

1 ANNE MARIE MURPHY (SBN 202540)
amurphy@cpmlegal.com
2 SARVENAZ FAHIMI (SBN 226148)
sfahimi@cpmlegal.com
3 PIERCE H. STANLEY (SBN 352152)
pstanley@cpmlegal.com
4 **COTCHETT, PITRE & MCCARTHY, LLP**
5 840 Malcolm Road, Suite 200
Burlingame, CA 94010
6 Telephone: (650) 697-6000
7 Facsimile: (650) 697-0577

8 ALEXANDRA M. WALSH (*pro hac vice* forthcoming)
awalsh@anapolweiss.com
9 KRISTEN FEDEN (*pro hac vice* forthcoming)
kfedden@anapolweiss.com
10 D. PATRICK HUYETT (*pro hac vice* forthcoming)
phuyett@anapolweiss.com
11 **ANAPOL WEISS**
12 One Logan Square
13 130 North 18th Street, Suite 1600
Philadelphia, PA 19103
14 Telephone: (215) 608-9645
Facsimile: (215) 735-2211

15 *Attorneys for Plaintiff and Proposed Guardian ad litem*

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

18
19 JOHN DOE, a minor, represented by his
proposed court-appointed guardian *ad*
20 *litem*, CHARLES JONAS,

21 Plaintiff,

22 v.

23 ROBLOX CORPORATION; DISCORD
24 INC.; and DOES 1-50, inclusive,

25 Defendants.
26
27

Case No.: 25-CIV-01193

COMPLAINT FOR DAMAGES

- (1) Intentional Misrepresentation
- (2) Negligent Misrepresentation
- (3) Negligence – General
- (4) Negligence – Failure to Warn
- (5) Negligence – Unreasonable Design
- (6) Negligent Undertaking
- (7) Strict Liability – Design Defect
- (8) Strict Liability – Failure to Warn

JURY TRIAL DEMANDED

Electronically
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ON 2/12/2025
By /s/ Anthony Berini
Deputy Clerk

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1 Plaintiff John Doe, a minor, represented by his guardian *ad litem* Charles Jonas, (“Plaintiff”),
2 brings this action against Roblox Corporation (“Roblox”), Discord Inc. (“Discord”), and Does 1-
3 50 (collectively, “Defendants”), to recover damages arising from the severe injuries he suffered
4 because of Defendants’ respective conduct in creating, designing, marketing, and distributing their
5 mobile- and web-based applications (“apps”), and alleges as follows:

6 **I. INTRODUCTION**

7 1. This action seeks to hold Defendants Roblox and Discord accountable for
8 facilitating the sexual exploitation of Plaintiff, a 13-year-young child at the time he was victimized.
9 The heinous acts against Plaintiff were directly committed by a dangerous child predator—one who
10 now faces criminal charges for what he has done. But this predator’s actions were possible only
11 because of the egregiously tortious conduct of Defendants.

12 2. With their pervasive misrepresentations about safety, Defendants lure parents into
13 believing their apps are appropriate places for children to play. In reality, and as Defendants well
14 know, the design of their apps makes children easy prey for pedophiles. They allow adult users to
15 identify and readily initiate conversations with children, then manipulate the trust of those children,
16 including by gifting them Robux, Roblox’s valuable online currency. Roblox allows adult users to
17 easily identify and groom children and then move their communications to Discord—an app that
18 permits a child to chat with anyone over voice, video, and text messaging. On Discord, these
19 pedophiles are able to coerce the children into sending sexually explicit images or meeting in
20 person. There are steps Roblox and Discord could take to protect children and make their apps
21 safer. But time and again they have refused to invest in basic safety features to protect against
22 exactly the kind of exploitation Plaintiff suffered here.

23 3. A 13-year-young boy, Plaintiff was an avid user of Roblox and Discord. Plaintiff’s
24 father allowed Plaintiff to use these apps only because he trusted Defendants’ representations that
25 their apps were safe for children to use. Plaintiff’s family learned the truth only after it was too late.
26 In 2024, they discovered that Roblox and Discord had enabled a child predator to identify, groom,
27 and coerce Plaintiff into sending sexually explicit images and videos of himself. Following the
28

1 predator’s arrest, the authorities discovered that the predator was already facing criminal charges
2 for sexually exploiting another child and now believe that he exploited at least 26 other children.

3 4. Plaintiff has suffered unimaginable harm. His innocence has been snatched from
4 him forever. Tragically, what happened to him is far from an isolated event. Indeed, Plaintiff is just
5 one of countless children whose lives have been devastated as a result of Defendants’
6 misrepresentations and defectively designed apps. This action, therefore, is not just a battle to
7 vindicate Plaintiff’s rights—it is a stand against Defendants’ systemic failures to protect society’s
8 most vulnerable from unthinkable harm in pursuit of financial gain over child safety.

9 **II. PARTIES**

10 **A. Plaintiff**

11 5. Plaintiff John Doe, a minor, is a citizen and resident of the State of Washington,
12 with a principal place of residence in Spokane County.

13 6. Charles Jonas is a retired California attorney and is proposed to serve as Plaintiff
14 John Doe’s guardian *ad litem* and representative in this lawsuit.¹ Mr. Jonas has served as the court-
15 appointed guardian *ad litem* in a number of other cases.

16 7. Plaintiff has suffered profound and life-altering personal injuries, caused directly
17 and proximately by Defendants’ wrongful conduct. These injuries include, but are not limited to,
18 mental suffering, emotional distress, psychological trauma, severe anxiety, depression, and other
19 irreparable harm. Plaintiff has also endured humiliation, shame, fear, and a profound loss of trust,
20 safety, and innocence. These harms include the deprivation of a normal and healthy childhood, the
21 erosion of his sense of self-worth, and a significant loss of enjoyment of life. These injuries are
22 severe, permanent, and continuing, leaving Plaintiff with lifelong consequences and ongoing
23 emotional and psychological suffering.

24 8. Plaintiff was a minor at the time of using Defendants’ apps and, as such, lacked the
25 legal capacity to enter into any binding agreement. To the extent Defendants claim any contract
26 has any effect on Plaintiff’s rights in this action, such an assertion is legally erroneous, invalid, and

27 _____

28 ¹ A Petition to Appoint a Guardian *ad litem* is being filed simultaneously with this Complaint.

1 unenforceable because Plaintiff disaffirmed any such contract both through prior written notice to
2 Defendants and with the filing of this Complaint.

3 **B. Defendants**

4 9. Defendant Roblox Corporation is a Delaware corporation with its principal place
5 of business in San Mateo, California. Roblox owns, operates, controls, produces, designs,
6 maintains, manages, develops, tests, labels, markets, advertises, promotes, supplies, and
7 distributes the Roblox app. Roblox is widely available to consumers throughout the United
8 States.

9 10. Defendant Discord Inc. is a Delaware corporation with its principal place of
10 business in San Francisco, California. Discord owns, operates, controls, produces, designs,
11 maintains, manages, develops, tests, labels, markets, advertises, promotes, supplies, and
12 distributes the Discord app. Discord is widely available to consumers throughout the United
13 States.

14 11. The true names or capacities, whether individual, corporate, or otherwise, of
15 Defendants DOES 1 through 50, inclusive, are unknown to Plaintiff who is therefore ignorant of
16 their true names and sues said Defendants by such fictitious names. Plaintiff believes and alleges
17 that each of the Defendants designated herein by fictitious names is in some manner legally
18 responsible for the events and happenings herein referred to and caused damages proximately and
19 foreseeably to Plaintiff as alleged herein.

20 **III. JURISDICTION AND VENUE**

21 12. This Court has personal jurisdiction over Defendants because their principal places
22 of business are in California, and because they have contacts with California that are so continuous
23 and systematic that they are essentially at home in this State. Defendant Roblox maintains its
24 principal place of business within this county. Defendant Discord maintains its principal place of
25 business in this State. Defendants regularly conduct and solicit business in California, provide
26 products and/or services by or to persons here, and derive substantial revenue from the same.
27 Defendants affirmatively and extensively engage with a significant percentage of this State's
28 residents through messages, notifications, recommendations, and other communications.

1 13. Venue is proper in this Court because this Complaint seeks damages arising and
2 resulting from the acts and omissions of Defendant Roblox that caused the injuries complained of
3 herein, and San Mateo County is Defendant Roblox’s county of residence and the location of its
4 principal place of business.

5 **IV. FACTUAL ALLEGATIONS AS TO ROBLOX**

6 **A. Roblox Offers a Gaming App for Children.**

7 14. Launched in 2006, Roblox is an online gaming app that allows users to play myriad
8 games, which the company refers to as “experiences.” There are currently more than 40 million
9 experiences within the Roblox ecosystem. Most experiences on Roblox are created not by Roblox
10 but by individuals (often Roblox users) or companies who develop their own games and make them
11 available on Roblox for others to play.

12 15. Roblox is easily accessible, including to children. It is free to download and play and
13 is available on gaming consoles, computers, tablets, and cellular devices.

14 16. Roblox is designed to be an interactive experience, allowing and encouraging users
15 to communicate with each other. Gameplay interactions, user hubs, direct messaging, and voice chat
16 all promote social interactions between users. Roblox’s co-founder and CEO David Baszucki has
17 explained that his vision is for Roblox to bring about “the next phase of human interaction,” which
18 he also has described as “a new category of human coexperience.”² Roblox has similarly explained
19 that it “operates a human co-experience platform . . . where users interact with each other to explore
20 and develop immersive, user generated, 3D experiences.”³

21 17. Roblox designed its app for children. Roblox has marketed its app not only as the
22 “#1 gaming site for kids and teens”⁴ but also as an educational experience for young users. Roblox
23 claims that it provides “new gateways into learning”—from “chemistry to physics to robotics and
24

25 ² David Baszucki, Co-founder and CEO of Roblox, *The CEO of Roblox on Scaling Community-*
26 *Sourced Innovation*, Har. Bus. Rev., The Magazine, (Mar-Apr 2022), [https://hbr.org/2022/03/the-](https://hbr.org/2022/03/the-ceo-of-roblox-on-scaling-community-sourced-innovation)
ceo-of-roblox-on-scaling-community-sourced-innovation.

27 ³ Roblox Corp., Quarterly Report (Form 10-Q) (Mar. 13, 2021).

28 ⁴ Roblox, *What Is Roblox*, <http://web.archive.org/web/20170227121323/https://www.roblox.com/>
(archived Feb. 27, 2017).

1 more, Roblox experiences bring concepts to life in ways that immerse learners and motivate
2 exploration, play, and deep thinking.”⁵ These offerings, according to Roblox, include “high-quality,
3 standards-aligned, immersive educational experiences designed by curriculum experts.”⁶



Learners

Roblox is a collaborative and civil place to learn

Why learn on Roblox?

- Active learning: Engaged learners leads to better knowledge absorption and retention.
- Safe and civil: We continually work with parents and digital safety experts to ensure that learners can confidently engage in experiences and develop collaborative digital citizenship skills.
- Expert-backed: Supplement learning with immersive experiences designed by curriculum experts.

Roblox webpage – “A New Era of Engaged Learning”

15 18. Roblox’s popularity among children exploded during the pandemic when the app
16 was flooded with millions of new users as kids were confined to their homes and glued to their
17 devices. By September 2020, roughly 30 million people, more than half of them under 13, were on
18 Roblox daily, making it the world’s biggest recreational zone for kids.

19 19. That growth has continued unabated. In Roblox’s 2023 Annual Report, the company
20 reported an average of 68.5 million daily active users, with 21% under 9 years of age; 21% from 9-
21 12 years of age; 16% from 13-16 years of age; and 41% over 17 years of age.

22 20. Today, Roblox is the most downloaded online game globally, and the average user
23 spends 139 minutes a day on the app.⁷

26 ⁵ Roblox, *A New Era of Engaged Learning*, <https://corp.roblox.com/education> (last visited Feb. 11, 2025).

27 ⁶ *Id.*

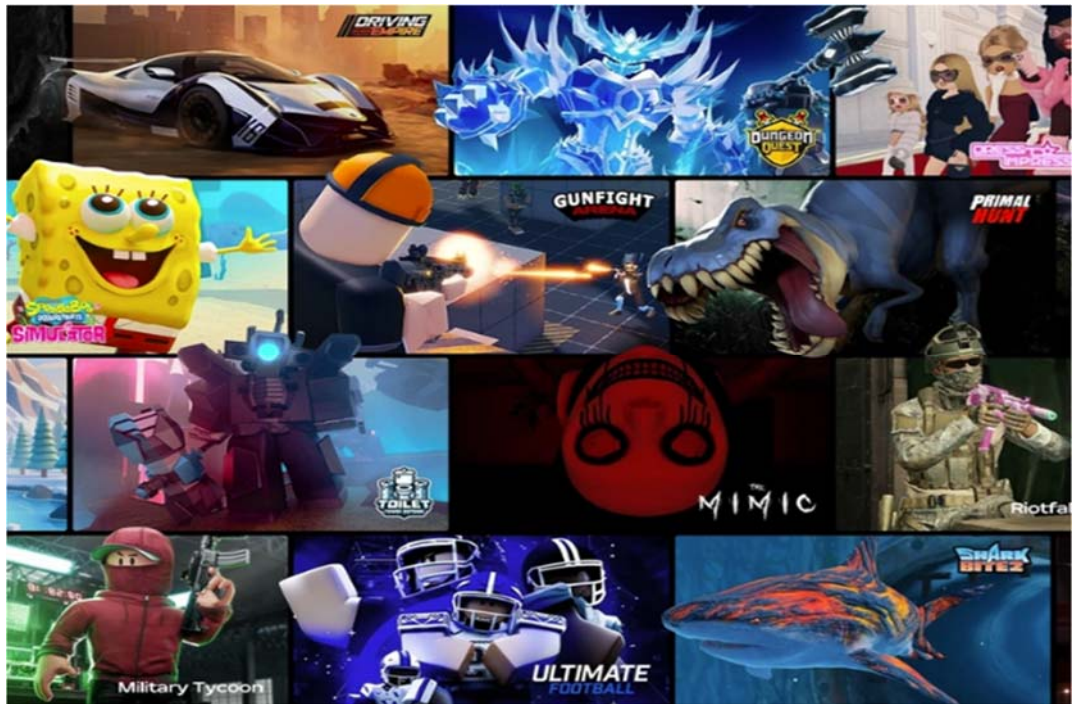
28 ⁷ Qustodio, *Research by App Category – Gaming*, <https://www.qustodio.com/en/the-digital-dilemma/gaming/> (last visited Feb. 11, 2025).



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Example default avatar on Roblox.

9 24. They can then play in any of the millions of experiences on the app. These games are
10 sorted into different genres/categories, such as Sports, Role-Playing Games, Fighting, First Person
11 Shooters, Fashion, Horror, Comedy, Military, and Naval. The games recommended to a user will
12 vary based on the age the user entered when generating their account and Roblox’s algorithm that
13 recommends games to the user.



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Examples of games available on Roblox.

26 25. Until November 2024, Roblox configured its app to default to settings that allowed
27 adults to easily communicate with children. Adult strangers could “friend” and chat with a child of
28 any age via direct (*i.e.*, private) message. Further, even without being “friends,” adults could also
chat with a child of any age within a Roblox experience through direct messages.

1 26. Now, under Roblox’s default settings, adults cannot directly message children under
2 13, but Roblox still does nothing to prevent children this young from creating accounts with fake
3 13+ birthdates, which gives them full access to Roblox’s direct-messaging options. Roblox still
4 relies on self-reported birthdates for age verification. Further, children 13 and over are still
5 vulnerable to receiving friend requests—or direct messages within Roblox experiences—from adult
6 strangers. There is also nothing that prohibits adults from entering fake birthdays and posing as
7 children in their attempts to friend or otherwise communicate with children users.

8 27. Roblox generates revenue largely by selling users an in-game digital currency called
9 Robux, which they exchange for digital content such as online experiences and customized outfits
10 and appearances for their avatars. Robux can be purchased in a single transaction or a user may
11 subscribe to receive Robux on a recurring basis with a Roblox Premium membership. Roblox also
12 offers Robux gift cards that anyone can purchase and send to any user.

13 28. Children frequently become obsessed with purchasing or otherwise obtaining Robux
14 to buy items for their avatars and to spend in their favorite experiences on Roblox. In Roblox’s
15 Avatar Store, for example, the company sells rare items at astronomical prices, such as a type of
16 hair for an avatar, which children seek to purchase to keep up with or outdo their peers on Roblox.
17 As a result, children often tell others, including strangers, that they will do “Anything for Robux.”⁸

18 **B. Roblox Lures Parents into Letting Their Kids Use Roblox with Promises of**
19 **Safety.**

20 29. Roblox’s success and continued growth has hinged on its constant assurances to
21 parents that its app is safe for children. The company has done so throughout its history and in every
22 forum possible—on its website, through public promises of its highest executives, in news articles,
23 on podcasts, and on and on.

24 30. Over the years, Roblox has repeatedly represented on its website that its app is safe
25 for children and has touted the safety controls it has in place. As early as 2007, Roblox’s website
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28 ⁸ Olivia Carville & Cecilia D’Anastasio, *Roblox’s Pedophile Problem*, Bloomberg Businessweek
(July 23, 2024), <https://www.bloomberg.com/features/2024-roblox-pedophile-problem/>.

1 assured parents that Roblox is an “online virtual playground . . . where kids of all ages can safely
2 interact, create, have fun, and learn.”⁹

3 31. From 2008 to 2016, the website continued to promise parents, “We take every
4 precaution possible to make sure kids are protected from inappropriate and offensive individuals as
5 well as from indecent and distasteful content.”¹⁰ It also assured parents that Roblox had a zero-
6 tolerance policy for “swearing and obscenities, messages and content of a sexual or violent nature,
7 and any sort of aggressive or threatening communication,” and “immediately suspended or
8 permanently expelled” any offenders.¹¹

9 32. The website has consistently sought to paint Roblox as “family friendly” and safe for
10 children of all ages. In 2017, Roblox began declaring that it “take[s] kids’ safety and privacy very
11 seriously” and “strive[s] to continually develop new and innovative technologies that will protect
12 the safety of our community while allowing players to imagine, create, and play together in a family-
13 friendly environment.”¹² Roblox similarly has advertised its app as “a safe, moderated place to meet,
14 play, chat, and collaborate on creative projects.”¹³

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21 ⁹ Roblox, *Frequently Asked Questions (FAQs)*,
22 <https://web.archive.org/web/20071105104643/http://www.roblox.com/Parents/FAQs.aspx>
(archived Nov. 5, 2007).
23 ¹⁰ Roblox, *Keeping Kids Safe*,
24 <https://web.archive.org/web/20080501101437/http://www.roblox.com/Parents/KeepingKidsSafe.a>
25 [spx](https://web.archive.org/web/20160131063648/http://corp.roblox.com/parents) (archived May 1, 2008); *see also* Roblox, *Information for Parents*,
26 <https://web.archive.org/web/20160131063648/http://corp.roblox.com/parents> (archived Jan. 31,
27 2016).
28 ¹¹ *Id.*
¹² Roblox, *Parents’ Guide*,
<https://web.archive.org/web/20170716032712/https://corp.roblox.com/parents/> (archived Jul. 16,
2017).
¹³ *Id.*

1 As the largest growing social platform for play, Roblox gives players a safe, moderated place to meet, play, chat,
2 and collaborate on creative projects. If so inclined, they can even go on to learn how to build and code immersive
3 experiences for others, all at their own pace.



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12 *Excerpt from Roblox Parent’s Guide in 2017*

13 33. Roblox’s website representations have remained largely the same since then. In 2023,
14 for example, Roblox assured parents that it “continually develop[s] cutting-edge technologies to
15 ensure that the Roblox platform remains a safe and fun space for players all over the world.”¹⁴
16 Roblox claimed that the company was “dedicated to working together with parents and digital safety
17 experts to promote a family-friendly environment that allows all players to imagine, create, and play
18 online.”¹⁵ Roblox emphasized that it is “committed to ensuring that Roblox is a safe and fun place
19 for everyone.”¹⁶ According to Roblox, it “goes above and beyond to foster an environment where
20 people of any age can create, play, learn, and imagine safely. We’ve kept children’s privacy and
21 safety top-of-mind when designing our platform, especially through the implementation of advanced
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25 ¹⁴ Roblox, *For Parents*,
26 <https://web.archive.org/web/20230405060048/https://corporate.roblox.com/parents/> (archived
27 Apr. 5, 2023).

28 ¹⁵ *Id.*

¹⁶ Roblox, *Roblox FAQ*,
<https://web.archive.org/web/20230328011957/https://corporate.roblox.com/faq/> (archived Mar.
28, 2023).

1 text filters that block inappropriate language or other unsafe content.”¹⁷

2 34. Roblox’s website today contains similar assurances. It claims, “Safety is in our DNA:
3 when Dave Baszucki and Erik Cassel launched Roblox in 2006, they spent a few hours each day
4 with the community, helping to ensure that Roblox was a safe and welcoming environment. Safety
5 was their top priority, and they made constant improvements in their moderation, both for content
6 and for communication on the platform.”¹⁸

7 35. According to the current website, Roblox “won’t allow language that is used to
8 harass, discriminate, incite violence, threaten others, or used in a sexual context.”¹⁹ It touts a
9 “stringent safety system and policies,”²⁰ which includes its “expertly trained team with thousands
10 of members dedicated to protecting our users and monitoring for inappropriate content”; its “safety
11 review of every uploaded image, audio, and video file, using a combination of review by a large
12 team of human moderators and machine detection before they become available on our platform”;
13 and its chat filters for inappropriate content, which “are even stricter” for children under 13 and
14 “include any potentially identifiable personal information, slang etc.”²¹

15 36. These misleading promises and assurances are not confined to Roblox’s website.
16 They are repeated in statements by the company’s highest executives—including in direct response
17 to concerns raised by parents.

18 37. In 2009, a blogger wrote about blocking Roblox because he doubted its safety for his
19 children. CEO David Baszucki responded to the blogger reassuring him that Roblox flags
20 “obviously offensive content” and removes it, and if “something is marginal, but gets flagged as
21

22 ¹⁷ Roblox, *Roblox & User Data FAQ*, [https://en.help.roblox.com/hc/en-](https://en.help.roblox.com/hc/en-us/articles/4406238486676-Roblox-User-Data-FAQ)
23 [us/articles/4406238486676-Roblox-User-Data-FAQ](https://en.help.roblox.com/hc/en-us/articles/4406238486676-Roblox-User-Data-FAQ) (last visited Feb. 11, 2025).

24 ¹⁸ Roblox, *Safety Comes First on Roblox*, [https://corp.roblox.com/safety-civility-](https://corp.roblox.com/safety-civility-resources?section=news&article=safety-comes-first-on-roblox)
25 [resources?section=news&article=safety-comes-first-on-roblox](https://corp.roblox.com/safety-civility-resources?section=news&article=safety-comes-first-on-roblox) (last visited Feb. 11, 2025).

26 ¹⁹ Roblox, *Safety Features: Chat, Privacy & Filtering*, [https://en.help.roblox.com/hc/en-](https://en.help.roblox.com/hc/en-us/articles/203313120-Safety-Features-Chat-Privacy-Filtering#:~:text=Players%20have%20different%20safety%20settings,and%20phrases%2%200tha)
27 [us/articles/203313120-Safety-Features-Chat-Privacy-](https://en.help.roblox.com/hc/en-us/articles/203313120-Safety-Features-Chat-Privacy-Filtering#:~:text=Players%20have%20different%20safety%20settings,and%20phrases%2%200tha)
28 [Filtering#:~:text=Players%20have%20different%20safety%20settings,and%20phrases%2%200tha](https://en.help.roblox.com/hc/en-us/articles/203313120-Safety-Features-Chat-Privacy-Filtering#:~:text=Players%20have%20different%20safety%20settings,and%20phrases%2%200tha)
[n%20younger%20players](https://en.help.roblox.com/hc/en-us/articles/203313120-Safety-Features-Chat-Privacy-Filtering#:~:text=Players%20have%20different%20safety%20settings,and%20phrases%2%200th) (last visited Feb. 11, 2025).

27 ²⁰ Roblox, *Safety & Civility at Roblox*, [https://en.help.roblox.com/hc/en-](https://en.help.roblox.com/hc/en-us/articles/4407444339348-Safety-Civility-at-Roblox)
28 [us/articles/4407444339348-Safety-Civility-at-Roblox](https://en.help.roblox.com/hc/en-us/articles/4407444339348-Safety-Civility-at-Roblox) (last visited Feb. 11, 2025).

²¹ *Id.*

1 inappropriate,” Roblox “investigate[s] immediately.”²²

2 38. In a 2013 *Wired* interview, when asked whether a parent should be concerned about
3 whom his child was chatting with in-game, Baszucki declared, “We take every precaution possible
4 to make sure kids are protected from inappropriate and offensive individuals as well as from
5 indecent and distasteful content,” taking a sentence verbatim from Roblox’s webpage for parents.²³

6 39. Tami Bhaumik, Roblox’s current Vice President of Civility & Partnerships, has
7 doubled down on these promises in statements to parenting magazines, news outlets, and podcasts—
8 all aimed at persuading parents to let their children use Roblox. She also has contacted international
9 online safety experts in an effort to sell Roblox’s safety story.

10 40. As recently as 2024, Bhaumik told *Parents Magazine* that “[w]e have a responsibility
11 to make sure our players can learn, create, and play safely. This continues to be our most important
12 priority and that will never change.”²⁴

13 Parents

14
15 In response to safety concerns, Roblox notes that the platform was
16 designed for kids and teens from the beginning, and they’re committed to
17 making safety a priority. “We have a responsibility to make sure our players
18 can learn, create, and play safely,” notes Tami Bhaumik, Vice President of
19 Civility & Partnerships at Roblox. “This continues to be our most important
20 priority and that will never change.”

21 41. Such statements by Bhaumik date back years. In 2018, Bhaumik told the *Washington*
22 *Post* that Roblox “focus[es] on making sure that everything is done in a safe and appropriate way.”²⁵

23

24 ²² Eric Frenchman, *Revisiting Roblox*, Pardon My French (Oct. 5, 2009),

25 <https://pardonmyfrench.typepad.com/pardonmyfrench/2009/10/revisiting-roblox.html>.

26 ²³ Tony Sims, *Interview with David Baszucki, Founder & CEO of Roblox*, *Wired* (Feb. 7, 2013),

<https://www.wired.com/2013/02/roblox/>.

27 ²⁴ Maressa Brown, *Is Roblox Safe for Kids? Here’s What the Experts Have to Say*, *Parents*
Magazine (Apr. 29, 2024), <https://www.parents.com/kids/safety/internet/is-roblox-safe-for-kids/>.

28 ²⁵ Hayley Tsukayama, *Roblox, an Online Kids Game, Explains How a Hack Allowed a*

1 That year, she also claimed to another newspaper that Roblox’s “safety team reviews every uploaded
2 image, video, and audio file used within our games to make sure they are safe and age appropriate.”²⁶
3 She also boasted that Roblox has “created extensive parental controls for our games and a detailed
4 Roblox Parent’s Guide that provides information to parents to help create a Roblox experience that’s
5 best for their child.”²⁷

6 42. In 2019, while presenting on a “Digital Civility Panel,” Bhaumik emphasized that
7 “[w]e make sure there’s a safe environment,” citing Roblox’s “tremendous reporting system” and
8 “incredible moderation and CS team that reacts very, very quickly.”²⁸ On that same panel—and in
9 contradiction to Roblox’s representation that it had always taken “every precaution possible” to
10 protect children, Bhaumik conceded that “digital civility did not exist at Roblox a year and a half
11 ago and we established this and made it a movement within our company.”²⁹ She added later, “It’s
12 still very early days for us. This whole digital civility focus for Roblox is still there, we’re just still
13 establishing it.”³⁰

14 43. In a 2022 video interview about safety on Roblox, Bhaumik asserted that Roblox’s
15 “number one priority” is “to create a safe, civil, and inclusive community” and that “[s]afety and
16 civility has always been baked into everything that we do.”³¹ That year, on a podcast, she also
17 bragged about Roblox’s purported safety protections, including “thousands of human moderators
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20 *Character’s Virtual ‘Rape’*, Wash. Post. (Jul. 17, 2018),
21 <https://www.washingtonpost.com/technology/2018/07/17/roblox-an-online-kids-game-explains-how-hack-allowed-characters-virtual-rape/>.

22 ²⁶ Chris Pollard, *Police Warn that Children as Young as Five-Years-Old are Seeing Naked Lego-Type Characters Having Sex on Roblox App*, The Sun (Jan. 29, 2018),
23 <https://www.thesun.co.uk/news/5445444/roblox-app-children-danger-sex-warning/>.

24 ²⁷ *Id.*

25 ²⁸ YouTube, Digital Civility Panel (Oct. 23, 2019),
https://www.youtube.com/watch?v=XoUs1Js7WG0&list=PLcKphP00N1_kCLjvcOWdwbegJkNSL-CuL&index=6.

26 ²⁹ *Id.*

27 ³⁰ *Id.*

28 ³¹ Video Interview with Tami Bhaumik, Roblox’s VP of Digital Civility & Partnerships (2022),
<https://www.facebook.com/bedford.sheriff/videos/roblox-how-to-help-kids-use-itsafelyroblox-vp-of-digital-civility-partnerships/1338989609901259/>.

1 on the front lines” and “machine learning that is constantly taking a look at chat filters.”³² With
2 these and other measures, she exclaimed, “[a]ny sort of bad actor that comes onto the platform is
3 dealt with swiftly” and “[w]e remove any content that’s reported to us within minutes.”³³

4 44. In 2023, Matt Kaufman, formerly the Chief Systems Officer for Roblox, was
5 appointed Chief Safety Officer, at which point he too began peddling Roblox’s child safety
6 narrative.

7 45. In a 2024 blog post on Roblox’s website, Kaufman asserted that “Roblox has spent
8 almost two decades working to make the platform one of the safest online environments for our
9 users, particularly the youngest users. Our guiding vision is to create the safest and most civil
10 community in the world.”³⁴ According to Kaufman, “For users under 13, our filters block sharing
11 of personal information and attempts to take conversations off Roblox, where safety standards and
12 moderation are less stringent.”³⁵ A few months later, he added, “Safety is and always has been
13 foundational to everything we do at Roblox.”³⁶

14 46. In a later blog post, Kaufman touted Roblox’s “track record of putting the safety of
15 the youngest and most vulnerable people on our platform first.”³⁷

16 47. Kaufman also recently told *NPR* that “any time anything happens to a child that puts
17 them at risk is one too many.”³⁸

21 ³² YouTube, *Into the Metaverse, Podcast: EP.21: Tami Bhaumik (Roblox) - Building a Safe &*
22 *Resilient Metaverse*, https://www.youtube.com/watch?v=LT5_bBOYS9A.

23 ³³ *Id.*

24 ³⁴ Matt Kaufman, Chief Safety Officer, *Driving Civility and Safety for All Users*, Roblox (July 22,
25 2024), <https://corp.roblox.com/newsroom/2024/07/driving-civility-and-safety-for-allusers>.

26 ³⁵ *Id.*

27 ³⁶ Matt Kaufman, Chief Safety Officer, *Major Updates to Our Safety Systems and Parental*
28 *Controls*, Roblox (Nov. 18, 2024), <https://corp.roblox.com/newsroom/2024/11/major-updates-to-our-safety-systems-and-parental-controls>.

³⁷ Matt Kaufman, Chief Safety Officer, *Scaling Safety and Civility on Roblox*, Roblox (Apr. 4,
2024), <https://corp.roblox.com/newsroom/2024/04/scaling-safety-civility-roblox>.

³⁸ Scott Tong & James Perkins Mastromarino, *Roblox Chief Safety Officer on New Safety*
Features, Past Cases of Child Abuse on the Platform, WBUR (Nov. 18, 2024),
<https://www.wbur.org/hereandnow/2024/11/18/roblox-safety-features>.

1 **C. In Reality, Roblox Is a Digital and Real-Life Nightmare for Children.**

2 48. Roblox’s public statements and promises are carefully crafted to paint the picture of
3 a digital playground that is safe and appropriate for children. When parents, the press, or child
4 advocates raise questions and concerns, the company’s highest executives respond with comforting
5 promises of safety.

6 49. This campaign of reassurance masks the truth about Roblox. Far from creating a
7 safe place for children, Roblox designed, built, and maintains a toxic environment that has enabled
8 obscene material to flourish and, worse, enables predatory pedophiles to hunt, groom, and sexually
9 exploit children. What Roblox represents as a safe, appropriate space for children is, in fact, a
10 digital and real-life nightmare for kids.

11 **1. Roblox hosts and promotes graphic, sexually explicit content.**

12 50. Roblox is a vast ecosystem offering an endless array of not just online games but
13 also immersive virtual worlds where children’s customized avatars can engage in activities like
14 playing house, adopting pets, and mimicking adult behaviors, including sexually explicit ones.

15 51. These games and virtual worlds are brought to life through developer tools that
16 Roblox designs, controls, and makes available to third parties. These tools, which include scripting
17 capabilities, 3D modeling systems, and other software supply the infrastructure needed to create
18 content for the Roblox platform. Roblox has the power to control the use of these tools. Instead,
19 over the years, the company has given third parties essentially unfettered access to use the tools to
20 build what they want, with no meaningful oversight or safeguards. The results are deplorable.

21 52. As early as 2010, Roblox’s virtual games had already devolved into hosting and
22 promoting sexually explicit content. Roblox’s scripting language, which allows developers to
23 manipulate avatar activity and interactions any way they want, was deployed to create scenarios
24 where avatars engaged in simulated sexual activity.³⁹

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27 ³⁹ See, e.g., YouTube, *How to Do Roblox Sex Glitch*,
28 https://www.youtube.com/watch?v=Zz97Q1SQE_k; see also YouTube, *Roblox Sex?*,
<https://www.youtube.com/watch?v=hyqCHG6nUYI>.

1 53. This simulated sexual activity pervades Roblox. There have been numerous reports
2 of children’s avatars being raped by other users’ avatars. For example, in 2018, a seven-year-old
3 girl’s avatar was violently raped by two male avatars *on a playground* in a Roblox experience,
4 which was witnessed by the girl’s mother.⁴⁰ In describing the aftermath of this traumatic
5 experience, the girl’s mother explained, “I never in my wildest dreams would’ve ever imagined
6 that I would have to talk with my seven-year-old about rape.”⁴¹

7 54. Roblox also hosts a staggering number of experiences centered on simulated sexual
8 activity. For instance, children can play in “condo games”— predatory digital environments,
9 including houses, where users can remove their avatars’ virtual clothing, revealing nudity, and
10 engage in disturbing simulated sexual activities with other Roblox users.⁴² They can also play
11 games like “Public Bathroom Simulator Vibe,” which allows access to users as young as nine
12 years old and enables users to simulate sexual activity in virtual bathrooms,⁴³ as well as virtual
13 strip clubs, where child avatars perform sexually explicit acts, like giving lap dances to patrons.⁴⁴

22 ⁴⁰ Savannah Levins, *North Carolina Mom Outraged After Roblox Game Depicts Violent Acts,*
23 *Including Rape*, WFMYNews2 (June 30, 2018),
24 [https://www.wfmynews2.com/article/news/local/2-wants-to-know/north-carolina-mom-outraged-](https://www.wfmynews2.com/article/news/local/2-wants-to-know/north-carolina-mom-outraged-after-roblox-game-depicts-violent-acts-including-rape/83-569498171)
[after-roblox-game-depicts-violent-acts-including-rape/83-569498171](https://www.wfmynews2.com/article/news/local/2-wants-to-know/north-carolina-mom-outraged-after-roblox-game-depicts-violent-acts-including-rape/83-569498171).

25 ⁴¹ *Id.*

26 ⁴² EJ Dickson, *Inside the Underground Strip-Club Scene on Kid-Friendly Gaming Site Roblox*,
Rolling Stone (Sep. 12, 2021), [https://www.rollingstone.com/culture/culture-features/roblox-](https://www.rollingstone.com/culture/culture-features/roblox-virtual-strip-clubs-condo-games-sex-1197237/)
[virtual-strip-clubs-condo-games-sex-1197237/](https://www.rollingstone.com/culture/culture-features/roblox-virtual-strip-clubs-condo-games-sex-1197237/).

27 ⁴³ *Roblox: Inflated Key Metrics for Wall Street and a Pedophile Hellscape for Kids*, Hindenburg
Research (Oct. 8, 2024), <https://hindenburesearch.com/roblox/>.

28 ⁴⁴ Dickson, *supra* note 42.

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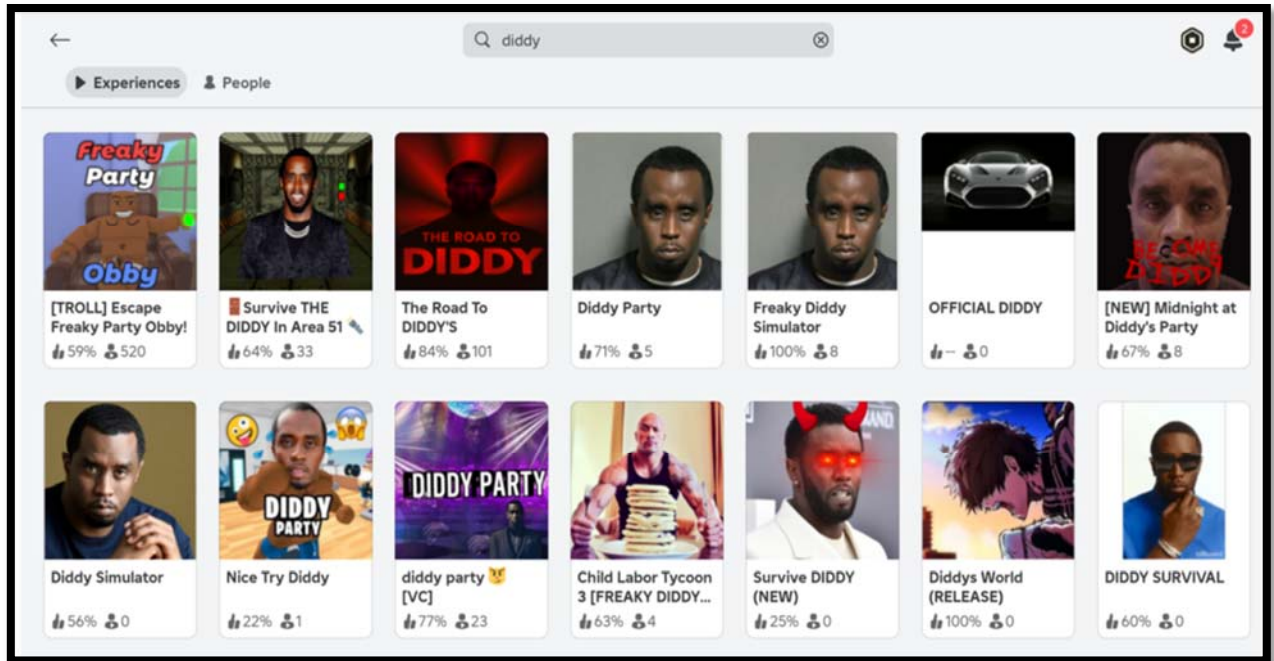


(Source: Roblox "Public Bathroom Simulator / Game)

*Roblox's Public Bathroom Simulator Game is rated ages nine and up and allows users to simulate sexual activity.*⁴⁵

55. A recent investigative report also exposed a multitude of other exploitative experiences on Roblox that recklessly trivialize and gamify serious criminal conduct, including rape. The report confirmed that Roblox actively hosted over 600 "Diddy" games, with titles like "Survive Diddy," "Run from Diddy Simulator," and "Diddy Party," which appear to recreate reported incidents involving the music mogul Sean Combs, publicly known as "Diddy." Diddy was recently indicted and is awaiting trial for sex trafficking of minors and other grievous criminal charges regarding allegations surrounding reports about "freak-off" parties—events which, according to multiple lawsuits and media reports, allegedly involved forced drug use, violent assaults, and the sex trafficking of minors, including victims as young as 10 years old.

⁴⁵ Hindenburg Research, *supra* note 43.



Examples of Roblox games modeled after Diddy's sex trafficking ventures.⁴⁶

56. This report also revealed that Roblox permitted more than 900 Roblox accounts displaying variations of convicted sex trafficker Jeffrey Epstein's name, such as "JeffEpsteinSupporter," whose account Roblox actively permitted to be openly engaged in children's games. Roblox also allowed games like "Escape to Epstein Island"—a title that directly references one of the locations where for years Epstein trafficked minors and other non-consenting individuals so he and others could sexually and physically abuse them.

⁴⁶ *Id.*



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10 *Example of Roblox game modeled after Jeffrey Epstein’s sex trafficking ventures.*⁴⁷

11 57. Roblox played a direct role in enabling these rampant, sexually exploitative
12 experiences. Roblox is fully aware that these experiences pervade its app, and it allows them to
13 continue to exist unchecked despite the ability to control or eliminate them. Leaked internal
14 Roblox documents reveal that Roblox monitored this type of content and made decisions such as
15 “[h]ow big of a ‘bulge’” was acceptable, and, with the introduction of layered clothing for avatars
16 (*i.e.*, allowing avatars to wear multiple layers of clothing), whether players could be nude.⁴⁸ By
17 allowing this type of content to exist and be easily accessible, Roblox directly contributed to the
18 proliferation of games simulating sexual activity, such as condo games and virtual strip clubs.

19 58. The effects of these games on children can be devastating. Playing video games
20 with explicit sexual content normalizes exploitative and predatory behavior, blurring the lines of
21 what is acceptable in real life. This is particularly harmful for children, who are still developing
22 their understanding of social norms and morality. When such behavior is depicted as humorous,
23 exciting, or rewarded within a game, young players can internalize the idea that harassment or
24 sexual exploitation is harmless or even acceptable.

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26 ⁴⁷ *Id.*

27 ⁴⁸ Joseph Cox & Emanuel Malberg, *Leaked Documents Reveal How Roblox Handles Grooming*
28 *and Mass Shooting Simulators*, Vice (Aug. 1, 2022), <https://www.vice.com/en/article/leaked-documents-how-roblox-moderates-content-mass-shootings-grooming/>.

1 59. Studies support this connection. One study found that playing games with
2 sexualized content was linked to increased rates of sexual harassment toward female targets,
3 suggesting that such exposure desensitizes players to the real-world consequences of these
4 actions.⁴⁹ Another study showed that playing mature-rated games was associated with higher rates
5 of risky sexual behavior years later, highlighting the long-term impact of exposure to sexualized or
6 exploitative content.⁵⁰

7 60. The interactive nature of games amplifies this effect. Unlike passive media, video
8 games require players to actively participate in behaviors, including those that simulate
9 harassment or exploitation, reinforcing the perception that such actions are normal or desirable.
10 This environment not only desensitizes children but also makes them more likely to replicate these
11 actions in real-world interactions.

12 61. The dangerous content on Roblox is not limited to online games. The recent
13 investigative report discussed above found that a basic search for “adult” in Roblox revealed a
14 group with 3,334 members “openly trading child pornography and soliciting sexual acts from
15 minors.”⁵¹ And tracking these members unearthed additional Roblox groups engaged in the same
16 criminal conduct, including one massive group with 103,000 members.⁵² Yet Roblox failed to
17 implement any age restrictions on these criminal groups, deliberately leaving them accessible to
18 all users.⁵³

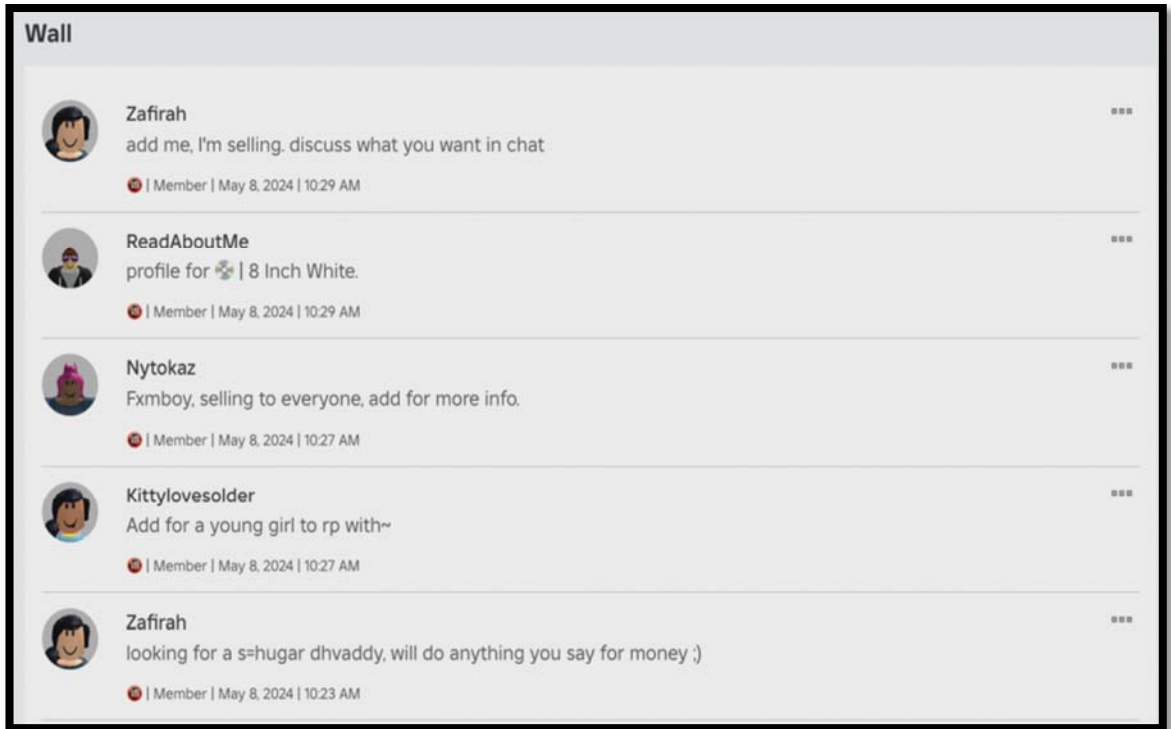
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⁴⁹ Jonathan Burnay, Brad J. Bushman & Frank Larøi, *Effects of Sexualized Video Games on
25 Online Sexual Harassment*, 45 *Aggressive Behavior* 2, 214 (March/April 2019).

26 ⁵⁰ Jay G. Hull et al., *A Longitudinal Study of Risk-Glorifying Video Games and Behavior
Deviance*, *J. Pers. Soc. Psychol.* 2014 August; 107(2): 300–325. doi:10.1037/a0036058.

27 ⁵¹ Hindenburg Research, *supra* note 43.

28 ⁵² *Id.*

⁵³ *Id.*

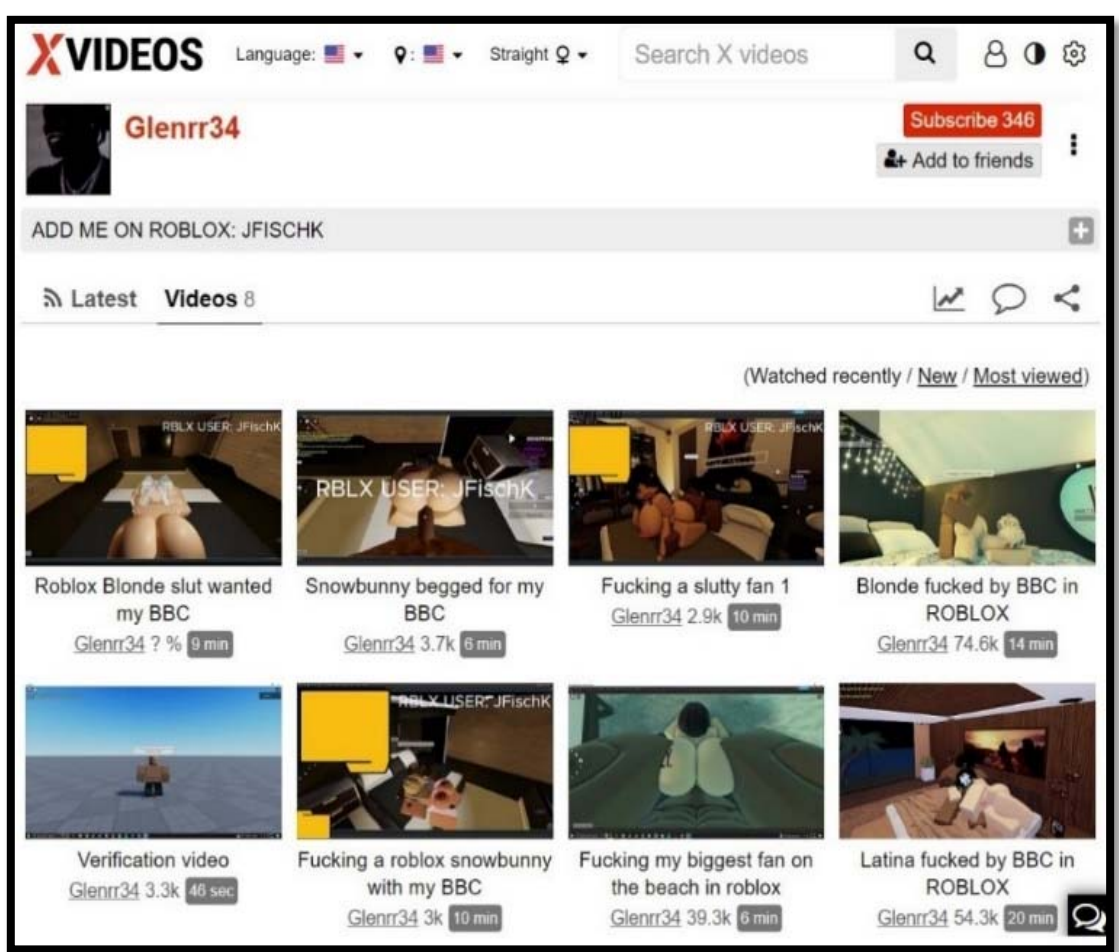
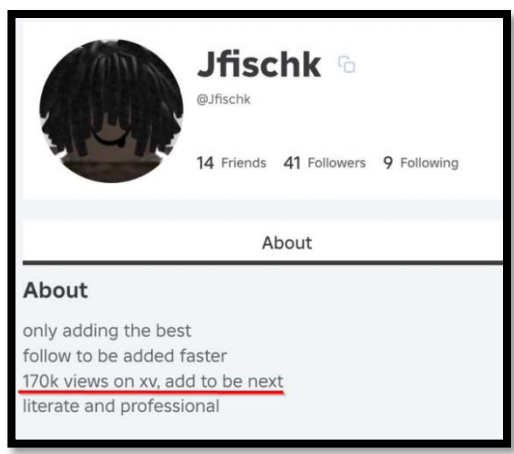


Public chat wall for a group named “Adult Studios,” where users openly solicited child pornography.⁵⁴

62. Roblox has also enabled individuals to create an entire category of pornographic content. Using Roblox’s tools and software, users make virtual sex videos between avatars on Roblox. These videos are clearly marked with the .rbxl file extension—Roblox’s proprietary file format—establishing that this content was created within the Roblox application. Moreover, on XVideos, a porn website, Roblox users seek out other users to simulate sexual acts within seemingly innocuous games, like Brookhaven, which is one of Roblox’s most popular experiences and is available to all users, regardless of age.

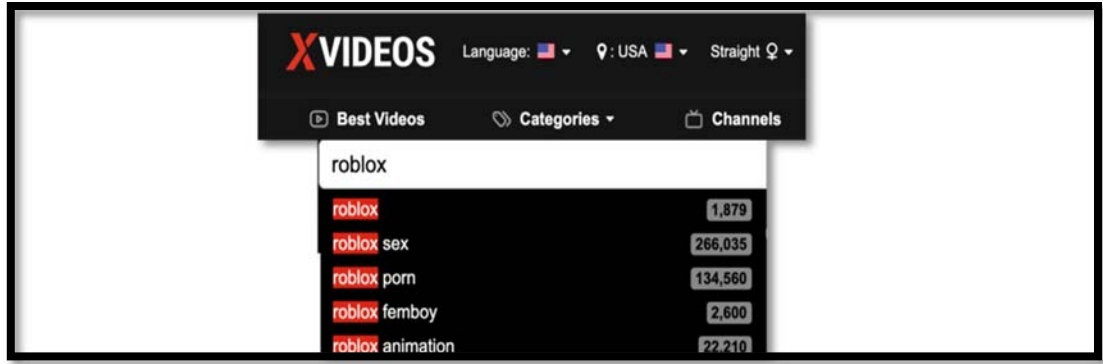
⁵⁴ *Id.*

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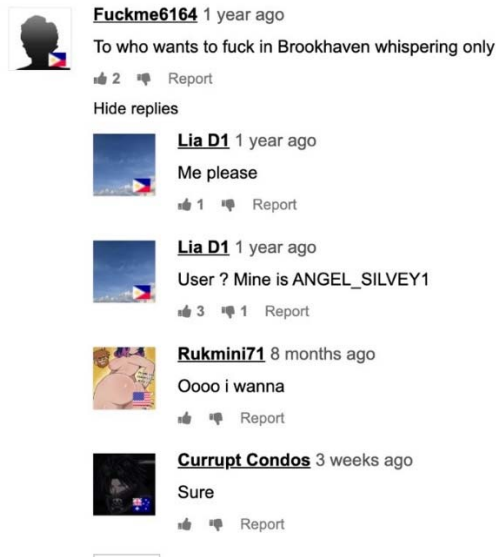


This Roblox user advertised their Roblox account on porn website, XVideos, where they had uploaded videos of their avatar having sex with other Roblox users.⁵⁵

⁵⁵ *Id.*



Searching “Roblox” on XVideos, a porn website, yields more than 250,000 results.⁵⁶



The comment section on a Roblox porn video on XVideos – Brookhaven is one of Roblox’s most popular games and is available to users of all ages.⁵⁷

63. In sum, the online environment that Roblox hosts and enables contradicts its representations of providing a safe product, demonstrating Roblox’s blatant disregard for the safety of its youngest users and revealing the company’s prioritization of user engagement over its fundamental duty to protect young users.

⁵⁶ *Id.*

⁵⁷ *Id.*

1 **2. Roblox provides a hunting ground for child-sex predators.**

2 64. For years, Roblox has served as an online platform of choice for predators seeking
3 to find, groom, abuse, and exploit children. Roblox provides predators with easy access to tens of
4 millions of children and allows these predators to freely move between inappropriate content and
5 popular games to identify and target vulnerable young users. By doing so, Roblox has demonstrated
6 reckless indifference to its fundamental obligation not to create and foster an environment that
7 places children at significant risk of sexual exploitation.

8 65. These systematic patterns of exploitation on Roblox follow a predictable and
9 preventable sequence that the company has known about and facilitated for years: a predator
10 misrepresents their age to other users on the app, cosplaying as a fellow child, methodically
11 befriends the vulnerable young victim, and then strategically manipulates the child to move the
12 conversation off Roblox to other apps—often Discord.

13 66. As the recent *Bloomberg Businessweek* article titled *Roblox’s Pedophile Problem*
14 put it, “These predators weren’t just lurking outside the world’s largest virtual playground. They
15 were hanging from the jungle gym, using Roblox to lure kids into sending photographs or
16 developing relationships with them that moved to other online platforms and, eventually, offline.”⁵⁸

17 67. Roblox, in effect, serves as an initial access point to children for predators. Media
18 reports have repeatedly highlighted that Roblox “is being used as a first point of contact for
19 predators.”⁵⁹ The children, due to their underdeveloped brains, are more trusting and naïve, and
20 often fail to recognize the danger of providing their usernames on other sites.

21 68. Once on another app, like Discord, predators escalate their exploitation by soliciting
22 explicit material, like nude photos or videos of children doing sexually inappropriate acts, all of
23 which constitute child pornography. And while the ultimate solicitation of explicit photos or other
24 criminal acts may occur on other apps, Roblox serves as the critical facilitator that enables these

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27 ⁵⁸ Carville & D’Anastasio, *supra* note 8.

28 ⁵⁹ National Center on Sexual Exploitation, *The Dirty Dozen List ’24: Roblox*,
<https://endsexualexploitation.org/roblox/> (last updated Dec. 4, 2024).

1 predators to first identify, target, and gain the trust of young victims through its app’s design and
2 inadequate safety measures.

3 69. Roblox’s app and profit-driven virtual currency system enable predators to exploit
4 children, often by trading or extorting Robux in exchange for explicit photos. Predators commonly
5 offer children Robux for these photos or demand Robux to avoid publicly releasing them, directly
6 tying Roblox’s profits to the sexual exploitation of children. Roblox’s manipulative reward systems
7 and social dynamics, intentionally designed to exploit children’s developmental vulnerabilities,
8 create psychological pressures that predators weaponize for extortion.

9 70. Despite full awareness of how its app facilitates such exploitation, Roblox continues
10 to profit from these tactics by collecting transaction fees on Robux exchanges. Its reckless
11 indifference to the consequences of its deliberately engineered app mechanics highlights its
12 prioritization of profit over the safety and well-being of its young users.

13 71. Roblox enables another pattern of predatory grooming in which predators employ
14 immediate blackmail tactics and the predators make no attempt to ingratiate themselves with the
15 children, but instead threaten them from the outset. The predator will often threaten to post nude
16 photos of others online, but claim that the child victim is the person depicted unless the child
17 complies with the predator’s demands. Through its deliberately insufficient monitoring systems,
18 Roblox allows predators to threaten children with false claims about possessing and potentially
19 releasing explicit photos, coercing young victims into complying with criminal demands.

20 72. Regardless of how the initial grooming relationship begins, which is often as simple
21 as someone asking the child to be their boyfriend or girlfriend, the predators also often attempt to
22 make in-person contact with the child. The dangerous progression from Roblox’s online app to
23 real-world violence reveals the devastating consequences of the company’s product. Roblox’s app
24 enables predators to escalate from virtual contact to orchestrating physical meetings, leading to
25 harassment, kidnapping, trafficking, violence, and sexual assault of minors, all instances of which
26 these children suffered as a direct result of Roblox’s actions.

1 73. Through numerous well-documented and publicized cases, Roblox has long been
2 aware of the systemic exploitation that its app enables and facilitates. For years, countless children
3 have been sexually exploited and abused by predators they met on Roblox.

4 74. For example, in 2017, Roblox’s app enabled a predator to target an eight-year-old
5 child and solicit explicit photos, prompting one mother to observe that Roblox had created “the
6 perfect place for pedophiles.”⁶⁰

7 75. In 2018, Roblox’s app enabled a predator posing as a child to coerce a nine-year-old
8 girl into performing and filming sexually abusive acts on her four-year-old brother through violent
9 threats, including of death, against her family.⁶¹ That year, 24 men in New Jersey were also charged
10 with soliciting sex from minors as part of a sting operation, where the New Jersey State Police
11 Lieutenant specifically called out Roblox as a place where “individuals are posing as someone else”
12 in order “to gain someone’s trust.”⁶²

13 76. In 2019, a Florida predator systematically used Roblox to target children ages 10-
14 12, moving them to Discord to coerce the children into sending him naked pictures of themselves.⁶³
15 That year, a man in Wales encouraged 150 children to engage in sexual activity by contacting them
16 through Roblox, where he pretended to be a child and used fake names.⁶⁴

19 ⁶⁰ Pei-Sze Cheng, Evan Stulberger & Dave Manney, *I-Team: Popular Online Gaming Site for*
20 *Kids is Breeding Ground for Child Sex Predators, Mother Says*, NBC New York (Apr. 6, 2017),
21 <https://www.nbcnewyork.com/news/local/video-game-warning-roblox-child-sex-predator-online-site-investigation-what-to-know/87438/>.

22 ⁶¹ Briana Barker, *Internet Safety and Your Children: How Kids are at Risk*, Record-Courier (Mar.
23 27, 2018), <https://www.record-courier.com/story/news/2018/03/27/internet-safety-your-children-how/12899346007/>.

24 ⁶² *Cop, Firefighter Among 25 Charged in Child Luring Sting*, FOX 13 TAMPA BAY (Sep. 25, 2018),
<https://www.fox13news.com/news/cop-firefighter-among-24-charged-in-child-luring-sting>.

25 ⁶³ Max Chesnes, *Deputies Say Vero Beach Man Used Popular Video Game Platforms to Target*
26 *Children*, TC Palm (Aug. 20, 2019), <https://www.tcpalm.com/story/news/crime/indian-river-county/2019/08/20/detectives-advise-online-safety-after-vero-beach-man-used-video-game-platforms-target-minors/2059599001/>.

27 ⁶⁴ Liz Day, *Paedophile Groomed 150 Children to Engage in Sexual Activity Using Online Game*
28 *Roblox*, Wales Online (May 10, 2019), <https://www.walesonline.co.uk/news/wales-news/paedophile-groomed-150-children-engage-16258877>.

1 77. During the pandemic, reports of child sex abuse facilitated by Roblox accelerated.
2 In 2020, for example, Roblox enabled a 47-year-old predator to pose as a teenager, target a 16-year-
3 old girl, move the conversation to Facebook, solicit explicit photos and videos, all of which
4 constituted child pornography,⁶⁵ and ultimately traffic her across state lines, raping her multiple
5 times.⁶⁶ In Michigan, a man was arrested for persuading an eight-year-old girl to send him videos
6 of herself, in various stages of undress, in exchange for Robux.⁶⁷ The perpetrator had been arrested
7 for similar offenses three years earlier and was a registered sex offender in Kansas. This perpetrator
8 was not the only convicted sex offender who was able to freely create accounts on Roblox: in 2021,
9 a convicted sex offender used Roblox to sexually solicit a 12-year-old child.⁶⁸ And in 2022, a 33-
10 year-old man groomed a 13-year-old girl on Roblox, transported her from her home in Kansas to
11 his home in Georgia, and raped her multiple times.⁶⁹

12 78. 2023 was more of the same. For example, a 30-year-old man was arrested for
13 soliciting illicit photos from young victims and authorities reported that he had three separate
14 Roblox accounts.⁷⁰ A 27-year-old man was arrested for kidnapping an 11-year-old girl whom he
15 met on Roblox.⁷¹ A 23-year-old New Jersey man, who was a prominent Roblox developer with a
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18 ⁶⁵ U.S. Dep’t of Justice, *Magnolia Man Gets Life For Exploiting Young Female He Met and*
19 *Communicated With Via Roblox and Facebook* (Oct. 15, 2020), [https://www.justice.gov/usao-](https://www.justice.gov/usao-sdtx/pr/magnolia-man-gets-life-exploiting-young-female-he-met-and-communicated-roblox-and)
20 [sdtx/pr/magnolia-man-gets-life-exploiting-young-female-he-met-and-communicated-roblox-and](https://www.justice.gov/usao-sdtx/pr/magnolia-man-gets-life-exploiting-young-female-he-met-and-communicated-roblox-and).

20 ⁶⁶ *United States v. McGavitt*, 28 F.4th 571, 578 (5th Cir. 2022).

21 ⁶⁷ *Man Arrested for Inappropriate Relationship with 8-Year-Old Bloomfield Twp. Girl Through*
22 *Roblox*, WXYZ Detroit (Sep. 24, 2020), [https://www.wxyz.com/news/man-arrested-for-](https://www.wxyz.com/news/man-arrested-for-inappropriate-relationship-with-8-year-old-bloomfield-twp-girl-through-roblox)
22 [inappropriate-relationship-with-8-year-old-bloomfield-twp-girl-through-roblox](https://www.wxyz.com/news/man-arrested-for-inappropriate-relationship-with-8-year-old-bloomfield-twp-girl-through-roblox).

23 ⁶⁸ Jeff Bonty, *Man Charged With Soliciting Juvenile Through Roblox*, Daily Journal (Jul. 23,
2021), <https://www.shawlocal.com/daily-journal/>.

24 ⁶⁹ Fox 5Atlanta Digital Team, *Clayton County Man Charged with Sex Trafficking, Rape of 13-*
25 *year-old Girl He Met on Gaming App Roblox*, Fox5 (Mar. 2, 2022),
[https://www.fox5atlanta.com/news/clayton-county-man-charged-with-sex-trafficking-rape-of-](https://www.fox5atlanta.com/news/clayton-county-man-charged-with-sex-trafficking-rape-of-kansas-girl)
25 [kansas-girl](https://www.fox5atlanta.com/news/clayton-county-man-charged-with-sex-trafficking-rape-of-kansas-girl).

26 ⁷⁰ City of Fontana Police Department, *Internet Predator Arrested*, Facebook (Dec. 20, 2023),
<https://www.facebook.com/watch/?v=338311109095057>.

27 ⁷¹ *Man Charged in Kidnapping of 11-year-old He Met Through Roblox from Her NJ Home:*
28 *Police*, ABC7 (Oct. 21, 2023), [https://abc7ny.com/roblox-kidnapping-new-jersey-online-](https://abc7ny.com/roblox-kidnapping-new-jersey-online-grooming/13927383/)
28 [grooming/13927383/](https://abc7ny.com/roblox-kidnapping-new-jersey-online-grooming/13927383/).

1 known history of exploiting children via Roblox, was sentenced to 15 years in prison for grooming
2 a 15-year-old girl, transporting her to his house, and sexually abusing her.⁷²

3 79. Similar incidents continued throughout 2024. For example, a 21-year-old Chilean
4 man was arrested for traveling to the U.S. to meet an underage girl he met on Roblox, where he
5 had “spent several months manipulating and grooming” her.⁷³ A 21-year-old in California pled
6 guilty for directing a 10-year-old girl, whom he met on Roblox, to disrobe and touch herself.⁷⁴ A
7 64-year-old man admitted to posing as a 13-year-old boy on Roblox, where he met a 12-year-old
8 girl and convinced her to send sexually explicit photos of herself and a young relative.⁷⁵ A 29-year-
9 old Michigan befriended and groomed an 11-year-old girl on Roblox by posing as a teenager and
10 then coerced the girl into sending multiple explicit photos of herself.⁷⁶ And a 24-year-old man raped
11 a 10-year-old girl he had met on Roblox.⁷⁷

12 80. While most predators on Roblox lure children into their grasp by pretending to also
13 be children, many predators do not even hide their intentions, roaming Roblox with usernames like
14

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16 ⁷² U.S. Dep’t of Justice, *New Jersey Man Sentenced to 15 Years in Federal Prison After Grooming*
17 *Minor Online and Transporting Her Across State Lines Via Uber for Sex* (Aug. 30, 2023),
18 [https://www.justice.gov/usao-sdin/pr/new-jersey-man-sentenced-15-years-federal-prison-after-](https://www.justice.gov/usao-sdin/pr/new-jersey-man-sentenced-15-years-federal-prison-after-grooming-minor-online-and)
19 [grooming-minor-online-and](https://www.justice.gov/usao-sdin/pr/new-jersey-man-sentenced-15-years-federal-prison-after-grooming-minor-online-and).

20 ⁷³ Grace Toohey, *Chilean Man Groomed 13-Year-Old Girl He Met on Roblox Before Flying to*
21 *U.S. to Meet Her, Police Say*, L.A. Times (Aug. 22, 2024),
22 <https://www.latimes.com/california/story/2024-08-22/chilean-arrest-roblox-child-exploitation>.

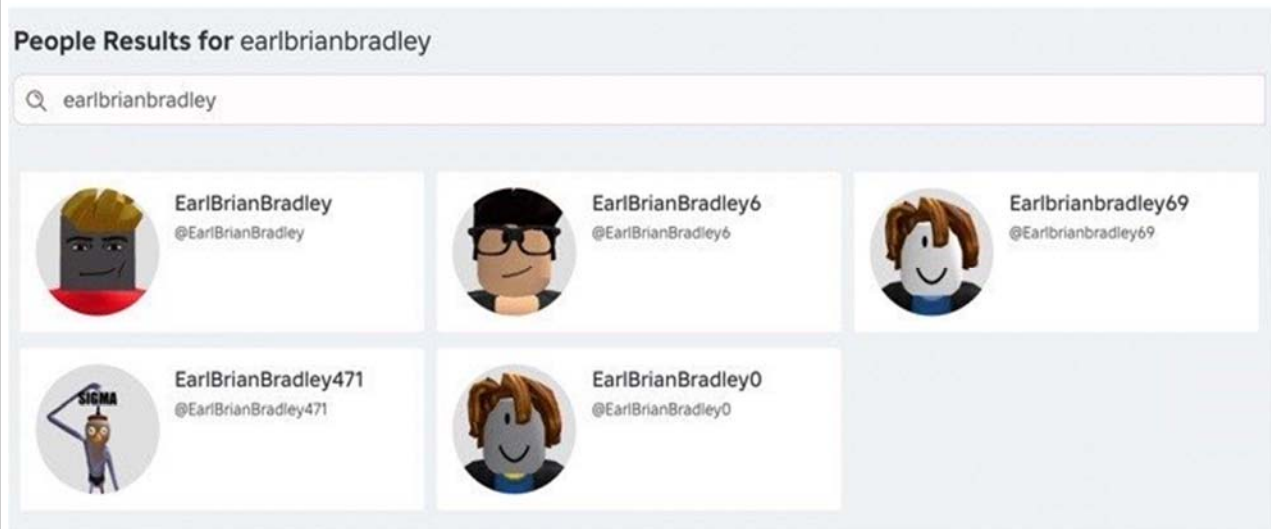
23 ⁷⁴ Ashley Harting, *Online Predator Who Targeted 10-Year-Old on Roblox Pleads Guilty in Butte*
24 *County*, KRCR (Sep. 25, 2024), [https://krcrtv.com/news/local/online-predator-who-targeted-10-](https://krcrtv.com/news/local/online-predator-who-targeted-10-year-old-on-roblox-pleads-guilty-in-butte-county)
25 [year-old-on-roblox-pleads-guilty-in-butte-county](https://krcrtv.com/news/local/online-predator-who-targeted-10-year-old-on-roblox-pleads-guilty-in-butte-county).

26 ⁷⁵ Travis Schlepp, *Man, 64, Admits to ‘Catfishing’ Girl on Roblox, Convincing Her to Send*
27 *Explicit Images*, KTLA 5 (Jul. 26, 2024), [https://ktla.com/news/california/man-64-admits-to-](https://ktla.com/news/california/man-64-admits-to-catfishing-girl-on-roblox-convincing-her-to-send-explicit-images/)
28 [catfishing-girl-on-roblox-convincing-her-to-send-explicit-images/](https://ktla.com/news/california/man-64-admits-to-catfishing-girl-on-roblox-convincing-her-to-send-explicit-images/).

⁷⁶ Michael Martin, *Roblox Predator: School Staffer Accused of Grooming West Michigan Child*
for *Illicit Photos*, Fox17 West Michigan (Jan. 16, 2025),
[https://www.fox17online.com/news/local-news/roblox-predator-school-staffer-accused-of-](https://www.fox17online.com/news/local-news/roblox-predator-school-staffer-accused-of-grooming-west-michigan-child-for-illicit-photos)
[grooming-west-michigan-child-for-illicit-photos](https://www.fox17online.com/news/local-news/roblox-predator-school-staffer-accused-of-grooming-west-michigan-child-for-illicit-photos).

⁷⁷ Martin Robinson, *Roblox Predator Who Raped 10-year-old Girl is Locked Up: Paedophile Who*
‘Targeted Child He Met on Gaming Platform Is Jailed for Six Years, Daily Mail (Jan. 17, 2025),
<https://www.dailymail.co.uk/news/article-14278563/Roblox-predator-raped-10-year-old-girl.html>.

1 like “@Igruum_minors,” “@RavpeTinyK1dsJE,” and “@EarlBrianBradley”—a reference to one
2 of the most prolific pedophiles ever, who raped and molested hundreds of children.



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12 *Results from an account search for “earlbrianbradley.”⁷⁸*

13 81. Roblox’s systematic endangerment of children has been publicly condemned by
14 leading advocacy organizations. The National Center on Sexual Exploitation (“NCSE”) has
15 consistently named Roblox to its “Dirty Dozen” list—an annual campaign exposing companies that
16 facilitate, enable, or profit from sexual exploitation. The NCSE blasts Roblox for “treat[ing] child
17 protection like a game.”⁷⁹ According to the NCSE, “[u]ntil basic child protection standards are met,
18 Roblox remains too high risk for kids.”⁸⁰

19 82. Parent reviews of Roblox on sites like *Common Sense Media* also document
20 disturbing incidents of naked avatars, sexting, simulated sexual assault, and adult predators.⁸¹

21 83. The harm from this child abuse and exploitation extends beyond the initial victims.
22 Through the design of its app and inadequate safeguards, Roblox has created an abusive ecosystem
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24 ⁷⁸ Hindenburg Research, *supra* note 43.

25 ⁷⁹ National Center on Sexual Exploitation, *supra* note 59.

26 ⁸⁰ *Id.*

27 ⁸¹ Common Sense Media, *Parent Reviews of Roblox*,
28 <https://www.commonsensemedia.org/website-reviews/roblox/user-reviews/adult> (last visited Feb. 11, 2025).

1 where former victims—children who were once exploited on Roblox—become teenage
2 perpetrators who then prey upon younger users, making today’s victims tomorrow’s perpetrators.
3 Indeed, researchers have repeatedly confirmed this victim-victimizer pipeline: when children are
4 exposed to and victimized by sexual content, they are more likely to become desensitized teenagers
5 and adults who then exploit younger users in the same ways.⁸² In effect, Roblox contributes to this
6 “raising of” predators who perpetuate the cycle of exploitation.

7 84. The magnitude of the harm caused by Roblox is devastating. Yet rather than warn
8 parents, Roblox minimizes these dangers through repeated misleading public statements. Roblox’s
9 Chief Safety Officer, Matt Kaufman, attempting to deflect attention from serious safety failures,
10 told NPR, “I think we’re losing sight of the tens of millions of people where Roblox is an incredibly
11 enriching part of their life.”⁸³ And while Kaufman publicly claims that “any time anything happens
12 to a child that puts them at risk is one too many,”⁸⁴ Roblox simultaneously admitted to investors
13 that it was “unable to prevent all such [inappropriate] interactions from taking place.”⁸⁵ This
14 calculated contradiction between public messaging and private admissions—telling parents that
15 even one incident is unacceptable while simultaneously acknowledging to investors that abuse is
16 inevitable—exposes Roblox’s strategy of prioritizing public relations through hollow and
17 misleading public statements over its fundamental duty to protect children.

18 **D. Roblox Knowingly Causes and Facilitates the Sexual Exploitation of Children.**

19 85. The reason that Roblox is overrun with harmful content and predators is simple:
20 Roblox prioritizes user growth, revenue, and eventual profits over child safety. For years, Roblox
21

23 ⁸² James RP Ogloff, Margaret C. Cutajar, Emily Mann & Paul Mullen, *Child Sexual Abuse and*
24 *Subsequent Offending and Victimization: A 45 Year Follow-Up Study*, Trends & Issues in Crime
25 & Criminal Justice No. 440 (Jun. 2012), <https://www.aic.gov.au/sites/default/files/2020-05/tandi440.pdf>; M. Glasser et al., *Cycle of Child Sex Abuse: Links Between Being a Victim and*
26 *Becoming a Perpetrator*, British J. Psychiatry (2001).

27 ⁸³ Scott Tong & James Perkins Mastromarino, *Roblox Chief Safety Officer on New Safety*
28 *Features, Past Cases of Child Abuse on the Platform*, WBUR (Nov. 18, 2024),
<https://www.wbur.org/hereandnow/2024/11/18/roblox-safety-features>.

⁸⁴ *Id.*

⁸⁵ Roblox Corp., S-1 (Securities Registration Statement) 24 (Nov. 19, 2020).

1 has knowingly prioritized these numbers over the safety of children through the actions it has taken
2 and decisions it has made to increase and monetize users regardless of the consequences.

3 **1. Roblox prioritizes growth over child safety.**

4 86. From its inception, Roblox has focused on growth above all else, which has meant
5 deliberately targeting, exploiting, and capitalizing on the underdeveloped child market, positioning
6 itself as a place where kids can learn and play games in a safe environment. Recognizing that
7 children have more free time, underdeveloped cognitive functioning, and diminished impulse
8 control, Roblox has exploited their vulnerability to lure them to its app.

9 87. Roblox’s business model allowed the company to attract significant venture capital
10 funding from big-name investors like Kleiner Perkins and Andreessen Horowitz, putting enormous
11 pressure on the company to prioritize growing and monetizing its users. To do so, Roblox made
12 deliberate decisions that placed children at risk. For example, while other products verified the ages
13 of children and restricted access if a child fell below a certain age, Roblox welcomed and
14 encouraged children of any age, implementing no age-verification safeguards and making signing
15 up for an account extremely easy, which allowed even the youngest and most vulnerable to join.

16 88. In 2021, riding the explosive growth in users generated by the pandemic and the
17 pandemic-driven enthusiasm for technology stocks, Roblox went public at a valuation of \$41
18 billion, which brought new pressures. To satisfy the scrutiny and demands of public market
19 investors, Roblox, like many unprofitable companies, prioritized rapid growth in revenue and user
20 engagement metrics—like new user acquisition, daily active users, and average hours spent on the
21 app—on the theory that profitability would follow once the business achieved sufficient scale and
22 operating costs decreased as a percentage of revenue.⁸⁶

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24 ⁸⁶ After listing on the New York Stock Exchange, Roblox CEO David Baszucki told CNBC,
25 “Roblox has been growing for 15 years That’s a long-term growth path, and we believe that
26 continues forward, even after Covid.” Ari Levy & Jessica Bursztynsky, *Roblox Jumps to \$38*
27 *Billion Mark Cap as Public Investors Get Their First Crack at the Popular Kids Game App*,
28 CNBC (Mar. 10, 2021), <https://www.cnbc.com/2021/03/10/roblox-rblx-starts-trading-at-64point50-after-direct-listing.html>. CFO Michael Guthrie added, “As [Covid] restrictions ease, we expect the rates of growth in 2021 will be well below the rates in 2020, however, we believe we will see absolute growth in most of our core metrics for the full year.” *Id.*

1 89. In pursuit of growth, Roblox deprioritized safety measures even further so that it
2 could report strong numbers to Wall Street. For instance, Roblox executives rejected employee
3 proposals for parental approval requirements that would protect children on the platform.⁸⁷
4 Employees also reported feeling explicit pressure to avoid any changes that could reduce platform
5 engagement, even when those changes would protect children from predators.⁸⁸

6 90. As one former Roblox employee explained, “You’re supposed to make sure that
7 your users are safe but then the downside is that, if you’re limiting users’ engagement, it’s hurting
8 our metrics. It’s hurting the active users, the time spent on the platform, and in a lot of cases, the
9 leadership doesn’t want that.”⁸⁹ That same employee added, “You have to make a decision, right?
10 You can keep your players safe, but then it would be less of them on the platform. Or you just let
11 them do what they want to do. And then the numbers all look good and investors will be happy.”⁹⁰

12 91. By limiting safety measures, Roblox not only increased its users but also reduced
13 the company’s safety expenses as a percentage of its revenue—a key metric for Wall Street, which
14 views trust and safety costs as detrimental to Roblox’s stock performance. Barclays, for example,
15 identified its “downside case” for Roblox’s stock as “additional safety investments due to its
16 younger demographic . . . becom[ing] a drag on [earnings] margins.”⁹¹ Barclays also wrote that it
17 viewed increased safety costs as a “negative” in Roblox’s quarterly earnings.⁹²

18 92. During earnings calls for investors, Roblox frequently addresses questions from
19 analysts about how trust and safety expenditures will evolve over time. Roblox’s answers reveal
20 that the company is hyper-focused on reducing its trust and safety expenses as a percentage of its
21 revenue, showing that the company is not investing as much proportionally in trust and safety as
22 the company continues to grow and attract millions of additional users.

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24 ⁸⁷ Hindenburg Research, *supra* note 43.

25 ⁸⁸ *Id.*

26 ⁸⁹ *Id.*

27 ⁹⁰ *Id.*

28 ⁹¹ Ross Sandler, Trevor Young & Alex Hughes, *Back on Track Following the 1H Hiccup*,
Barclays (Aug. 1, 2024)

⁹² Ross Sandler, Trevor Young & Alex Hughes, *Everything Accelerating, Safety & Security a Top
Priority*, Barclays (Nov. 1, 2024)

1 93. For example, on Roblox’s 2023 fourth quarter earnings call, an analyst praised the
2 “really high level of efficiency” seen in the numbers for infrastructure and trust and safety
3 expenditures and then asked how those figures would evolve over time.⁹³ In response, Mike
4 Guthrie, Roblox’s CFO, emphasized the company’s goal of reducing expenses, stating, “cost to
5 serve is the metric that we use and it’s the metric that the [infrastructure] team owns . . . *they’re*
6 *working hard to drive that down* [L]ike you said, it’s about 11% now, ultimately with higher
7 efficiency . . . we see that as a high-single-digit number over the next few years.”⁹⁴ He added, “[W]e
8 still think there’s more to do there.”⁹⁵

9 94. At other times, Guthrie has reassured investors stating, “look for trust and safety
10 [costs] to scale below linear as we grow”⁹⁶ and that Roblox was “quite happy with” trust and safety
11 costs growing “at a lower rate than our bookings growth.”⁹⁷

12 95. Similarly, in the second quarter of 2024, CEO Baszucki highlighted that,
13 “[i]mportantly, our infrastructure and trust and safety expenditures were 8% lower year-on-year.”⁹⁸

14 96. Once public, Roblox also decided to try to attract more adult users to its app—which
15 it had historically touted as the “#1 gaming site for kids and teens.”⁹⁹ With the market for underage
16 users near saturation, Roblox shifted its growth strategy to attracting older users.

17 97. In its public offering filings, Roblox identified “age demographic expansion” as a
18 key strategy, explaining that it planned to develop experiences and content that appealed to older
19 users.¹⁰⁰ For Roblox, “aging up” had benefits beyond user growth—it was also more profitable.
20 Older users offered a distinct financial advantage. While children spend more hours on Roblox,
21 they do not “monetize” as well because they are more constrained in their ability to spend. In
22

23 ⁹³ Q4 2023 Earnings Call (Feb. 7, 2024).

24 ⁹⁴ *Id.* (emphasis added).

25 ⁹⁵ *Id.*

26 ⁹⁶ Q4 2022 Earnings Call (Feb. 15, 2023)

27 ⁹⁷ Q3 2022 Earnings Cal (Nov. 8, 2023).

28 ⁹⁸ Q2 2024 Earnings Call (Aug. 1, 2024).

⁹⁹ Roblox, *What Is Roblox*, <http://web.archive.org/web/20170227121323/https://www.roblox.com/>
(archived Feb. 27, 2017).

¹⁰⁰ Roblox Corp., S-1 (Securities Registration Statement) 7 (Nov. 19, 2020).

1 contrast, older users, who “have more direct control over their spend” and “monetize better,” are
2 far more lucrative—an outcome that Roblox said it predicted when it started to target older users.¹⁰¹

3 98. Roblox’s executives repeatedly emphasized their strategy of “aging up” the app to
4 attract older users. At the company’s inaugural conference with an investment bank in September
5 2021, Roblox’s CFO, Michael Guthrie, noted that Roblox had achieved “very good penetration of
6 nine to twelve year-olds,” and was focused on adding users over the age of 13.¹⁰² One plan was to
7 “improve the search algorithms such that older users were finding older content,” or content
8 tailored to their age-related demographic.¹⁰³

9 99. And at its annual Developer Conference, CEO David Baszucki encouraged
10 developers to create experiences for older audiences, explaining that Roblox was rolling out
11 features designed to appeal to older users, including use of real names, screen capture and sharing
12 capabilities, video calls, and relaxed chat moderation.¹⁰⁴ These decisions, while framed as growth
13 strategies, reflected Roblox’s willingness to compromise safety, creating new vulnerabilities and
14 more dangerous circumstances for children in its pursuit of a more profitable, older user base.

15 100. Roblox executives consistently highlighted progress with the company’s “aging up”
16 strategy on every quarterly earnings call after this until the second quarter of 2023, when CEO
17 Baszucki declared that Roblox had achieved its goal: “We’re no longer talking about aging up. We
18 are a platform for all ages.”¹⁰⁵ He also revealed that developers had started to “build specific 17-
19 plus experiences.”¹⁰⁶ This progress was praised by Wall Street investment banks, who noted that
20 aged-up experiences were a promising indicator of “potential sustainable growth tailwinds for
21 Roblox,” reinforcing the company’s pivot toward maximizing profitability.¹⁰⁷

22 _____
23 ¹⁰¹ Q2 2022 Earnings Call (Aug. 10, 2022).

24 ¹⁰² Roblox at Goldman Sachs Communicopia Conference (Sep. 9, 2021),
<https://ir.roblox.com/events-and-presentations/events/event-details/2021/Goldman-Sachs-Communicopia/default.aspx>.

25 ¹⁰³ *Id.*

26 ¹⁰⁴ Roblox Developers Conference 2023 Keynote (Sep. 8, 2023),
<https://www.youtube.com/watch?v=CwLThCghzA4>.

27 ¹⁰⁵ Q2 2023 Earnings Call (Aug. 9, 2023).

28 ¹⁰⁶ Q2 2023 Earnings Call (Aug. 9, 2023).

¹⁰⁷ Benjamin Black et al., *Bookings Back on Track*, Deutsche Bank (Nov. 4, 2024).

1 101. Despite Roblox’s deliberate targeting of older users, it failed to implement any
2 meaningful restrictions on contact between adult and child users or limit the mature content and
3 experiences it solicited from developers to attract older audiences. When asked by an equity
4 research analyst about aged-13-and-up experiences for older users, CEO Baszucki admitted, “I
5 want to highlight right now that *we don’t have any only 13 and up experiences*. We have 28% of
6 the top thousand experiences having a majority of 13-plus [users] but *those are still experiences*
7 *that are open to all ages.*”¹⁰⁸ Similarly, despite urging developers to build experiences intended for
8 users aged 17 and older, Roblox did not implement any access limitations for younger users.¹⁰⁹
9 Even investors recognized the connection between older users and the increased risks for children,
10 questioning how Roblox planned to prevent inappropriate content from reaching younger users.¹¹⁰

11 102. Not only did Roblox seek to increase adult users while knowing the risks that
12 strategy posed to children, but it also sought to encourage relationships between users. At Roblox’s
13 2023 Developers Conference, CEO Baszucki revealed Roblox’s strategy to facilitate “real-life
14 relationships” between users—*i.e.*, dating. While he deliberately avoided the word “dating,” he
15 then announced plans to build a product to support it: “I’m not going to use the D word but
16 subsequent[] real-life relationships is going to happen, okay? And we’re going to build a platform
17 to support that.”¹¹¹

18 103. By the next year, in 2024, Baszucki explicitly acknowledged this strategy. He first
19 acknowledged that online dating is “edgy” but then mocked his own safety team’s concerns about
20 the dangers—“the policy and safety told me [dating and real life relationships] isn’t within our
21 current policy right now”—to which the audience shared in laughter.¹¹²

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25 ¹⁰⁸ Q3 2021 Earnings Call (Nov. 9, 2021) (emphasis added).

26 ¹⁰⁹ Q4 2022 Earnings Call (Feb. 15, 2023).

27 ¹¹⁰ Q3 2021 Earnings Call, *supra* note 108.

28 ¹¹¹ Roblox Developers Conference 2023 Keynote (Sep. 8, 2023),
<https://www.youtube.com/watch?v=CwLThCghzA4>.

¹¹² Roblox Developers Conference 2024 Keynote (Sep. 6, 2024);
<https://www.youtube.com/watch?v=HwbcWc2CwnM>.

1 104. In short, for years, Roblox has deliberately sacrificed child protection—a
2 longstanding issue for the company—in pursuit of growth and profit. This systematic subordination
3 of child safety to business objectives reflects Roblox’s continued choice to maximize its business
4 goals while knowingly exposing children to preventable dangers on its app.

5 **2. Roblox facilitates child sexual exploitation through the design of its app,
6 inadequate safety features, and refusal to invest in basic safety protections.**

7 105. Roblox’s pursuit of growth and profit over child safety is reflected in numerous
8 actions it took and decisions it made related to the design and safety of its app. Had Roblox acted
9 differently, the harm suffered by countless children would not have occurred.

10 106. Roblox designed its app so that anyone can easily communicate with children,
11 creating a virtual world where predators can freely target and groom children. Until November
12 2024, adult strangers could “friend” and chat with children of any age via direct messages and chat
13 with them in an experience through direct messages even if they were not friends. While Roblox
14 offered some adjustable parental controls for users under the age of 13, these children could bypass
15 those controls simply by creating an alternate account false self-identifying as a 13+-year-old user.
16 By designing its app this way, Roblox stripped parents of basic protective options to prevent adult
17 strangers from communicating with their children.

18 107. This practice contrasts sharply with other gaming products like Nintendo, which use
19 preprogrammed dialogue options to tightly control user interactions.¹¹³ By adopting a similar
20 approach, Roblox could have significantly reduced—if not eliminated—the grooming and child
21 abuse facilitated by its app because predators would not have been able to solicit any personal
22 information or send any coercive or sexually suggestive messages.

23 108. Roblox also enabled the common practice in which a predator meets and grooms a
24 child on Roblox and then transitions that child to a messaging app—often Discord. Roblox allows
25 links to Discord to be posted in game descriptions and in Roblox groups, which are user-created
26 communities on Roblox. Indeed, Roblox’s March 2022 Community Standards lists Discord as one

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28 ¹¹³ Carville & D’Anastasio, *supra* note 8.

1 of only a handful of external apps that users were allowed to link to: “When using Roblox, you
2 may not link to any external websites or services, except for: YouTube, Facebook, Discord, Twitter,
3 and Twitch.”¹¹⁴ Roblox could have prevented users from linking to Discord. In fact, the company
4 previously did not allow its users to link to Discord because it could not “risk unfairly exposing
5 underage users to platforms such as Discord.”¹¹⁵

6 109. Roblox also encourages users to communicate on Discord by allowing users to
7 include their Discord usernames in their Roblox profiles.¹¹⁶

8 110. This relationship created a shared ecosystem where users toggling between both
9 apps benefited both companies. Even when the inappropriate conversations and solicitation of
10 sexually explicit photos and videos occurred on Discord, Roblox profited when children were
11 coerced with Robux into sending naked and other explicit photos or videos, while Discord benefited
12 from getting more active users. Anything that keeps users engaged benefits both companies, and
13 by fostering this interconnectivity, Roblox prioritized engagement and mutual profit over the safety
14 of its users, enabling harmful behavior to flourish across both apps.

15 111. Roblox further endangered children by introducing voice calls in November 2023.
16 Called “Roblox Connect,” this virtual call feature allows users to have a conversation through their
17 avatars in real time. Concerns were immediately raised about this feature. For example, one user
18 emphasized, “This is a bad idea Roblox, and especially on your platform because this is where
19 most predators are coming from, and it makes it way easier for predators to prey on children.”¹¹⁷

20 112. As Roblox contemplated and rolled out Roblox Connect, it knew that this feature
21 would drastically increase the risk to children on its app. That is because another company had
22 implemented a similar feature with disastrous consequences. Omegle was a chat website that

23 _____
24 ¹¹⁴ Roblox, Roblox Community Standards (May 6, 2022).

25 ¹¹⁵ Roblox, Reminder Regarding Permissible Links (Nov. 2017),
<https://devforum.roblox.com/t/reminder-regarding-permissible-links/61736>.

26 ¹¹⁶ YouTube, *How to Add Discord to Roblox Profile*, <https://www.youtube.com/watch?v=tOd-W3kdm44>.

27 ¹¹⁷ Josh Taylor, *Roblox Under Fire After Adding Controversial Voice Call Feature*, Dexerto (Nov.
28 15, 2023), <https://www.dexerto.com/roblox/roblox-under-fire-after-adding-controversial-voice-call-feature-2384564/>.

1 operated from 2009 to 2023. Omegle allowed users, including children, to engage in anonymous
2 chats with strangers. In March 2010, Omegle introduced a video-chat feature. Despite efforts to
3 monitor for mature and sexual content, the website became infamous for exposing minors to
4 explicit material, predators, and exploitation. Omegle’s failure to protect users led to numerous
5 incidents, including criminal cases involving child pornography. In November 2023, the same
6 month Roblox launched Roblox Connect, Omegle announced that it would cease operations. In
7 shutting down, its founder highlighted the site’s misuse: “[T]here can be no honest accounting of
8 Omegle without acknowledging that some people misused it, including to commit unspeakably
9 heinous crimes.”¹¹⁸ And he thanked one survivor for “opening my eyes to the human cost of
10 Omegle.”¹¹⁹ Nevertheless, Roblox introduced voice calls the same month that Omegle shut down.

11 113. Roblox also refused to implement simple measures that would have protected
12 children using its app. For example, despite having the ability to require basic identity verification,
13 Roblox instead chose to allow users to create accounts without providing their name or email
14 address—a policy that enables predators to easily create multiple anonymous accounts.

15 114. Roblox could have also required children under 13 to provide their names and email
16 addresses and obtain parental approval—a fundamental protection against predators—but refused
17 to do so. This decision allowed the company to bypass certain protections that are mandated by
18 federal law and designed to protect children. The Children’s Online Privacy Protection Act
19 (“COPPA”) prohibits companies like Roblox from collecting, using, or disclosing the personal
20 information of children under 13 without verifiable parental consent. COPPA was enacted because
21 Congress recognized the heightened vulnerability of children on the internet. As the Federal Trade
22 Commission (“FTC”) noted, children under 13 lack the capacity to “understand fully the potential
23 serious safety and privacy implications” of sharing their personal information.¹²⁰

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26 ¹¹⁸ Omegle, <https://www.omegle.com/> (last visited Feb. 11, 2025).

27 ¹¹⁹ *Id.*

28 ¹²⁰ Federal Trade Commission, *Privacy Online: A Report to Congress* (1998),
<https://www.ftc.gov/sites/default/files/documents/reports/privacy-online-report-congress/priv-23a.pdf>.

1 115. The FTC has outlined clear and acceptable methods for obtaining verifiable parental
2 consent. These include: (a) providing a form for parents to sign and return; (b) requiring the use of
3 a credit card or online payment that notifies parents of each transaction; (c) connecting parents to
4 trained personnel via video conference; (d) offering a staffed toll-free number for parental
5 verification; (e) asking knowledge-based questions to confirm identity; or (f) verifying a parent’s
6 photo-ID by comparing it to a second photo using facial recognition technology.¹²¹

7 116. Yet instead of implementing safeguards to comply with COPPA, Roblox chose to
8 bypass these protections altogether. Roblox intentionally avoids requesting a name or email address
9 during sign-up to sidestep the requirement of verifiable parental consent. In fact, former employees
10 revealed that Roblox considered requiring verifiable consent, but ultimately resisted its
11 implementation out of fear that such requirements might drive users away.¹²² Consequently,
12 creating a Roblox account is alarmingly easy, requiring less than sixty seconds and no meaningful
13 oversight—a choice that prioritizes growth over the safety of its youngest users.¹²³

14 117. Another easy-to-implement feature that would have improved safety is adding pop-
15 up safety notices within chats and games to warn users about their behavior or the dangerous
16 behavior of others. But Roblox executives also rejected this change.¹²⁴

17 118. Additionally, although Roblox knew that predators routinely operate dozens of
18 Roblox accounts at the same time, the company chose not to implement basic blocking of digital
19 identifiers—both the unique network addresses that track internet connections (Internet Protocol
20 or IP addresses) and the permanent hardware identification numbers assigned to devices (Media
21 Access Control or MAC addresses) that could prevent predators from creating multiple accounts.¹²⁵

24 ¹²¹ Federal Trade Commission, *Complying with COPPA: Frequently Asked Questions*, July 2020,
25 <https://www.ftc.gov/business-guidance/resources/complying-coppa-frequently-asked-questions>.

25 ¹²² Hindenburg Research, *supra* note 43.

26 ¹²³ Scott Tong & James Perkins Mastromarino, *Roblox Attempts to Bar Child Predators as Short*
27 *Sellers Target the Popular Game Platform*, WBUR (Oct. 21, 2024),
27 <https://www.wbur.org/hereandnow/2024/10/21/roblox-child-predators-safety>.

28 ¹²⁴ Carville & D’Anastasio, *supra* note 8.

28 ¹²⁵ *Id.*

1 119. Similarly, Roblox chose not to require adult users to verify phone numbers—which
2 would create significant barriers to predators creating multiple accounts—despite knowing that this
3 enables bad actors to easily create numerous anonymous accounts to target children.¹²⁶

4 120. Roblox also opted not to require users to verify their age by uploading a picture of
5 either their or their parents' ID, a practice that many other applications employ. Doing so would
6 have restricted the content available to young users and prevented predators from easily
7 misrepresenting their age, which is often their approach in targeting and grooming children. As one
8 father told the press after seeing other users solicit his avatar for sex, “There is nothing to stop
9 adults going on there and pretending they’re kids.”¹²⁷

10 121. Despite these glaring failures, Roblox aggressively markets and promotes itself as
11 an “industry leader” when it comes to child safety.¹²⁸ Central to this self-serving narrative is its
12 “accomplishments” of investing in artificial intelligence (“AI”) and machine learning systems
13 supposedly designed to scan and monitor all communications on the app and prevent the sharing
14 of inappropriate content and personally identifiable information.¹²⁹

15 122. Yet this technology has proven grossly inadequate and insufficient to protect
16 children. For example, Roblox’s filters have inexplicable omissions. While Roblox blocks certain
17 words, like “Snap” and “Snapchat,” to supposedly prevent off-app communications, it allows
18 workarounds such as the use of the ghost emoji (👻), which is widely recognized as a symbol for
19 Snapchat, or alternative spellings, like “Snappy” or “apchat.” Similarly, while the word “Discord”
20 is blocked, users can bypass this filter by using the disc emoji (🍷) or typing variations, like
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24 ¹²⁷ Carl Stroud, *Horrorified Dad Found Sick Messages from Paedo Predator in His Eight-Year Old*
25 *Son’s Roblox iPad Game*, The Sun (Feb. 15, 2017),
26 <https://www.thesun.co.uk/news/2872376/horrified-dad-found-sick-messages-from-paedo-predator-in-his-eight-year-old-sons-roblox-ipad-game/>.

¹²⁸ Q1 2021 Earnings Call (May 11, 2021).

27 ¹²⁹ Roblox, *Safety Features: Chat, Privacy & Filtering*,
28 <https://web.archive.org/web/20240714130904/https://en.help.roblox.com/hc/en-us/articles/203313120-Safety-Features-Chat-Privacy-Filtering> (archived Jul. 14, 2024).

1 “iscord” or “cord.”¹³⁰ That Roblox selectively blocks the words “Snap,” “Snapchat,” and “Discord”
2 reveals that Roblox is fully aware of the dangers of off-app inappropriate communications yet
3 chooses not to close these loopholes. And while Roblox prevents users from sharing phone numbers
4 in numerical format, it does nothing to stop users from spelling out the numbers.¹³¹

5 123. Similarly, while Roblox attempts to block the word “condo,” countless external
6 groups on platforms like Reddit and Discord are dedicated to helping users locate new explicit
7 content on Roblox. As soon as Roblox removes one game, its ineffective safeguards allow the same
8 game to be reuploaded almost immediately from a new account, perpetuating the cycle of explicit
9 and harmful content. External groups have capitalized on Roblox’s weak moderation by guiding
10 predators to these reuploaded games, with Fast Company easily identifying 150 Discord groups
11 dedicated to exploiting Roblox’s lack of robust enforcement.¹³²

12 124. Beyond Roblox’s ineffective technology, the company also employs a woefully
13 inadequate number of human moderators to analyze and manage content on its platform. With only
14 about 3,000 moderators, Roblox pales in comparison to platforms like TikTok, which, despite
15 having only three times the number of users, employs more than ten times the number of
16 moderators at 40,000.¹³³ Roblox attempts to justify this disparity by claiming “[y]ou really can’t
17 judge the quality of these moderation systems by the number of people.”¹³⁴ But the reality tells a
18 different story. Roblox’s moderators, many of them overseas contractors, report being
19 overwhelmed by an unmanageable volume of child safety reports, making it impossible to address
20 all concerns effectively and leaving countless safety issues unresolved.¹³⁵

22 ¹³⁰ Edwin Dorsey, *Problems at Roblox (RBLX) #5*, The Bear Cave (Oct. 17, 2024),
23 <https://thebearcave.substack.com/p/problems-at-roblox-rblx-5>.

23 ¹³¹ *Id.*

24 ¹³² Burt Helm, *Sex, Lies and Video Games: Inside Roblox’s War on Porn*, Fast Company (Aug.
25 19, 2020), <https://www.fastcompany.com/90539906/sex-lies-and-video-games-inside-roblox-war-on-porn>.

25 ¹³³ Carville & D’Anastasio, *supra* note 8.

26 ¹³⁴ Scott Tong & James Perkins Mastromarino, *Roblox Chief Safety Officer on New Safety*
27 *Features, Past Cases of Child Abuse on the Platform*, WBUR (Nov. 18, 2024),
<https://www.wbur.org/hereandnow/2024/11/18/roblox-safety-features>.

28 ¹³⁵ Carville & D’Anastasio, *supra* note 8.

1 125. Even the safety data that Roblox touts is flawed and only underscores the growing
2 dangers created by the company’s app. For example, Roblox proudly points to its low percentage
3 of reports to the National Center for Missing and Exploited Children (“NCMEC”)—the leading
4 U.S. nonprofit organization tasked with preventing child exploitation and assisting in the recovery
5 of missing children. Roblox claims that it accounts for less than .04% of reports made to
6 NCMEC.¹³⁶ But this data is entirely self-reported and therefore depends on Roblox’s ineffective
7 content moderation and safety team. This self-reported data to NCMEC—flawed and limited as it
8 is—also reveals a disturbing trend: Roblox’s reports about suspected child sexual exploitation have
9 surged over the years, from 675 reports in 2019 to 13,316 reports in 2023.¹³⁷

10 126. Roblox also boasts that just “0.0063% of [its] total content was flagged for
11 violating” policies. But Roblox itself controls the systems responsible for identifying and flagging
12 violative content.¹³⁸ These lower percentages are thus a reflection not of safety but of Roblox’s
13 ability to minimize the appearance of problems through its own inadequate reporting and
14 enforcement mechanisms. By hiding behind self-serving metrics and refusing to take meaningful
15 action, Roblox has fostered an environment where children are subjected to irreparable harm while
16 the company continues to reap financial rewards.

17 127. And the very existence of Roblox’s trust and safety “data” on inappropriate
18 communications to train its AI systems contradicts its claim that “one is too many” when it comes
19 to the sexual exploitation of children. This data exists only because countless instances of abuse,

21 ¹³⁶ Scott Tong & James Perkins Mastromarino, *Roblox Attempts to Bar Child Predators as Short*
22 *Sellers Target the Popular Game Platform*, WBUR (Oct. 21, 2024),
<https://www.wbur.org/hereandnow/2024/10/21/roblox-child-predators-safety>.

23 ¹³⁷ National Center for Missing & Exploited Children, *2019 CyberTipline Reports by Electronic*
24 *Services Providers (ESP)*, [https://www.missingkids.org/content/dam/missingkids/pdfs/2019-](https://www.missingkids.org/content/dam/missingkids/pdfs/2019-reports-by-esp.pdf)
25 [reports-by-esp.pdf](https://www.missingkids.org/content/dam/missingkids/pdfs/2019-reports-by-esp.pdf); *see also* National Center for Missing & Exploited Children, *2023 CyberTipline*
Reports by Electronic Services Providers (ESP),
<https://www.missingkids.org/content/dam/missingkids/pdfs/2023-reports-by-esp.pdf>.

26 ¹³⁸ Vikki Blake, *Roblox Reported Over 13,000 Incidents to the National Center for Missing and*
27 *Exploited Children in 2023*, GamesIndustry.biz (Jul. 23, 2024),
[https://www.gamesindustry.biz/roblox-reported-over-13000-incidents-to-the-national-center-for-](https://www.gamesindustry.biz/roblox-reported-over-13000-incidents-to-the-national-center-for-missing-and-exploited-children-in-2023)
28 [missing-and-exploited-children-in-2023](https://www.gamesindustry.biz/roblox-reported-over-13000-incidents-to-the-national-center-for-missing-and-exploited-children-in-2023).

1 exploitation, and predatory interactions have already occurred. Roblox’s reliance on this data to
2 train its AI systems exposes the reality that its so-called safety measures are not designed to prevent
3 these atrocities but to react to them after the damage has been done. Instead of creating a secure
4 environment where such harm never occurs and ensuring that such interactions never happen in the
5 first place, Roblox uses the suffering and trauma of children as the foundation for its trust and safety
6 systems. This cycle underscores the company’s prioritization of optics over genuine protection,
7 leaving its youngest users at the mercy of its neglect.

8 128. Roblox’s own developers even admit that Roblox is unsafe for children.¹³⁹ Online
9 forum discussion posts are replete with developers writing that they would not allow their own
10 children to use the platform, citing pervasive issues with Roblox’s child safety policies. Many of
11 these posts highlight the platform’s systemic failures and suggest straightforward changes Roblox
12 could implement to create a safer environment but has consistently ignored—for example:

- 13 a. “Unfortunately, it is worse now due to Roblox’s moderation being so
14 abysmal and Roblox being a far more widespread platform. Creeps flock
15 aplenty when before the creep: kid ratio was much much lower
16 Roblox has no interest in actually fixing the issues so long as the bad
17 press doesn’t end up viral.”¹⁴⁰
- 18 b. “No. Roblox is not safe for children. The amount of NSFW [Not Safe
19 for Work] I see on this platform on a daily basis is unbelievable. I’m
20 surprised COPPA hasn’t taken any action.”¹⁴¹
- 21 c. “I believe they need to automatically rate these games for older
22 audiences, if not, you know, removing them entirely. I could keep going
23 on about this issue, but it’s just beating a dead horse at this point.”¹⁴²
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26 ¹³⁹ Edwin Dorsey, *Problems at Roblox (RBLX) #5*, The Bear Cave (Oct. 17, 2024),
27 <https://thebearcave.substack.com/p/problems-at-roblox-rblx-5>.

28 ¹⁴⁰ *Id.*

¹⁴¹ *Id.*

¹⁴² *Id.*

1 d. “Roblox got banned for bad moderation; Turkey banned it to ‘protect
2 children,’ and they are not wrong. The amount of visits from 10 of these
3 games is, in summary, 100 million+. I don’t want to know how many of
4 these children have seen nudity or even developed a p*rn addiction. But
5 that is a big problem with Roblox doing almost nothing to prevent it.”¹⁴³

6 129. These statements, coming from individuals familiar with Roblox’s operations, paint
7 a picture of an environment rife with neglect, where harmful content flourishes, predators thrive,
8 and Roblox repeatedly fails to act—even in the face of widespread and urgent warnings.

9 **3. Roblox’s recent safety changes are woefully inadequate and fail to address**
10 **years of neglect and harm caused by its app.**

11 130. After years of mounting pressure, Roblox recently announced changes to its child
12 safety features. These changes were prompted not by the years of police reports and widespread
13 media coverage but by a scathing report published by a well-known short seller accusing the
14 platform of being a “pedophile hellscape for kids.”¹⁴⁴ Released on October 8, 2024, the report
15 sparked public outrage, detailing many of the issues described above that Roblox had long ignored.

16 131. A little more than a month later, Roblox announced a series of changes, including
17 permanently removing the ability to message others outside of games on its app for under 13-year-
18 old users;¹⁴⁵ giving parents a separate dashboard where they can monitor a child’s Roblox account,
19 view the child’s friend list, set spending control, and manage screen time;¹⁴⁶ preventing games from
20 using chalkboard writings where people could get around the censoring of communications;¹⁴⁷ and

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23 ¹⁴³ *Id.*

¹⁴⁴ Hindenburg Research, *supra* note 43.

24 ¹⁴⁵ *Roblox Tightens Messaging Rules for Under-13 Users Amid Abuse Concerns*, Reuters (Nov.
25 18, 2024), [https://www.reuters.com/technology/roblox-tightens-messaging-rules-under-13-users-
amid-abuse-concerns-2024-11-18/](https://www.reuters.com/technology/roblox-tightens-messaging-rules-under-13-users-amid-abuse-concerns-2024-11-18/).

26 ¹⁴⁶ Robert Booth, *Roblox to Give Parents More Control Over Children’s Activity After Warnings*
27 *Over Grooming*, The Guardian, (Nov. 18, 2024),
[https://www.theguardian.com/technology/2024/nov/18/roblox-to-hand-parents-more-control-over-
their-childrens-activity](https://www.theguardian.com/technology/2024/nov/18/roblox-to-hand-parents-more-control-over-their-childrens-activity).

28 ¹⁴⁷ *Id.*

1 implementing restrictions to stop under 13-year-old users from accessing new Roblox games that
2 are awaiting maturity ratings.¹⁴⁸

3 132. These changes could all have been implemented years ago. None of them involve
4 any new or groundbreaking technology. Roblox only moved forward when its stock was threatened.

5 133. And these changes are little more than window dressing—too little, too late, and
6 woefully inadequate. Most fundamentally, Roblox *still allows* adults to contact and message
7 children. Roblox only banned user-to-user messaging for users under the age of 13 *outside of*
8 *games*. Predators can still message children on public chats while playing games; indeed, Roblox
9 has left child predators’ blueprint for finding children on the application intact since predators have
10 always found children by playing games they know that children will frequent. Roblox also failed
11 to address core issues like the app’s lack of age verification and refusal to require parental consent
12 to make an account. Roblox did not commit to hiring more content moderators, nor did it implement
13 any sort of identity check to prevent registered sex offenders from making accounts.

14 134. Just as Roblox rolled out these changes, it simultaneously introduced a new
15 “Parties” feature in an attempt to counteract any potential loss in user engagement.¹⁴⁹ Because
16 Roblox knew that users often turned to other apps like Discord to communicate while playing video
17 games and because Roblox knew that its safety changes would reduce key user engagement
18 metrics, it sought to capture that traffic (and revenue) and replace any loss of engagement with the
19 Parties feature. While the Parties feature is currently only available for users aged 13 and older,
20 such limitations are hollow without robust age verification. And the fact that Roblox has stated that
21 it is exploring making such a feature available to younger users demonstrates that, far from
22 prioritizing safety, Roblox’s real focus is protecting its bottom-line.¹⁵⁰

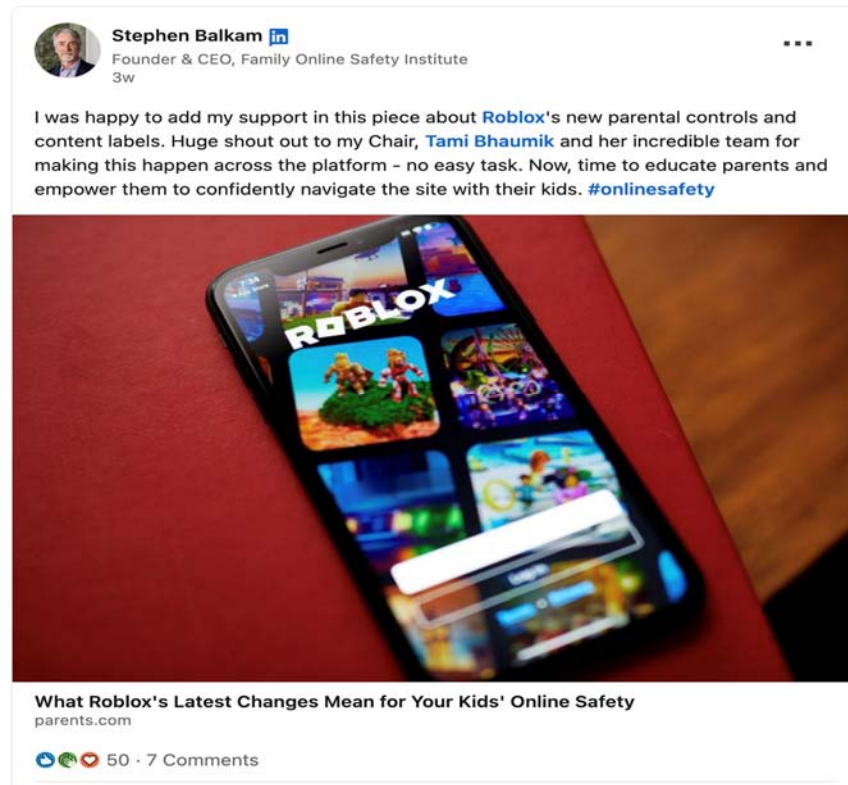
23 135. Roblox has also engaged in a deceptive public relations campaign using ostensibly
24 independent online safety organizations to influence the narrative around these changes. For
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26 ¹⁴⁸ *Id.*

27 ¹⁴⁹ Rebecca Ruiz, *Roblox’s New Party Feature Makes Discord Obsolete*, Mashable (Dec. 2, 2024),
28 <https://mashable.com/article/roblox-party-discord>.

¹⁵⁰ *Id.*

1 instance, Roblox has leveraged its ties to groups like the Family Online Safety Institute (“FOSI”).
2 An online parenting magazine favorably quoted Stephen Balkam, FOSI’s CEO, as endorsing
3 Roblox’s new features as a win for child safety.¹⁵¹ What the article omitted, however, is that
4 Roblox’s own Vice President of Civility and Partnerships, Tami Bhaumik, serves as FOSI’s board
5 chair—an obvious conflict of interest.¹⁵² This calculated relationship exposes how Roblox
6 manipulates public perception by using seemingly independent safety organizations as
7 mouthpieces to shape the narrative in its favor.



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20 *Stephen Balkam’s LinkedIn post revealing his connection to Roblox in a post
21 praising Roblox’s changes.*¹⁵³

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25 ¹⁵¹ Anna Halkidis, *What Roblox’s Latest Changes Mean for Your Kids’ Online Safety*, Parents (Nov. 18, 2024), <https://www.parents.com/roblox-new-parental-controls-8747405>.

26 ¹⁵² *FOSI Welcomes Roblox Vice President as New Board Chair*, FOSI (Oct. 12, 2022), <https://www.fosi.org/about-press/fosi-welcomes-roblox-vice-president-as-new-board-chair>.

27 ¹⁵³ LinkedIn, Stephen Balkam’s Post, https://www.linkedin.com/posts/stephenbalkam_what-roblox-latest-changes-mean-for-your-activity-7264409332950220801-WCDF (last visited Jan. 6, 2025).
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1 **V. FACTUAL ALLEGATIONS AS TO DISCORD**

2 **A. Discord Offers a Communications App That It Markets to Children.**

3 136. Discord is a communications app that allows users to chat over voice, video, and
4 text messaging. Discord is organized into chat groups called “servers,” which are topic-based
5 virtual spaces that users can join to engage in conversations with others. Servers are organized into
6 subtopics called “channels,” which are divided into text and voice channels. In text channels, users
7 post messages, upload files, and share images. In voice channels, users communicate through voice
8 or video chat and screen share. Users can also send private messages via voice, video, or text.

9 137. Launched in 2015, Discord quickly became the top app for gamers looking to
10 communicate while playing videogames. The company’s founders shared a love of video games
11 and created a service for gamers to seamlessly communicate with each other. Discord has since
12 expanded to include a wider audience of anyone looking to communicate with others about an
13 endless array of topics. As Discord puts it, “Discord is now where the world talks, hangs out, and
14 builds relationships”—“Discord lets anyone create a space to find belonging.”¹⁵⁴

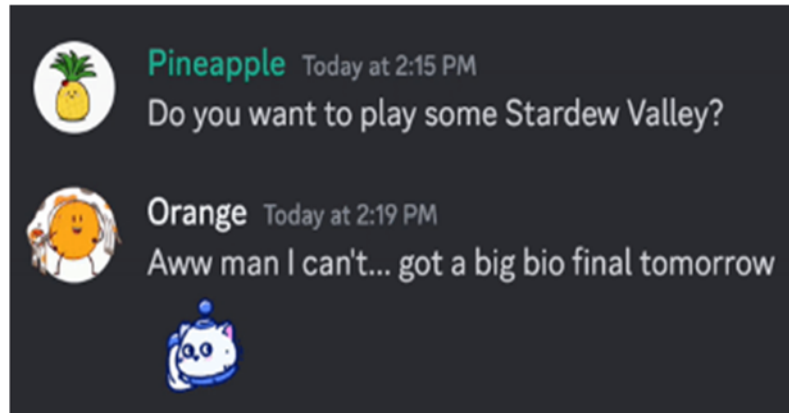
15 138. Although many users on Discord are adults, Discord directly markets its app to
16 young users. For example, Discord advertises its functionality for school clubs and offers “Student
17 Hubs,” which are “dedicated places for students on Discord that make it easy to meet classmates
18 from your own school, discover their communities on Discord, and share your servers for your
19 fellow classmates to join.”¹⁵⁵ Discord also markets to young users with features such as “custom
20 emoji, stickers, soundboard effects and more to add your personality to your voice, video or text
21 chat.”¹⁵⁶ According to Discord, these features are designed to “make your group chats more fun.”¹⁵⁷

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25 ¹⁵⁴ Discord, *Create Space for Everyone to Find Belonging*, <https://discord.com/company> (last visited Feb. 11, 2025).

26 ¹⁵⁵ Discord, *Discover Your Next Favorite Campus Club in Student Hubs* (Aug. 22, 2022),
<https://discord.com/blog/discover-your-next-favorite-campus-club-in-student-hubs>.

27 ¹⁵⁶ Discord, *Create Space for Everyone to Find Belonging*, <https://discord.com/company> (last
visited Feb. 11, 2025).

28 ¹⁵⁷ *Id.*



Example of a custom emoji from Discord's website.¹⁵⁸

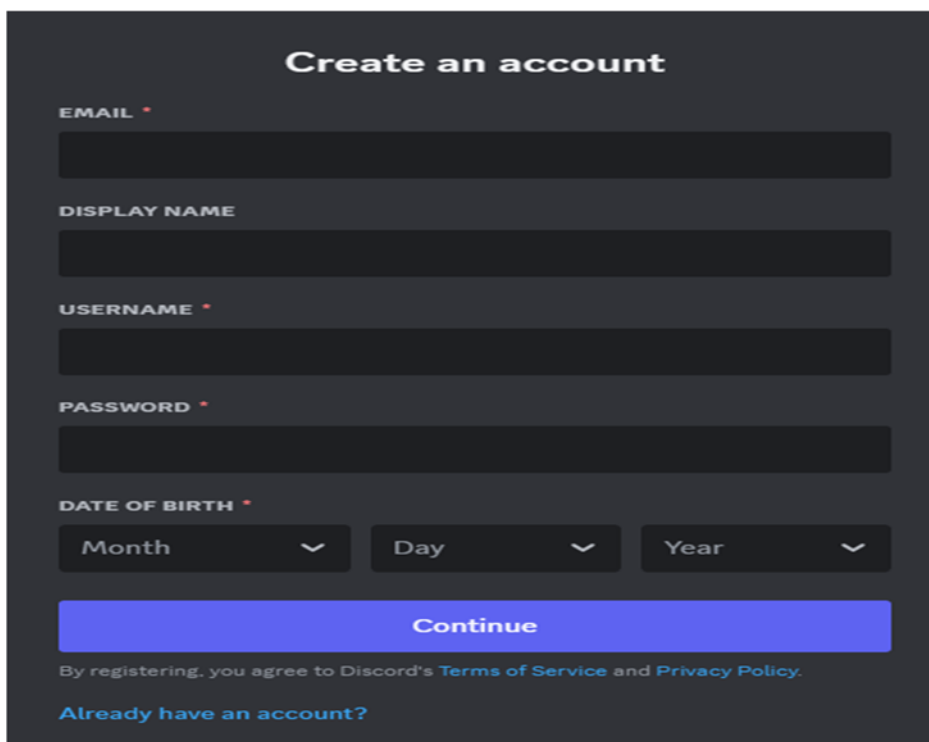
139. In recent years, Discord has exploded in popularity among young users, driven in part by the pandemic. As *The New York Times* explained in its article *How Discord, Born from an Obscure Game, Became a Social Hub for Young People*, “While adults working from home flocked to Zoom, their children were downloading Discord to socialize with other young people through text and audio and video calls in groups known as servers.”¹⁵⁹ Given this influx of young people, which has only grown since the pandemic, the average age of a Discord user is 16 years old.¹⁶⁰

140. Creating an account on Discord is extremely easy. Users must provide only an email address, display name, username, password, and birthdate. Users can then access Discord for free on their computers, tablets, and cellular devices.

¹⁵⁸ Discord, *Custom Emojis*, https://support.discord.com/hc/en-us/articles/360036479811-Custom-Emojis#h_01H06JVDAV2VKZBTRGJDY8NBV7 (last visited Feb. 11, 2025).

¹⁵⁹ Kellen Browning, *How Discord, Born from an Obscure Game, Became a Social Hub for Young People*, *N.Y. Times* (Dec. 29, 2021), <https://www.nytimes.com/2021/12/29/business/discord-server-social-media.html>.

¹⁶⁰ Super League, *An Introductory Look into Discord*, <https://www.superleague.com/post/an-introductory-look-into-discord>.



Discord Sign-up Screen

141. While Discord’s Terms of Service prohibit users under 13, Discord does not verify age or identity. As a result, countless Discord users are under 13, many of whom state their real age in their bios, tell other users their real age in chats, and post pictures showing their real age. There are children as young as eight years old using Discord.¹⁶¹

142. Although Discord offers certain safety features, Discord does not default to the highest safety settings upon account creation. For example, by default, all users, including those under 18, can receive direct messages from another user in the same server, allowing them to send and receive private messages from strangers. And even when parents set more restrictive settings, children can simply change those settings to whatever they desire.

143. Certain content on Discord is “age-restricted,” meaning in theory that children under 18 cannot access it. Server owners can self-designate specific channels in a server as age-restricted. For years, however, Discord did not allow server owners to self-designate entire servers as age-

¹⁶¹ Kellen Browning, *5 Ways Young People Are Using Discord*, N.Y. Times (Dec. 29, 2021), <https://www.nytimes.com/2021/12/29/business/discord-users-gen-z.html>.

1 restricted, and so minors could easily access servers with age-restricted content even if designated
2 age-restricted channels in the server were blocked. Discord only recently provided server owners
3 with the ability to self-designate entire servers as age-restricted.

4 **B. Discord Lures Parents into Letting Their Kids Use Discord with Promises of**
5 **Safety.**

6 144. Since its inception, Discord has assured parents that its app provides a safe place for
7 children to spend their time interacting with others. According to Discord, “in May 2015, Discord
8 began as a way for us to all play games together, better. And Safer.”¹⁶² “We’ve always wanted
9 Discord to be a place where one could safely play games with friends.”¹⁶³

10 145. For years, Discord has promised that it has a “zero-tolerance policy” for anything
11 relating to the sexual exploitation of children. For example, in Discord’s July – September 2022
12 Transparency Report, Discord emphasized that it “has a zero-tolerance policy for anyone who
13 endangers or sexualizes children.”¹⁶⁴ Similarly, in a July 2023 website post titled “Discord’s
14 Commitment to Teen and Child Safety,” Discord assured parents that it “has a zero-tolerance policy
15 for inappropriate sexual conduct with children and grooming,” with “special attention given to
16 predatory behaviors such as online enticement and the sexual extortion of children.”¹⁶⁵

17 146. Discord promises parents that its app is different from other communication
18 products when it comes to child safety, assuring parents that “[w]e built Discord to be different and
19 work relentlessly to make it a fun and space for teens.”¹⁶⁶ “Discord is built on Safety,” and “[s]afety
20 is at the core of everything we do and a primary area of investment as a business.”¹⁶⁷

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23 ¹⁶² Discord, *Discord Safety Boost* (Mar. 28, 2017), <https://discord.com/blog/discord-safety-boost>.

¹⁶³ *Id.*

24 ¹⁶⁴ Discord, *Discord Transparency Report: July – September 2022*,
25 <https://discord.com/blog/discord-transparency-report-q3-2022>.

26 ¹⁶⁵ Discord, *Discord’s Commitment to Teen and Child Safety* (July 11, 2023),
<https://discord.com/safety/commitment-to-teen-child-safety>.

¹⁶⁶ *Id.*

27 ¹⁶⁷ Discord, *Discord’s Commitment to a Safe and Trusted Experience* (May 12, 2022),
28 <https://discord.com/safety/360043700632-discords-commitment-to-a-safe-and-trusted-experience>;
<https://discord.com/safety/commitment-to-teen-child-safety>.

1 147. Discord specifically assures parents that its app is designed to keep children safe
2 and that it defaults to safety. Discord, for instance, in a website post titled “Settling into School
3 with Discord,” informs parents that “[m]any teams across Discord work together to ensure that
4 your teen finds belonging by building products and policies with safety by default.”¹⁶⁸ And in a
5 website post titled “Discord’s Commitment to Teen and Child Safety,” Discord promises parents
6 that “[w]e make our products safe spaces by design and default. Safety is and will remain part of
7 Discord’s core experience.”¹⁶⁹

8 148. Likewise, according to Discord’s 2023 “Parent’s Guide to Discord,” “Discord has
9 default settings designed to keep minors safe, such as automatically scanning direct messages for
10 explicit images and videos.”¹⁷⁰ Those default settings, according to Discord, include “Teen Safety
11 Assist,” which (1) “automatically blur[s] media that may be sensitive in direct messages and group
12 direct messages with friends, as well as in servers,” and (2) sends “safety alerts” to teen users when
13 they receive a direct message from a user for the first time.”¹⁷¹

14 149. While Discord represents that its app is designed to default to safety, it
15 simultaneously instructs parents on how to *change* the default safety settings to keep their child
16 safe. For years, Discord has consistently assured parents that they can use the company’s “tools to
17 protect [their children] from inappropriate content or unwanted contact.”¹⁷² Discord, for example,
18 tells parents they can turn on an “explicit image filter” that will “[a]utomatically block direct
19 _____

20 ¹⁶⁸ Savannah Badalich, *Settling into School with Discord*, Discord (Sept. 28, 2021),
21 <https://discord.com/safety/settling-into-school-with-discord>.

22 ¹⁶⁹ Discord, *Discord’s Commitment to a Safe and Trusted Experience* (May 12, 2022),
23 <https://discord.com/safety/360043700632-discords-commitment-to-a-safe-and-trusted-experience>;
24 <https://discord.com/safety/commitment-to-teen-child-safety>.

25 ¹⁷⁰ Discord, *Parent’s Guide to Discord*,
26 [https://web.archive.org/web/20230714165101/https://connectsafely.org/wp-](https://web.archive.org/web/20230714165101/https://connectsafely.org/wp-content/uploads/2021/09/Parents-Guide-to-Discord.pdf)
27 [content/uploads/2021/09/Parents-Guide-to-Discord.pdf](https://web.archive.org/web/20230714165101/https://connectsafely.org/wp-content/uploads/2021/09/Parents-Guide-to-Discord.pdf) (archived July 14, 2023).

28 ¹⁷¹ Savannah Badalich, *Building a Safer Place for Teens to Hang Out*, Discord (Oct. 24, 2023),
<https://discord.com/safety/safer-place-for-teens>.

¹⁷² Discord, *Helping Your Teen Stay Safe on Discord* (May 12, 2022),
<https://discord.com/safety/360044153831-helping-your-teen-stay-safe-on-discord>; Discord,
Helping Your Teen Stay Safe on Discord,
[https://web.archive.org/web/20230711200552/https://discord.com/safety/360044153831-helping-](https://web.archive.org/web/20230711200552/https://discord.com/safety/360044153831-helping-your-teen-stay-safe-on-discord)
[your-teen-stay-safe-on-discord](https://web.archive.org/web/20230711200552/https://discord.com/safety/360044153831-helping-your-teen-stay-safe-on-discord) (archived July 11, 2023).

1 messages that may contain explicit images.”¹⁷³ Discord also informs parents that they can disable
2 the direct message setting that allows anyone in a server to privately message their children.
3 Discord also promises parents that they can change their child’s “Friend request settings” to limit
4 who can send them a friend request—*i.e.*, “Everyone,” Friend of friends,” or “Server members.”¹⁷⁴

5 150. Discord’s CEO and co-founder Eric Citron recently reiterated many these
6 assurances nearly verbatim in his January 31, 2024 testimony to the U.S. Senate as part of its
7 hearing on “Big Tech and the Online Child Sexual Exploitation Crisis.” Citron began his written
8 testimony “by stating clearly that Discord has a zero-tolerance policy for content or conduct that
9 endangers or sexualizes children.”¹⁷⁵ Discord, according to Citron, “has a zero-tolerance policy for
10 inappropriate sexual conduct with children, meaning inappropriate sexual contact between adults
11 and teens on the service, with special attention given to predatory behaviors such as online
12 enticement and the sexual extortion of children, commonly referred to as ‘sextortion.’”¹⁷⁶

13 151. He also emphasized Discord’s “multi-pronged approach” to child safety, including
14 the company’s “approach to product development, whereby we implement a rigorous ‘safety by
15 design’ practice when developing products.”¹⁷⁷ As Citron elaborated, “[b]ecause safety is critical
16 to our core mission, Discord takes a ‘safety by design’ approach to our work.”¹⁷⁸

17 152. Citron also highlighted Discord’s “sophisticated tools” for parents to keep their
18 children safe, as well as the company’s “features designed to keep teens safe on our platform,” such
19 as Teen Safety Assist, which flags “potentially unwanted conversations to teen users in Discord”
20 and “automatically blur[s] potentially sensitive media to teens in DMs, GMS, and in servers.”¹⁷⁹

22 ¹⁷³ Discord, *Helping Your Teen Stay Safe on Discord*,
23 [https://web.archive.org/web/20230711200552/https://discord.com/safety/360044153831-helping-](https://web.archive.org/web/20230711200552/https://discord.com/safety/360044153831-helping-your-teen-stay-safe-on-discord)
24 [your-teen-stay-safe-on-discord](https://web.archive.org/web/20230711200552/https://discord.com/safety/360044153831-helping-your-teen-stay-safe-on-discord) (archived July 11, 2023).

24 ¹⁷⁴ *Id.*

25 ¹⁷⁵ Hearing Before the U.S. Senate Committee on the Judiciary, Big Tech and the Online Child
26 Exploitation Crisis, Testimony of Jason Citron, CEO and Co-Founder of Discord Inc. (Jan. 31,
2024), https://www.judiciary.senate.gov/imo/media/doc/2024-01-31_-_testimony_-_citron.pdf.

26 ¹⁷⁶ *Id.*

27 ¹⁷⁷ *Id.*

27 ¹⁷⁸ *Id.*

28 ¹⁷⁹ *Id.*

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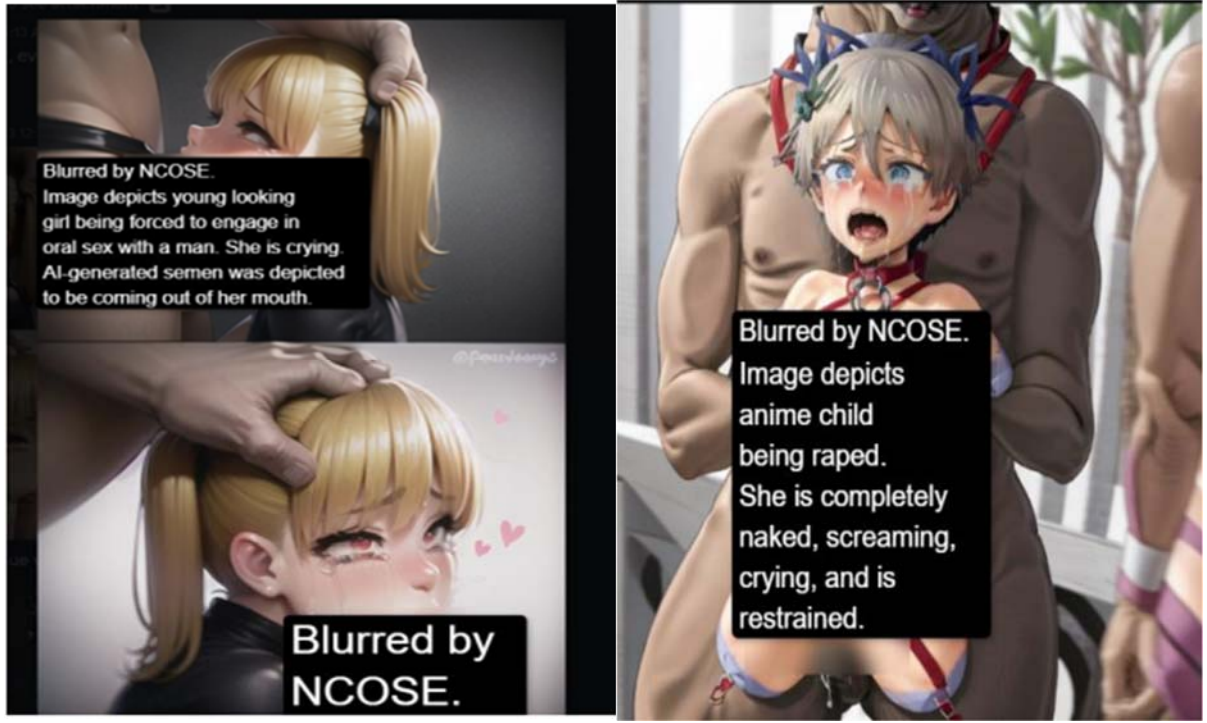
C. **In Reality, Discord Is a Digital and Real-life Nightmare for Children.**

153. Although Discord assures parents that it has zero tolerance for content or conduct that endangers children and that its app is built on safety, the company, in fact, has created and maintains an environment in which the sexual exploitation of children is rampant and thriving. The result has been devastating, with countless children suffering irreversible harm.

1. Discord hosts and promotes dangerous and illegal sexual content.

154. Discord is overflowing with sexually explicit images and videos involving children, including anime and child sex abuse material (“CSAM”)—*i.e.*, child pornography. Discord provides access to these materials not only to adults but also to child users, creating an ecosystem that facilitates pedophilia and exposes children to this unlawful content.

155. The content of this material is beyond disturbing. For example, numerous Discord servers are dedicated to anime images of children being brutally assaulted and raped by male adults.



*Examples of images obtained on Discord servers by the National Center on Sexual Exploitation.*¹⁸⁰

156. Discord is also permeated with actual child pornography, or CSAM, hosting hundreds if not thousands of servers dedicated to trading and sharing CSAM. For example, in a June 2023 article, NBC News reported that “[i]n a review of publicly listed Discord servers created in the last month,” it “identified 242 that appeared to market sexually explicit content of minors, using thinly veiled terms like ‘CP’ that refer to child sexual abuse material.”¹⁸¹

157. Predators themselves even admit that Discord is a go-to app for them for finding and sharing CSAM. In February 2024, a nonprofit called Protect Children released a report, “Tech Platforms Used by Online Child Sexual Abuse Offenders,” which contained survey data from anonymous individuals searching for CSAM on the dark web. That survey revealed that Discord is

¹⁸⁰ National Center on Sexual Exploitation, *Compilation of Proof*, https://endsexualexploitation.org/wp-content/uploads/July-23_Proof-Section-Compilation_-_2023DDL_Discord.pdf.

¹⁸¹ Ben Goggin, *Child Predators Are Using Discord, a Popular App Among Teens, for Sextortion and Abductions*, NBC News (July 21, 2023), <https://www.nbcnews.com/tech/social-media/discord-child-safety-social-platform-challenges-rcna89769>.

1 one of their “top platforms” for searching for, viewing, or sharing CSAM.¹⁸² Based on the results
2 of this survey, the report found an “unmistakable overlap” between “the platforms most used for
3 viewing and sharing CSAM and the platforms most popular among children and young people.”¹⁸³

4 158. Through numerous well-documented and publicized cases, Discord has long been
5 aware of the proliferation of CSAM and similar material that its app enables and facilitates,
6 including because in some of these cases, Discord reported the material to the National Center for
7 Missing and Exploited Children, which then reported the material to the authorities.

8 159. From its beginning, Discord has been at the center of numerous criminal cases
9 involving CSAM. According to court documents from a federal case involving a vast CSAM
10 enterprise and conspiracy, between 2016 and 2018, ten men “utilized chatrooms on the online
11 service ‘Discord’—an application designed for online gaming communities that allows users to
12 engage in text chat and share images and videos—to produce and exchange child pornography.”¹⁸⁴
13 They pled guilty and were sentenced to long prison terms. Similarly, according to court documents
14 in another case, between 2019 and 2020, a North Carolina man was able to use Discord to chat
15 about and trade CSAM.¹⁸⁵ He pled guilty and was sentenced to 240 months in federal prison.

16 160. Similar incidents occurred throughout 2021 and 2022. In 2021, for example, federal
17 authorities arrested an Idaho man after locating numerous files of CSAM that he had uploaded to
18 his Discord account.¹⁸⁶ And in 2022, a Louisiana man pled guilty to possessing CSAM, admitting
19 that “he created a Discord account,” that “other Discord users would share CSAM on the website,”
20

21 ¹⁸² Protect Children, *Tech Platforms Used By Online Child Sexual Abuse Offenders* (Feb. 2024),
22 https://bd9606b6-40f8-4128-b03a-9282bdcff0f.usrfiles.com/ugd/bd9606_0d8ae7365a8f4bfc977d8e7aeb2a1e1a.pdf.

23 ¹⁸³ *Id.*

24 ¹⁸⁴ U.S. Dep’t of Justice, *Ten Men Sentenced to Prison for Their Roles in a Child Exploitation
Enterprise and Conspiracy* (Oct. 1, 2020), <https://www.justice.gov/opa/pr/ten-men-sentenced-prison-their-roles-child-exploitation-enterprise-and-conspiracy>.

25 ¹⁸⁵ U.S. Dep’t of Justice, *Man in Possession of Child Sexual Abuse Material Is Sentence to 20
Years in Prison* (Feb. 17, 2023), <https://www.justice.gov/usao-wdnc/pr/man-possession-child-sexual-abuse-material-sentenced-20-years-prison>.

26 ¹⁸⁶ U.S. Dep’t of Justice, *Nampa Man Sentenced to 6 Years in Federal Prison Possessing Child
Pornography* (Dec. 12, 2023), <https://www.justice.gov/usao-id/pr/nampa-man-sentenced-6-years-federal-prison-possessing-child-pornography>.

1 and that he would “upload the saved CSAM from his phone to other Discord users.”¹⁸⁷ Several
2 months later, a New York man was arrested for uploading and distributing CSAM using Discord.¹⁸⁸
3 And two months later, a University of Florida quarterback was arrested and accused of sharing
4 CSAM on Discord.¹⁸⁹ When the man spoke with the police after his arrest, he admitted that he had
5 been on Discord servers that “discuss, solicit, and distribute child sexual abuse material.”¹⁹⁰

6 161. 2023 was no different. For example, at the start of the year, a New York man was
7 arrested and charged with creating and sharing CSAM through Discord after a police investigation
8 revealed that he had allegedly instructed a 13-year-old boy to provide images and videos of himself
9 committing sex acts on a 4-year-old girl.¹⁹¹ The next month, a Vancouver man was found guilty of
10 numerous charges, including distributing and possessing CSAM, based largely on communications
11 and videos the man shared on Discord showing the sexual assault of an infant by an adult man.¹⁹²

12 162. These incidents continued throughout 2024. In February, for example, a New Jersey
13 man was arrested after an investigation revealed that he had uploaded to Discord a file depicting
14 the sexual exploitation or abuse of minors.¹⁹³ At the time, the man was employed at a school serving
15 students as young as five years old. A few months later, an Oklahoma man was arrested and charged

17 ¹⁸⁷ U.S. Dep’t of Justice, *Registered Sex Offender Pleads Guilty to Possession of Child Sex Abuse*
18 *Material* (May 10, 2022), <https://www.justice.gov/usao-edla/pr/registered-sex-offender-pleads-guilty-possession-child-sexual-abuse-material>.

19 ¹⁸⁸ News 12 Staff, *Prosecutor: Phillipsburg Man Distributed Child Pornography Through*
20 *Discord*, News12 The Bronx (Sept. 28, 2022), <https://bronx.news12.com/prosecutor-phillipsburg-man-distributed-child-pornography-through-discord>.

21 ¹⁸⁹ Tim Stelloh & Antonio Planas, *University of Florida Quarterback Arrested and Accused of*
22 *Sharing Child Sexual Abuse Images on Discord*, NBC News (Nov. 30, 2022),
<https://www.nbcnews.com/news/us-news/university-florida-quarterback-arrested-allegedly-sharing-child-sexual-rcna59513>.

23 ¹⁹⁰ *Id.*

24 ¹⁹¹ *West New York Man Charged with Child Abuse Material*, Hudson Reporter (Jan. 19, 2023),
<https://hudsonreporter.com/news/west-new-york/west-new-york-man-charged-with-child-abuse-material/>.

25 ¹⁹² Fox 12 Staff, *Washougal Man Gets 108 Years for Child Rape, Creating Child Sex Assault*
26 *Materials*, Fox 12 Oregon (Mar. 25, 2023), <https://www.kptv.com/2023/03/25/washougal-man-gets-108-years-child-rape-creating-child-sex-assault-materials/>.

27 ¹⁹³ Morris County Prosecutor’s Office, *Jefferson Resident Arrested for Child Pornography* (Feb.
28 16, 2024), <https://www.morriscountynj.gov/Departments/Prosecutor/Prosecutor-Press-Releases/Jefferson-Resident-Arrested-for-Child-Pornography>.

1 with possessing and distributing CSAM after he shared CSAM on Discord.¹⁹⁴ Later that year, a
2 former Indiana firefighter was arrested after police learned he was trading CSAM on Discord.¹⁹⁵

3 **2. Discord provides a hunting ground for child-sex predators.**

4 163. Discord has also created a haven for predators seeking to groom, traffic, and
5 sexually abuse minors by providing predators with endless opportunities for unmitigated
6 interactions with children through public servers, direct messages, and video/voice chat channels.

7 164. Discord hosts numerous servers that openly operate as spaces where children are
8 sexually exploited by predators. In its June 2023 article on Discord, NBC News reported that it
9 found numerous servers involving adults pretending to be teens to entice children into sharing
10 nude images. NBC News described several servers that explicitly solicited minors to join “not safe
11 for work” communities, including one server that promoted itself on the public server database as
12 “a community for people between the ages of 13-17. We trade nudes, we do events. Join us for
13 the best Teen-NSFW experience <3.”¹⁹⁶ Another server claimed to accept “little girls 5-17 only”
14 and had chat channels with titles such as “begging-to-have-sex-chat” and “sexting-chat-with-the-
15 server-owner.”¹⁹⁷ Still another server directly solicited nude images from minors to gain access:
16 “YOU NEED TO SEND A VERIFICATION PHOTO TO THE OWNER. IT HAS TO BE
17 NUDE.”¹⁹⁸

18 165. Other Discord servers are only slightly less obvious. For example, a server called
19 “Family Hideout” centered on an adult man who called himself “Dad” and built a “family” of
20 children online.¹⁹⁹ In this server, which was labeled “Friendly,” “Family,” and “All-Ages,”
21 the man developed relationships with children and encouraged them to take and share nude images.

23 ¹⁹⁴ *Wagoner Man Arrested, Accused of Distributing Child Pornography Over Discord*, Fox 23
24 News (June 25, 2024), [https://www.fox23.com/news/wagoner-man-arrested-accused-of-](https://www.fox23.com/news/wagoner-man-arrested-accused-of-distributing-child-pornography-over-discord/article_520191ec-333c-11ef-87b7-3bffc2affd71.html)
25 [distributing-child-pornography-over-discord/article_520191ec-333c-11ef-87b7-3bffc2affd71.html](https://www.fox23.com/news/wagoner-man-arrested-accused-of-distributing-child-pornography-over-discord/article_520191ec-333c-11ef-87b7-3bffc2affd71.html).

26 ¹⁹⁵ Joe Schroeder, *Docs: Ex-Indiana Firefighter Traded Porn on Discord, Dated a 17-year-old*,
Fox 59 (Sept. 4, 2024), [https://fox59.com/news/indycrime/docs-ex-indiana-firefighter-traded-](https://fox59.com/news/indycrime/docs-ex-indiana-firefighter-traded-child-porn-on-discord-dated-a-17-year-old/)
27 [child-porn-on-discord-dated-a-17-year-old/](https://fox59.com/news/indycrime/docs-ex-indiana-firefighter-traded-child-porn-on-discord-dated-a-17-year-old/).

28 ¹⁹⁶ Goggin, *supra* note 181.

¹⁹⁷ *Id.*

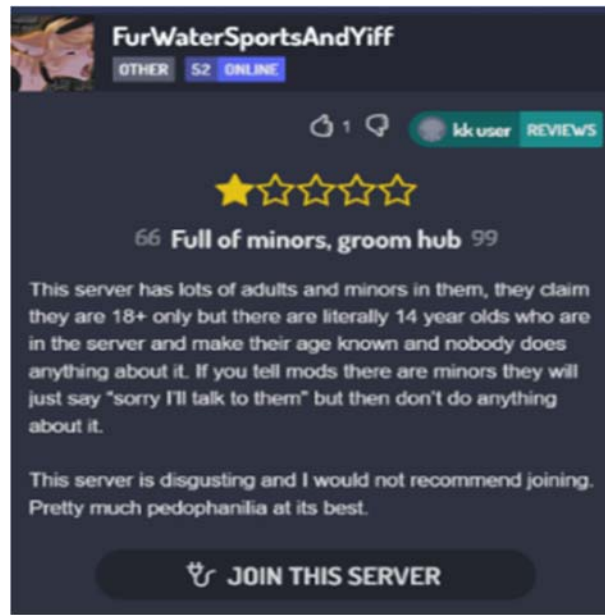
¹⁹⁸ *Id.*

¹⁹⁹ National Center on Sexual Exploitation, *supra* note 180.



Family Hideout server in March 2023.

166. Other servers are more discreet yet are still widely known as places where children are groomed. For instance, a server called “FurWaterSportsAndYiff” was described as “Full of minors, groom hub” by one disgusted reviewer of the server. According to the reviewer, this server was filled with minors and adults and was “[p]retty much pedophilia at its best.”²⁰⁰



This server existed on Discord from 2022 through at least April 2023.

²⁰⁰ *Id.*

1 167. Through numerous well-documented and publicized cases, Discord has long known
2 that its app enables and facilitates the grooming, trafficking, and sexual abuse of minors. For
3 example, in its June 2023 article, NBC News reviewed publicly available information since Discord
4 was founded and identified 35 cases in the previous six years in which adults were prosecuted on
5 charges of kidnapping, grooming, or sexual assault that involved communications on Discord.²⁰¹
6 Because these cases were only those that were reported, investigated, and prosecuted during that
7 time, “What we see is only the tip of the iceberg,” explained a child safety advocate.

8 168. Over the years, countless criminal cases have exposed the critical role that Discord
9 plays in enabling and facilitating grooming and other predatory conduct. In 2022, for instance, an
10 Indiana man pled guilty to sexual exploitation of a minor and possession of CSAM after the FBI
11 discovered that he had engaged in sexually explicit conversations with an 11-year-old girl on
12 Discord and coerced the girl into sending sexually explicit images of herself.²⁰² The girl later told
13 police that she communicated with the man via chats, video calls, and voice calls on Discord. Later
14 that year, an Oregon man was federally charged with child exploitation crimes following an
15 investigation that found he had “pretended to be an Oregon teenager to convince the child to engage
16 in sexually explicit acts during a video chat on Discord.”²⁰³

17 169. Similar cases were brought throughout 2023 and 2024. In March 2023, for example,
18 a man was charged after he allegedly had a sexually explicit conversation with a 14-year-old girl
19 and shared CSAM with her—all on Discord.²⁰⁴ At the time, the man was a middle-school science
20 teacher and had engaged in this conduct at the school where he was employed. And in 2024, a

22 ²⁰¹ Goggin, *supra* note 181.

23 ²⁰² Phyllis Cha, *Marion County Corrections Employee Fired, Arrested Over Sexually Explicit*
24 *Images to Girl*, IndyStar (Sept. 7, 2022),
<https://www.indystar.com/story/news/crime/2022/09/07/corrections-officer-marion-county-employee-sexually-explicit-messages-to-child/65781240007/>.

25 ²⁰³ U.S. Dep’t of Justice, *Oregon Man Charged with Sexually Exploiting Minor on Discord,*
26 *Additional Victims Sought* (Oct. 3, 2022), <https://www.justice.gov/usao-or/pr/oregon-man-charged-sexually-exploiting-minor-discord-additional-victims-sought>.

27 ²⁰⁴ *NJ Teacher Charged After “Sexually Explicit Conversation” with Teen*, New Jersey 101.5
28 (Mar. 3, 2023), <https://nj1015.com/nj-teacher-charged-after-sexually-explicit-conversation-with-teen/>.

1 South Carolina man was sentenced to 20 years in federal prison after he pled guilty to numerous
2 crimes he committed against children on Discord, including coercing minor girls into performing
3 livestream sexual acts for him in a Discord call that he recorded.²⁰⁵ The man also made repeated
4 threats to the girls and their families, and one of the girls attempted suicide because of this abuse.

5 170. Discord has also been at the center of numerous cases involving the kidnapping and
6 sexual assault of minors. For example, in 2021, a Virginia man was arrested and charged with
7 sexually exploiting and kidnapping a 12-year-old girl from her home in California.²⁰⁶ According
8 to court documents, the man met and groomed the girl on Discord, flew to California and picked
9 her up at her house at 2:30 a.m., and was arrested at the Denver airport during a layover.

10 171. Similarly, in February 2023, a Michigan man was arrested and charged with
11 kidnapping a 14-year-old Washington girl whom he had met and groomed on Discord.²⁰⁷ The next
12 month, a North Carolina man was arrested and charged with rape, child abduction, and human
13 trafficking after police rescued a 13-year-old from a locked shed behind his house.²⁰⁸ According to
14 the girl's mother, the man had been communicating with her daughter for months on Discord before
15 he abducted her from her home in Dallas.

16 172. 2024 brought more of the same. In February, a Texas man was charged with human
17 trafficking and sexual assault of a 16-year-old girl whom he met and communicated with on
18

19
20 ²⁰⁵ Alan Hovorka, *Lowcountry US Army Member Who Groomed Girls, Recorded Child Porn on*
21 *Discord Sentenced to Prison*, Post & Courier (Aug. 3, 2024),
22 https://www.postandcourier.com/news/evan-bucci-child-porn-discord-grooming/article_09cf85ce-50dc-11ef-84b2-7b7358023542.html.

23 ²⁰⁶ Dan Morse, *With Children Stuck at Home During Coronavirus Shutdowns, Online Sexual*
24 *Predators Can Swoop In*, Wash. Post (Feb. 12, 2023),
25 https://www.washingtonpost.com/local/public-safety/coronavirus-lockdown-child-exploitation/2021/02/04/90add6a6-462a-11eb-a277-49a6d1f9dff1_story.html.

26 ²⁰⁷ Ruth Bashinsky, *Washington State Girl, 14, Who Went Missing with "Man She met on*
27 *Discord" Near Notorious Sex Trafficking Corridor FOUND: Michigan Man Arrested over*
28 *Kidnapping*, Daily Mail (Feb. 1, 2024), <https://www.dailymail.co.uk/news/article-13034633/washington-state-girl-missing-discord-sex-trafficking-michigan.html>.

²⁰⁸ Peter Charalambous & Alexandra Faul, *Missing 13-year-old Rescued from Locked North*
Carolina Shed, ABC News (Mar. 14, 2023, <https://abcnews.go.com/US/missing-13-year-rescued-locked-north-carolina-shed/story?id=97830147>).

1 Discord.²⁰⁹ The girl told police that the man picked her up in Kansas and brought her to his
2 apartment in Texas, where they had sex multiple times. A few months later, a North Carolina man
3 was charged with kidnapping and raping a 12-year-old girl he had met on Discord.²¹⁰ Around the
4 same time, a Pennsylvania man was arrested and charged with multiple offenses, including rape of
5 a child and indecent assault of a person less than 13 years of age.²¹¹ The police investigation
6 revealed that the man was communicating with the 12-year-old boy on Discord, which included
7 sexual conversations and making plans to meet.

8 173. Despite Discord’s repeated assurances to parents that it has a “zero tolerance” policy
9 for the criminal acts described above and that its product is built on safety, the rampant sexual
10 exploitation of children on Discord has gotten only worse over the years—not better. John Shehan,
11 the Senior Vice President of the National Center for Missing and Exploited Children, emphasized
12 that his organization has seen “explosive growth” in CSAM and exploitation on Discord.²¹² “There
13 is a child exploitation issue on the platform. That’s undeniable,” he stated.

14 174. Indeed, for four consecutive years, the National Center on Sexual Exploitation
15 (“NCSE”) has named Discord to its “Dirty Dozen” list (which also includes Roblox, as discussed
16 above). As NCSE put it, “Discord enables exploiters to easily contact and groom children,” and
17 predators “take advantage of Discord’s dangerous designs to entice children into sending sexually
18 explicit images of themselves.”²¹³

21 ²⁰⁹ Brittany Eubank, *Man and His Mother Charged After Missing Kansas Teen Found Safe in*
22 *Central Texas*, KVUEabc (Feb. 8, 2024), [https://www.kvue.com/article/news/crime/austin-human-](https://www.kvue.com/article/news/crime/austin-human-trafficking-sexual-assault-missing-kansas-teen/269-361c25e3-12a8-4ec4-8779-0f962c12e8d1)
23 [trafficking-sexual-assault-missing-kansas-teen/269-361c25e3-12a8-4ec4-8779-0f962c12e8d1](https://www.kvue.com/article/news/crime/austin-human-trafficking-sexual-assault-missing-kansas-teen/269-361c25e3-12a8-4ec4-8779-0f962c12e8d1).

24 ²¹⁰ “*Under 13 Is Under 13*”: *Judge Responds to Attorney’s Claim That Man Charged with*
25 *Kidnapping & Rape Believed 12-year-old Girl Was College Student*, WRAL News (Apr. 16,
26 2024), [https://www.wral.com/story/under-13-is-under-13-judge-responds-to-attorney-s-claims-](https://www.wral.com/story/under-13-is-under-13-judge-responds-to-attorney-s-claims-that-man-charged-with-kidnapping-rape-believed-12-year-old-girl-was-col/21381250/)
27 [that-man-charged-with-kidnapping-rape-believed-12-year-old-girl-was-col/21381250/](https://www.wral.com/story/under-13-is-under-13-judge-responds-to-attorney-s-claims-that-man-charged-with-kidnapping-rape-believed-12-year-old-girl-was-col/21381250/).

28 ²¹¹ Keith Heffintrayer, *Four Men Arrested Following Investigation into Sexual Abuse of 12-year-*
old Boy in Upper Gwynedd, NorthPennNow (Apr. 15, 2024),
[https://northpennnow.com/news/2024/apr/15/four-men-arrested-following-investigation-into-](https://northpennnow.com/news/2024/apr/15/four-men-arrested-following-investigation-into-sexual-abuse-of-12-year-old-boy-in-upper-gwynedd-police-say/)
[sexual-abuse-of-12-year-old-boy-in-upper-gwynedd-police-say/](https://northpennnow.com/news/2024/apr/15/four-men-arrested-following-investigation-into-sexual-abuse-of-12-year-old-boy-in-upper-gwynedd-police-say/).

²¹² Goggin, *supra* note 181.

²¹³ National Center on Sexual Exploitation, *supra* note 59.

1 175. Discord itself confirms that this criminal conduct that it enables has only become
2 more pervasive. Discord, for example, revealed that in the fourth quarter of 2023, it received
3 416,036 reports from users regarding “Child Safety” issues, which includes CSAM.²¹⁴ By the next
4 quarter, that number had grown to 1,035,166—a roughly 150% increase.²¹⁵

5 **3. Roblox and Discord work in tandem to facilitate child sexual exploitation.**

6 176. Roblox and Discord serve as the preferred apps for predators seeking to identify and
7 then sexually exploit children. As explained above, the tried-and-true playbook these predators
8 follow is to misrepresent their age on Roblox to child users, pretending to be a fellow child, befriend
9 the vulnerable young victims, and then manipulate the children to move the conversation off
10 Roblox to Discord, where they coerce the children into sending sexually explicit images or into
11 meeting in person so they can sexually abuse them.

12 177. Roblox and Discord designed their apps to work together seamlessly. As described
13 above, Roblox encourages users to communicate on Discord by allowing links to Discord servers
14 and channels to be displayed on game or group pages and by permitting users to include their
15 Discord usernames in their Roblox profiles. Discord, for its part, enables users to link their Roblox
16 accounts to their Discord accounts.²¹⁶ Their “activity status” on Discord then shows other users,
17 including predators, when they are playing Roblox and what game they are playing. On Discord,
18 users can also send other users the codes for Robux gift cards to redeem on Roblox.

19 178. Through numerous media reports and well publicized criminal cases, Roblox and
20 Discord have long known that their apps jointly enable predators to systematically harm children.
21 For example, in 2019, a Florida man was arrested after law enforcement learned that he was using
22
23

24 ²¹⁴ Discord, *Discord Transparency Report: January – March 2023*, [https://cdn.prod.website-](https://cdn.prod.website-files.com/625fe439fb70a9d901e138ab/64b16dade9ba30617e30a40a_Q1%2023%20%7C%20Discord%20Transparency%20Report_%20JANUARY%20-%20MARCH%202023.pdf)
25 [files.com/625fe439fb70a9d901e138ab/64b16dade9ba30617e30a40a_Q1%2023%20%7C%20Discord%20Transparency%20Report_%20JANUARY%20-%20MARCH%202023.pdf](https://cdn.prod.website-files.com/625fe439fb70a9d901e138ab/64b16dade9ba30617e30a40a_Q1%2023%20%7C%20Discord%20Transparency%20Report_%20JANUARY%20-%20MARCH%202023.pdf).

26 ²¹⁵ Discord, *Discord Transparency Report: January – June 2024*, [https://cdn.prod.website-](https://cdn.prod.website-files.com/625fe439fb70a9d901e138ab/67056a054d453d30491c1ac9_Discord%20Jan_Jun%202024%20Transparency%20Report.pdf)
27 [files.com/625fe439fb70a9d901e138ab/67056a054d453d30491c1ac9_Discord%20Jan_Jun%202024%20Transparency%20Report.pdf](https://cdn.prod.website-files.com/625fe439fb70a9d901e138ab/67056a054d453d30491c1ac9_Discord%20Jan_Jun%202024%20Transparency%20Report.pdf).

28 ²¹⁶ YouTube, *How to Link Roblox to Discord* (2025),
<https://www.youtube.com/watch?v=80ZEwlgecDM>.

1 Roblox and Discord to target children.²¹⁷ According to authorities, the man targeted children
2 between ages 10 and 12 on Roblox and then coerced them on Discord into sending sexually explicit
3 images of themselves in exchange for Robux.

4 179. Similarly, in January 2022, a Florida man was arrested following a lengthy
5 investigation that revealed that he posed as a teen girl on Roblox to meet a 13-year-old boy and
6 then convinced to boy to send him sexually explicit images on Discord in exchange for Robux.²¹⁸
7 Later that year, an Arizona man was arrested for kidnapping a 13-year-old boy he met on Roblox.²¹⁹
8 According to police, the man sent sexual and inappropriate messages on Roblox to the boy and
9 then invited him to join a Discord chat, where the man arranged to pick the boy up from his house.

10 180. These real-life nightmares occurred repeatedly throughout last year. In November
11 2024, for example, the FBI arrested a Michigan man and charged him with numerous crimes related
12 to his sexual exploitation of possibly over 100 children.²²⁰ The man told law enforcement that “he
13 used Roblox to talk to others sexually, some of whom he allegedly knew were children,” and then
14 transitioned the conversations to Discord and coerced the children into sending nude images.²²¹

15 181. And in January this year, a Louisiana man was arrested and federally charged for
16 sexually exploiting a teenage girl through Roblox and Discord.²²² According to arrest records, the
17

18 ²¹⁷ Max Chesnes, *Deputies Say Vero Beach Man Used Popular Video Game Platforms to Target*
19 *Children*, TCPalm (Aug. 20, 2019), <https://www.tcpalm.com/story/news/crime/indian-river-county/2019/08/20/detectives-advise-online-safety-after-vero-beach-man-used-video-game-platforms-target-minors/2059599001/>.

20 ²¹⁸ Irene Wright, *Man Blackmailed Teen Boy as He Posed as Girl on Roblox and Discord, Florida*
21 *Cops Say*, Miami Herald (Aug. 11, 2023),
22 <https://www.miamiherald.com/news/state/florida/article278172607.html>.

23 ²¹⁹ Jerry Lambe, *Arizona Man Allegedly Kidnapped a Boy He Lured from Discord. Police Say*
24 *They Rescued the Victim Thanks to an “Alert Gas Station Attendant,”* Law & Crime (Dec. 29,
2022), <https://lawandcrime.com/crime/arizona-man-allegedly-kidnapped-a-boy-he-lured-from-discord-police-say-they-rescued-the-victim-thanks-to-an-alert-gas-station-attendant/>.

25 ²²⁰ Samantha Sayles, *Monroe County Man Uses Roblox, Discord, Snapchat to Sexually Assault*
26 *Children*, ClickOnDetroit (Nov. 15, 2024),
27 <https://www.clickondetroit.com/news/local/2024/11/15/monroe-county-man-uses-roblox-discord-snapchat-to-sexually-exploit-children/>.

28 ²²¹ *Id.*

²²² WAFB Staff, *Man Accused of Internet Sex Crimes Allegedly Met Victims on Roblox, Discord,*

1 man “began communicating with her on Roblox, before transitioning her to Discord,” where he
2 coerced her into sending sexually explicit images of herself.²²³

3 **D. Discord Knowingly Causes and Facilitates the Sexual Exploitation of Children.**

4 182. Like Roblox, Discord is overrun with harmful content and predators because the
5 company prioritizes growth, revenue, and eventual profits over child safety. For years, Discord has
6 knowingly prioritized these numbers over the safety of children through the actions it has taken
7 and decisions it has made to increase and monetize users regardless of the consequences.

8 **1. Discord prioritizes growth over the safety of children.**

9 184. Although Discord began as a communications app for gamers, its co-founders Eric
10 Citron and Stanislav Vishnevskiy soon realized that Discord appealed to a much broader audience
11 and sought to expand its user base. “We saw an opportunity to make communications easier for
12 everyone, not just gamers,” Citron explained.²²⁴ So the company changed its motto from “Chat for
13 gamers” to “A new way to chat with your communities and friends” and became hyper-focused on
14 transforming into a universal communication product.²²⁵

15 185. Discord has since grown exponentially. In 2019, the company had 56 million
16 monthly active users.²²⁶ But with Discord’s shift away from gaming in 2020, combined with its
17 pandemic-driven explosion in popularity among young users, the company grew its monthly active
18 users to 150 million by 2022.²²⁷ Today, Discord boasts over 200 million monthly active users.²²⁸

21 WAFB (Jan. 31, 2025), <https://www.wafb.com/2025/01/31/man-accused-internet-child-sex-crimes-allegedly-met-victims-roblox-discord/>.

22 ²²³ *Id.*

23 ²²⁴ Nathan Latka, *Discord’s \$879M Revenue: 25 Moves to \$25B Valuation*, LATKA-B2B Saas Blog (Jan. 15, 2025), <https://blog.getlatka.com/discord-revenue/>.

24 ²²⁵ Kellen Browning, *How Discord, Born from an Obscure Game, Became a Social Hub for Young People*, N.Y. Times (Dec. 29, 2021), <https://www.nytimes.com/2021/12/29/business/discord-server-social-media.html>.

25 ²²⁶ HelpLama, *Discord Revenue and Usage Statistics 2025*, <https://helplama.com/discord-statistics/>.

26 ²²⁷ *Id.*

27 ²²⁸ Podcast Transcript, *Discord CEO Jason Citron Makes the Case for a Smaller, More Private Internet*, The Verge (Apr. 22, 2024), <https://www.theverge.com/24134914/discord-ceo-gaming-chat-teens-safety-moderation-decoder-interview>.

1 186. As Discord has grown, private investors have poured money into the company. In
2 June 2020, Discord raised \$100 million at a \$3.4 billion dollar valuation.²²⁹ Just five months later,
3 the company raised another \$100 million at more than double the valuation (\$6.90 billion).²³⁰ In
4 early 2021, Discord rebuffed an acquisition offer from Microsoft of at least \$10 billion.²³¹ Later
5 that year, it raised another \$500 million at a staggering valuation of \$14.5 billion.²³² While Discord
6 has remained privately held so far, the company is expected to go public this year.²³³

7 187. A primary reason for investors’ interest in Discord is its user growth, putting
8 enormous pressure on the company to prioritize growing its users above all else. Growing its users
9 is critical to the company’s revenue and future profitability. Discord generates most of its revenue
10 from its subscription service called Nitro, which provides users with benefits such as custom
11 emojis, unlimited “super reactions,” and HD video streaming. As the company expanded its user
12 base, its revenue skyrocketed from \$150 million in 2020 to \$600 million in 2024.²³⁴ And while for
13 years Discord shunned advertising on its app, the company recently started selling advertisements
14 to boost revenue by capitalizing on its massive and growing user base.²³⁵

15 188. Discord’s growth strategy has focused on a user-centric approach that prioritizes
16 user preferences over child safety. As Discord CEO and co-founder Eric Citron put it, “We focus
17 on what our users love, and that drives everything we do.”²³⁶ In practice, that has resulted in Discord
18 elevating the privacy of its users over protecting children in order to attract as many users to its app

19 _____
20 ²²⁹ Equitybee, *Discord Funding History*,
21 <https://equitybee.com/companies/company?company=discord> (last visited Feb. 11, 2025).

22 ²³⁰ *Id.*

23 ²³¹ Sarah E. Needleman, *Discord Ends Deal Talks with Microsoft*, Wall. St. J. (Apr. 20, 2021),
24 <https://www.wsj.com/articles/discord-ends-deal-talks-with-microsoft-11618938806>.

25 ²³² *Id.*

26 ²³³ Chris Morris, *These Are the Most Anticipated IPOs to Watch in 2025*, FastCompany (Dec. 30,
27 2024), <https://www.fastcompany.com/91243719/most-anticipated-ipos-to-watch-in-2025>.

28 ²³⁴ Salvatore Rodriguez & Sarah E. Needleman, *Discord to Start Showing Ads for Gamers to
Boost Revenue*, Wall St. J. (Mar. 30, 2024), <https://www.wsj.com/tech/discord-to-start-showing-ads-for-gamers-to-boost-revenue-bf5848b9>.

²³⁵ Equitybee, *Discord Funding History*,
<https://equitybee.com/companies/company?company=discord> (last visited Feb. 11, 2025).

²³⁶ Nathan Latka, *Discord’s \$879M Revenue: 25 Moves to \$25B Valuation*, LATKA-B2B Saas
Blog (Jan. 15, 2025), <https://blog.getlatka.com/discord-revenue/>.

1 as possible. For example, Discord continues to allow people to chat using fake names and does not
2 require individuals to enter their real names when registering for an account, ensuring that predators
3 will continue to flock to Discord because they can remain anonymous.

4 189. Discord even prioritizes user privacy over child safety with a feature it recently
5 added to supposedly allow parents to monitor their children’s Discord use. In 2023, Discord created
6 its “Family Center for Parents and Guardians”—a “completely opt-in feature” that is “not
7 mandatory for teens.”²³⁷ While this feature permits parents to monitor some of their children’s
8 activity on Discord, it prohibits parents from accessing the most important information on their
9 accounts—the contents of their messages. As Discord tells children, “We value your privacy which
10 is why connected accounts will not have access to the contents of your messages.”²³⁸ Discord also
11 assures children that, with Family Center, “you have control over whether or not you use this
12 feature, how long you want to use it for, and who you connect your account to.”²³⁹ By putting
13 children in charge of this parental feature, Discord seeks to preserve growth of this key
14 demographic.

15 190. In pursuit of growth, Discord has also chosen not to implement easy measures that
16 would protect children but stunt user growth, such as age verification to ensure that children under
17 13 cannot create accounts and that adults cannot misrepresent their age to children.

18 191. Discord has also fought attempts to be held publicly accountable for the sexual
19 exploitation of children that its app enables. In November 2023, Discord’s CEO and co-founder
20 Eric Citron refused to accept service of a subpoena to testify before the U.S. Senate as part of its
21 hearing on “Big Tech and the Online Child Sexual Exploitation Crisis.”²⁴⁰ Citron appeared at the
22

23 ²³⁷ Discord, *What Is Family Center?*, [https://support.discord.com/hc/en-
24 us/articles/14155039712407-What-is-Family-
25 Center#:~:text=We%20value%20your%20privacy%20which,names%2C%20server%20icons%2C
26 %20and%20member](https://support.discord.com/hc/en-us/articles/14155039712407-What-is-Family-Center#:~:text=We%20value%20your%20privacy%20which,names%2C%20server%20icons%2C%20and%20member) (last visited Feb. 11, 2025).

26 ²³⁸ *Id.*

27 ²³⁹ *Id.*

28 ²⁴⁰ *Senate Panel Forced to Use U.S. Marshals to Subpoena CEOs of X and Discord to Testify on Protecting Kids Online*, CBS News (Nov. 21, 2023), <https://www.cbsnews.com/news/senate-panel-us-marshals-subpoenas-ceos-x-discord/>.

1 hearing only after the Senate was forced to enlist the U.S. Marshals Service to personally subpoena
2 him—a situation the Senate called “a remarkable departure from typical practice.”²⁴¹

3 192. The National Center for Missing and Exploited Children, which internet companies
4 are by law required to report instances of child sex abuse to, also reported issues working with
5 Discord and had to rescind an invitation to become part of its Cybertipline Roundtable when the
6 company failed to “identify a senior child safety representative to attend.”²⁴² “It was really
7 questionable, their commitment to what they’re doing on the child exploitation front,” stated John
8 Shehan, the Senior Vice President of the National Center for Missing and Exploited Children.²⁴³

9 **2. Discord facilitates child sexual exploitation through the design of its app,**
10 **inadequate safety features, and refusal to invest in basic safety protections.**

11 193. Discord’s pursuit of growth over child safety is reflected in numerous actions it took
12 and decisions it made related to the design and safety of its app. Had Discord acted differently, the
13 harm suffered by countless children would not have occurred.

14 194. Discord designed its app so that anyone can easily communicate with children,
15 creating a virtual world where predators can freely target and sexually exploit children. Despite its
16 repeated assurances to parents that its app “defaults” to safety for child accounts, Discord, in fact,
17 designed its app to default to settings that facilitate the sexual exploitation of children.

18 195. Discord, for example, defaults to settings that allow predators to send direct
19 messages to children. Predators often identify and target children by joining servers that are
20 populated with kids. By default, Discord allows any two people who share a server to direct
21 message each other, providing predators with an easy means of contacting and communicating with
22 children. Predators also often initiate contact with children by adding a child as a “friend” on
23 Discord so they can direct message them. By default, Discord permits children to receive friend
24 requests from “Everyone,” meaning children can receive and accept friend requests from
25 individuals whom they do not know and with whom they have no connection.

26
27 ²⁴¹ *Id.*

28 ²⁴² Goggin, *supra* note 181.

²⁴³ *Id.*

1 196. For years, Discord also defaulted to settings that enabled predators to send children
2 sexually explicit images via direct messages. In 2017, for example, Discord introduced “Safe Direct
3 Messaging.” This feature contained three options, including “Keep me safe,” which supposedly
4 would automatically scan and delete messages that a child received containing explicit content.

5 The process is pretty simple. Safe Direct Messaging has three settings:

6 The differences are pretty simple:

7 Keep me safe: The safest option. This will have Discord scan any image sent in all DMs, regardless of
8 whether you've added the user on your friend list, or the user is DMing you just by sharing a mutual
9 server.

10 My friends are nice: The medium-est option! This will let Discord know to scan any images sent in
11 DMs from users that aren't on your friends list, but also to trust your previously-added friends and not
12 worry about any images they send.

13 Do not scan: The self-confident option. Enabling this option will completely disable Discord's image
14 scanning process, and leave you for a walk on the wild side for any and all DMs you receive. Careful, it's a
15 jungle out there!

16 *Discord's description of the categories of its Safe Direct Messaging feature.*²⁴⁴

17 197. Consistent with Discord's “default to safety” promise, the company long
18 represented that the “Keep me safe” option was on by default. In fact, though, Discord defaulted
19 not to this most restrictive setting but to the lower setting of “My friends are nice,” which meant
20 that Discord would not scan any images from a child's “friend”—which could be anyone.

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27 ²⁴⁴ Discord, *Discord Safety: Safe Messaging!*,
28 <https://web.archive.org/web/20210203000438/https://support.discord.com/hc/en-us/articles/115000068672-Discord-Safety-Safe-Messaging-> (archived Feb. 3, 2021).

1 **If you do not want to see age-restricted content on Discord**

2 If you do not want to be exposed to age-restricted content on Discord, or if you are under 18 years old, we recommend **turning on**
3 **the explicit media content filter in your privacy settings**. In your *User Settings*, select *Privacy & Safety*, and choose 'Keep me safe'
4 under *Safe Direct Messaging*. This setting is on by default and will ensure that images and videos in all direct messages are scanned by
Discord and age-restricted content is blocked.

5 *Discord's "Age-Restricted Content on Discord" webpage in 2022.*²⁴⁵

6 198. Discord later changed the labels of this feature from "Keep me safe" to "Filter all
7 direct messages" and from "My friends are nice" to "Filter direct messages from non-friends."²⁴⁶
8 But it continued to default to the less restrictive setting: "By default, these filters are set to 'Filter
9 direct messages from non-friends.' Choose 'Filter all direct messages' if you want all direct
10 messages you receive to be filtered, or select 'Do not filter direct messages' to turn these filters
11 off."²⁴⁷

12 199. Although parents can change Discord's permissive default settings to more
13 restrictive ones, that option is meaningless because Discord enables children to modify these
14 safety settings without parental approval. So a parent might modify the default settings so that
15 their child cannot exchange direct messages with other server members or cannot receive friend
16 requests from "Everyone," only to have their child simply change those settings to allow these
17 unfettered interactions. As Discord puts it, "[o]ur product architecture provides each user with
18 fundamental control over their experience on Discord including who they communicate with, what
19 content they see, and what communities they join or create."²⁴⁸ By doing so, Discord strips parents
20 of basic protective options that would prevent adult strangers from targeting and exploiting their
21
22
23

24 ²⁴⁵ Discord, *Age-Restricted Content on Discord*,
25 [https://web.archive.org/web/20220406085122mp_/https://discord.com/safety/360043653552-Age-](https://web.archive.org/web/20220406085122mp_/https://discord.com/safety/360043653552-Age-Restricted-Content-on-Discord)
26 *Restricted-Content-on-Discord* (archived Apr. 6, 2022) (emphasis added).

27 ²⁴⁶ Discord, *Helping Your Teen Stay Safe on Discord*,
28 [https://web.archive.org/web/20230711200552/https://discord.com/safety/360044153831-helping-](https://web.archive.org/web/20230711200552/https://discord.com/safety/360044153831-helping-your-teen-stay-safe-on-discord)
your-teen-stay-safe-on-discord (archived July 11, 2023).

²⁴⁷ *Id.*

²⁴⁸ Discord, *Discord Parent Hub*, <https://discord.com/safety-parents> (last visited Feb. 11, 2025).

1 children. As one parent explained in calling Discord an “EXTREMELY dangerous app,” Discord
2 does not provide “any way for parents to set settings that can’t simply be undone by kids.”²⁴⁹

3 200. Discord also refused to implement other simple measures that would have protected
4 children using its product. For example, despite having the ability to do so, Discord does not require
5 users to verify their age and identify when creating an account. Doing so would have prevented
6 predators from creating fake profiles and pretending to be children, which is their preferred
7 approach in targeting children and convincing them to share sexually explicit images.

8 201. Age and identity verification would also have prevented individuals under 13 from
9 creating accounts on Discord. In many of the criminal cases involving the sexual exploitation of
10 children on Discord, the children were under the age of 13. By requiring ID verification during the
11 account sign-up process—a practice that other online products employ—Discord could have easily
12 prevented these children from even using its app. But it chose not to, despite knowing for years
13 that children under 13 operate freely on its environment and are targeted by predators.

14 202. Despite these glaring failures, Discord constantly promotes its technology-focused
15 “safety solutions” including its “AI-powered moderation systems.”²⁵⁰ But this technology has
16 proven grossly inadequate and insufficient to protect children from sexual exploitation. For
17 instance, Discord’s Teen Safety Assist feature, which it introduced in October 2023, is supposed to
18 “automatically blur media that may be sensitive in direct messages and group direct messages with
19 friends, as well as in servers,” and send “safety alerts” to teen users when they receive a direct
20 message from a user for the first time.”²⁵¹ Yet this feature is “utterly defective,” according to the
21 National Center on Child Exploitation.²⁵² As part of its annual investigation into Discord, “NCOSE
22
23
24

25 ²⁴⁹ National Center on Sexual Exploitation, *supra* note 180.

26 ²⁵⁰ Discord, *Discord’s Commitment to Teen and Child Safety* (July 11, 2023),
<https://discord.com/safety/commitment-to-teen-child-safety>.

27 ²⁵¹ Savannah Badalich, *Building a Safer Place for Teens to Hang Out*, Discord (Oct. 24, 2023),
<https://discord.com/safety/safer-place-for-teens>.

28 ²⁵² National Center on Sexual Exploitation, *supra* note 59.

1 researchers were able to send sexually explicit content from an adult account to an unconnected
2 13-year-old account, and no warning or resources were displayed.”²⁵³

3 203. Discord is also famously slow and ineffective at responding to child-safety issues.
4 One mother, for example, told CNN that Discord essentially refused to help her after she reported
5 that a man had communicated with her 10-year-old daughter and sent her links to pornography.²⁵⁴
6 Following the mother’s report, Discord sent her an automated message asking for “the message
7 links to the reported content for the team to review and take appropriate action.”²⁵⁵ After the mother
8 sent the requested links, Discord never responded. “There was no help at all,” she said.²⁵⁶

9 204. Child protection groups have also repeatedly highlighted flaws in Discord’s
10 approach to child safety. For example, Denton Howard, executive director of Inhope, an
11 organization of missing and exploited children hotlines from around the world, has flagged
12 numerous problems with Discord’s approach to child safety, including “slow response times to
13 reports, communications issues when [child protection] hotlines tried to reach out, hotlines
14 receiving account warnings when they try to report CSAM, the continued hosting of communities
15 that trade and create CSAM, and evidence disappearing before hearing back from Discord.”²⁵⁷

16 **VI. PLAINTIFF-SPECIFIC ALLEGATIONS**

17 205. Plaintiff is a 13-year-old boy who loves reading, singing, and acting in plays. He
18 was also an avid Roblox and Discord user who was horrifically and traumatically sexually exploited
19 by a prolific predator through Defendants’ dangerous apps, which enabled and facilitated this man’s
20 crimes. As the result of Defendants’ reckless disregard for child safety, Plaintiff has suffered
21 devastating psychological trauma. His life will never be the same.

22 206. In 2023, when Plaintiff was 12 years old, he asked his parents if he could create a
23 Roblox account because he wanted to play games on Roblox. Before agreeing, Plaintiff’s father
24

25 ²⁵³ *Id.*

26 ²⁵⁴ Samantha Murphy Kelly, *The Dark Side of Discord for Teens*, CNN Business (Mar. 22, 2022),
<https://www.cnn.com/2022/03/22/tech/discord-teens/index.html>.

27 ²⁵⁵ *Id.*

28 ²⁵⁶ *Id.*

²⁵⁷ Goggin, *supra* note 181.

- 1 b. “Roblox uses a combination of chat filters, both human and software
2 moderation, to proactively remove inappropriate content from the
3 platform”²⁵⁹; and
4 c. “We are dedicated to working together with parents and digital safety
5 experts to promote a family-friendly environment that allows all players to
6 imagine, create, and play online.”²⁶⁰

7 209. He also reviewed the “Roblox FAQ” page on the website, which contained, for
8 example, the following representations from Roblox about the supposed safety of the app for
9 children:

- 10 a. “We are committed to ensuring that Roblox is a safe and fun place for
11 everyone”²⁶¹;
12 b. “For users age 12 and under, we take extra precautions to ensure their safety
13 and privacy by automatically enforcing more restricted settings so they can
14 only send a direct message to other users that are accepted as friends on
15 Roblox”²⁶²;
16 c. “Roblox provides a fun, supportive, and educational space where your
17 child’s imagination can thrive”²⁶³;
18 d. “Roblox’s state-of-the-art filtering system is actively monitored and
19 dynamically adjusted to prevent inappropriate content and personally
20 identifiable information from being visible on the platform”²⁶⁴; and
21 e. “All text on Roblox is filtered regardless of a user’s age. For users aged 12
22 and under, however, we go a step further by automatically placing them on
23

24 ²⁵⁹ *Id.*

25 ²⁶⁰ *Id.*

26 ²⁶¹ Roblox, *Roblox FAQ*,

<https://web.archive.org/web/20230328011957/https://corporate.roblox.com/faq/> (archived Mar.
28, 2023).

27 ²⁶² *Id.*

28 ²⁶³ *Id.*

²⁶⁴ *Id.*

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a more restricted chat with reduced filters for 13+ year olds system that allows them to send private messages only to users they have accepted as friends on Roblox.”²⁶⁵

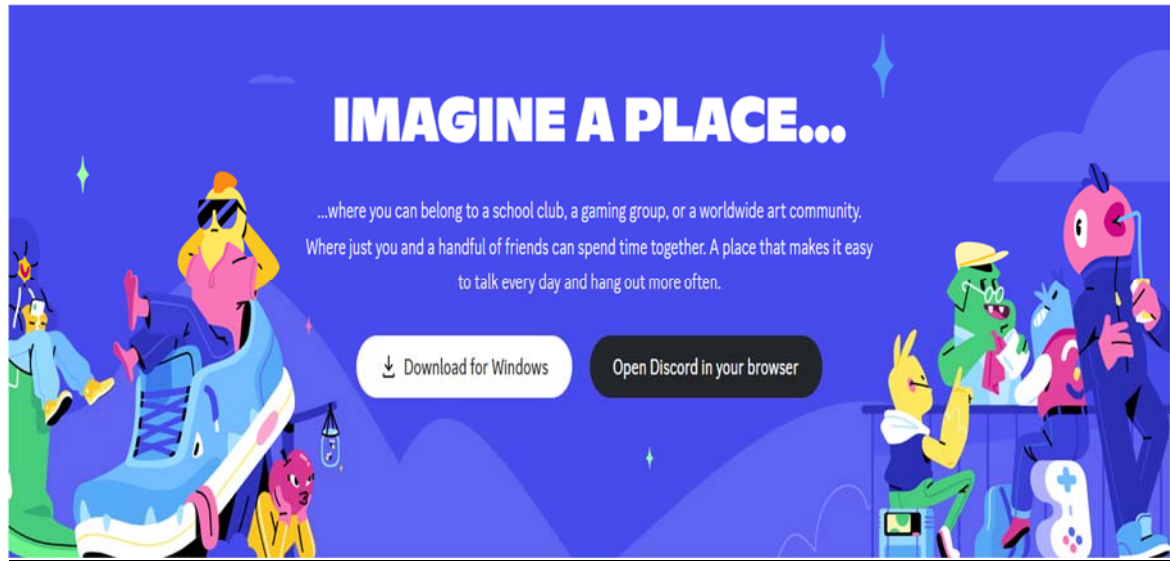
210. Based on these false, misleading, and dangerously inadequate assurances from Roblox, Plaintiff’s father was misled into believing that Roblox was a safe app for Plaintiff to use and therefore allowed Plaintiff to use Roblox.

211. In April 2023, Plaintiff’s father created a Roblox account for Plaintiff. Although he initially set certain parental controls, he later changed those controls because Plaintiff wanted to be able to chat with his school friends on Roblox. He was not able to set any parental controls that would allow him to monitor Plaintiff’s communications because Roblox failed to provide such controls, but he trusted Roblox’s deceptive representations that it used state-of-the-art technology and other safety measures to ensure that Plaintiff would be safe on its app.

212. Soon thereafter, Plaintiff asked his parents if he could create a Discord account because he wanted to chat with his friends there. Before agreeing, Plaintiff’s father carefully reviewed Discord’s website to determine if the app was safe for children.

213. As with Roblox, his first impression was that Discord appeared to be designed for children. The company’s website displayed colorful characters engaged in seemingly harmless playful activities.

²⁶⁵ *Id.*



Discord's homepage in 2023.

214. He reviewed various materials on Discord's "Parent Hub." For example, he reviewed "Discord's Commitment to a Safe and Trusted Experience," which contained, for example, the following representations from Discord about the purported safety of the app for children:

- a. "Safety is at the core of everything we do and a primary area of investment as a business"²⁶⁶;
- b. "Millions of people around the world use Discord every day, the vast majority are engaged in positive ways, but we take action on multiple fronts to address bad behavior and harmful content. For example, we use PhotoDNA image hashing to identify inappropriate images; we use advanced technology solutions like machine learning tools to identify and remedy offending content; and we empower and equip community moderators with tools and training to uphold our policies in their communities"²⁶⁷; and

²⁶⁶ Discord, *Discord's Commitment to a Safe and Trusted Experience*, <https://web.archive.org/web/20230719165656/https://discord.com/safety/360043700632-discords-commitment-to-a-safe-and-trusted-experience> (archived July 19, 2023).

²⁶⁷ *Id.*

1 c. “Design for Safety: We make our products safe spaces by design and by
2 default. Safety is and will remain part of the core product experience at
3 Discord.”²⁶⁸

4 215. He also reviewed “Helping Your Teen Stay Safe on Discord,” which explained
5 Discord’s purported “tools to protect our users from inappropriate content or unwanted contact,”
6 including the following:

- 7 a. “Explicit Image Filter” – “Automatically block direct messages that may
8 contain explicit images”²⁶⁹; and
- 9 b. “Direct Message (DM) Settings” – “You can disable the ability for anyone
10 in a server with your teen to send your teen a DM by toggling ‘Allow direct
11 messages from server members’ to off.”²⁷⁰

12 216. He also reviewed the “Parent’s Guide to Discord,” which represented, among other
13 things, that “Discord has default settings designed to keep minors safe, such as automatically
14 scanning direct messages for explicit images and videos.”²⁷¹

15 217. Based on these false, misleading, and dangerously inadequate assurances from
16 Discord, Plaintiff’s father was misled into believing that Discord was a safe app for Plaintiff to use
17 and therefore allowed Plaintiff to use Discord. He trusted Discord’s false assurances that its app
18 was designed for safety, that he could change the settings on Plaintiff’s account to prevent Plaintiff
19 from inappropriate content and unwanted contact, and that Discord imposed default settings that
20 were purportedly designed to keep minors like Plaintiff safe.

21 218. In 2023, Plaintiff’s father helped Plaintiff create a Discord account. He changed the
22 default settings on Plaintiff’s account to the most restrictive settings. For instance, he turned on the

23 _____

24 ²⁶⁸ *Id.*

25 ²⁶⁹ Discord, *Helping Your Teen Stay Safe on Discord*,
26 <https://web.archive.org/web/20230711200552/https://discord.com/safety/360044153831-helping-your-teen-stay-safe-on-discord> (archived July 11, 2023).

27 ²⁷⁰ *Id.*

28 ²⁷¹ Discord, *Parent’s Guide to Discord*,
<https://web.archive.org/web/20230714165101/https://connectsafely.org/wp-content/uploads/2021/09/Parents-Guide-to-Discord.pdf> (archived July 14, 2023).

1 “Explicit Image Filter” that would supposedly automatically block direct messages that may
2 contain explicit images. He also changed the “Direct Message” settings to disable the ability for
3 anyone in a server with Plaintiff to send him a direct message.

4 219. In July 2024, Plaintiff’s parents made a devastating discovery, learning that Plaintiff
5 was being sexually exploited by a known predator through Roblox and Discord. Plaintiff’s father
6 discovered disturbing messages on Plaintiff’s phone from a man who was threatening Plaintiff, and
7 Plaintiff’s parents immediately contacted the police in New Jersey, where the family was living.

8 220. Plaintiff’s parents learned that a predator had identified and targeted Plaintiff in the
9 Roblox game Pet Simulator, a kids’ game in which users collect pets and coins. Plaintiff’s user
10 profile made clear that he was minor male. Even though Plaintiff and the predator were not friends
11 on Roblox, the predator was able to direct message Plaintiff using Roblox’s “Whisper” option—a
12 dangerous feature that allows an adult to send a direct message to any other player in the same
13 game, including a child, even if they are not friends. The predator used this feature to message
14 Plaintiff asking him to send nude pictures. Plaintiff told him no.

15 221. That same day, the predator located Plaintiff on Discord and began sending him
16 direct messages. Plaintiff’s Discord account showed that he was a 13-year-old boy. The predator
17 told Plaintiff that his name was Ryan and that he was 16 years old and also lived in New Jersey.
18 The predator said he was familiar with the town in New Jersey where Plaintiff lived.

19 222. The following day, through calculated grooming behavior that both Roblox and
20 Discord have long known predators use on their apps, the predator continued talking innocently
21 with Plaintiff via direct messages, telling Plaintiff, among other things, about his dog.

22 223. The next day, however, the predator shifted to a form of exploitation that both
23 Roblox and Discord have long known about but failed to prevent. The predator offered Plaintiff
24 Robux in exchange for explicit images and videos of himself. The first transaction was a video of
25 Plaintiff in the shower in exchange for a \$10 Robux gift card. The same day, at the predator’s
26 request, Plaintiff sent him a full nude frontal picture in exchange for another \$10 Robux gift card.

27 224. The following day, emboldened by his success, the predator offered Plaintiff a \$100
28 Robux gift card in exchange for sex. He also offered Plaintiff a \$25 Robux gift card in exchange

1 for a picture of Plaintiff's naked buttocks. After Plaintiff attempted to send this image, Discord
2 finally banned his account. But by this time, it was too late. Until this point, Discord had done
3 nothing, and the predator was able to easily coerce Plaintiff into sending the explicit video and
4 image of himself in exchange for Robux—exploiting a vulnerability in both Defendants' apps that
5 they have long known about but failed to address despite years of documented abuse by predators
6 using this exact method of exploitation.

7 225. After being allowed to establish a relationship through Defendants' defective apps,
8 the predator continued communicating with Plaintiff in other ways, including through text
9 messages and email. Exploiting the trust and relationship he had been allowed to build through
10 Defendants' apps, Plaintiff gave the predator his home address. The predator then escalated to
11 tactics that both Defendants know are common next steps in cases of exploitation enabled by their
12 apps, telling Plaintiff he was going to kidnap him and take him away from his family to live with
13 him. They arranged to meet at a location in New Jersey. After Plaintiff failed to show, the predator
14 began threatening Plaintiff, reminding Plaintiff that he knew his address.

15 226. After Plaintiff's family contacted the authorities, the police conducted a thorough
16 investigation. They quickly discovered the man's identity and location and learned that he was
17 already facing charges in another case for sexually exploiting a minor—revealing that both
18 Defendants had allowed a known predator to freely access and exploit children on their apps.

19 227. The police executed a search warrant at the predator's house, where they seized
20 multiple devices and discovered Robux gift cards and information for a Discord account.
21 Authorities now believe that the predator similarly exploited at least 26 other children.

22 228. Soon after he was sexually exploited because of Defendants' apps, Plaintiff and his
23 family uprooted their lives and moved across the country out of fear for their safety because the
24 predator knew where they lived. In doing so, they were forced to sell their house in New Jersey—
25 their dream home they had recently purchased after saving for years and where they had planned
26 to live at least until Plaintiff's father retired but likely beyond. Plaintiff left a school where he was
27 excelling. He was on honor roll every grading period and had been accepted into the national junior
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1 honor society. He had great friends and had immersed himself in the school’s musical program.
2 This abrupt move alone devastated Plaintiff and his family emotionally and financially.

3 229. Plaintiff has suffered, and continues to suffer, life-altering psychological and
4 emotional injuries, including severe mental anguish and pain, and loss of enjoyment of life. Plaintiff
5 has endured, and continues to endure, humiliation, shame, constant and paralyzing fear, and a
6 profound loss of trust, safety, and innocence.

7 230. Since starting at his new school, Plaintiff has immensely struggled to connect with
8 other students. He initially refused to eat in the lunchroom, instead retreating to sit in a quiet,
9 isolated place. Even after he sat at a table with other students at his parents’ and school counselor’s
10 encouragement, he remained emotionally paralyzed, refusing to interact with them. His school
11 counselor has explained that it has taken him far longer than is typical to feel safe enough to connect
12 with other students. His teachers describe him as incredibly bright but traumatized—displaying
13 defensiveness, anxiety, suspicion of other’s intentions, lack of trust, and argumentative behavior.
14 His grades, which previously were stellar, have suffered.

15 231. Plaintiff’s school counselor referred him to a program that assists students with
16 mental health disorders, including depression, anxiety, suicidality. Plaintiff also undergoes weekly
17 psychiatric counseling and therapy and is prescribed a host of medications.

18 **VII. CAUSES OF ACTION**

19 **FIRST CAUSE OF ACTION**

20 **FRAUDULENT CONCEALMENT AND MISREPRESENTATION**

21 **(By Plaintiff Against Each Defendant)**

22 232. Plaintiff incorporates each and every factual allegation set forth above.

23 233. This claim is brought against Defendants Roblox and Discord.

24 234. As set forth in more detail above, each Defendant knew about the defective
25 conditions of its app and that the app posed serious safety risks to child users.

26 235. Each Defendant was under a duty to tell the public the truth and to disclose the
27 defective conditions of its app and that the app posed serious safety risks to child users.

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1 236. Each Defendant breached its duty to the public, users, and their parents by
2 concealing, failing to disclose, and making misstatements about the serious safety risks presented
3 by its app. Even though Defendants knew of those risks based on Defendants’ internal reviews,
4 external studies known to Defendants, and parent and police reports made to Defendants, they
5 intentionally concealed those risks to not lose users and revenue, and to induce parents to allow
6 their children to use Defendants’ apps.

7 237. Each Defendant made numerous material representations in 2023 downplaying any
8 potential harm associated with its app and reassuring the public, users, and parents, including
9 Plaintiff’s father, that its app was safe, including but not limited to:

10 ***Roblox***

- 11 a. “We continually develop cutting-edge technologies to ensure that the
12 Roblox platform remains a safe and fun space for players all over the world”;
- 13 b. “Roblox uses a combination of chat filters, both human and software
14 moderation, to proactively remove inappropriate content from the platform”;
- 15 c. “We are dedicated to working together with parents and digital safety
16 experts to promote a family-friendly environment that allows all players to
17 imagine, create, and play online”;
- 18 d. “We are committed to ensuring that Roblox is a safe and fun place for
19 everyone”;
- 20 e. “For users age 12 and under, we take extra precautions to ensure their safety
21 and privacy by automatically enforcing more restricted settings so they can
22 only send a direct message to other users that are accepted as friends on
23 Roblox”;
- 24 f. “Roblox provides a fun, supportive, and educational space where your
25 child’s imagination can thrive”;
- 26 g. “Roblox’s state-of-the-art filtering system is actively monitored and
27 dynamically adjusted to prevent inappropriate content and personally
28 identifiable information from being visible on the platform”; and

1 h. “All text on Roblox is filtered regardless of a user’s age. For users aged 12
2 and under, however, we go a step further by automatically placing them on
3 a more restricted chat with reduced filters for 13+ year olds system that
4 allows them to send private messages only to users they have accepted as
5 friends on Roblox.”

6 *Discord*

7 a. “Safety is at the core of everything we do and a primary area of investment
8 as a business”;

9 b. “Millions of people around the world use Discord every day, the vast
10 majority are engaged in positive ways, but we take action on multiple fronts
11 to address bad behavior and harmful content. For example, we use
12 PhotoDNA image hashing to identify inappropriate images; we use
13 advanced technology solutions like machine learning tools to identify and
14 remedy offending content; and we empower and equip community
15 moderators with tools and training to uphold our policies in their
16 communities”;

17 c. “Design for Safety: We make our products safe spaces by design and by
18 default. Safety is and will remain part of the core product experience at
19 Discord”; and

20 d. “Discord has default settings designed to keep minors safe, such as
21 automatically scanning direct messages for explicit images and videos.”

22 238. Each Defendant’s representations regarding the safety of its app were false, and each
23 Defendant knew that its representations about the safety of its app were false when the statements
24 were made.

25 239. Each Defendant intentionally failed to disclose the serious safety risks posed by the
26 design of its app to the public, users, and their parents, including Plaintiff’s father. Such risks were
27 known only to Defendants through their internal reviews and external studies known to Defendants,
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1 as well as parent and police reporting to Defendants, and the public, users, and their parents,
2 including Plaintiff's father, could not have discovered such serious safety risks.

3 240. The public, users, and their parents, including Plaintiff's father, did not know of the
4 serious safety risks posed by the design of Defendants' apps, which were known by Defendants.

5 241. By intentionally concealing and failing to disclose defects inherent in the design of
6 their apps, each Defendant knowingly and recklessly misled the public, users, and their parents,
7 including Plaintiff's father, into believing its app was safe for children to use.

8 242. By intentionally making numerous material representations, downplaying any
9 potential harm associated with their apps, and reassuring the public, users, and parents, including
10 Plaintiff's father, that their apps were safe, Defendants fraudulently misled the public, users, and
11 their parents, including Plaintiff's father, into believing their apps were safe for children to use.

12 243. Each Defendant intended for the public, users, and their parents, including
13 Plaintiff's father, to rely on its representations about the safety of its app.

14 244. Each Defendant knew that its concealment, misstatements, and omissions were
15 material. A reasonable person, including Plaintiff's father, would find information about the risk
16 of grooming, sexual abuse, sexual exploitation, and other serious risks associated with the use of
17 Defendants' respective apps, to be important when deciding whether to allow children to use them.

18 245. The public, users, and their parents, including Plaintiff's father, reasonably relied
19 on the representations made by each Defendant about the safety of its app for use by children.

20 246. Each Defendant intended to deceive the public, users, and their parents, including
21 Plaintiff's father, by concealing the defects in the design of its app, which made the app unsafe.

22 247. As a direct and proximate result of each Defendant's material omissions,
23 misrepresentations, and concealment of material information, Plaintiff's father was not aware and
24 could not have been aware of the facts that each Defendant concealed or misstated, and therefore
25 justifiably and reasonably believed that each Defendant's app was safe for children to use.

26 248. If the serious safety risks presented by the design of each Defendant's app had been
27 disclosed, the public, users, and their parents, including Plaintiff's father, reasonably would have
28 acted differently and/or would have not permitted children to use the apps.

1 258. Each Defendant negligently made numerous material representations in 2023
2 downplaying any potential harm associated with its app and reassuring the public, users, and
3 parents, including Plaintiff’s father, that its app was safe, including but not limited to:

4 ***Roblox***

- 5 a. “We continually develop cutting-edge technologies to ensure that the
6 Roblox platform remains a safe and fun space for players all over the world”;
7 b. “Roblox uses a combination of chat filters, both human and software
8 moderation, to proactively remove inappropriate content from the platform”;
9 c. “We are dedicated to working together with parents and digital safety
10 experts to promote a family-friendly environment that allows all players to
11 imagine, create, and play online”;
12 d. “We are committed to ensuring that Roblox is a safe and fun place for
13 everyone”;
14 e. “For users age 12 and under, we take extra precautions to ensure their safety
15 and privacy by automatically enforcing more restricted settings so they can
16 only send a direct message to other users that are accepted as friends on
17 Roblox”;
18 f. “Roblox provides a fun, supportive, and educational space where your
19 child’s imagination can thrive”;
20 g. “Roblox’s state-of-the-art filtering system is actively monitored and
21 dynamically adjusted to prevent inappropriate content and personally
22 identifiable information from being visible on the platform”; and
23 h. “All text on Roblox is filtered regardless of a user’s age. For users aged 12
24 and under, however, we go a step further by automatically placing them on
25 a more restricted chat with reduced filters for 13+ year olds system that
26 allows them to send private messages only to users they have accepted as
27 friends on Roblox.”

28 ***Discord***

- 1 a) “Safety is at the core of everything we do and a primary area of investment as a
2 business”;
- 3 b) “Millions of people around the world use Discord every day, the vast majority are
4 engaged in positive ways, but we take action on multiple fronts to address bad
5 behavior and harmful content. For example, we use PhotoDNA image hashing to
6 identify inappropriate images; we use advanced technology solutions like machine
7 learning tools to identify and remedy offending content; and we empower and equip
8 community moderators with tools and training to uphold our policies in their
9 communities”;
- 10 c) “Design for Safety: We make our products safe spaces by design and by default.
11 Safety is and will remain part of the core product experience at Discord”; and
- 12 d) “Discord has default settings designed to keep minors safe, such as automatically
13 scanning direct messages for explicit images and videos.”

14 259. Defendants’ representations that their apps were safe for use by children were not
15 true.

16 260. Defendants had no reasonable grounds for believing their representations that their
17 apps were safe for use by children were true.

18 261. By concealing and failing to disclose, or failing to take reasonable care to disclose
19 the defects, each Defendant negligently misled the public, users, and their parents, including
20 Plaintiff’s father, into believing its app was safe for children to use.

21 262. By making numerous material representations downplaying any potential harm
22 associated with their apps and reassuring the public, users, and their parents, including Plaintiff’s
23 father, that its app was safe, each Defendant negligently misled the public, users, and their parents,
24 including Plaintiff’s father, into believing its app was safe for children to use.

25 263. As a direct and proximate result of each Defendant’s material omissions,
26 misrepresentations, and concealment of material information, Plaintiff’s father was not aware and
27 could not have been aware of the facts that each Defendant concealed or misstated, and therefore
28 justifiably and reasonably believed that each Defendant’s app was safe for use.

1 foreseeable result of using its app. These duties govern Defendants' own specific actions and are
2 based on direct actions Defendants took in developing their apps and features.

3 272. In addition, each Defendant owed a special relationship duty to Plaintiff to protect
4 him against harm caused by its app and employees or by other users. This special relationship duty
5 is based on the following:

- 6 a. As businesses, Defendants owe a duty to protect customers against
7 reasonably foreseeable criminal acts of third parties and other dangers
8 known to Defendants on their apps;
- 9 b. Plaintiff, as a minor was vulnerable and dependent on Defendants for a safe
10 environment on their apps, and Defendants have superior ability and control
11 to provide that safety with respect to activities that they sponsor or control;
- 12 c. Plaintiff relied upon Defendants for protection against third-party misuse or
13 misconduct;
- 14 d. The special relationship Plaintiff had with Defendants substantially benefits
15 Defendants through profits and growth in users and user activity. Defendants
16 could not successfully operate without the growth in users and user activity
17 generated by children;
- 18 e. Defendants were far more to Plaintiff than a business. Defendants provided
19 Plaintiff with opportunities for social interaction and a discrete community
20 of other users. Plaintiff was dependent on Defendants to provide structure,
21 guidance, and a safe environment;
- 22 f. Defendants have superior control over their app environments and the ability
23 to protect their users. Defendants impose a variety of rules and restrictions
24 to maintain a safe and orderly environment. Defendants employ internal
25 staff to enforce these rules and restrictions and can monitor and discipline
26 users when necessary. Defendants have the power to influence Plaintiff's
27 values, consciousness, relationships, and behaviors; and

1 g. Defendants have voluntarily undertaken a responsibility to keep children
2 safe on their apps. As alleged above, Defendants have publicly stated that
3 they take steps to keep children safe on their apps and therefore have
4 undertaken a duty to act reasonably in taking such steps.

5 273. Plaintiff was a foreseeable user of each Defendant's app.

6 274. Each Defendant knew that minors such as Plaintiff would use its app.

7 275. Each Defendant invited, solicited, encouraged, or reasonably should have foreseen
8 the fact, extent, and manner of Plaintiff's use of its app.

9 276. Each Defendant knew or, by the exercise of reasonable care, should have known,
10 that the reasonably foreseeable use of its respective app (as developed, set up, managed,
11 maintained, supervised, and operated by that Defendant) was dangerous, harmful, and injurious
12 when used by youth such as Plaintiff in a reasonably foreseeable manner.

13 277. At all relevant times, each Defendant knew or, by the exercise of reasonable care,
14 should have known that its respective app (as developed, set up, managed, maintained, supervised,
15 and operated by that Defendant) posed unreasonable risks of harm to youth such as Plaintiff, which
16 risks were known and knowable, including in light of the internal data and knowledge each
17 Defendant had regarding its app.

18 278. Each Defendant knew, or by the exercise of reasonable care, should have known,
19 that ordinary child users of its respective app, such as Plaintiff, would not have realized the potential
20 risks and dangers of using the app, including a risk of grooming, sexual abuse, and sexual
21 exploitation, which foreseeably can lead to a cascade of negative effects, including but not limited
22 to physical injury, damage to self-worth, stigma and social isolation, reduced academic
23 performance, increased risky behavior, susceptibility to future sexual exploitation, attachment
24 issues, identity confusion, and profound mental health issues for young consumers, including but
25 not limited to depression, anxiety, suicidal ideation, self-harm, post-traumatic stress disorder,
26 insomnia, eating disorders, death, and other harmful effects.

27 279. Each Defendant's conduct was closely connected to Plaintiff's injuries, which were
28 highly certain to occur, as evidenced by the significance of Plaintiff's injuries.

1 280. Each Defendant could have avoided Plaintiff's injuries with minimal cost,
2 including, for example, by not including certain features in its respective app which harmed
3 Plaintiff.

4 281. Imposing a duty on Defendants would benefit the community at large.

5 282. Imposing a duty on Defendants would not be burdensome to them because they have
6 the technological and financial means to avoid the risks of harm to Plaintiff.

7 283. Each Defendant owed a heightened duty of care to youth users of its app because
8 the children's brains are not fully developed, meaning young people are more neurologically
9 vulnerable than adults to abusive contact facilitated by Defendants' apps because they have a hard
10 time distinguishing between patterns of genuine friendship and grooming relationships.

11 284. Each Defendant breached its duties of care owed to Plaintiff through its affirmative
12 malfeasance, actions, business decisions, and policies in the development, set up, management,
13 maintenance, operation, marketing, advertising, promotion, supervision, and control of its
14 respective app. These breaches are based on Defendants' own actions in managing their own apps
15 made available to the public, independent of any actions taken by a third party. Those breaches
16 include but are not limited to:

17 a. Including features in their apps that, as described above, are currently
18 structured and operated in a manner that unreasonably creates or increases
19 the foreseeable risk of grooming, sexual abuse, and sexual exploitation to
20 youth, including Plaintiff;

21 b. Including features in their apps that, as described above, are currently
22 structured and operated in a manner that unreasonably creates or increases
23 the foreseeable risk of harm to the physical and mental health and well-being
24 of youth users, including Plaintiff, including but not limited to physical
25 injury, damage to self-worth, stigma and social isolation, reduced academic
26 performance, increased risky behavior, susceptibility to future sexual
27 exploitation, attachment issues, identity confusion, and profound mental
28 health issues for young consumers, including but not limited to depression,

1 anxiety, suicidal ideation, self-harm, post-traumatic stress disorder,
2 insomnia, eating disorders, death, and other harmful effects;

3 c. Maintaining unreasonably dangerous features in their apps after notice that
4 such features, as structured and operated, posed a foreseeable risk of harm
5 to the physical and mental health and well-being of youth users; and

6 d. Facilitating unsupervised and/or hidden use of their respective apps by
7 youth, including by adopting protocols that allow youth users to change their
8 own safety settings or parental controls, and create multiple and private
9 accounts.

10 285. Each Defendant breached its duties of care owed to Plaintiff through its
11 nonfeasance, failure to act, and omissions in the development, setup, management, maintenance,
12 operation, marketing, advertising, promotion, supervision, and control of its respective app. These
13 breaches are based on Defendants' own actions in managing their own apps made available to the
14 public, independent of any actions taken by a third party. Those breaches include but are not limited
15 to:

16 a. Failing to implement effective parental controls;

17 b. Failing to implement effective parental notifications, such as when a child
18 messages another user, particularly an adult user, or when a child interacts
19 with accounts that have been blocked by other users or suspended in the past;

20 c. Failing to require adult users to provide a phone number when signing up
21 for an account;

22 d. Failing to implement pop-up safety notices within chats and games to warn
23 users about inappropriate behavior;

24 e. Failing to ban IP and MAC addresses of accounts associated with known
25 abusers;

26 f. Failing to set default safety settings to the most protective options;

27 g. Having an open chat function;

28 h. Failing to provide a transcript of a child's communications to the parent;

- i. Failing to implement reasonably available means to monitor for, report, and prevent the use of their apps by sexual predators to victimize, abuse, and exploit youth users;
- j. Failing to provide effective mechanisms for youth users and their parents/guardians to report abuse or misuse of their apps;
- k. Failing to implement effective protocols to verify ages and identity of all users; and
- l. Others as set forth herein.

286. A reasonable company under the same or similar circumstances as Defendants would have developed, set up, managed, maintained, supervised, and operated its app in a manner that is safer for and more protective of youth users like Plaintiff.

287. At all relevant times, Plaintiff used each Defendant's app in the manner in which it was intended to be used.

288. As a direct and proximate result of each Defendant's breach of one or more of its duties, Plaintiff was harmed. Such harms include the sexual exploitation of Plaintiff by a child predator and a cascade of resulting negative effects, including but not limited to damage to self-worth, stigma and social isolation, reduced academic performance, increased risky behavior, susceptibility to future sexual exploitation, attachment issues, identity confusion, and profound mental health issues such as depression, anxiety, and other harmful effects.

289. Each Defendant's breach of one or more of its duties was a substantial factor in causing harms and injuries to Plaintiff.

290. Plaintiff was injured from using both of Defendants' defective apps through no fault of his own. The fact that Plaintiff was injured by using both of Defendants' apps means that Defendants are each jointly and severally responsible for the injuries caused by any one of Defendants' apps and the burden shifts to Defendants to identify alternative causes of the alleged injuries and apportion responsibility for the alleged injuries.

291. The nature of the fraudulent and unlawful acts that created safety concerns for Plaintiff are not the type of risks that are immediately apparent from using Defendants' apps.

1 300. Had Plaintiff received proper or adequate warnings about the risks of each
2 Defendant's app, Plaintiff would have heeded such warnings.

3 301. Each Defendant knew or, by the exercise of reasonable care, should have known
4 that its app posed risks of harm to youth. These risks were known and knowable in light of
5 Defendants' own internal data and knowledge regarding their apps at the time of development,
6 design, marketing, promotion, advertising and distribution to Plaintiff.

7 302. Because Defendants' conduct created the risk that child users of their apps would
8 be subject to grooming, sexual abuse, and sexual exploitation, Defendants each owed a duty to all
9 reasonably foreseeable users, including but not limited to minor users and their parents, to provide
10 adequate warnings about the risk of using Defendants' apps that were known to Defendants, or that
11 Defendants should have known through the exercise of reasonable care.

12 303. In addition, as described above, each Defendant owed a special relationship duty to
13 Plaintiff to protect him against harm caused by its app and employees or by other users.

14 304. Each Defendant owed a heightened duty of care to minor users and their parents to
15 warn about its app's risks because children's brains are not fully developed, resulting in a
16 diminished capacity to make responsible decisions regarding contact with strangers online.
17 Children are also more neurologically vulnerable than adults to abusive contact facilitated by
18 Defendants' apps because they have a hard time distinguishing between patterns of genuine
19 friendship and grooming relationships.

20 305. Each Defendant breached its duty by failing to use reasonable care in providing
21 adequate warnings to Plaintiff, such as failing to notify parents and the general public of the
22 following, among others:

- 23 a. Defendants fail to require that children have parental approval before
24 signing up for an account;
- 25 b. New users of Defendants' apps can identify themselves as minors, begin to
26 use the app, and do so indefinitely, without ever receiving a safety warning,
27 and without ever having to provide information so that Defendants can warn
28 the users' parents or guardians;

- c. Defendants' apps' default safety settings allow adults and other strangers' accounts to find, "friend," and communicate with children's accounts;
- d. Defendants' parental control settings allowed children to modify their own parental control settings;
- e. Defendants' platforms recommend that adult users and other strangers "friend" and contact child accounts;
- f. Defendants fail to block the IP and MAC addresses of known abusers;
- g. Adult predators use Defendants' apps to target children for sexual exploitation, sextortion, and CSAM;
- h. Defendants' apps enable and increase risk of exposure to predators and can result in grooming, sexual abuse, and sexual exploitation, as well as their resultant physical and mental injuries;
- i. Sexual predators use Robux to coerce children into sending them nude photos or engaging in other types of sexually explicit behavior;
- j. Usage of Defendants' apps can increase risky and uninhibited behavior in children, making them easier targets to adult predators for sexual exploitation, sextortion, and CSAM;
- k. Usage of Defendants' apps can normalize abuse and pornography, leading children to abuse other children either contemporaneously or later when the children are older;
- l. The likelihood and severity of harm is greater for children;
- m. The likelihood and intensity of these harmful effects is exacerbated by the interaction of each app's features with one another;
- n. Defendants fail to verify ages, allowing adult predators to pose as children on Defendants' apps; and

306. Others as set forth herein.

1 307. A reasonable company under the same or similar circumstances as Defendants
2 would have used reasonable care to provide adequate warnings to consumers, including the parents
3 of minor users, as described herein.

4 308. At all relevant times, each Defendant could have provided adequate warnings to
5 prevent the harms and injuries described herein.

6 309. As a direct and proximate result of each Defendant's breach of its duty to provide
7 adequate warnings, Plaintiff was harmed and sustained the injuries set forth herein. Each
8 Defendant's failure to provide adequate and sufficient warnings was a substantial factor in causing
9 the harms to Plaintiff.

10 310. As a direct and proximate result of each Defendant's failure to warn, Plaintiff
11 requires and/or will require more healthcare and services and did incur medical, health, incidental,
12 and related expenses.

13 311. Plaintiff was injured from using both of Defendants' defective apps through no fault
14 of his own. The fact that Plaintiff was injured by using both of Defendants' apps means that
15 Defendants are each jointly and severally responsible for the injuries caused by any one of
16 Defendants' apps and the burden shifts to Defendants to identify alternative causes of the alleged
17 injuries and apportion responsibility for the alleged injuries.

18 312. The nature of the fraudulent and unlawful acts that created safety concerns for
19 Plaintiff are not the type of risks that are immediately apparent from using Defendants' apps.

20 313. The conduct of each Defendant, as described above, was intentional, fraudulent,
21 willful, wanton, reckless, malicious, fraudulent, oppressive, extreme, and outrageous, and
22 displayed an entire want of care and a conscious and depraved indifference to the consequences of
23 its conduct, including to the health, safety, and welfare of their customers, and warrants an award
24 of punitive damages in an amount sufficient to punish each Defendant and deter others from like
25 conduct.

26 314. Plaintiff demands judgment against each Defendant for compensatory and punitive
27 damages, together with interest, costs of suit, attorneys' fees, and all such other relief as the Court
28 deems proper.

1 **FIFTH CAUSE OF ACTION**

2 **NEGLIGENCE – UNREASONABLE DESIGN**

3 **(By Plaintiff Against Each Defendant)**

4 315. Plaintiff incorporates each and every factual allegation set forth above.

5 316. This claim is brought against Defendants Roblox and Discord.

6 317. At all relevant times, each Defendant designed, developed, managed, operated,
7 tested, produced, labeled, marketed, advertised, promoted, controlled, sold, supplied, distributed,
8 and benefited from its respective app used by Plaintiff.

9 318. Each Defendant knew or, by the exercise of reasonable care, should have known,
10 that its app was dangerous, harmful, and injurious when used by youth in a reasonably foreseeable
11 manner.

12 319. Each Defendant knew or, by the exercise of reasonable care, should have known
13 that its respective app posed risks of harm to youth. These risks were known and knowable in light
14 of Defendants' own internal data and knowledge regarding their apps at the time of the apps'
15 development, design, marketing, promotion, advertising, and distribution to Plaintiff.

16 320. Each Defendant knew, or by the exercise of reasonable care, should have known,
17 that ordinary minor consumers such as Plaintiff would not have realized the potential risks and
18 dangers of its app. Those risks include grooming, sexual abuse, and sexual exploitation, which can
19 lead to a cascade of negative effects, including but not limited to physical injury, damage to self-
20 worth, stigma and social isolation, reduced academic performance, increased risky behavior,
21 susceptibility to future sexual exploitation, attachment issues, identity confusion, and profound
22 mental health issues for young consumers, including but not limited to depression, anxiety, suicidal
23 ideation, self-harm, post-traumatic stress disorder, insomnia, death, and other harmful effects.

24 321. Each Defendant owed a duty to all reasonably foreseeable users to design a safe app.

25 322. Each Defendant owed a heightened duty of care to minor users of its app because
26 children's brains are not fully developed, resulting in a diminished capacity to make responsible
27 decisions regarding contact with strangers online. Children are also more neurologically vulnerable
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1 than adults to abusive contact facilitated by Defendants' apps because they have a hard time
2 distinguishing between patterns of genuine friendship and grooming relationships.

3 323. Plaintiff was a foreseeable user of each Defendant's app.

4 324. Each Defendant knew that minors such as Plaintiff would use its app.

5 325. Each Defendant breached its respective duty in designing its app.

6 326. Each Defendant breached its respective duty by failing to use reasonable care in the
7 design of its app by negligently designing the app with features that specifically allow predators to
8 find, groom, exploit, and abuse children, as described herein.

9 327. Each Defendant breached its respective duty by designing an app that was less safe
10 to use than an ordinary consumer would expect when used in an intended and reasonably
11 foreseeable manner.

12 328. Each Defendant breached its respective duty by failing to use reasonable care in the
13 design of its app by negligently designing its app with features as described above that created or
14 increased the risk of grooming, sexual abuse, and sexual exploitation for children, which can lead
15 to a cascade of negative effects, including but not limited to physical injury, damage to self-worth,
16 stigma and social isolation, reduced academic performance, increased risky behavior, susceptibility
17 to future sexual exploitation, attachment issues, identity confusion, and profound mental health
18 issues for young consumers, including but not limited to depression, anxiety, suicidal ideation, self-
19 harm, post-traumatic stress disorder, insomnia, death, and other harmful effects.

20 329. Each Defendant breached its respective duty by failing to use reasonable care to use
21 cost-effective, reasonably feasible alternative designs, including changes to the harmful features,
22 and other safety measures, to minimize the harms described herein, including but not limited to:

- 23 a. Requiring children have parental approval and a parent's email address to
24 sign-up for an account;
- 25 b. Effective parental controls;
- 26 c. Effective parental notifications, including notifying parents any time a child
27 messages another user, particularly an adult user, or notifying parents when
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children interact with accounts that have been blocked by other users or suspended in the past, among other controls;

- d. Setting default safety settings to the most protective options, including blocking direct messaging between child and adult users, or only allowing messaging between adult users and a child with the parent’s explicit permission to message the adult user;
- e. Requiring adults to provide a phone number when signing up for an account;
- f. Pop-up safety notices within chats and games to warn users about inappropriate behavior;
- g. Preventing strangers from sending Robux to child accounts, and preventing children from sending Robux to strangers’ accounts;
- h. Banning IP and MAC addresses of accounts associated with known abusers;
- i. Controlled chat option;
- j. Providing a transcript of a child’s communications to the parent;
- k. Implementing reporting protocols to allow users or visitors of Defendants’ apps to report CSAM and adult predator accounts specifically without the need to create or log in to the apps prior to reporting;

330. Robust age verification; and

331. Others as set forth herein.

332. Alternative designs that would reduce the dangerous features of Defendants’ respective apps were available, would have served effectively the same purpose as Defendants’ defectively designed apps, and would have reduced the gravity and severity of danger each Defendant’s app posed minor Plaintiffs.

333. A reasonable company under the same or similar circumstances as each Defendant would have designed a safer app.

334. At all relevant times, Plaintiff used each Defendant’s app in the manner in which it was intended by each Defendant to be used.

1 344. Each Defendant’s conduct was closely connected to Plaintiff’s injuries, which were
2 highly certain to occur, as evidenced by the significance of Plaintiff’s injuries.

3 345. Each Defendant could have avoided Plaintiff’s injuries with minimal cost,
4 including, for example, by implementing parental control and account safety services that were
5 effective and that would prevent child users from being contacted by adult accounts or strangers’
6 accounts generally.

7 346. Imposing a duty on Defendants would benefit the community at large.

8 347. Imposing a duty on Defendants would not be burdensome to them because they have
9 the technological and financial means to avoid the risks of harm to children.

10 348. Each Defendant owed a heightened duty of care to minor users and their parents to
11 implement parental control and account safety services that were effective and that would prevent
12 child users from being contacted by adult accounts or strangers’ accounts generally.

13 349. Plaintiff’s father relied on each Defendant exercising reasonable care in undertaking
14 to render parental control and account safety services.

15 350. Each Defendant breached its duty of undertaking by failing to use reasonable care
16 in rendering its parental control and account safety services to prevent child users from being
17 contacted by adult accounts or strangers’ accounts generally.

18 351. Each Defendant failed to exercise reasonable care in rendering these parental control
19 and account safety services.

20 352. Each Defendant’s failure to exercise reasonable care increased the risk of, and was
21 a substantial factor in causing, harm to Plaintiff.

22 353. Plaintiff was harmed by his father’s reliance on Defendants to provide effective
23 parental control and account safety services.

24 354. Each Defendant’s breach of one or more of its duties was a substantial factor in
25 causing harms and injuries to Plaintiff.

26 355. Plaintiff was injured from using both of Defendants’ defective apps through no fault
27 of his own. The fact that Plaintiff was injured by using both of Defendants’ apps means that
28 Defendants are each jointly and severally responsible for the injuries caused by any one of

1 Defendants' apps and the burden shifts to Defendants to identify alternative causes of the alleged
2 injuries and apportion responsibility for the alleged injuries.

3 356. The nature of the fraudulent and unlawful acts that created safety concerns for
4 Plaintiff are not the type of risks that are immediately apparent from using Defendants' apps.

5 357. The conduct of each Defendant, as described above, was intentional, fraudulent,
6 willful, wanton, reckless, malicious, fraudulent, oppressive, extreme, and outrageous, and
7 displayed an entire want of care and a conscious and depraved indifference to the consequences of
8 their conduct, including to the health, safety, and welfare of its customers, and warrants an award
9 of punitive damages.

10 358. Plaintiff demands judgment against each Defendant for compensatory and punitive
11 damages, together with interest, costs of suit, attorneys' fees, and all such other relief as the Court
12 deems proper.

13 **SEVENTH CAUSE OF ACTION**

14 **STRICT LIABILITY – DESIGN DEFECT**

15 **(By Plaintiff Against Each Defendant)**

16 359. Plaintiff incorporates each and every factual allegation set forth above.

17 360. This claim is brought against Defendants Roblox and Discord.

18 361. At all relevant times, each Defendant designed, developed, managed, operated,
19 tested, produced, labeled, marketed, advertised, promoted, controlled, sold, supplied, distributed,
20 and benefitted from its product used by Plaintiff.

21 362. These products were designed, manufactured, maintained, controlled, and
22 distributed from the respective California headquarters of each Defendant.

23 363. Each Defendant's product was designed and intended to be a gaming and/or
24 communication product. The software and architecture of each product is the same for every user
25 that logs on or signs up for an account. These products are uniformly defective and pose the same
26 danger to each minor user.

27 364. Each Defendant's product is distributed and sold to the public through retail
28 channels (*e.g.*, the Apple App "Store" and the Google Play "Store").

1 365. Each Defendant's product is marketed and advertised to the public for the personal
2 use of the end-user/consumer.

3 366. Each Defendant defectively designed its product to allow children to come into
4 contact with child predators. Children are particularly unable to appreciate the risks posed by the
5 products.

6 367. The defects in the design of each Defendant's product existed prior to the release of
7 these products to Plaintiff and the public, and there was no substantial change to Defendants'
8 products between the time of their upload by each Defendant to public or retail channels (*e.g.*, the
9 App Store or Google Play) and the time of their distribution to Plaintiff via download or URL
10 access.

11 368. Plaintiff used these products as intended, and each Defendant knew or, by the
12 exercise of reasonable care, should have known that Plaintiff would use these products without
13 inspection for its dangerous nature.

14 369. Each Defendant defectively designed its product to appeal to adult predators by
15 making it easy to find children and enabled their contact, grooming, sexual exploitation, and sexual
16 abuse of children, including Plaintiff.

17 370. Each Defendant failed to test the safety of the features it developed and implemented
18 for use on its product. When each Defendant did perform some product testing and had knowledge
19 of ongoing harm, it failed to adequately remedy its product's defects or warn Plaintiff.

20 371. Each Defendant's product is defective in design and poses a substantial likelihood
21 of harm for the reasons set forth herein, because the products fail to meet the safety expectations
22 of ordinary consumers when used in an intended or reasonably foreseeable manner, and because
23 the products are less safe than an ordinary consumer would expect when used in such a manner.
24 Children and teenagers are among the ordinary consumers of Defendants' products. Indeed, each
25 Defendant markets, promotes, and advertises its respective product to pre-teen and young
26 consumers. Pre-teen and young consumers, and their parents and guardians, do not expect
27 Defendants' products to expose them to predators when the products are used in their intended
28 manner by their intended audience. They do not expect the features embedded by Defendants in

1 their products to make it easy for child predators to sign-up for accounts and find children, groom
2 children, and sexually exploit children. They do not expect Defendants' revenue and profits to be
3 directly tied to predators' extortion of children.

4 372. Each Defendant's product is likewise defectively designed in that it creates an
5 inherent risk of danger; specifically, a risk of grooming, sexual abuse, and sexual exploitation,
6 which can lead to a cascade of harms. Those harms include but are not limited to physical injury,
7 damage to self-worth, stigma and social isolation, reduced academic performance, increased risky
8 behavior, susceptibility to future sexual exploitation, attachment issues, identity confusion, and
9 profound mental health issues for young consumers, including but not limited to depression,
10 anxiety, suicidal ideation, self-harm, post-traumatic stress disorder, insomnia, death, and other
11 harmful effects.

12 373. The risks inherent in the design each Defendant's product significantly outweigh
13 any benefits of such design.

14 374. Defendants could have utilized cost-effective, reasonably feasible alternative
15 designs, including changes to the problematic features described above, to minimize the harms
16 described herein, including, but not limited to:

- 17 a. Requiring children have parental approval and a parent's email address to
18 sign-up for an account;
- 19 b. Effective parental controls;
- 20 c. Effective parental notifications, including notifying parents any time a child
21 messages another user, particularly an adult user, or notifying parents when
22 children interact with accounts that have been blocked by other users or
23 suspended in the past, among other controls;
- 24 d. Setting default safety settings to the most protective options, including
25 blocking direct messaging between child and adult users, or only allowing
26 messaging between adult users and a child with the parent's explicit
27 permission to message the adult user;
- 28 e. Requiring adults to provide a phone number when signing up for an account;

- 1 f. Pop-up safety notices within chats and games to warn users about
- 2 inappropriate behavior;
- 3 g. Preventing strangers from sending Robux to child accounts, and preventing
- 4 children from sending Robux to strangers' accounts;
- 5 h. Banning IP and MAC addresses of accounts associated with known abusers;
- 6 i. Controlled chat option;
- 7 j. Providing a transcript of a child's communications to the parent;
- 8 k. Implementing reporting protocols to allow users or visitors of Defendants'
- 9 products to report child sex abuse material and adult predator accounts
- 10 specifically without the need to create or log in to the products prior to
- 11 reporting;
- 12 l. Robust age and identity verification; and
- 13 m. Others as set forth herein.

14 375. Alternative designs were available that would prevent child predators from finding,
15 grooming, and exploiting children, and which would have served effectively the same purpose of
16 Defendants' products while reducing the gravity and severity of danger posed by those products'
17 defects.

18 376. Plaintiff used Defendants' respective products as intended or in reasonably
19 foreseeable ways.

20 377. The physical, emotional, and economic injuries of Plaintiff were reasonably
21 foreseeable to Defendants at the time of their products' development, design, advertising,
22 marketing, promotion, and distribution.

23 378. Each Defendant's product was defective and unreasonably dangerous when it left
24 each Defendant's respective possession and control. The defects continued to exist through the
25 products' distribution to and use by consumers, including Plaintiff, who used the products without
26 any substantial change in the products' condition.

27 379. As manufacturers, designers and seller, each Defendant had a duty to inform
28 themselves with the best knowledge of the risks and the defects of its product and each Defendant

1 had such knowledge. Their victims, including Plaintiff, were powerless to protect themselves
2 against unknown harms, and Defendants should bear the costs of their injuries.

3 380. Plaintiff was injured as a direct and proximate result of each Defendant's respective
4 defective designs as described herein. The defective design of the products used by Plaintiff was
5 a substantial factor in causing harms to Plaintiff.

6 381. As a direct and proximate result of each Defendant's respective product's defective
7 design, Plaintiff suffered serious and dangerous injuries.

8 382. As a direct and proximate result of each Defendant's product's defective design,
9 Plaintiff requires and/or will require more healthcare and services and did incur medical, health,
10 incidental, and related expenses.

11 383. Plaintiff was injured from using both of Defendants' defective products through no
12 fault of his own. The fact that Plaintiff was injured by using both of Defendants' products means
13 that Defendants are each jointly and severally responsible for the injuries caused by any one of
14 Defendants' products and the burden shifts to Defendants to identify alternative causes of the
15 alleged injuries and apportion responsibility for the alleged injuries.

16 384. The nature of the fraudulent and unlawful acts that created safety concerns for
17 Plaintiff are not the type of risks that are immediately apparent from using Defendants' respective
18 products.

19 385. The conduct of each Defendant, as described above, was intentional, fraudulent,
20 willful, wanton, reckless, malicious, fraudulent, oppressive, extreme, and outrageous, and
21 displayed an entire want of care and a conscious and depraved indifference to the consequences
22 of its conduct, including to the health, safety, and welfare of its customers, and warrants an award
23 of punitive damages in an amount sufficient to punish each Defendant and deter others from like
24 conduct.

25 386. Plaintiff demands judgment against each Defendant for compensatory and punitive
26 damages, together with interest, costs of suit, attorneys' fees, and all such other relief as the Court
27 deems proper
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EIGHTH CAUSE OF ACTION
STRICT LIABILITY – FAILURE TO WARN
(By Plaintiff Against Each Defendant)

387. Plaintiff incorporates each and every factual allegation set forth above.

388. This claim is brought against Defendants Roblox and Discord.

389. At all relevant times, each Defendant designed, developed, managed, operated, tested, produced, labeled, marketed, advertised, promoted, controlled, sold, supplied, distributed, and benefitted from its product used by Plaintiff.

390. These products were designed, manufactured, maintained, controlled and distributed from the respective California headquarters of each Defendant.

391. Each Defendant’s product was designed and intended to be a gaming and/or communication product. The software and architecture of each product is the same for every user that logs on or signs up for an account. These products are uniformly defective and pose the same danger to each minor user.

392. Each Defendant’s product is distributed and sold to the public through retail channels (e.g., the Apple App “Store” and the Google Play “Store”).

393. Each Defendant sold and distributed its respective product to Plaintiff in a defective and unreasonably dangerous condition by failing to adequately warn about the risk of harm to youth as described herein, including a risk of grooming, sexual abuse, and sexual exploitation, which can lead to a cascade of harms. Those harms include but are not limited to physical injury, damage to self-worth, stigma and social isolation, reduced academic performance, increased risky behavior, susceptibility to future sexual exploitation, attachment issues, identity confusion, and profound mental health issues for young consumers including but not limited to depression, anxiety, suicidal ideation, self-harm, post-traumatic stress disorder, insomnia, death, and other harmful effects.

394. Defendants were in the best position to know the dangers their products posed to consumers, including Plaintiff, as they had superior knowledge of the risks and dangers posed by their products and had exclusive knowledge of these risks at the time of development, design,

1 marketing, promotion, advertising and distribution. Defendants had exclusive control of their
2 products at all times relevant to this litigation.

3 395. Each Defendant's respective product is dangerous, to an extent beyond that
4 contemplated by the ordinary user who used Defendants' products, because they enable predators
5 to find, groom, abuse, and exploit children.

6 396. Each Defendant knew or, by the exercise of reasonable care, should have known
7 that its respective product posed risks of harm to youth considering its own internal data and
8 knowledge regarding its product at the time of development, design, marketing, promotion,
9 advertising, and distribution.

10 397. These risks were known and knowable in light of Defendants' own internal data and
11 knowledge regarding their products at the time of the products' development, design, marketing,
12 promotion, advertising, and distribution to Plaintiff.

13 398. Defendants' products are defective and unreasonably dangerous because, among
14 other reasons described herein, each Defendant failed to exercise reasonable care to inform users
15 that, among other things:

- 16 a. Sexual predators use Defendants' products to find, contact, groom and abuse
17 children with alarming frequency;
- 18 b. Sexual predators use Defendants' products to solicit, produce, and distribute
19 CSAM with alarming frequency;
- 20 c. Sexual predators target young children for CSAM on Defendants' products
21 with alarming frequency;
- 22 d. Sexual predators use Robux to coerce children into sending them nude
23 photos or engaging in other types of sexually explicit behavior;
- 24 e. Defendants' products are designed in a way that enables and increases risk
25 of exposure to predators and resulting sexual exploitation;
- 26 f. Defendants' products cause grooming, sexual abuse, and sexual
27 exploitation, and its resultant physical and mental injuries;

- 1 g. Use of Defendants' products can increase risky and uninhibited behavior in
- 2 children, making them easier targets to adult predators for sexual
- 3 exploitation, sextortion, and CSAM;
- 4 h. Use of Defendants' products can normalize abuse and pornography, leading
- 5 children to abuse other children either contemporaneously or later when the
- 6 children are older;
- 7 i. New users of Defendants' product can identify themselves as minors, begin
- 8 to use the product, and do so indefinitely, without ever receiving a safety
- 9 warning, and without ever having to provide information so that Defendants
- 10 can warn the users' parents or guardians;
- 11 j. The likelihood and severity of harms is greater for children;
- 12 k. The likelihood and intensity of these harmful effects is exacerbated by the
- 13 interaction of each product's features with one another; and
- 14 l. Others as set forth herein.

15 399. Plaintiff was a foreseeable user of each Defendant's product.

16 400. Ordinary minor users would not have recognized the potential risks of Defendants'
17 products when used in a manner reasonably foreseeable to Defendants.

18 401. Had Plaintiff received proper or adequate warnings or instructions as to the risks of
19 using each Defendant's product, Plaintiff would have heeded the warnings and/or followed the
20 instructions.

21 402. Each Defendant's failures to adequately warn Plaintiff about the risks of their
22 defective products were a proximate cause and a substantial factor in the injuries sustained by
23 Plaintiff.

24 403. Plaintiff was injured from using both of Defendants' defective products through no
25 fault of his own. The fact that Plaintiff was injured by using both of Defendants' products means
26 that Defendants are each jointly and severally responsible for the injuries caused by any one of
27 Defendants' products and the burden shifts to Defendants to identify alternative causes of the
28 alleged injuries and apportion responsibility for the alleged injuries.

1 404. The nature of the fraudulent and unlawful acts that created safety concerns for
2 Plaintiff are not the type of risks that are immediately apparent from using Defendants' products.

3 405. The conduct of each Defendant, as described above, was intentional, fraudulent,
4 willful, wanton, reckless, malicious, fraudulent, oppressive, extreme, and outrageous, and
5 displayed an entire want of care and a conscious and depraved indifference to the consequences of
6 its conduct, including to the health, safety, and welfare of their customers, and warrants an award
7 of punitive damages in an amount sufficient to punish each Defendant and deter others from like
8 conduct.

9 406. Plaintiff demands judgment against each Defendant for compensatory and punitive
10 damages, together with interest, costs of suit, attorneys' fees, and all such other relief as the Court
11 deems proper.

12 **VIII. PRAYER FOR RELIEF**

13 WHEREFORE, Plaintiff demands judgment against Defendants for the above-referenced
14 claims and causes of action, and as follows:

- 15 1. Past, present, and future general damages, the exact amount of which has yet to be
16 ascertained, in an amount which will confirm to proof at time of trial, to compensate
17 Plaintiff for injuries sustained as a result of the use of each Defendant's product,
18 including but not limited to physical pain and suffering, mental anguish, loss of
19 enjoyment of life, emotional distress, and expenses for medical treatments;
- 20 2. Past, present, and future economic and special damages, according to proof at the
21 time of trial;
- 22 3. Impaired earning capacity according to proof at the time of trial;
- 23 4. Medical expenses, past and future, according to proof at the time of trial;
- 24 5. Punitive or exemplary damages according to proof at the time of trial;
- 25 6. Attorneys' fees;
- 26 7. For costs of suit incurred herein;
- 27 8. Pre-judgment and post-judgment interest as provided by law; and
- 28 9. For such other and further relief as the Court may deem just and proper.

1 Date: February 12, 2025

Respectfully submitted,

2 **COTCHETT PITRE & MCCARTHY LLP**

3
4 By: 

Anne Marie Murphy (SBN 202540)
amurphy@cpmllegal.com
840 Malcolm Road, Suite 200
Burlingame, CA 94010
Telephone: (650) 697-6000
Facsimile: (650) 697-0577

8 **ANAPOL WEISS**
9 Alexandra M. Walsh
10 Kristen Feden
11 D. Patrick Huyett
12 One Logan Square
13 130 North 18th Street, Suite 1600
14 Philadelphia, PA 19103
15 Telephone: (215) 608-9645
16 Facsimile: (215) 735-2211
17 awalsh@anapolweiss.com
18 kfedden@anapolweiss.com
19 phuyett@anapolweiss.com
20 (*pro hac vice* motions forthcoming)

16 **IX. DEMAND FOR A JURY TRIAL**

17 Plaintiff hereby demands a trial by jury on all claims so triable.

19 Date: February 12, 2025

COTCHETT PITRE & MCCARTHY LLP

21 By: 

Anne Marie Murphy (SBN 202540)
amurphy@cpmllegal.com
840 Malcolm Road, Suite 200
Burlingame, CA 94010
Telephone: (650) 697-6000
Facsimile: (650) 697-0577