objectives**
13 **as required under Nevada law.**

14 329. Nevada has expressly declined to adopt a limited definition of
15 “product” for purposes of strict product liability and instead requires a case-by-
16 case analysis under the policy objectives outlined in Restatement (Second)
17 section 402A. *Schueler v. Ad Art, Inc.*, 136 Nev. App. 447, 454 (2020). Those
18 objectives are: (1) promot[ing] safety by eliminating the negligence requirement;
19 (2) spread[ing] the costs of damages from dangerously defective products to the
20 consumer by imposing them on the manufacturer or seller; and (3) removing
21 concerns about a plaintiff’s ability to prove a remote manufacturer’s or seller’s
22 negligence.” *Id.* (quoting *Calloway v. City of Reno*, 116 Nev. 250, 268 (2000)).
23 This “case-by-case approach [] ***allows the [product liability] doctrine to***
24 ***adapt to technological advances.***” *Id.* at 455. (emphasis added).

1 ***i. Recognizing YouTube as a “product” promotes safety***
2 ***by incentivizing Defendants to make YouTube safer for***
3 ***the Nevada public***

4 330. Imposing the cost of injuries resulting from YouTube on
5 Defendants, who created and put YouTube on the market, “creates an incentive
6 for Defendants to make the product safer.” *Schueler*, 136 Nev. at 462. “This
7 imposition is justified because [Defendants have] undertaken and assumed a
8 special responsibility toward” YouTube’s end users, which include Young Users
9 in Nevada, by releasing YouTube into the market. *Id.* (quoting Restatement (2d)
10 of Torts, § 402A cmt. c). These Young Users, and their parents or guardians,
11 were entitled to assume that the platform was fit for ordinary use, and
12 Defendants knew or should have known that YouTube—and its Design
13 Elements—would be used by Young Users without inspection for defects, the
14 likes of which include design elements that “exploit known vulnerabilities in
15 Young Users’ neurological development, making the platform profoundly
16 difficult—and in some cases impossible—for children and teens to resist. These
17 design elements include low-friction variable rewards, social manipulation,
18 push notifications, and ineffective parental controls. *See* Sections III-IV, *supra*.

19 ***ii. Recognizing YouTube as a “product” spreads the costs***
20 ***of Young Users’ harm to Defendants***

21 331. It is beyond dispute that Defendants are in the business of
22 designing, making, marketing, and introducing YouTube into the market (or
23 “stream of commerce”). At all times relevant to this action, Defendants have
24 had—and continue to have—the ability and opportunity to design and develop

1 safe products, as well as the ability and opportunity to bear the costs and
2 negative consequences to society and Young Users associated with those
3 products. Whereas Young Users—and their parents or guardians—do not.

4 ***iii. Recognizing YouTube as a “product” removes concerns***
5 ***about a Young User’s ability to prove Defendants’***
6 ***negligence***

7 332. As discussed in the preceding paragraphs, it is Defendants—not
8 Young Users or their parents or guardians—who have complete and total
9 control over YouTube’s design, manufacture, marketing, and introduction into
10 the stream of commerce. Thus, Young Users and their parents or guardians
11 may not be in a position to prove Defendants’ negligence.

12 **2. YouTube is sufficiently analogous to tangible products to**
13 **be considered a product for product liability purposes.**

14 333. In addition to the three policy objectives outlined above, Nevada
15 courts may use “appropriate definitions as guidance when determining whether
16 an item is indeed a product for purposes of strict liability.” *Schueler*, 136 Nev. at
17 455. The Restatement (Third) of Torts: Product Liability’s definition of product
18 is “tangible personal property distributed commercially for use or consumption.”
19 § 19 (Am. Law Inst. 1998). Under this definition, the Restatement (3d) of Torts
20 recognizes that even electricity is a “product[] ***when the context of [its]***
21 ***distribution and use is sufficiently analogous to [that] of tangible***
22 ***personal property.***” *Id.* (emphasis added).

23 ///

334. Like the example of electricity, which is distributed via a complex physical infrastructure that includes power plants, towers, substations, and cables, YouTube is distributed via a complex physical infrastructure that includes servers, data centers, cables, and various online “stores” where users can download YouTube onto their devices—the modern equivalent of purchasing a tangible software product, *e.g.*, Microsoft Windows, at a brick-and-mortar store. The user’s “purchase” (download) causes YouTube to occupy physical storage space on the user’s device hard drive, like a purchased clothing item occupies physical storage space in a user’s closet. Once Defendants’ YouTube product is downloaded onto a user’s device, it transmits the user’s personal information back to Defendants by means of “packets,” or discreet and measurable blocks of data traveling across a network, again using physical components (servers, data centers, cables). *See* Section II(A), *supra*.

335. Further, like providers of electricity and tangible items, such as supermarket products or pharmaceutical drugs, Defendants closely monitor and measure how much of their product users consume, and the more product a user consumes, the more Defendants profit (via data and attention then sold to advertisers). *See* Section II(A), *supra*.

336. Further, like providers of tangible products, Defendants create customer demand for and reliance on the YouTube product through marketing (analogous to most tangible products), innovation (analogous to vehicles, computers, and appliances), fear of missing out (FOMO) (analogous to certain

1 clothing brands and children’s toys), and *addictive features* (analogous to
2 addictive pharmaceutical drugs). *See* Sections III-IV, *supra*.

3 337. Additionally, much of the physical infrastructure Defendants use
4 to distribute their product is located in Nevada. In other words, the YouTube
5 product cannot be delivered in Nevada without using physical infrastructure
6 within the state. Therefore, Defendants are taking full advantage of Nevada’s
7 infrastructure and deriving a monetary benefit by doing so. *See* Section ____,
8 *supra*.

9 338. The context of YouTube’s use is also sufficiently analogous to that
10 of tangible personal property for YouTube to be considered a product for product
11 liability purposes. Users, including Young Users in Nevada, use YouTube as
12 entertainment and education, both at home and on the move, search the vast
13 “library” of video content, actively choosing specific videos or using
14 autoplay/suggested content to passively choose, and interact with the content
15 via pausing, saving, or liking videos, and leaving comments. Analogous use
16 examples of tangible products include MP3 players and electronic readers.
17 Individuals use these products as personal entertainment, at home and on the
18 move, choose specific content or consume via shuffle play or recommendations,
19 and interact with the content via pausing songs, saving books, or leaving book
20 reviews. Also like YouTube, these products are used as *platforms* for the
21 discovery, curation, and viewing of content; the designer, manufacturer, and/or
22 distributor of the MP3 player or electronic reader does not *create* the songs or
23 books.
24

339. Other, more modern examples of analogous products are mobile applications (“Apps”) that, while not directly comparable to a *tangible* product, have been found to be products for the purposes of strict product liability. For example, courts have found that the rideshare Lyft App is a product because, like Defendants and their YouTube product, “Lyft designed and placed the Lyft App into the stream of commerce for the general public, putting Lyft in the best position to control the risk of harm associated with the App caused by the design choices, similar to designers of defective tangible products.” *Ameer v. Lyft*, 2025 WL 679373 *13-14 (Mar. 4, 2025); *see also Brookes v. Lyft Inc.*, 2022 WL 19799628 (Fla. Cir. Ct. Sept. 30, 2022) (determining Lyft App is product for product liability purposes); *Doe v. Lyft, Inc.*, 756 F. Supp. 3d 110, 2024 (D. Kansas. Nov. 1, 2024) (same); *In re Uber Techs., Inc.*, 745 F. Supp. 3d 869 (N.D. Cal. 2024) (determining Uber App is product for product liability purposes). This recognition furthers Nevada’s acknowledgement that the case-by-case approach to determining what is a product “allows the [product liability] doctrine to adapt to technological advances.” *Schueler*, 136 Nev. App. at 455; *see also Ameer*, 2025 WL 679373 *14 (noting that the “Court must recognize the changes rippling through our society as a result of the technology at issue, and decide whether the Lyft App should be forced into the old square holes of pre-existing legal categories, when none are a perfect fit”) (cleaned up and quotation omitted).

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340. Similarly, in determining that the Grindr dating App may be a product for strict liability purposes, a Florida court focused on the purpose behind Florida’s strict liability law, which is the same purpose as Nevada’s: “product liability shifts the burden to ensure a safe, non-defective product on the party who is most able to protect against the harm and bear the cost.” *T.V. v. Gindr, LLC*, 2024 WL 4128796 *63 (M.D. Fla. Aug. 13, 2024). Defining the Grindr App as a product met this purpose because Grindr “[1] designed the Grindr app for its business, [2] made design choices for the Grindr app, [3] placed the Grindr app into the stream of commerce, [4] distributed the Grindr app in the global marketplace, [5] marketed the Grindr app, and [6] generated revenue and profits from the Grindr app[.]” *Id.* at *63-64. Grindr’s role in designing and distributing the App “mak[es] Grindr’s role different from a mere service provider, putting Grindr in the best position to control the risk of harm associated with the Grindr app, and rendering Grindr responsible for any harm caused by its design choices in the same way designers of physically defective products are responsible.” *Id.* at *64; *see also Maynard v. Snapchat, Inc.*, 313 Ga. 533, 552, 870 S.E.2d 739 (2022) (recognizing that protecting public from defective products important aspect of public policy and finding Snap App may be product for strict liability purposes). Further, Grindr’s argument that plaintiffs were “trying to hold Grindr liable for users’ communications,” or “ideas and expressions,” was unpersuasive because plaintiffs had pled that Grindr’s “design choices, like Grindr’s choice to forego age detection tools (akin to a design choice to forego an effective safety cap on a medicine bottle), and

1 Grinder’s choice to provide an interface displaying the nearest users first (akin
2 to a design choice to make a dangerous feature prominent),” were sufficient to
3 allege a defect in the product’s *design*. 2024 WL 4128796 at *65. Likewise, here
4 Defendants designed YouTube for their business, made design choices for
5 YouTube, placed YouTube into the stream of commerce, and continue to
6 distribute, market, and generate revenue and profits from YouTube. Finally,
7 like the Nevada Supreme Court in *Schueler* and the Missouri Appellate Court in
8 *Ameer*, the Florida court in *Grindr* recognized that the “common law must keep
9 pace with changes in our society and may be altered. . . when the change is
10 demanded by public necessity or required to vindicate fundamental rights.” *Id.*
11 at *45 (quotation omitted).

12 341. Additionally, in the context of YouTube, it is installed and operated
13 directly on physical consumer devices, including smartphones, smart
14 televisions, and video game consoles. Once installed, it functions as a native
15 application that occupies device storage, utilizes device processing power, and
16 integrates with the device’s operating system in the same manner as
17 conventional consumer software products.

18 342. Users interact with the platform through tangible inputs such as
19 touchscreen gestures, remote controls, and console game controllers. The
20 platform’s delivery of curated audiovisual content through these physical
21 interfaces closely resembles the user experience of traditional entertainment
22 products such as DVDs or cartridges, which courts have long recognized as
23 tangible personal property.
24

1 343. Because the platform is persistently housed on, accessed through,
2 and functionally dependent on physical hardware, and because it delivers
3 engineered content in a controlled and repeatable manner, it is analogous to a
4 tangible consumer product.

5 344. Given these characteristics, YouTube exhibits the functional and
6 structural attributes akin to tangible personal property and is a product for
7 purposes of strict liability under Section 402A of the Restatement (Second) of
8 Torts.

9 **3. Defendants’ own descriptions of YouTube make it obvious**
10 **that they consider it a product, just as much as the State**
11 **does.**

12 345. For example, Defendants’ Overview to its Privacy Policy and
13 Terms of Service state, “As you use Gmail, Search, YouTube, and other *products*
14 from Google, you have the power to control and protect your personal
15 information and usage history,”²⁰⁴ *Product Privacy Guide*” discusses “how
16 Google’s *products* work,” including its YouTube platform.²⁰⁵

17 346. Additionally, YouTube is included with many other “*products*” on
18 Defendants’ “*products*” page.²⁰⁶

20 ²⁰⁴ Google Privacy & Terms, <https://policies.google.com/?hl=en-US> (last visited
21 Nov. 22, 2025).

22 ²⁰⁵ Google Product Privacy Guide,
23 <https://policies.google.com/technologies/product-privacy?hl=en-US> (last visited
24 Nov. 22, 2025).

25 ²⁰⁶ Helpful products, built with you in mind,
26 https://about.google/intl/en_US/products/#all-products (last visited Nov. 22,
27 2025).

347. And, through Defendants’ Terms of Service, which incorporate “How our business works,” Defendants explain that “[a]ds help fund our *products*”; “advertising is what makes it possible to offer our *products* to everyone”; “businesses can reach potential customers by showing ads on a range of Google *products* such as Search, Maps, and YouTube”; “[w]e use your personal information to make our *products* more helpful to you”; and “when you use our *products* you trust us with your personal information.” ²⁰⁷ Thus, by its own repeated admissions, YouTube is most certainly a “product.”

348. Similarly, myriad employees at YouTube specifically ground their job descriptions in references to the YouTube platform as a “product.” For example, a survey of LinkedIn shows the following YouTube employees referring to YouTube as a “product”:

- Aditya Dhanrajani ²⁰⁸ - Product Director @ YouTube - *I am the Director of Product for YouTube Shopping, where I create innovative solutions that connect creators, merchants, and users on the world's largest video platform.*
- Jocelyn Neff ²⁰⁹ - Group Product Manager at YouTube | Google - *I currently lead YouTube’s paid product growth platform product team.*

²⁰⁷ How our business works, https://about.google/intl/en_US/how-our-business-works/ (last visited Nov. 22, 2025).

²⁰⁸ <https://www.linkedin.com/in/adhanrajani/> (last visited Nov. 22, 2025).

²⁰⁹ <https://www.linkedin.com/in/jocelynneff/> (last visited Nov. 22, 2025).

- Zhamal Zhanybek²¹⁰ - Product Manager at YouTube - *My Team is hiring a talented PM to help us grow YouTube's direct-to-consumer products!*
- Anna Russett²¹¹ - Product Go-To-Market at YouTube - *Experienced product go-to-market lead at YouTube with a proven track record of success in bringing innovative products to market.*
- Ahsan Ansari²¹² Product Manager @ YouTube - *Product manager with a focus on UX design and real-world applications of ML.*
- Viraj M.²¹³ - Senior Product Manager at YouTube

349. Further, as noted in paragraph 11, *supra*, the U.S. Surgeon General recognizes social media platforms as products.²¹⁴

350. In sum, YouTube is a product under Nevada law, as well as within Defendants' own understanding.

B. The YouTube Product is Defective.

351. YouTube fails to perform in the manner reasonably to be expected in light of its nature and intended function as a video content platform and is more dangerous than would be contemplated by the ordinary user of such technology having ordinary knowledge available in the community. *See Ford v.*

²¹⁰ <https://www.linkedin.com/in/zhamalz/> (last visited Nov. 22, 2025).

²¹¹ <https://www.linkedin.com/in/annarussett/> (last visited Nov. 22, 2025).

²¹² <https://www.linkedin.com/in/ahsan-ansari-9ba606164/> (last visited Nov. 22, 2025).

²¹³ <https://www.linkedin.com/in/virajmahesh/> (last visited Nov. 22, 2025).

²¹⁴ Allison Gordon & Pamela Brown, *Surgeon General says 13 is 'too early' to join social media*, CNN (Jan. 29, 2023), <https://www.cnn.com/2023/01/29/health/surgeon-general-social-media/index.html> (last visited Nov. 22, 2025).

1 *Motor Co. v. Trejo*, 133 Nev. 520, 523, 402 P.3d 649, 652 (2017). *See* Sections II-
2 VI, *supra*.

3 352. An ordinary user of YouTube would expect the product to enable
4 them to easily watch uploaded videos from content creators, similar to a video
5 streaming service, *e.g.*, Netflix, with additional benefits such as being able to
6 upload their own video content, comment on, save, and share videos, and a large
7 variety of content expanding numerous genres.

8 353. However, an ordinary user of YouTube, including a Young User in
9 Nevada, would *not* contemplate the unreasonable dangers arising from ordinary
10 use of the video sharing platform, such as life-interrupting addiction,
11 depression, anxiety, and more. *See* Section IV(A), *supra*. These unreasonable
12 dangers are even more unexpected to the ordinary user because they are
13 insidious, operating without awareness as the user's life and health suffers. *See*
14 *id.*

15 354. YouTube's design features that create the unreasonable dangers to
16 the ordinary user are *purposefully* designed by Defendants to elicit the very
17 addiction and other dangers they cause, in an effort to "dominate" the market
18 and increase commercial profits. *See* Section III-V, *supra*.

19 **C. The YouTube product's defects exist at the time Defendants place**
20 **YouTube into the stream of commerce.**

21 355. Defendants design, create, and distribute YouTube. Therefore, the
22 design defects exist at the time Defendants place the product in the stream of
23 commerce. *See* Section II, *supra*.
24

D. The YouTube product lacks adequate, feasible safety features.

356. The YouTube product lacks adequate, feasible safety features, *e.g.*, proper parental controls and verification of user age. *See* Section II-VI, *supra*.

357. Defendants could easily implement these safety features into YouTube but have failed to do so. *See* Section II-VI, *supra*.

E. The YouTube product's defects caused the State's harms.

358. YouTube's design defects caused injury to Young Users in Nevada. *See* Section IV, *supra*.

359. As a result of Defendants' conduct, the State is entitled to—and does—seek damages (including punitive damages) in an amount to be proven at trial.

360. The actions of YouTube set forth herein and above, were undertaken knowingly, wantonly, willfully, and/or maliciously.

361. YouTube's conduct was despicable and so contemptible that it would be looked down upon and despised by ordinary decent people and was carried on by Defendants with willful and conscious disregard for the rights and safety of anyone using the product, and particularly Young Users.

362. YouTube's outrageous and unconscionable conduct warrants an award of exemplary and punitive damages pursuant to NRS 42.005, in an amount appropriate to punish and make an example of Defendants, and to deter similar conduct in the future.

363. The misconduct was authorized, ratified, or committed by Defendants' officers, directors, or managing agents, or was adopted and

1 implemented as a matter of corporate policy. Defendants are therefore
2 vicariously liable for the fraudulent and malicious conduct of their agents and
3 representatives.

4 364. Pursuant to NRS 42.007, to the extent any of the conduct alleged
5 herein and above was committed by someone other than managing agents,
6 speaking agents, officers, directors, corporate representatives, or those with
7 actual or implied authority to act on behalf of YouTube, YouTube
8 preauthorized, benefitted from and/or ratified said conduct. Youtube had
9 advance knowledge that the employee or employees responsible for the wrongful
10 conduct were unfit for the purposes of the employment and employed the
11 employee(s) with a conscious disregard of the rights or safety of others. YouTube
12 is directly and vicariously liable for punitive damages arising from the
13 outrageous and unconscionable conduct of its employees, agents, and/or
14 servants, as set forth herein.

15 **COUNT IV:**

16 **PRODUCT LIABILITY – FAILURE TO WARN**

17 365. Plaintiff repeats and realleges the preceding paragraphs of this
18 Complaint as if fully set forth herein.

19 366. The Attorney General is authorized to bring an action—
20 independently in the name of the State as well as under his statutory authority
21 and in a *parens patriae* capacity on behalf of the persons residing in Nevada—to
22 remedy violations of Nevada law.

1 367. Nevada recognizes the “sound public policy favoring the strict
2 product liability doctrine.” *Ward v. Ford Motor Co.*, 99 Nev. 47, 49, 657 P.2d 95,
3 96 (1983).

4 368. The State incorporates paragraphs 327 through 349 of this
5 Complaint (alleging YouTube is a product for purposes of Nevada’s strict
6 product liability law).

7 369. Defendants designed, created, and distributed the YouTube
8 product, which they continue to update and distribute to consumers, including
9 Young Users in Nevada.

10 370. Defendants placed YouTube in the hands of end users, including
11 Young Users in Nevada, without adequate warning regarding safe and proper
12 use.

13 371. Defendants’ failure to provide adequate warning regarding safe
14 and proper use of YouTube renders the YouTube product unreasonably
15 dangerous. YouTube’s end users, including Young Users in Nevada, would not
16 generally know that ordinary use of the YouTube product, i.e., viewing video
17 content, may result in substantial harm, such as addiction, depression, and
18 eating disorders. *See* Section IV, *supra*.

19 372. Defendants’ failure to warn about safe and proper use of the
20 YouTube product has caused and continues to cause injury to end users,
21 including Young Users in Nevada. *See* Section IV, *supra*.

22 373. YouTube has a defective warning that renders it unreasonably
23 dangerous. Any and all representations, misrepresentations, and omissions
24

1 made in relation thereto that Defendants made regarding the suitability and
2 safety of YouTube for Young Users have not been accompanied by suitable and
3 adequate warnings concerning its safe and proper use. *See* Section III-VI, *supra*.

4 374. Defendants had reason to anticipate that a particular use of
5 YouTube—*i.e.*, its use by Young Users—may be dangerous without such
6 warnings. *See* Sections II-VI, *supra*.

7 375. Any warnings that Defendants made in connection with Young
8 Users' use of YouTube was not (1) designed so it can reasonably be expected to
9 catch the attention of the consumer; (2) be comprehensible and give a fair
10 indication of the specific risks involved with the product; and (3) be of an
11 intensity justified by the magnitude of the risk. *See* Section II-VI, *supra*.

12 376. The defective warning existed at all times relevant hereto,
13 including the time the product left the manufacturer (*i.e.*, Defendants). *See*
14 Section II-VI, *supra*.

15 377. The defective warning caused injury to Young Users in Nevada.
16 *See* Section IV-VI, *supra*.

17 378. As a result of Defendants' conduct, the State is entitled to—and
18 does—seek damages (including punitive damages) in an amount to be proven at
19 trial.

20 379. The actions of YouTube set forth herein and above, were
21 undertaken knowingly, wantonly, willfully, and/or maliciously.

22 380. YouTube's conduct was despicable and so contemptible that it
23 would be looked down upon and despised by ordinary decent people and was
24

1 carried on by Defendants with willful and conscious disregard for the rights and
2 safety of anyone using the product, and particularly Young Users.

3 381. The misconduct was authorized, ratified, or committed by
4 Defendants' officers, directors, or managing agents, or was adopted and
5 implemented as a matter of corporate policy. Defendants are therefore
6 vicariously liable for the fraudulent and malicious conduct of their agents and
7 representatives.

8 382. YouTube's outrageous and unconscionable conduct warrants an
9 award of exemplary and punitive damages pursuant to NRS 42.005, in an
10 amount appropriate to punish and make an example of Defendants, and to deter
11 similar conduct in the future.

12 383. Pursuant to NRS 42.007, to the extent any of the conduct alleged
13 herein and above was committed by someone other than managing agents,
14 speaking agents, officers, directors, corporate representatives, or those with
15 actual or implied authority to act on behalf of YouTube, YouTube authorized,
16 benefitted from and/or ratified said conduct. Youtube had advance knowledge
17 that the employee or employees responsible for the wrongful conduct were unfit
18 for the purposes of the employment and Youtube employed the employee(s) with
19 a conscious disregard of the rights or safety of others.

20 384. YouTube is directly and vicariously liable for punitive damages
21 arising from the outrageous and unconscionable conduct of its employees,
22 agents, and/or servants, as set forth herein.

COUNT V:

NEGLIGENCE

385. Plaintiff repeats and realleges the preceding paragraphs of this Complaint as if fully set forth herein.

386. The Attorney General is authorized to bring an action— independently in the name of the State as well as under his statutory authority and in a *parens patriae* capacity on behalf of the persons residing in Nevada—to remedy violations of Nevada law.

387. Defendants had and continue to have a duty to exercise reasonable care in designing, implementing, maintaining, and otherwise introducing YouTube into the stream of commerce.

388. This duty of reasonable care extends to Young Users in the State of Nevada.

389. As set forth in Sections II-VI, *supra*, Defendants breached and continue to breach that duty.

390. As a result of Defendants' breach of that duty, Young Users in Nevada have been injured.

391. Defendants' conduct was the legal cause of that injury.

392. As set forth in Sections II-VI, *supra*, Defendants' conduct was willful, wanton, malicious, reckless, oppressive, and/or fraudulent.

393. Plaintiff, the State of Nevada, seeks all legal and equitable relief as allowed by law, including *inter alia* injunctive relief, restitution, disgorgement of profits, compensatory and punitive damages, and all damages

1 allowed by law to be paid by the Defendants, attorney fees and costs, and pre-
2 and post-judgment interest.

3 394. The actions of YouTube set forth herein and above, were
4 undertaken knowingly, wantonly, willfully, and/or maliciously.

5 395. YouTube's conduct was despicable and so contemptible that it
6 would be looked down upon and despised by ordinary decent people and was
7 carried on by Defendants with willful and conscious disregard for the rights and
8 safety of anyone using the product, and particularly Young Users.

9 396. YouTube's outrageous and unconscionable conduct warrants an
10 award of exemplary and punitive damages pursuant to NRS 42.005, in an
11 amount appropriate to punish and make an example of Defendants, and to deter
12 similar conduct in the future.

13 397. Pursuant to NRS 42.007, to the extent any of the conduct alleged
14 herein and above was committed by someone other than managing agent,
15 speaking agent, corporate representatives, or those with actual or implied
16 authority to act on behalf of YouTube, YouTube authorized, benefitted from
17 and/or ratified said conduct. Youtube had advance knowledge that the employee
18 or employees responsible for the wrongful conduct were unfit for the purposes of
19 the employment and employed the employee(s) with a conscious disregard of the
20 rights or safety of others. YouTube is directly and vicariously liable for punitive
21 damages arising from the outrageous and unconscionable conduct of its
22 employees, agents, and/or servants, as set forth herein.

COUNT VI:

UNJUST ENRICHMENT

398. Plaintiff repeats and realleges the preceding paragraphs of this Complaint as if fully set forth herein.

399. The Attorney General is authorized to bring an action— independently in the name of the State as well as under his statutory authority and in a *parens patriae* capacity on behalf of the persons residing in Nevada—to remedy violations of Nevada law.

400. Young Users in the State of Nevada have conferred a benefit on Defendants in the form of being a monetizable audience (providing not just an opportunity for Defendants to sell advertisements, but also for Defendants to acquire sensitive and valuable personal data associated with Young Users; as well as for all other reasons that Defendants have described a monetary value to Young Users).

401. Defendants knew of the benefits conferred.

402. Defendants accepted the benefits conferred.

403. It would be unjust to allow Defendants to retain the benefits conferred without paying their reasonable value.

PRAYER FOR RELIEF

Wherefore, Plaintiff respectfully prays that the Court grant the following relief:

A. On the First Cause of Action, Judgment in favor of the State and against Defendants declaring that all acts and omissions of the Defendants

1 described in this Complaint constitute multiple, separate violations of the
2 Deceptive Trade Practices Act and that thereby Defendants willfully and
3 knowingly violated the Nevada Deceptive Trade Practices Act, NRS §§ 598.0903
4 to 598.0999;

5 B. On the Second Cause of Action, Judgment in favor of the State and
6 against Defendants declaring that all acts and omissions of the Defendants
7 described in this Complaint constitute multiple, separate violations of the
8 Deceptive Trade Practices Act and that Defendants willfully and knowingly
9 violated the Nevada Deceptive Trade Practices Act, NRS §§ 598.0903 to
10 598.0999;

11 C. On the Third Cause of Action, Judgment in favor of the State and
12 against Defendants that Defendants' challenged social media platform contains
13 one or more design defects that caused damages as alleged herein;

14 D. On the Fourth Cause of Action, Judgment in favor of the State and
15 against Defendants that Defendants failed to provide adequate warnings about
16 the challenged social media platform and that failure caused damages as
17 alleged herein;

18 E. On the Fifth Cause of Action, Judgment in favor of the State and
19 against Defendants that Defendants' negligence caused damages as alleged
20 herein;

21 F. On the Sixth Cause of Action, Judgment in favor of the State and
22 against Defendants that Defendants were unjustly enriched as alleged herein;
23
24

1 G. That Plaintiff recover all measures of damages allowable under all
2 applicable State statutes and the common law, but in any event more than
3 \$15,000, that Judgment be entered against Defendants in favor of Plaintiff, and
4 requiring that Defendant pay punitive damages;

5 H. That Defendants be ordered to pay civil penalties pursuant to the
6 Deceptive Trade Practices Act including disgorgement and civil penalties of up
7 to \$15,000 for each violation of the Deceptive Trade Practices Act, and up to
8 \$25,000 for each violation of the Deceptive Trade Practices Act directed toward
9 a minor person;

10 I. That Plaintiff be awarded all injunctive, declaratory, and other
11 equitable relief appropriate and necessary based on the allegations herein;

12 J. That, in accordance with the Nevada Deceptive Trade Practices
13 Act, Defendants, their affiliates, successors, transferees, assignees, and the
14 officers, directors, partners, agents, and employees thereof, and all other
15 persons acting or claiming to act on their behalf or in concert with them, be
16 enjoined and restrained from in any manner continuing, maintaining, or
17 renewing the conduct, alleged herein in violation of the above stated Nevada
18 laws, or from entering into any other act, contract, or conspiracy having a
19 similar purpose or effect;

20 K. That Plaintiff recover the costs and expenses of suit, pre- and post-
21 judgment interest, and reasonable attorneys' fees as provided by law; and

22 L. That the Court order such other and further relief as the Court
23 deems just, necessary, and appropriate.
24

JURY DEMAND

Pursuant to NRCP 38(b), Plaintiff hereby demands a trial on all issues so triable.

Dated this 15th day of December, 2025.

Submitted by:

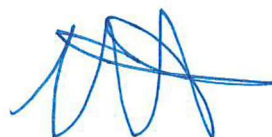


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CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of December, 2025, I caused to be served a true and correct copy of the foregoing **AMENDED COMPLAINT AND DEMAND FOR JURY TRIAL** the Court’s electronic filing system only, pursuant to the Nevada Electronic Filing and Conversion Rules, Administrative Order 14-2, to all parties currently on the electronic service list.

/s/ Melisa Pytlik
An Employee of CLAGGETT & SYKES LAW FIRM