



City Attorney Dennis Herrera News Release

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MeetMe.com enables sexual predators and child stalkers, Herrera's lawsuit contends

Social network's unlawful publication of minors' profiles, photos and geolocation data has been used to victimize children as young as 13 years of age—and younger

SAN FRANCISCO (Feb. 3, 2014)—City Attorney Dennis Herrera today filed suit against MeetMe, a popular social networking platform that facilitates interactions among strangers, over inadequate privacy protections and unlawful publication of minors' profiles, photos, and location data, which can enable sexual predators and stalkers to target children as young as 13 years of age.

The civil complaint filed in San Francisco Superior Court this morning alleges that the New Hope, Pa.-based MeetMe, Inc. is violating California's Unfair Competition Law by relying on legally invalid consent from minors between the ages of 13 and 17 to collect and improperly distribute their real-time geolocation and personal user information. Approximately 25 percent of MeetMe.com's user base is under the age of 18, according to social media marketing statistics cited in Herrera's complaint. The lawsuit additionally alleges that MeetMe fails to adequately disclose to users how their personal data is distributed.

"MeetMe has become a tool of choice for sexual predators to target underage victims, and the company's irresponsible privacy policies and practices are to blame for it," said Herrera. "MeetMe improperly collects personal information from young teens—including their photos and real-time locations. It then distributes that information in ways that expose children to very serious safety risks. Sadly, these risks aren't hypothetical. Dozens of children nationwide have already been victimized by predators who used MeetMe to coerce minors into meeting. Under California law, MeetMe's reckless business practices are illegal, and we're asking a court to put an end to them."

MeetMe has been a key factor in numerous crimes involving sexual assault and illicit sex with minors in California, according to news reports documented in Herrera's complaint. In Aug. 2013, a 29-year-old Citrus Heights, Calif. man was charged with multiple counts of sexual acts with a minor

[MORE]

and communicating with minors for unlawful purposes. Police investigators found that MeetMe was among the apps the perpetrator used to send sexually-explicit photos and text messages to underage girls in order to begin a “sexting” relationship that ultimately progressed to sexual contact. A Fresno, Calif. man was arrested in Oct. 2013 on suspicion of sexually assaulting a minor that he met using MeetMe, according to news reports, and in July 2013 a 21-year-old Fair Oaks, Calif. man was criminally charged after posing as a 16-year-old boy to have sex with two girls—aged 12 and 15—whom he met using MeetMe.

Dozens of minors nationwide have been similarly victimized in sex crimes by predators who relied on MeetMe to target their underage victims, according to reports cited in the complaint. In June 2013, a Tewksbury, Mass. man was sentenced to up to 15 years in prison after pleading guilty to more than 50 charges, including rape of a child by force, indecent assault and battery on a child under 14. The man used multiple aliases on MeetMe to trick teenage girls into sending him nude images. He then threatened to publish the photos in order to blackmail victims into having sex with him. A Wilmerding, Penn. man, who was criminally charged in Sept. 2013, used MeetMe to meet and then sexually assault three teenagers. In Grady County, Okla., a 25-year-old man used MeetMe to meet and rape a 15-year-old girl. An Albuquerque TV news station, reporting on MeetMe’s role in the case of a 21-year-old man who was arrested for soliciting sex with a 13-year-old girl, noted: “Investigators say it’s the latest site predators are cruising to find new victims, and it’s happening all too often.”

The lawsuit, which was investigated and filed by Herrera’s Consumer Protection Unit, is seeking a court order to enjoin MeetMe from continuing to engage in activities in California that violate state law; civil penalties of up to \$2,500 for each violation found to have occurred in the state; and costs of the City Attorney’s lawsuit.

About the S.F. City Attorney’s Consumer Protection Unit

The San Francisco City Attorney’s Office’s Consumer Protection Unit pursues public interest civil cases under California’s Unfair Competition Law, which are funded virtually exclusively by civil recoveries—not taxpayer dollars. The award-winning program, for which the National Association of Consumer Advocates recognized Dennis Herrera as its 2009 Consumer Attorney of the Year, reflects voter-enacted changes to California law that require civil penalties recovered by public prosecutors to be used exclusively to enforce consumer protection laws. Since voters passed the amendments as part of Proposition 64 in 2004, Herrera’s Consumer Protection Unit has recovered some \$20 million in successful battles against unlawful business practices that include price-fixing, illegal marketing, credit card collections arbitration scams and more. The unit’s work has helped win equally important industry reforms to help protect consumer privacy, end discriminatory practices in health insurance and media metrics, protect immigrants, halt predatory evictions, and obtain recoveries for victims of wage theft.

The litigation is: *People of the State of California ex rel. Dennis Herrera v. MeetMe, Inc. et al.* (San Francisco Superior Court Case No. 537126, filed Feb. 3, 2014). Complete documentation on the case is available at: <http://www.sfcityattorney.org/>.

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ENDORSED
FILED
Superior Court of California
County of San Francisco

FEB - 3 2014

CLERK OF THE COURT
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9 Attorneys for Plaintiff
PEOPLE OF THE STATE OF CALIFORNIA
10

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA

12 COUNTY OF SAN FRANCISCO

13 UNLIMITED JURISDICTION

14 PEOPLE OF THE STATE OF CALIFORNIA
ex rel. DENNIS HERRERA, SAN
15 FRANCISCO CITY ATTORNEY,

16 Plaintiff,

17 vs.

18 MEETME, INC., and DOES 1-50, inclusive,

19 Defendant.
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Case No.

CGC 14-537126

COMPLAINT FOR INJUNCTIVE RELIEF AND
CIVIL PENALTIES FOR VIOLATIONS OF
BUSINESS AND PROFESSIONS CODE
SECTION 17200

1 Plaintiffs, the People of the State of California, acting by and through San Francisco City
2 Attorney Dennis J. Herrera, are informed and believes and alleges as follows:

3 INTRODUCTION

4 1. This case challenges the unfair, unlawful and/or fraudulent business practices of
5 Defendant MeetMe, Inc. (“MeetMe”). These practices—namely the improper distribution of
6 teenagers’ location information to sexual predators, stalkers and potentially unscrupulous companies—
7 compromise the privacy, safety and security of millions of minors in California and throughout the
8 country.

9 2. MeetMe is a social networking site and mobile application (“app”) similar to Facebook
10 or MySpace. But while Facebook is intended to help users reconnect and keep up with existing
11 friends, the primary purpose of MeetMe is to introduce users to new people and enable them to
12 interact with strangers online and in person. *See* MeetMe Description on Google Play,
13 <https://play.google.com/store/apps/details?id=com.myyearbook.m&hl=en> (last visited Jan. 26, 2014)
14 (“MeetMe is the BEST app for meeting new people near you!”).

15 3. MeetMe collects geolocation data from its users—including millions of teenagers—
16 when they log on, and uses that data to show users who is nearby and how far away they are: *e.g.*, 500
17 feet, 1200 feet, .5 miles.

18 4. The geolocation data (along with other “personal user data” including “mobile device
19 identification”) collected from these teenagers is used not only to allow other users to meet people
20 within close proximity, but also to “track usage, prevent spam, and enhance functionality, and it is
21 passed to third-party vendors to compile analytics and target advertising.” MeetMe Privacy Policy,
22 <http://www.meetme.com/apps/terms#privacyPolicy> (last visited Jan. 26, 2014).

23 5. In other words, MeetMe collects geolocation data from minors and broadcasts that
24 information to unnamed third party vendors and to thousands of other users, including sexual
25 predators, stalkers and other criminals.

26 6. As explained herein, an average teenager who signs up for MeetMe would not
27 understand that s/he is giving MeetMe permission to collect, use and share his/her personal data with
28 other users and with third party companies in this way—and would not appreciate the nature, extent,

1 and probable consequences of his/her acquiescence to these practices. Accordingly, any “consent”
2 that such a teenager may give via MeetMe’s “clickwrap agreement” or “browsewrap agreement” is
3 invalid.¹

4 7. Unfortunately—but not unexpectedly—the consequences of MeetMe’s data collection
5 and distribution practices can be (and have been) severe. In the past two years, numerous men have
6 been arrested for soliciting sex with teenagers using MeetMe’s search and chat functions.

7 8. In October 2013, a man was arrested in Fresno on suspicion of sexually assaulting a
8 minor that he met using MeetMe. *See Fresno man accused of minor’s sexual assault used*
9 *‘MeetMe.com’*, Fresno Bee, Oct. 25, 2013, available at [http://www.fresnobee.com/2013/10/25/](http://www.fresnobee.com/2013/10/25/3572294/fresno-man-accused-of-minors-sexual.html)
10 [3572294/fresno-man-accused-of-minors-sexual.html](http://www.fresnobee.com/2013/10/25/3572294/fresno-man-accused-of-minors-sexual.html) (last visited Oct. 31, 2013). And a few months
11 before that, the Placer County, California District Attorney charged a 29-year-old man with multiple
12 counts of sexual acts with a minor and communication with a minor with the intent of committing an
13 unlawful act. *See Citrus Heights man accused of sexting, preying on underage girl*, news10.net,
14 Aug.16, 2013, available at [http://www.news10.net/news/article/254282/2/Citrus-Heights-man-](http://www.news10.net/news/article/254282/2/Citrus-Heights-man-accused-of-sexting-preying-on-underage-girls)
15 [accused-of-sexting-preying-on-underage-girls](http://www.news10.net/news/article/254282/2/Citrus-Heights-man-accused-of-sexting-preying-on-underage-girls) (last visited Oct. 31, 2013). Based on their
16 investigation, police believe the man has been participating in such activity for several years—using
17 apps including MeetMe to send text messages and photos of his genitals to underage girls in order to
18 first strike up a sexting relationship and then try to meet for sex. *Id.*; *see also Feds: Fair Oaks man*
19 *posed as teen boy on Internet to prey on young girls*, news10.net, July 13, 2013, available at
20 <http://www.news10.net/news/article/250531/2/Feds-Man-posed-as-teen-online-to-prey-on-young-girls>
21 (last visited Oct. 31, 2013) (reporting on the arrest of a 21-year-old man who posed as a 16-year-old
22 boy and had sex with two girls—aged 12 and 15—whom he met using MeetMe); ¶53, *infra*.

23 9. MeetMe’s collection, use and distribution of minors’ geolocation data and other
24 personal user data without valid consent constitutes unlawful, unfair and/or fraudulent business
25

26 ¹ “With a browsewrap agreement, a website owner seeks to bind website users to terms and conditions
27 by posting the terms somewhere on the website, usually accessible through a hyperlink located
28 somewhere on the website; in contrast, a ‘clickwrap’ agreement requires users to expressly manifest
assent to the terms by, for example, clicking an ‘I accept’ button.” *In re Zappos.com Inc., Customer*
Data Security Breach Litigation, 893 F.Supp.2d 1058, 1063 (D. Nev. 2012). MeetMe utilizes a
“browsewrap agreement” on its mobile app and a “clickwrap agreement” on its website.

1 practices. This Court should enjoin this conduct and order Defendant to pay civil penalties for its past
2 and continuing violations of the California Unfair Competition Law, Business and Professions Code
3 Section 17200 *et seq.* (“Unfair Competition Law”).

4 **PARTIES**

5 10. Plaintiffs, the People of the State of California (“the People”), by and through San
6 Francisco City Attorney Dennis J. Herrera, prosecute this action pursuant to California Business and
7 Professions Code Section 17200 *et seq.*

8 11. Defendant MeetMe is a corporation organized under the laws of Delaware with its
9 principal place of business located at 100 Union Square Drive, New Hope, Pennsylvania. MeetMe
10 does business in the City and County of San Francisco and throughout California.

11 12. The People are not aware of the true names and capacities of Defendants sued herein as
12 DOES 1 through 50, inclusive, and therefore sue these Defendants by such fictitious names. Each
13 fictitiously named Defendant is responsible in some manner for the violations of law alleged. The
14 People will seek leave of court to amend this complaint to allege their true names and capacities when
15 that information is ascertained.

16 **JURISDICTION AND VENUE**

17 13. The Superior Court has jurisdiction over this action. MeetMe is conducting unlawful
18 and unfair business practices in the City and County of San Francisco, and the City Attorney has the
19 right and authority to prosecute these cases on behalf of the People.

20 14. Venue is proper in this Court because MeetMe transacts business in the City and
21 County of San Francisco and collects and distributes minors’ geolocation data in this venue.

22 **UNFAIR AND/OR UNLAWFUL AND FRAUDULENT BUSINESS PRACTICES**

23 15. MeetMe is a social networking site and mobile application with 40 million users. *Our*
24 *Story*, MeetMe, http://www.meetme.com/our_story.php (last visited Jan. 26, 2014) (“MeetMe is the
25 best place to meet new people. We have more than 40 million people making friends, playing games,
26 and even falling in love.”).

1 16. Although children who indicate that they are under 13 years old are not permitted to
2 register for MeetMe, children between 13 and 17 years old make up a substantial part of MeetMe’s
3 demographic.

4 17. Indeed, upon information and belief, twenty-five percent (25%) of MeetMe’s users are
5 under 18 years of age. *Social Media Marketing Guide to MeetMe*, smbSEO,
6 <http://www.smbseo.com/social-media-marketing-guide-to-meetme> (last visited Jan. 26, 2014)
7 (hereafter, “*Social Media Marketing Guide to MeetMe*”); cf. *MeetMe: Teen Social Networking Site*,
8 AppAppeal, <http://meetme.appappeal.com/> (last visited Jan. 26, 2014) (“MeetMe . . . is a social media
9 site primarily aimed towards teens. It features many activities which help teens make friends and meet
10 people.”).

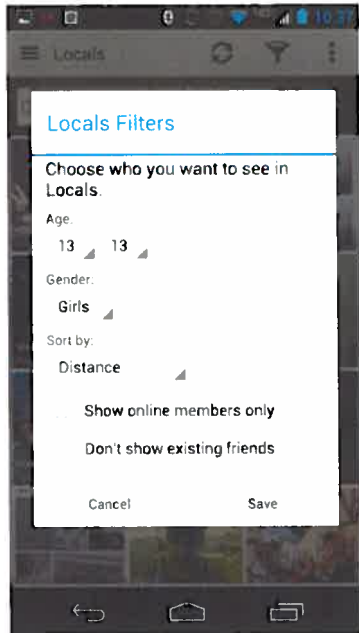
11 18. Upon information and belief, sixty percent (60%) of MeetMe’s traffic comes from
12 mobile users. *Social Media Marketing Guide to MeetMe*.

13 ***MeetMe’s Data Collection And Distribution Practices***

14 19. When users—including millions of minors—log on to MeetMe, the application collects
15 their geolocation data, *i.e.*, their physical location. MeetMe uses this data in several ways.

16 20. Most disturbingly, MeetMe uses this data to show other users who’s nearby and how
17 far away they are—*e.g.*, 500 feet, 1200 feet, .5 miles. By clicking on an icon labeled “Locals,” any
18 user who self-identifies as being under 18 years old can see the profile photo and proximity of dozens
19 of minors who are nearby. Moreover, the user can “filter” the “Locals” results to show only girls or
20 boys of a certain age—*e.g.*, to display only 14-year-old girls.

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Screenshot Of Filter Menu



Screenshot Of "Locals" Filtered For 13-16 Year Old Girls



13 21. By clicking on a profile photo, the user can often get substantially more information
14 about a given minor, including the teenager's full name, age, home town and chat history.

15 22. These publicly viewable chats not infrequently include questions about what
16 pornographic pictures a teenage girl would be willing to send or other graphic sexual content.

17 **Screenshots Of Chats Viewable By Clicking On A Thumbnail Image In "Locals"**



1 23. Although the California Attorney General recommends that apps’ “default settings
2 should be privacy protective” (see Office of the Attorney General, California Department of Justice,
3 *Privacy on the Go: Recommendations For The Mobile Ecosystem* at 9 (January 2013) (hereafter
4 “*Privacy on the Go*”), MeetMe does just the opposite. By default, MeetMe provides a minor user’s
5 location and other information to all other MeetMe subscribers who self-report to be in a similar age
6 group and who are within a certain range of proximity—not just to a group of “friends” designated by
7 the user.

8 24. Although users who state upon registration that they are over 18 years old are not
9 permitted to view the pictures and profiles of minor children, MeetMe does not verify the accuracy of
10 the birth date or other personal information provided.

11 25. Other social-networking companies obtain a list of sex offenders’ email accounts,
12 screen names and other Internet identifiers, such as the one compiled by the New York State Division
13 of Criminal Justice Services, and use it to purge offenders from their registration lists. Upon
14 information and belief, MeetMe does not engage in any such cross check to prevent sex offenders
15 from utilizing the app and accessing geolocation data of millions of minors.

16 26. In short, anyone—including sexual predators, stalkers and other criminals—can sign up
17 to use the MeetMe app and can input any birth date they want, and once they do, MeetMe enables
18 them to browse through photographs, locations and other personal information of teenagers who are in
19 close physical proximity.

20 27. In addition to providing minors’ geolocation data to other users, MeetMe also gives this
21 data (along with other “personal user data” including “mobile device identification”) to “third-party
22 vendors to compile analytics and target advertising.” MeetMe Privacy Policy, <http://www.meetme.com/apps/terms#privacyPolicy> (last visited Jan. 26, 2014).

23 28. There are several significant risks associated with such transmission of geolocation data
24 to third parties. As the United States Government Accountability Office recently explained in a
25 comprehensive report on consumer privacy and mobile device location data, “[t]hird parties that
26 receive shared location information may vary in the levels of security protection they provide. If any
27 of those entities has weak system protections, there is an increased likelihood that the information may
28

1 be compromised.” U.S. Government Accountability Office, *Mobile Device Location Data: Additional*
2 *Federal Actions Could Help Protect Consumer Privacy* at 16 (Sept. 2012). Moreover, “[a]massing
3 such data over time allows for the creation of a richly detailed profile of individual behavior, including
4 habits, preferences, and routines—private information that could be exploited.” *Id.* at 17.

5 29. Moreover, building and selling individualized profiles containing geolocation data
6 allows parties to learn information, “the indisputably private nature of which takes little imagination
7 to conjure: trips to the psychiatrist . . . the abortion clinic, the AIDS treatment center . . . mosque,
8 synagogue or church, the gay bar and on and on.” *Goodman v. HTC America, Inc.*, No. C11-
9 1793MJP, 2012 WL 2412070, at *15 (W.D. Wash. June 26, 2012) (unpublished) (quoting *United*
10 *States v. Jones*, 132 S. Ct. 945, 955 (2012) (Sotomayor, J., concurring)).

11 ***Lack Of Valid Consent For MeetMe’s Data Collection And Distribution Practices***

12 30. MeetMe collects, uses and distributes minors’ personal and geolocation data in the
13 manner described above without obtaining valid consent.

14 31. When a minor sets up a MeetMe account, s/he is asked to provide the following
15 personal information: First name, last name, email address, password, location (zip code), gender and
16 date of birth.

17 32. Once a teenager creates an account, unless and until the default settings are changed,
18 MeetMe automatically begins collecting geolocation data about the minor and distributing it to other
19 users and to third party vendors.

20 33. No parental consent is requested or required. Nor does MeetMe obtain consent from a
21 parent or guardian before collecting a minor’s geolocation data and distributing it to other users and
22 third party vendors.

23 34. An average teenager would not realize that s/he is allowing MeetMe to collect
24 geolocation and mobile device identification data, share that information with other unidentified users
25 and send that information to third parties for analytics and advertising. Nor would an average teenager
26 appreciate the nature, extent, and probable consequences of allowing MeetMe to collect, use and
27 distribute the data in this way.

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1 35. When a user creates an account on a mobile device, the following sentence appears in
2 small print underneath the “Sign Up Free!” button: “By joining, I agree to MeetMe’s Terms.” If a user
3 creates the account on a computer, s/he is required to check a box that proclaims in small print: “I
4 agree to the Terms and to receive MeetMe email. I agree others will see info I provide on my profile.”

5 36. In either instance, if the user were to follow the link to the four-page long Terms of
6 Service s/he would find a sentence referring to MeetMe’s privacy policy: “Registration data and
7 certain other information about you is subject to our privacy policy. By using the service you
8 acknowledge and agree that you have read the terms of the Privacy Policy.”

9 37. Clicking on the Privacy Policy link would then take the user to MeetMe’s separate
10 Privacy Policy. Contrary to the California Attorney General’s guidance that such policies should be
11 made “clear and understandable by using plain language” (*Privacy on the Go, supra*, at 11), MeetMe’s
12 privacy policy is vague, ambiguous and difficult for even mature adults—let alone teenagers—to
13 understand.

14 38. Indeed, according to several readability formulas the “Information Sharing and
15 Disclosure” section of MeetMe’s privacy policy is “very difficult to read” and appropriate for college
16 graduates. For example, the Flesch Reading Ease Test, which is one of the most widely used and
17 reliable readability formulas, ranks readability on a scale of 1 to 100, with 70 and above being “easy”
18 and anything under 30 being “very difficult.” MeetMe’s “Information Sharing and Disclosure”
19 section scores a 17.7. Similarly, the section scores a 19.1 on the Flesch-Kinkaid Grade Level
20 Readability Formula, indicating that it is appropriate for college graduates and above.

21 39. MeetMe’s Privacy Policy defines personal information quite generally as “information
22 about you that can be used to personally identify you, such as your email address, and that is not
23 otherwise publicly available.” It defines non-personal information as “everything else.” It proclaims
24 that MeetMe may share non-personal information with third parties, but that MeetMe does *not* provide
25 personal information to any third parties without the user’s permission, except in specific enumerated
26 circumstances (e.g., in response to subpoenas, court orders, or legal processes; to establish or exercise
27 MeetMe’s legal rights or defend against legal claims; when necessary to facilitate an investigation,
28 prevent or take action regarding illegal activities; or as required by law).

1 40. The Privacy Policy later states, however: “We collect personal user data including
2 mobile device identification (UDID, device ID, etc.) and geographic location, and upload it to our
3 servers. It is used to track usage, prevent spam, and enhance functionality, and it is passed to third-
4 party vendors to compile analytics and target advertising.”

5 41. The Privacy Policy does not define “personal user data” or explain how—if at all—
6 “personal user data” differs from “personal information.”

7 42. Critically, neither the Privacy Policy nor the Terms of Service informs users that their
8 location information will automatically be displayed to other nearby users unless that default is
9 manually changed.

10 43. Moreover, the Federal Trade Commission has urged that “if [an] app developer decides
11 to share . . . geolocation data with a third party, the app developer should provide a just-in-time
12 disclosure [*i.e.*, notification given just before data is collected or shared] and obtain affirmative
13 consent from users for that data sharing” at that time. FTC Staff Report, *Mobile Privacy Disclosures:
14 Building Trust Through Transparency* at 24 (Feb. 2013). MeetMe provides no such disclosures.

15 44. In fact, the only pop-up notification MeetMe users receive appears immediately upon
16 initial installation of the app, before an account has even been created. At that preliminary point,
17 iPhone users are notified via a pop-up box that MeetMe would like to “use your location data to show
18 you cool people to meet near you,” (falsely) implying that geolocation data will be used only to show
19 the user the location of *others* who are nearby and will not automatically be used for other purposes—
20 like broadcasting the user’s location to thousands of other people.

21 45. Accordingly, an average teenager creating a MeetMe account would not understand
22 from the tangled web of ambiguous and misleading statements MeetMe provides that s/he is allowing
23 MeetMe to collect geolocation and mobile device identification data, share that information with other
24 unidentified users and send that information to third party contractors.

25 46. Nor would s/he appreciate the nature, extent, and probable consequences of allowing
26 MeetMe to collect, use and distribute the data in this way.

27 47. During adolescence, the brain is still under construction, and higher cognitive functions
28 such as weighing risks and rewards and planning ahead are still developing. Laurence Steinberg, *Does*

1 *Recent Research on Adolescent Brain Development Inform the Mature Minor Doctrine?*, 38 Journal of
2 Medicine & Philosophy 256, 259-60 (2013).

3 48. While adolescents can competently render adult-level decisions in contexts permitting
4 more deliberative and reasoned thinking (e.g., medical procedures), their ability to self-regulate is
5 limited when they face choices with apparent immediate rewards and few obvious costs. Steinberg,
6 *supra*, at 263-64.

7 49. Brain scans confirm that adolescents are hypersensitive to anticipated rewards, which
8 motivate them to engage in acts if the potential for pleasure is high. *Id.* at 260.

9 50. The anticipated reward of meeting new people through MeetMe may be particularly
10 appealing to teenagers. Studies show that “form[ing] new relationships is an important aspect of
11 individuation,” which is one of the developmental goals of adolescence. Jochen Peter and Patti M.
12 Valkenburg, *Adolescents’ online privacy: toward a developmental perspective*, in *Privacy Online:
13 Perspectives on Privacy and Self-disclosure in the Social Web*, 221, 229 (S. Trepte and L. Reinecke
14 eds., 2011). In addition, members try to make many friends on social networks to “mak[e] themselves
15 look popular and important”—qualities that are particularly appealing to teenagers. Ina O’Murchu *et*
16 *al.*, *Online Social and Business Networking Communities*, DERI Technical Rep., Aug. 2004, at 7. As a
17 result, the immediate reward of joining a site like MeetMe may appear even higher to teenagers than it
18 would to adults.

19 51. Adolescents also tend to be less aware of the risks associated with information
20 disclosure on social networking sites. Danah Boyd, *Why Youth (Heart) Social Network Sites: The
21 Role of Networked Publics in Teenage Social Life*, MacArthur Foundation Series on Digital Learning –
22 Youth, Identity, and Digital Media Volume (ed. David Buckingham) (2007). Studies suggest that
23 teenagers are not aware of the secondary uses that applications make of their personal information.
24 Ksenia Koroleva *et al.*, ‘Generation Facebook’ – A Cognitive Calculus Model of Teenage Use, AMCIS
25 2011 Proceedings – All Submissions, Paper 392 1, 4 (2011).

26 52. Given that MeetMe’s user interface invites the instant gratification of meeting new
27 people, adolescents are likely to make an impulsive decision when signing up for MeetMe’s services
28 without understanding the ramifications of their action.

1 53. As noted above, those ramifications can be quite serious—putting teenagers at risk for
2 exploitation of their private information by unscrupulous companies or predatory individuals, with
3 potentially devastating consequences. See ¶¶8, 28, *supra*; see also, e.g., *Police accuse Wilmerding*
4 *man of sexually assaulting three teenagers*, TribLive.com, Sept. 27, 2013, [http://triblive.com/news/](http://triblive.com/news/adminpage/4784903-74/police-media-victims#axzz2hiDfebUQ)
5 [adminpage/4784903-74/police-media-victims#axzz2hiDfebUQ](http://triblive.com/news/adminpage/4784903-74/police-media-victims#axzz2hiDfebUQ) (last visited Oct. 30, 2013) (reporting
6 the arrest of a man who used MeetMe to solicit sex with a local 14-year-old girl); *Man Arrested,*
7 *Accused of Trying to Entice Minors*, wbbjtv.com, July 1, 2013, [http://www.wbbjtv.com/news/](http://www.wbbjtv.com/news/local/Man-Arrested-Accused-of-Trying-to-Entice-Minors-213863511.html)
8 [local/Man-Arrested-Accused-of-Trying-to-Entice-Minors-213863511.html](http://www.wbbjtv.com/news/local/Man-Arrested-Accused-of-Trying-to-Entice-Minors-213863511.html) (last visited Oct. 30, 2013)
9 (reporting the arrest of a man who used MeetMe to solicit sex with local underage girls); *Tewksbury*
10 *man pleads guilty to rape, extortion charges in Medford case*, Boston.com, June 19, 2013,
11 [http://www.boston.com/yourtown/news/medford/2013/06/tewksbury_man_pleads_guilty_to_rape_ext](http://www.boston.com/yourtown/news/medford/2013/06/tewksbury_man_pleads_guilty_to_rape_extortion_charges_in_med.html)
12 [ortion_charges_in_med.html](http://www.boston.com/yourtown/news/medford/2013/06/tewksbury_man_pleads_guilty_to_rape_extortion_charges_in_med.html) (last visited Oct. 30, 2013) (man who tricked teenage girls into sending
13 him nude images, and in some cases using them to blackmail the victims into having sex with him,
14 was sentenced to 10 to 15 years in prison after pleading guilty to over 50 charges, including rape of a
15 child by force, two charges of indecent assault and battery on a child under 14, extortion, and 17
16 counts of possession of child pornography); *Grady County man arrested for sexual acts with underage*
17 *girl*, KFOR.COM, Apr. 24, 2013, [http://kfor.com/2013/04/24/grady-county-man-arrested-for-sexual-](http://kfor.com/2013/04/24/grady-county-man-arrested-for-sexual-acts-with-underage-girl/)
18 [acts-with-underage-girl/](http://kfor.com/2013/04/24/grady-county-man-arrested-for-sexual-acts-with-underage-girl/) (last visited Oct. 30, 2013) (“A man is behind bars in Grady County, charged
19 in the rape of a 15-year-old girl. Authorities said the suspect first met the teen on a website called
20 www.meetme.com. Investigators said 25-year-old Tanner Ray Hart of Tuttle logged on and started
21 chatting with the underage girl.”); *Man faces more charges for alleged sex with teen girls*,
22 Fox13Now.com, Mar. 7, 2013, [http://fox13now.com/2013/03/07/man-faces-more-charges-for-alleged-](http://fox13now.com/2013/03/07/man-faces-more-charges-for-alleged-sex-with-teen-girls/)
23 [sex-with-teen-girls/](http://fox13now.com/2013/03/07/man-faces-more-charges-for-alleged-sex-with-teen-girls/) (last visited Oct. 30, 2013) (reporting the arrest of a man who had sexual relations
24 with underage girls he met through the website [meetme.com](http://www.meetme.com)); *Man Arrested For Targeting Teen For*
25 *Sex: Website Popular With Teens And Creeps*, KRQE.COM, June 12, 2012,
26 <http://www.krqe.com/dpp/news/crime/man-arrested-for-targeting-13-year-old-for-sex> (last visited
27 Oct. 30, 2013) (reporting on the arrest of a 21-year-old man trying to get a 13-year-old to meet him for
28

1 sex and noting that “Investigators say [MeetMe is] the latest site predators are cruising to find new
2 victims, and it’s happening all too often.”).

3 54. Because reasonably careful teenagers would not understand what they are allowing
4 MeetMe to do, or appreciate the nature, extent, and probable consequences of allowing MeetMe to
5 collect, use and share their personal data with other users and third party companies, their “consent” to
6 MeetMe’s data collection and distribution practices is not valid.

7 55. MeetMe’s actions thus constitutes unlawful, unfair and/or fraudulent business practices
8 that compromise the safety, security and privacy of California’s children. This Court should enter an
9 injunction to stop these practices and should order the Defendant to pay civil penalties for its past
10 violations of the California Unfair Competition Law.

11 **CAUSE OF ACTION**

12 **Violation of Business and Professions Code Section 17200**

13 56. The People incorporate by reference paragraphs 1 through 55 inclusive.

14 57. California Business and Professions Code Section 17200 prohibits any “unlawful,
15 unfair or fraudulent business act or practices.” MeetMe has engaged in unlawful, unfair and/or
16 fraudulent business acts and practices in violation of Section 17200. Such acts and practices include,
17 but are not limited to, the following:

- 18 a) MeetMe collects, uses and/or distributes minors’ geolocation data and/or other personal
19 user data without valid consent;
- 20 b) MeetMe fails to disclose and/or to adequately explain how it uses and distributes the
21 geolocation data and/or other personal user data that it collects from minors.

22 58. MeetMe’s practices, as set forth in this complaint, constitute unfair business practices
23 because they offend established public policy and cause harm that greatly outweighs any benefits
24 associated with those practices.

25 59. MeetMe’s practices, as set forth in this complaint, are deceptive business practices because
26 they are likely to deceive consumers, specifically minors, in California.

