

SOCIAL MEDIA LITIGATION



Attorney Client Privileged Communication

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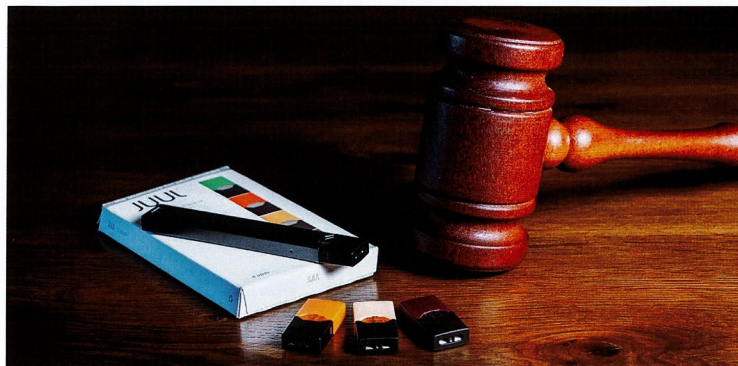
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JUUL LITIGATION & SETTLEMENTS

Frequently Asked Questions



Juul Labs, Inc.'s founders claimed their e-cigarettes presented "one of the greatest opportunities for public health in the history of mankind" — products that could assist adults in transitioning from combustible cigarettes.¹

Starting in 2016, Juul rapidly gained dominance in the U.S. e-cigarette market, thanks to the appeal of flavors like mango, mint, and crème brûlée. Unfortunately, Juul's popularity among teenagers led to a widespread youth vaping crisis, affecting communities, schools, and households across the nation. In response, various government entities, consumers, and

Juul Litigation and Settlements

- 48 states, territories, and the District of Columbia reached litigation settlements with Juul, amounting to over \$1.1 billion.
- Each settlement agreement prohibited Juul from engaging in any marketing that directly or indirectly targets youth.
- The plaintiffs in these cases alleged violations of RICO, negligence, and public nuisance laws relating to Juul's youth-targeted marketing practices.
- Multidistrict litigation (MDL) is a legal process where individual and/or class action lawsuits with similar claims, filed in various federal courts across the country, are consolidated and transferred to a single federal court.

Juul Litigation and Settlements

- The Government Entities settlements, involving over 1,600 entities such as school districts, cities, and counties, will provide monetary damages to mitigate youth nicotine addiction in their communities.
- The settlement funds for school districts are expected to be paid out over a period of four years and will be allocated proportionally based on the number of enrolled students in each district.
- The district themselves will have the authority to determine how these funds will be used. Some districts have publicly expressed their intention to use the funds to hire staff dedicated to developing anti-vaping curricula and implementing prevention and cessation programs. In addition, certain districts have indicated their plans to invest in vape detectors on school premises.

Social Media and Our Students: A Growing Concern and Impact



The pervasive influence of social media in young lives.
Designed to be addictive.



Balancing opportunities with significant challenges.

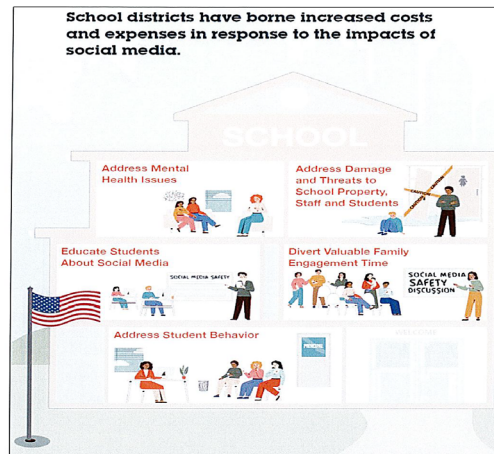


Our responsibility to explore all protective measures
to protect our youth/students.

Impact on Mental Well-being: A Mounting Crisis

- Increased rates of anxiety, depression, and loneliness.
- The pressure of curated online personas.
- The pervasive impact of FOMO. (Fear of Missing Out)
- Impact on student mental well being caused by social media spilling into the classroom.

Case 4:22-md-03047-YGR Document 729 Filed 03/27/24 Page 70 of 324



200. Schools are one of the main providers for mental health services for school-aged children.²¹² Indeed, over 3.1 million children ages 12–17 received mental health services through an education setting in 2020, more than any other non-specialty mental health service setting.²¹³

²¹² National Survey on Drug Use and Health, SAMHSA (2019 & 1st & 4th Qs. 2020), <https://www.samhsa.gov/data/report/2020-nsduh-detailed-tables> (<https://perma.cc/NA32-JYQX>).

²¹³ *Id.*

Cyberbullying and Harassment: A Relentless Threat

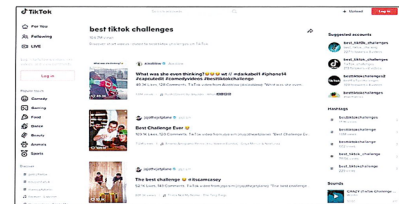
- Devastating effects on mental health and academic performance.
- Relentless, anonymous, and widely disseminated nature.

Case 4:22-md-03047-YGR Document 729 Filed 03/27/24 Page 258 of 324

e. TikTok encourages dangerous, costly “challenges”.

784. Challenges are campaigns that compel users to create and post in TikTok certain types of videos, such as performing a dance routine or a dangerous prank. Challenge videos have been described as a “cornerstone” of TikTok and are among the most popular features of the platform.⁸⁹⁷

785. Challenges are incorporated into TikTok’s architecture and user interface. TikTok also actively promotes Challenges it determines to be the “best,” i.e., most likely to keep users engaged, challenges to its users and fosters the associated competition and social rewards to achieve near-continuous engagement with the platform.⁸⁹⁸



786. ByteDance also encourages businesses to create challenges as a form of marketing, explaining that challenges are “geared towards building awareness and engagement,” and “research shows that they can deliver strong results” and increased return on ad spending “at every stage of

⁸⁹⁸ See TIKTOK3047MDL-001-00000813 (“The algorithm is designed to surface viral content, regardless of its source.”).

Distraction and Learning: Eroding the Educational Environment

- Decreased attention spans and difficulty concentrating.
- Lower academic performance.
- Constant notifications disrupting learning.

Case 4:22-md-03047-YGR Document 729 Filed 03/27/24 Page 257 of 324

1 interaction. Young people also compare these interaction “scores” to those of friends and celebrities
2 who use filters, reinforcing the idea that beauty depends on matching a digital ideal.



782. The newest TikTok filter “Bold Glamour” uses artificial intelligence to subtly reshape
14 the user’s face, enlarging the eyes, lifting the cheek bones while thinning the cheeks, smoothing the
15 skin and plumping the lips. The result is a highly “idealized” yet realistic version of the user.
16 Moreover, the filter is difficult to detect since the effect moves with user movements in real time.



783. TikTok permits minors to use the Bold Glamour and other features without informing
26 other users that the photos and/or videos have been re-touched or enhanced.

252

PLAINTIFFS' FIRST AMENDED MASTER COMPLAINT
(LOCAL GOVERNMENT AND SCHOOL DISTRICT)
CASE NO. 4:22-MD-03047 (YGR)

Sleep Deprivation: A Hidden Cost



BLUE LIGHT INTERFERENCE
WITH SLEEP PATTERNS.



FATIGUE, IRRITABILITY, AND
IMPACT ON HEALTH.



FURTHER AFFECTING
ACADEMIC PERFORMANCE.

Exposure to Harmful Content: A Dangerous Landscape

- Easy access to inappropriate and harmful material.
- Content related to self-harm, eating disorders, violence, misinformation.
- Algorithms amplifying harmful content.

Case 4:22-md-03047-YGR Document 729 Filed 09/27/24 Page 282 of 324

1 Shorts features videos, such as child “influencers,” that appeal to children. YouTube Shorts contains
2 dangerous features similar to other Defendants’ short-form platforms, including the ability to scroll
3 continuously through YouTube Shorts, inducing a “flow-state” that distorts users’ sense of time and
4 facilitates extended use, and dangerous exploitation of “social comparison” techniques by
5 promoting misleadingly idealized portrayals from influencers and others who are rewarded for
6 posting popular material.

7 BB3. Almost immediately upon launch, Google began marketing YouTube Shorts to
8 children. For example, Google launched an advertisement featuring images of children and
9 teenagers (like in the screenshot below) engaging with the YouTube Shorts platform.



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19 BB4. Similarly, another advertisement for Shorts explains how creators on YouTube can
20 keep revenue generated by their Shorts’ viewership, while an image of a video creator young enough
21 to be in braces appears on screen.⁶⁵⁴

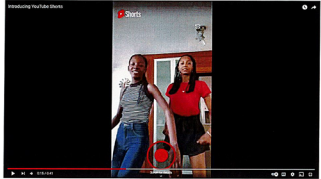
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27 ⁶⁵⁴ Made on YouTube: New ways to join YPP, Shorts Monetization & Create Music.
<https://www.youtube.com/watch?v=h6TncV3N4U>

Privacy and Data: The Hidden Exploitation

- Vast amounts of student data collected.
- Use for targeted advertising and other potentially harmful purposes.

Case 4:22-md-0347-TGR Document 129 Filed 05/11/24 Page 263 of 324

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885. Shorts is one of YouTube's interrelated design features that exploit known mental processes to induce YouTube users to use the platform more frequently, for more extended periods, and with more intensity, i.e., providing more comments and Likes. Not surprisingly, given its copycat origin, the issues with Shorts replicate the issues with TikTok and Instagram Reels, discussed above. Google knows or should have known that children, whose brains are still developing, are particularly susceptible to such addictive features.

(iii) *Partner Program*

886. YouTube has monetized users' susceptibility to IVR by allowing creators who obtain more than a thousand subscribers with four-thousand valid public watch hours to qualify for the YouTube Partner Program. Once a creator obtains this elite status, they are rewarded with "Super Chat" and "Super Stickers"—special images or distinct messages that other users can purchase and place on a creator's channel.⁹⁵⁵ Paid messages, including the amount donated, are visible to all users. And the more a user pays for these promotions, the more prominent and longer the image is displayed. Both features are intended to allow a user to show support for, or connect with, their favorite YouTube creators. Similar to the "Likes" feature, this paid support activates the reward

⁹⁵⁵ YouTube Partner Program: How to Make Money on YouTube, https://www.youtube.com/intl/en_us/creators/how-things-work/video-monetization/.

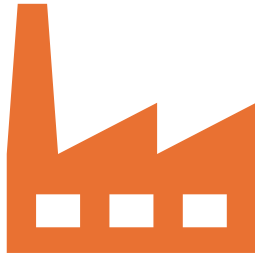
278

PLAINTIFFS' FIRST AMENDED MASTER COMPLAINT
LOCAL GOVERNMENT AND SCHOOL DISTRICT
CASE NO. 4:22-MD-0347(YGR)

HB 186

- 2025 Bill filed in Texas that passed the House.
- Intended to ban social media for minors under the age of 18.
- Proposed a requirement for social media platforms to implement a system to verify age.
- Would have allowed parents to request deletion of child's account within 10 days.
- Would have been the most restrictive bill in the country.
- Florida has a law that restricts social media for minors under the age of 14. A proposal is underway to raise the age to 16 years of age.
- As of May 29, 2025, the Texas legislature failed to pass the bill due to a missed Senate vote.

Why Litigation? Demanding Accountability



Holding companies responsible for harmful design and operation resulting in “direct costs to the District”.



Allegations of public nuisance and negligence, and possibly others.

Social Media Defendants



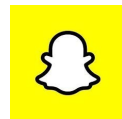
META ENTITIES

- Meta Platforms, INC
(formerly known as Facebook)
- FACEBOOK PAYMENTS, INC.
- SICULUS, INC.
- FACEBOOK OPERATIONS, LLC
- FACEBOOK HOLDINGS, LLC
- META PAYMENTS INC.



TIKTOK ENTITIES

- BYTEDANCE LTD
- BYTEDANCE INC.
- TIKTOK LTD
- TIKTOK LLC
- TIKTOK INC.



SNAP ENTITY

- SNAP, INC.



GOOGLE ENTITIES

- GOOGLE, LLC
- YOUTUBE, LLC

OTHER DEFENDANTS

- FACEBOOK TECHNOLOGY, LLC
- ALPHABET, INC.

What are the Damages?

- School districts are seeking compensation for the **economic costs** associated with student social media addiction and harmful effects.
- School districts have been forced to bear significant costs and disruptions, including:
 - » Increased demand for counselors, psychologists, and behavior staff
 - » Lost instruction time and lower academics from compulsive phone use
 - » Spending on tech (Faraday bags, phone-locking devices) to limit access
 - » Property damage costs tied to viral social media challenges
 - » Training and policy updates to address social media addiction
 - » Strained mental health resources for anxiety, depression, and related issues
- These financial and operational harms are **direct consequences** of the platforms' designs and have diverted resources from schools' core educational mission.

What are the Allegations?

- The litigation alleges that the defendants:
 - » Deliberately exploited adolescent psychology to drive compulsive use;
 - » Incorporated addictive design features, similar to slot machines and gambling apps;
 - » Failed to implement key safeguards like age verification and parental controls;
 - » Amplified harmful content, including self-harm, eating disorders, and risky behavior;
 - » Harvested data from minors to refine algorithms and maximize engagement;
 - » Disregarded internal research and public warnings about youth harm; and
 - » Prioritized profits over youth well-being, contributing to a national mental health crisis that schools must now address.

What are the Causes of Action?

- **Public Nuisance:** Creating a persistent and widespread harm that interferes with school operations and public services.
- **Negligence:** Failing to exercise reasonable care in designing, promoting, and operating platforms used by children.
- **Strict Product Liability:** Designing defective and unreasonably dangerous products (the platforms themselves).
- **Failure to Warn:** Not warning users or the public about known risks associated with prolonged platform use.
- **Fraudulent Concealment:** (Meta-specific) Suppressing internal research showing the harm to children.
- **Violations of Federal Child Exploitation Laws:** Platform-specific claims involving exposure to or failure to remove child sexual abuse material.

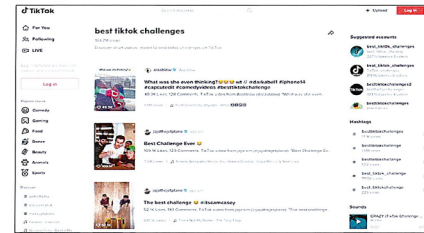
Raising Awareness and Driving Meaningful Change: A Catalyst for Protection

- Compelling stronger safety measures.
- Improving age verification processes.
- Modifying algorithms to minimize harm.

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Securing Resources: Investing in Student Well-being

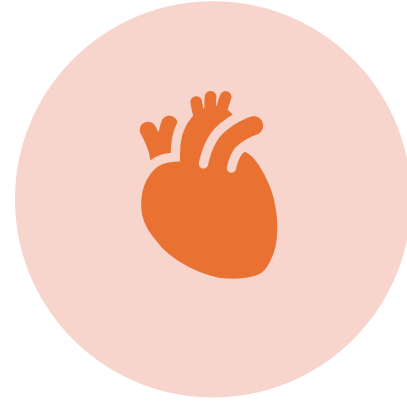
Potential for financial
settlements.

Funding mental
health support, anti-
bullying programs,
digital literacy.

A Powerful Message: Unity for Our Students



TEXAS SCHOOLS UNITED IN
PROTECTING STUDENTS.



A STRONG STANCE AGAINST
JEOPARDIZING STUDENT WELLBEING.

School Districts Taking Action!

DALLAS-FORT WORTH / FRISCO / EDUCATION

Frisco ISD joins litigation for youth protection on social media platforms



By Hannah Johnson | 3:20 PM Feb 26, 2025 CST



NEWS

Harlandale ISD joins class-action lawsuit against social media giants

By Elizabeth L. T. Moore, Staff writer
May 21, 2025



NEWS // EDUCATION

Northside joins lawsuit against social media companies that attract youth

San Antonio's largest school district attributes problems with cyber bullying to 'addictive' online algorithms.

By Scott Huddleston, Staff writer
Feb 17, 2025



NEWS > LOCAL NEWS > IN YOUR NEIGHBORHOOD > CORPUS CHRISTI



CCISD joins national lawsuit against social media giants over student mental health concerns

CCISD alleges tech companies designed addictive platforms that harm youth development and mental health

LOCAL // EDUCATION // HISD

Houston ISD among districts that joined youth mental health social media lawsuit

By Nusaiba Mizan, Staff writer
Feb 18, 2025



What Districts in Texas Have Signed Up?

- At least 46 Texas school districts have joined the litigation as of March 2025.
- The following districts have been identified through board agendas and news reports:
 - » Houston ISD
 - » McAllen ISD
 - » Spring ISD
 - » Northwest ISD
 - » Northside ISD
 - » Grapevine-Colleyville ISD
 - » Richardson ISD
 - » Eanes ISD
 - » Dallas ISD
 - » Frisco ISD
 - » Corpus Christi ISD
 - » Abilene ISD
 - » Cypress-Fairbanks ISD
 - » Conroe ISD
- JCA Law Clients:
 - » Crystal City ISD
 - » Harlandale ISD
 - » Edgewood ISD
 - » Roma ISD
 - » San Marcos CISD
 - » Zapata County ISD
 - » Clint ISD
 - » Jim Hogg County ISD
 - » Knippa ISD

Considerations: Charting A Course



APPROVE RESOLUTION
CONTINGENCY FEE AGREEMENT
SEEK AG APPROVAL



POSSIBLE JUDGEMENT
OR SETTLEMENT



POTENTIAL BENEFITS
AWARENESS
PROTECTIONS
RECOVER COSTS



COLLABORATION
TO PROTECT
STUDENTS



WORK TOWARD
POSITIVE STUDENT
IMPACT

Board Resolution and Contingency Fee Legal Agreement

- Resolution authorizing approval of Contingency Fee Legal Agreement with required findings seeking approval from the Texas Attorney General.

Contingency Fee Contract

- 3.4 CO-LEAD COUNSEL agrees to fully indemnify, defend and hold harmless the CLIENT for and from any cost or expense arising from or related to the Representation including, but not limited to, counter-claims, judgments, fines, fees, penalties, awards, or attorney's fees ordered, imposed on or assessed against CLIENT arising from or related to the Representation covered by this Agreement.
- Contingency Fee Legal Agreement with:
 - » JCA Law, PLLC and
 - » Guerra, LLP
- Legal Fees Equal Split Between the Firms
- Litigation Fees, Including Expert Fees, Paid by Guerra, LLP
- No Costs to School District

Contingency Fee Agreement

- Venue in California.
- No Settlement Without Board Approval.
- No Assignment Without Approval of Parties.
- Upon Settlement or Judgement, Fees Between Parties:
 - » 65% School District
 - » 35% Law Firms

Sample Settlement Statement

Gross Recovery:	\$100,000
Total Attorney's Fees	-\$35,000
Total Attorneys' Fees Divided	
Among Law Firms as Follows:	
Court Appointed Leadership for Plaintiffs' Fees (Common Benefit Fees (8% of the gross recovery))	\$8,000
Guerra, LLP Fees (50% of fees after common benefit deduction)	\$13,500
JCA LAW, PLLC Fees (50% of fees after common benefit deduction)	\$13,500
TOTAL EXPENSES BROKEN DOWN AS FOLLOWS:	
Guerra, LLP/JCA LAW, PLLC Reimbursable Expenses	-\$800
Guerra, LLP/JCA LAW, PLLC Shared Expenses (Pro Rata)	-\$200
MDL Court Appointed Leadership for Plaintiffs (2% of Gross Recovery)	-\$2,000
ISD RECOVERY	\$62,000

End of Presentation

Thank You!



Get In Touch

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