

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
COVINGTON DIVISION**

JAIMEE SEITZ, individually, and as
administrator of the Estate of AUDREE
HEINE

Plaintiff,

v.

ROBLOX CORPORATION and
DISCORD INC.,

Defendants.

Civil Case No.:

JURY TRIAL DEMANDED

COMPLAINT

Plaintiff Jaimee Seitz, individually and as administrator of the estate of Audree Heine, (“Plaintiff”), brings this action against Roblox Corporation (“Roblox”) and Discord Inc. (“Discord”) (collectively, “Defendants”) to recover damages arising from the severe injuries caused by Defendants’ respective conduct in creating, designing, marketing, and distributing their mobile- and web-based applications (“apps”), and alleges as follows:

INTRODUCTION

1. This action seeks to hold Roblox and Discord accountable for causing Plaintiff’s 13-year-old daughter, Audree Heine, to die by suicide. Audree was pushed to suicide by an online community dedicated to glorifying violence and emulating notorious mass shooters, a community that can thrive and prey upon young children like Audree only because of Defendants’ egregiously tortious conduct.

2. Through their pervasive misrepresentations about safety, Defendants portray their apps as appropriate places for children to play. In reality, and as Defendants well know, the design of their apps makes children easy targets for predatory behavior. Malicious users, often adults, use Defendants’ platforms to target vulnerable children and then to groom them for sexual

exploitation or for violence. These similar predatory processes involve the kinds of manipulation and pressure that Audree experienced over Roblox and Discord.

3. There are steps that Defendants could have taken to protect children and to make their apps safer. But time and again Defendants have refused to invest in basic safety features to protect against exactly the kind of harm that Audree suffered, leaving parents with no appropriate safeguards to ensure that their children are in fact safe from predators. Without these measures, cultures of peer pressure and violence have spread across Defendants' platforms, increasingly pushing impressionable young users to harm others and themselves.

4. Defendants knowingly put children at risk because they prioritize user growth over child safety. As one former Roblox employee explained, "You have to make a decision, right? You can keep your players safe, but then it would be less of them on the platform. Or you just let them do what they want to do. And then the numbers all look good and investors will be happy."¹ Discord has taken the same indifferent approach to child safety on its app.

5. This deliberate indifference has devastated the lives of children who use Defendants' apps. Audree was an avid Roblox user who relied heavily on the app for social interaction, making her a prime target for the communities of violent extremists who roam the app looking for socially isolated and vulnerable children. These include the True Crime Community ("TCC"), which idolizes mass shooters and overlaps with other violent and extremist ideologies.

6. Through Roblox, Audree was exposed to emotional manipulation and social pressure by other users, including TCC members, who claimed to revere the Columbine shooters, depicted them as misunderstood outcasts who took revenge on their bullies, and encouraged violence against oneself and others. Like many Roblox users, Audree also joined the messaging app Discord, where the social pressure was heightened through various chat rooms (called "servers"). She died by suicide one week after her 13th birthday.

¹ *Roblox: Inflated Key Metrics for Wall Street and a Pedophile Hellscape for Kids*, Hindenburg Research (Oct. 8, 2024), <https://hindenburesearch.com/roblox/>.

7. Audree's death was the direct result of Defendants' unlawful conduct. For years, Defendants have misrepresented and deliberately concealed the dangers that pervade their apps. Had Defendants disclosed what was really occurring on their apps, Plaintiff would never have permitted Audree to use them. Had Defendants taken any steps to screen the users allowed on the apps, Audree would not have been exposed to the large communities of violent extremists she encountered there. Had Defendants implemented even the most basic age- and identity-verification systems, along with effective parental controls, Audree would have never interacted with these communities and would not have died by suicide.

8. Plaintiff has suffered unimaginable harm. Yet, tragically, what happened to her daughter is far from an isolated event. Indeed, Audree is just one of countless children whose lives have been devastated as a result of Defendants' misrepresentations and defectively designed apps. This action, therefore, is not just a battle to vindicate Plaintiff's and Audree's rights—it is a stand against Defendants' systemic failures to protect society's most vulnerable from unthinkable harm in pursuit of financial gain over child safety.

PARTIES

9. Plaintiff Jaimee Seitz is a citizen and resident of the Commonwealth of Kentucky, with a principal place of residence in Boone County. Plaintiff is the personal representative and administrator of the estate of Audree Heine pursuant to the September 10, 2025, Order from the Commonwealth of Kentucky, Boone Circuit Court, Probate Division, Action No. 25-P-00506. A copy of the Order is attached as Exhibit A.

10. Plaintiff has suffered profound and enduring harm as a result of the death of her minor daughter, Audree Heine. She has suffered the loss of Audree's love, companionship, comfort, affection, moral support, and future financial contributions, as well as the loss of household services Audree would have provided. This harm is severe, ongoing, and permanent, profoundly affecting Plaintiff's emotional well-being and quality of life.

11. Pursuant to Ky. Rev. Stat. §§ 411.130, 411.133, and 411.140, as personal representative and administrator of Audree's estate, Plaintiff also seeks damages for Audree's

wrongful death and all damages that Audree would have been entitled to recover had she survived. These include, but are not limited to, damages for pre-death pain, suffering, disfigurement, and medical expenses, as well as lost future earnings or earning capacity. Defendants' malicious, oppressive, and fraudulent conduct further entitles Audree's estate to punitive damages under Ky. Rev. Stat. §§ 411.184 and 411.186.

12. Audree was a minor at the time of using Defendants' apps and, as such, lacked the legal capacity to enter into any binding agreement. To the extent Defendants claim any contract has any effect on Plaintiff's rights in this action, such an assertion is legally erroneous, invalid, and unenforceable because Plaintiff disaffirms any such contract, including any contract containing a forced arbitration agreement and any delegation clause in any contract.

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

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

JURISDICTION AND VENUE

15. This Court has subject-matter jurisdiction over this action under 28 U.S.C. § 1332(a) because Plaintiff and Defendants are citizens of different states and the amount in controversy exceeds \$75,000.

16. This Court has personal jurisdiction over Defendants because Defendants regularly conduct business in this State, provide their apps to persons in this State, and derive substantial revenue from the same; Defendants affirmatively and extensively engage with a

significant percentage of this State's residents through messages, notifications, and other communications; and Plaintiff's causes of action arise from Defendants' forum-related contacts.

17. Venue is proper under 28 U.S.C. § 1391(b) because a substantial part of the events or omissions giving rise to the claims occurred in this District and Division.

FACTUAL ALLEGATIONS AS TO ROBLOX

A. Roblox Offers a Gaming App for Children.

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

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

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

21. Roblox designed its app for children. Roblox has marketed its app not only as the "#1 gaming site for kids and teens"⁴ but also as an educational experience for young users. Roblox

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

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

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

claims that it provides “new gateways into learning”—from “chemistry to physics to robotics and more, Roblox experiences bring concepts to life in ways that immerse learners and motivate exploration, play, and deep thinking.”⁵ These offerings, according to Roblox, include “high-quality, standards-aligned, immersive educational experiences designed by curriculum experts.”⁶



Roblox webpage – “A New Era of Engaged Learning”

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

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

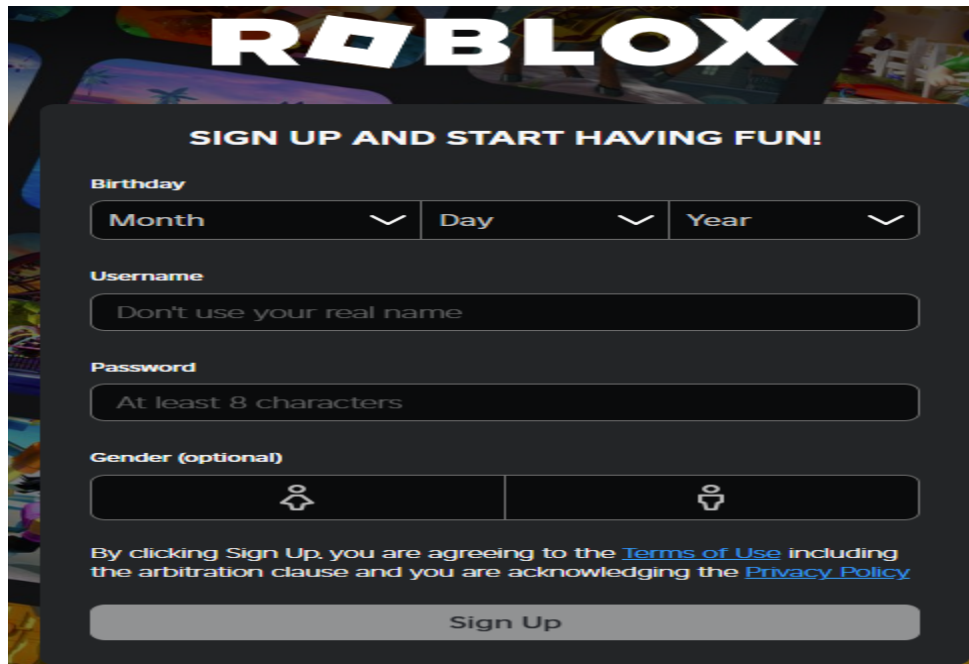
24. Today, Roblox is the most downloaded online game globally, and the average user

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

⁶ *Id.*

spends 139 minutes a day on the app.⁷

25. Individuals who wish to play Roblox must create an account. It is extremely easy to “SIGN UP AND START HAVING FUN!” Users must provide only a birthdate, username, and password. Users of any age can create an account. There is no age minimum. Roblox does not require users to verify their age upon sign-up, so they can easily represent that they are younger or older than their actual age.

The image shows the Roblox sign-up interface. At the top, the word "ROBLOX" is displayed in large, white, block letters. Below it, a dark gray box contains the text "SIGN UP AND START HAVING FUN!". The form includes fields for "Birthday" (with dropdowns for Month, Day, and Year), "Username" (with a placeholder "Don't use your real name"), "Password" (with a placeholder "At least 8 characters"), and "Gender (optional)" (with two buttons for male and female icons). At the bottom, there is a line of text: "By clicking Sign Up, you are agreeing to the [Terms of Use](#) including the arbitration clause and you are acknowledging the [Privacy Policy](#)". Below this is a large, light gray "Sign Up" button.

Roblox Sign-up Screen

26. Although Roblox states that children must have parental permission before signing up for an account, nothing prevents them from creating their own accounts and playing on Roblox. Roblox does nothing to confirm or document that parental permission has been given, no matter how young a child is. Nor does Roblox require a parent to confirm the age given when a child signs up to use Roblox.

27. After creating an account, all users are assigned a default player avatar—a cartoonish character that represents the individual user within certain games.

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



Example default avatar on Roblox.

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



Examples of games available on Roblox.

29. Until November 2024, Roblox configured its app to default to settings that allowed adults to easily communicate with children. Adult strangers could “friend” and chat with a child of 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.

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

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

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

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

33. Roblox’s success and continued growth have hinged on its constant assurances to parents that its app is safe for children. The company has provided such assurances throughout its history and in every forum possible—on its website, through public promises of its highest executives, in news articles, on podcasts, and on and on.

34. Over the years, Roblox has repeatedly represented on its website that its app is safe for children and has touted the safety controls it has in place. As early as 2007, Roblox’s website

⁸ Olivia Carville & Cecilia D’Anastasio, *Roblox’s Pedophile Problem*, Bloomberg Businessweek (July 23, 2024), <https://www.bloomberg.com/features/2024-roblox-pedophile-problem/>.

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

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

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

⁹ Roblox, *Frequently Asked Questions (FAQs)*, <https://web.archive.org/web/20071105104643/http://www.roblox.com/Parents/FAQs.aspx> (archived Nov. 5, 2007).

¹⁰ Roblox, *Keeping Kids Safe*, <https://web.archive.org/web/20080501101437/http://www.roblox.com/Parents/KeepingKidsSafe.aspx> (archived May 1, 2008); *see also* Roblox, *Information for Parents*, <https://web.archive.org/web/20160131063648/http://corp.roblox.com/parents> (archived Jan. 31, 2016).

¹¹ *Id.*

¹² Roblox, *Parents’ Guide*, <https://web.archive.org/web/20170716032712/https://corp.roblox.com/parents/> (archived Jul. 16, 2017).

¹³ *Id.*

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



Excerpt from Roblox Parent's Guide in 2017

37. Roblox's website representations have remained largely unchanged since then. In 2023, for example, Roblox assured parents that it "continually develop[s] cutting-edge technologies to ensure that the Roblox platform remains a safe and fun space for players all over the world."¹⁴ Roblox claimed that the company was "dedicated to working together with parents and digital safety experts to promote a family-friendly environment that allows all players to imagine, create, and play online."¹⁵ Roblox emphasized that it is "committed to ensuring that Roblox is a safe and fun place for everyone."¹⁶ According to Roblox, it "goes above and beyond to foster an environment where people of any age can create, play, learn, and imagine safely. We've kept children's privacy and safety top-of-mind when designing our platform, especially through the implementation of advanced text filters that block inappropriate language or other

¹⁴ Roblox, *For Parents*, <https://web.archive.org/web/20230405060048/https://corporate.roblox.com/parents/> (archived Apr. 5, 2023).

¹⁵ *Id.*

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

unsafe content.”¹⁷

38. As recently as early 2025, Roblox’s website contained similar assurances. It claimed, “Safety is in our DNA: when Dave Baszucki and Erik Cassel launched Roblox in 2006, they spent a few hours each day with the community, helping to ensure that Roblox was a safe and welcoming environment. Safety was their top priority, and they made constant improvements in their moderation, both for content and for communication on the platform.”¹⁸

39. According to the current website, Roblox “won’t allow language that is used to harass, discriminate, incite violence, threaten others, or used in a sexual context.”¹⁹ It touts a “stringent safety system and policies,”²⁰ which includes its “expertly trained team with thousands of members dedicated to protecting our users and monitoring 24/7 for inappropriate content”; its “safety review of every uploaded image, audio, and video file, using a combination of review by a large team of human moderators and machine detection before these assets become available on our platform”; and its chat filters for inappropriate content, which “are even stricter” for children under 13 and “include any potentially identifiable personal information, slang etc.”²¹

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

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

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

¹⁸ Roblox, *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).

¹⁹ Roblox, *Safety Features: Chat, Privacy & Filtering*, <https://en.help.roblox.com/hc/en-us/articles/203313120-Safety-Features-Chat-Privacy-Filtering#:~:text=Players%20have%20different%20safety%20settings,and%20phrases%2%200t%20han%20younger%20players> (last visited Oct. 9, 2025).

²⁰ Roblox, *Safety & Civility at Roblox*, <https://en.help.roblox.com/hc/en-us/articles/4407444339348-Safety-Civility-at-Roblox> (last visited Oct. 9, 2025).

²¹ *Id.*

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

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

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

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

Parents

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

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

²² Eric Frenchman, *Revisiting Roblox*, Pardon My French (Oct. 5, 2009), <https://pardonmyfrench.typepad.com/pardonmyfrench/2009/10/revisiting-roblox.html>.

²³ Tony Sims, *Interview with David Baszucki, Founder & CEO of Roblox*, *Wired* (Feb. 7, 2013), <https://www.wired.com/2013/02/roblox/>.

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/>.

appropriate way.”²⁵ That year, she also claimed to another newspaper that Roblox’s “safety team reviews every uploaded image, video, and audio file used within our games to make sure they are safe and age appropriate.”²⁶ She also boasted that Roblox has “created extensive parental controls for our games and a detailed Roblox Parent’s Guide that provides information to parents to help create a Roblox experience that’s best for their child.”²⁷

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

47. In a 2022 video interview about safety on Roblox, Bhaumik asserted that Roblox’s “number one priority” is “to create a safe, civil, and inclusive community” and that “[s]afety and civility has always been baked into everything that we do.”³¹ That year, on a podcast, she also bragged about Roblox’s purported safety protections, including “thousands of human moderators

²⁵ Hayley Tsukayama, *Roblox, an Online Kids Game, Explains How a Hack Allowed a Character’s Virtual ‘Rape’*, Wash. Post. (Jul. 17, 2018), <https://www.washingtonpost.com/technology/2018/07/17/roblox-an-online-kids-game-explains-how-hack-allowed-characters-virtual-rape/>.

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), <https://www.thesun.co.uk/news/5445444/roblox-app-children-danger-sex-warning/>.

²⁷ *Id.*

²⁸ YouTube, Digital Civility Panel (Oct. 23, 2019), https://www.youtube.com/watch?v=XoUs1Js7WG0&list=PLcKphP00N1_kCLjvcOWdwbegJkN5L-CuL&index=6.

²⁹ *Id.*

³⁰ *Id.*

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/>.

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

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

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

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

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

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

³³ *Id.*

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

³⁵ *Id.*

³⁶ Matt Kaufman, Chief Safety Officer, *Major Updates to Our Safety Systems and Parental 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>.

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

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

53. This campaign of reassurance masks the truth about Roblox. Far from creating a safe place for children, Roblox designed, built, and maintains a toxic environment that has enabled extremist subcultures to flourish and, worse, target children for indoctrination and recruitment. What Roblox represents as a safe, appropriate space for children is, in fact, an entry point to an online world of violent extremism that all too often spills into real life.

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

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

56. Communities of Roblox users centered around the glorification or reenactment of violence—to oneself or others—pervade the platform. These communities engage in varied forms of coercion, social pressure, emotional manipulation, and indoctrination, all of which can play a role in “grooming for violence.”³⁹ Like grooming for sexual exploitation, grooming for violence occurs when adult users exploit the anonymity afforded by online platforms to target distressed

³⁹ Elizabeth D. Kilmer and Rachel Kowert, *Grooming for Violence: Similarities Between Radicalisation and Grooming Processes in Gaming Spaces*, Global Network on Extremism & Technology (February 8, 2024), <https://gnet-research.org/2024/02/08/grooming-for-violence-similarities-between-radicalisation-and-grooming-processes-in-gaming-spaces/>.

and socially isolated minors.⁴⁰ Both types of grooming also follow a common trajectory. A predator will identify a target, establish a relationship, and foster the target's isolation from existing support networks. The predator will then escalate, exchanging more extreme content and exerting greater coercion or control in the relationship.⁴¹

57. The harms to children who use Roblox from these forms of coercion, pressure, manipulation, and indoctrination are widespread and severe.

58. Using accounts with child settings—*i.e.*, set up to mimic a child's Roblox account—researchers have surfaced numerous shooting games accessible to children on Roblox, including games involving recreations of the 1999 school shooting in Columbine, Colorado, or the 2018 shooting at Tops Friendly Markets in Buffalo, New York.⁴² One simulator of the Buffalo attack showed the player's avatar shooting minorities while the words “ethnic cleansing” appeared on the screen dripping in blood.⁴³ The same creator received requests for more “screaming” and “begging” in a game that allowed players to reenact the Columbine massacre.⁴⁴



*A Roblox game replicating the Christchurch, New Zealand shooting.
Credit: The Trust and Safety Foundation*

⁴⁰ *Id.*

⁴¹ *Id.*

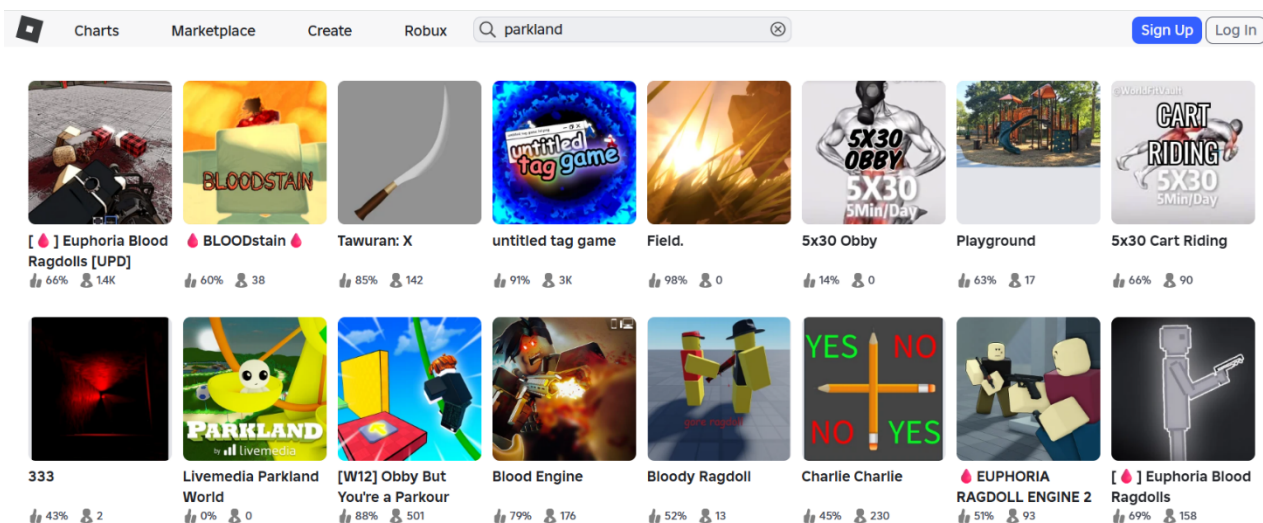
⁴² Moustafa Ayad & Isabelle Frances-Wright, *Minors exposed to mass shooter glorification across mainstream social media platforms*, Institute for Strategic Dialogue (Jan. 24, 2024), https://www.isdglobal.org/digital_dispatches/minors-exposed-to-mass-shooter-glorification-across-mainstream-social-media-platforms/.

⁴³ *Id.*

⁴⁴ *Id.*

59. Two games on the platform allowed players to replicate the 2019 Christchurch, New Zealand mosque shooting.⁴⁵ Others permitted players to recreate the 2011 attacks in Utoya, Norway, or the 2019 El Paso Walmart shooting.⁴⁶

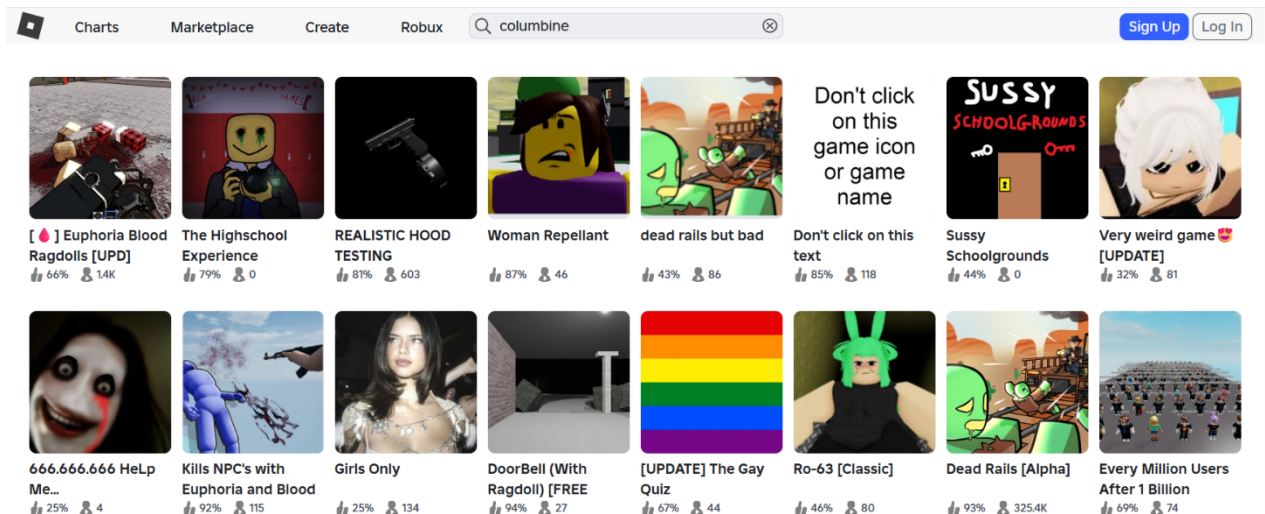
60. Although Roblox's Community standards espouse a "zero tolerance policy" for support or glorification of mass shootings,⁴⁷ its algorithm nonetheless directs users to violent games. A search for "Columbine" or "Parkland" within Roblox games yields results heavily skewed towards violent simulated shooting games with titles like "Kills NPC's with Euphoria and Blood."



⁴⁵ Cecilia D'Anastasio, *How Roblox Became a Playground for Virtual Fascists*, WIRED (June 10, 2021), <https://www.wired.com/story/roblox-online-games-irl-fascism-roman-empire/>.

⁴⁶ Mark Townsend, *How far right uses video games and tech to lure and radicalise teenage recruits*, The Guardian (Feb. 14, 2021), <https://www.theguardian.com/world/2021/feb/14/how-far-right-uses-video-games-tech-lure-radicalise-teenage-recruits-white-supremacists>.

⁴⁷ Roblox, *Roblox Community Standards* (no date), <https://en.help.roblox.com/hc/en-us/articles/203313410-Roblox-Community-Standards> (last accessed June 13, 2025).



61. Similarly, hundreds of accounts exist under slight variants of the names of school shooters. A single search can turn up over 150 accounts with minor variations on “Dylan Klebold,” the name of one of the Columbine shooters. Hundreds more accounts have user or display names relating to Adam Lanza, the perpetrator of the Sandy Hook massacre. One account with the display name “Lanza” is registered to the username “@klebold_rampage.”

62. These games are part of an online subculture known as the True Crime Community (“TCC”), whose members valorize school shooters and other violent extremists. Roblox is a central location for TCC content, like games based on the tragedies at Columbine, or Parkland, Florida in 2018, or Uvalde, Texas in 2022, which are created by groups like “Active Shooter Studios.”⁴⁸

63. “Columbiners” and TCC members also use other platforms, like Discord, to share advice on constructing school-shooting simulators and designing Roblox avatars that resemble notorious school shooters.⁴⁹

⁴⁸ Anti-Defamation League, *The Dark Side of Roblox: ‘Active Shooter Studios’ Create Maps Based on Real-Life Mass Shootings* (Apr. 21, 2025), <https://www.adl.org/resources/article/dark-side-roblox-active-shooter-studios-create-maps-based-real-life-mass>.

⁴⁹ Jessica Guynn and Will Carless, *Columbine school shooters glorified by young followers: Inside the scary online obsession*, USA Today (Apr. 18, 2024), <https://www.usatoday.com/story/news/investigations/2024/04/18/columbine-school-shooting-25-anniversary-social-media/73308760007/>.

64. These mass-shooting games reflect a broader and well-identified pattern: Violent extremists find fertile grounds for recruitment on Roblox.

65. In 2022, for example, United Nations counter-terrorism researchers identified Roblox as one of several platforms home to large online “white ethno-states.”⁵⁰ One group self-styled “The Senate and People of Rome” reached a membership of 20,000 and included slave markets, mock executions, and a subgroup referred to as “Einsatzgruppen,” after the paramilitary Nazi death squads.⁵¹ The group’s leader encouraged members of his inner circle to consume media like *Schutzstaffel* (SS) manuals and podcasts about school shootings.⁵²

66. Roblox’s user base, composed mostly of children, is especially vulnerable to such influences given their diminished ability to discern and ignore misinformation.⁵³ Extremists are aware of this dynamic and exploit the ability for gaming to provide feelings of validation or acceptance to young people in their recruitment efforts.⁵⁴ The Australian Federal Police warned in 2023 that Roblox games, which violent extremists use as a “trojan horse” to convey their worldview to children, can “blur” children’s thinking by normalizing violent and radical views—as further corroborated by a growing body of research on the “gamification” of online terrorism.⁵⁵

67. Online games are an especially potent means of radicalizing children because of how players’ identification with their in-game avatars can influence their self-perception and sense

⁵⁰ Linda Schlegel and Amarnath Amarasingam, *Examining the Intersection Between Gaming and Violent Extremism*, United Nations Office of Counter-Terrorism, (Oct. 5, 2022), https://www.un.org/counterterrorism/sites/www.un.org.counterterrorism/files/221005_research_launch_on_gaming_ve.pdf; see also, Justin Hendrix, *UN Report Examines Gaming And Violent Extremism*, Tech Policy (Oct. 6, 2022), <https://www.techpolicy.press/un-report-examines-gaming-and-violent-extremism/>.

⁵¹ D’Anastasio, *supra* note 45.

⁵² *Id.*

⁵³ *Id.*

⁵⁴ Schlegel and Amarasingam, *supra* note 50; see also Gallagher et al., *infra* note 168.

⁵⁵ See e.g., Linda Schlegel, *Jumanji Extremism? How games and gamification could facilitate radicalization processes*, Journal for Deradicalization (23) (2020); see also, Samuel H. Patterson, *Research Note: “When ‘Childsplay’ Gets Lethal”*, Journal for Deradicalization (23) (2020); Daniel Kohler, *Fake It till You Make It? Representation of Special Operations Forces Capabilities in Jihadist Propaganda Videos*, 43 Studies in Conflict and Terrorism 541 (2023).

of power or control.⁵⁶ And Roblox is a particularly appealing hunting ground for extremist predators because its large and young userbase is combined with limited or ineffective parental controls.⁵⁷

68. Contacts made with extremist communities on Roblox often become deeper ties through other platforms, like Discord. One 12-year-old, the subject of a 2022 study on ideological indoctrination through videogames, encountered Nazi ideology through a Roblox game, was recruited to Discord by the extremists he had met on the game, and eventually was caught by authorities after threatening a terrorist attack.⁵⁸

69. These threats are well-documented and known to Roblox. In early 2023, for example, an inquiry from the Senate Judiciary Committee drew Roblox's attention to its radicalization problem, identifying in particular how certain Roblox games had encouraged the 2022 Buffalo shooter's interest in nationalism and survivalism.⁵⁹ The Buffalo shooter wrote that he "probably wouldn't be as nationalistic if it weren't for Blood and Iron on roblox."⁶⁰

70. Self-harm is prominent among the harmful and destructive acts that Roblox games encourage. Roblox games known as "depression rooms" allow users to engage in depressive

⁵⁶ *Id.*

⁵⁷ Mariana Olaizola Rosenblat and Paul M. Barrett, *Gaming The System: How Extremists Exploit Gaming Sites And What Can Be Done To Counter Them*, NYU Stern Center for Business and Human Rights (May 2023), https://bhr.stern.nyu.edu/wp-content/uploads/2024/01/NYUCBHRGaming_ONLINEUPDATEDMay16.pdf; Steven Lee Myers and Kellen Browning, *Extremism Finds Fertile Ground in Chat Rooms for Gamers*, The New York Times (May 18, 2023), <https://www.nytimes.com/2023/05/18/technology/video-games-extremism.html>.

⁵⁸ Daniel Koehler et al., *Extreme Right Radicalisation of Children via Online Gaming Platforms, Global Network on Extremism & Technology*, Global Network on Extremism & Technology (Oct. 24, 2022), <https://gnet-research.org/2022/10/24/extreme-right-radicalisation-of-children-via-online-gaming-platforms/>.

⁵⁹ Letter from Chair of the Senate Judiciary Committee Dick Durbin to Roblox Chief Executive Officer David Baszucki (Mar. 28, 2023), <https://www.judiciary.senate.gov/imo/media/doc/2023-03-28%20Letter%20to%20Roblox%20re%20policies%20on%20extremist%20content.pdf>.

⁶⁰ *Id.*

behaviors like weeping next to gravestones or in basements beside piles of boxes.⁶¹ One such game, advertised as appropriate for users of all ages, directs users to a “sociopath” chat where disturbing messages alluding to violence and self-harm are exchanged. It has received over 5.6 million visitors.⁶² One user wrote to the chat: “I need to kill somebody and break there spine.” Others solicit advice on how to make themselves vomit or “commit unalive.”⁶³ The frequent typos and heavy use of euphemistic language underscore the youth of the users writing in these forums.⁶⁴

71. These behaviors do not stay in the virtual world of the platform, either. In one horrific and publicized incident in 2022, a Mississippi teenager, Mena Willis, died by suicide in her high school bathroom as a result of a Roblox game where users encourage each other to complete challenges that involve cutting, hanging, and starving oneself.⁶⁵

72. The groups that target users like Mena will threaten their families if the users indicate that they might not comply with the self-harming tasks.⁶⁶

73. Roblox is aware of these groups. In response to news coverage of an Oklahoma teen who was similarly targeted for self-harm—and who, fortunately, survived—a Roblox spokesperson claimed that the company was “extremely vigilant” while acknowledging that crime rings are able to evade detection on Roblox by remaining in technical compliance with Roblox policies.⁶⁷

⁶¹ Kirsten Robertson, ‘*Depression rooms*’ and ‘*sociopath chats*’ – welcome to the dark side of Roblox, Metro (Dec. 17, 2024), <https://metro.co.uk/2024/12/17/gaming-inside-sad-rooms-accessed-searching-depressed-roblox-22202406/>.

⁶² *Id.*

⁶³ *Id.*

⁶⁴ *Id.*

⁶⁵ Holly Emery and Andrew McMunn, *Mother warns parents of online game that led to the death of her 15-year-old daughter*, KBTX3 (Oct. 21, 2022), <https://www.kbtx.com/2022/10/22/mother-warns-parents-online-game-that-led-death-her-15-year-old-daughter/>.

⁶⁶ *Id.*

⁶⁷ Shawn Boburg et al., *On popular online platforms, predatory groups coerce children into self-harm*, The Washington Post (Mar. 14, 2024), <https://www.washingtonpost.com/investigations/interactive/2024/764-predator-discord-telegram/>.

74. The magnitude of the harm caused by Roblox is devastating. Yet rather than warn parents, Roblox minimizes these dangers through repeated misleading public statements. Roblox’s Chief Safety Officer, Matt Kaufman, attempting to deflect attention from serious safety failures, told NPR, “I think we’re losing sight of the tens of millions of people where Roblox is an incredibly enriching part of their life.”⁶⁸ And while Kaufman publicly claims that “any time anything happens to a child that puts them at risk is one too many,”⁶⁹ Roblox simultaneously admitted to investors that it was “unable to prevent all such [inappropriate] interactions from taking place.”⁷⁰ This calculated contradiction between public messaging and private admissions—telling parents that even one incident is unacceptable while simultaneously acknowledging to investors that abuse is inevitable—exposes Roblox’s strategy of prioritizing public relations through hollow and misleading public statements over its fundamental duty to protect children.

D. Roblox Knowingly Causes and Facilitates Grooming Children for Violence.

75. The reason that Roblox is overrun with harmful content and predators is simple: Roblox prioritizes user growth, revenue, and eventual profits over child safety. For years, Roblox has knowingly prioritized these numbers over the safety of children through the actions it has taken and decisions it has made to increase and monetize users regardless of the consequences.

1. Roblox prioritizes growth over child safety.

76. From its inception, Roblox has focused on growth above all else, which has meant deliberately targeting, exploiting, and capitalizing on the underdeveloped child market, positioning itself as a place where kids can learn and play games in a safe environment.

⁶⁸Scott 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>.

⁶⁹ *Id.*

⁷⁰ Roblox Corp., S-1 (Securities Registration Statement) 24 (Nov. 19, 2020).

Recognizing that children have more free time, underdeveloped cognitive functioning, and diminished impulse control, Roblox has exploited their vulnerability to lure them to its app.

77. Roblox’s business model allowed the company to attract significant venture capital funding from big-name investors like Kleiner Perkins and Andreessen Horowitz, putting enormous pressure on the company to prioritize growing and monetizing its users. To do so, Roblox made deliberate decisions that placed children at risk. For example, while other digital platforms (including other video game platforms) verified users’ ages and restricted communications between children and adults, Roblox did not require age verification and did not restrict communications between children and adults. Similarly, while other digital platforms required children’s accounts to be connected to the account of a parent or guardian during set-up, with various parental controls turned on by default, it is easy for children (including very young children) to download and install Roblox without involving an adult. While other platforms implemented reliable, accurate age ratings for games and videos that correctly informed parents about the type of content their children would see, Roblox’s deeply flawed “content label” system gave parents a false sense of security, incorrectly labelling graphic sexual and violent games as safe for kids. And while other platforms restricted access if a child fell below a certain age, Roblox welcomed and encouraged children of any age, despite their knowledge of significant harms that children routinely experience there.

78. In 2021, riding the explosive growth in users generated by the pandemic and the pandemic-driven enthusiasm for technology stocks, Roblox went public at a valuation of \$41 billion, which brought new pressures. To satisfy the scrutiny and demands of public market investors, Roblox, like many unprofitable companies, prioritized rapid growth in revenue and user engagement metrics—like new user acquisition, daily active users, and average hours spent on the app—on the theory that profitability would follow once the business achieved sufficient scale and operating costs decreased as a percentage of revenue.⁷¹

⁷¹ After listing on the New York Stock Exchange, Roblox CEO David Baszucki told CNBC, “Roblox has been growing for 15 years That’s a long-term growth path, and we believe that

79. In pursuit of growth, Roblox deprioritized safety measures even further so that it could report strong numbers to Wall Street. For instance, Roblox executives rejected employee proposals for parental approval requirements that would protect children on the platform.⁷² Employees also reported feeling explicit pressure to avoid any changes that could reduce platform engagement, even when those changes would protect children from harmful interactions on the platform.⁷³

80. As one former Roblox employee explained, “You’re supposed to make sure that your users are safe but then the downside is that, if you’re limiting users’ engagement, it’s hurting our metrics. It’s hurting the active users, the time spent on the platform, and in a lot of cases, the leadership doesn’t want that.”⁷⁴ That same employee added, “You have to make a decision, right? You can keep your players safe, but then it would be less of them on the platform. Or you just let them do what they want to do. And then the numbers all look good and investors will be happy.”⁷⁵

81. By limiting safety measures, Roblox not only increased its users but also reduced the company’s safety expenses as a percentage of its revenue—a key metric for Wall Street, which views trust and safety costs as detrimental to Roblox’s stock performance. Barclays, for example, identified its “downside case” for Roblox’s stock as “additional safety investments due to its younger demographic . . . becom[ing] a drag on [earnings] margins.”⁷⁶ Barclays also wrote that it viewed increased safety costs as a “negative” in Roblox’s quarterly earnings.⁷⁷

continues forward, even after Covid.” Ari Levy & Jessica Bursztynsky, *Roblox Jumps to \$38 Billion Mark Cap as Public Investors Get Their First Crack at the Popular Kids Game App*, 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.*

⁷² Hindenburg Research, *supra* note 1.

⁷³ *Id.*

⁷⁴ *Id.*

⁷⁵ *Id.*

⁷⁶ Ross Sandler, Trevor Young & Alex Hughes, *Back on Track Following the 1H Hiccup*, Barclays (Aug. 1, 2024)

⁷⁷ Ross Sandler, Trevor Young & Alex Hughes, *Everything Accelerating, Safety & Security a Top Priority*, Barclays (Nov. 1, 2024)

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

83. For example, on Roblox’s 2023 fourth quarter earnings call, an analyst praised the “really high level of efficiency” seen in the numbers for infrastructure and trust and safety expenditures and then asked how those figures would evolve over time.⁷⁸ In response, Mike Guthrie, Roblox’s former CFO, emphasized the company’s goal of reducing expenses, stating, “cost to serve is the metric that we use and it’s the metric that the [infrastructure] team owns . . . *they’re working hard to drive that down* . . . [L]ike you said, it’s about 11% now, ultimately with higher efficiency . . . we see that as a high-single-digit number over the next few years.”⁷⁹ He added, “[W]e still think there’s more to do there.”⁸⁰

84. At other times, Guthrie has reassured investors stating, “look for trust and safety [costs] to scale below linear as we grow”⁸¹ and that Roblox was “quite happy with” trust and safety costs growing “at a lower rate than our bookings growth.”⁸²

85. Similarly, in the second quarter of 2024, CEO Baszucki highlighted that, “[i]mportantly, our infrastructure and trust and safety expenditures were 8% lower year-on-year.”⁸³

⁷⁸ Q4 2023 Earnings Call (Feb. 7, 2024).

⁷⁹ *Id.* (emphasis added).

⁸⁰ *Id.*

⁸¹ Q4 2022 Earnings Call (Feb. 15, 2023).

⁸² Q3 2022 Earnings Cal (Nov. 8, 2023).

⁸³ Q2 2024 Earnings Call (Aug. 1, 2024).

86. Once public, Roblox also decided to try to attract more adult users to its app—which it had historically touted as the “#1 gaming site for kids and teens.”⁸⁴ With the market for underage users near saturation, Roblox shifted its growth strategy to attracting older users.

87. In its public offering filings, Roblox identified “age demographic expansion” as a key strategy, explaining that it planned to develop experiences and content that appealed to older users.⁸⁵ For Roblox, “aging up” had benefits beyond user growth—it was also more profitable. Older users offered a distinct financial advantage. While children spend more hours on Roblox, they do not “monetize” as well because they are more constrained in their ability to spend. In contrast, older users, who “have more direct control over their spend” and “monetize better,” are far more lucrative—an outcome that Roblox said it predicted when it started to target older users.⁸⁶

88. Roblox’s executives repeatedly emphasized their strategy of “aging up” the app to attract older users. At the company’s inaugural conference with an investment bank in September 2021, Roblox’s CFO, Michael Guthrie, noted that Roblox had achieved “very good penetration of nine to twelve year-olds,” and was focused on adding users over the age of 13.⁸⁷ One plan was to “improve the search algorithms such that older users were finding older content,” or content tailored to their age-related demographic.⁸⁸

89. And at its annual Developer Conference, CEO David Baszucki encouraged developers to create experiences for older audiences, explaining that Roblox was rolling out features designed to appeal to older users, including use of real names, screen capture and sharing

⁸⁴ Roblox, *What Is Roblox*, <http://web.archive.org/web/20170227121323/https://www.roblox.com/> (archived Feb. 27, 2017).

⁸⁵ Roblox Corp., S-1 (Securities Registration Statement) 7 (Nov. 19, 2020).

⁸⁶ Q2 2022 Earnings Call (Aug. 10, 2022).

⁸⁷ 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>.

⁸⁸ *Id.*

capabilities, video calls, and relaxed chat moderation.⁸⁹ These decisions, while framed as growth strategies, reflected Roblox's willingness to compromise safety, creating new vulnerabilities and more dangerous circumstances for children in its pursuit of a more profitable, older user base.

90. Roblox executives consistently highlighted progress with the company's "aging up" strategy on every quarterly earnings call after this until the second quarter of 2023, when CEO Baszucki declared that Roblox had achieved its goal: "We're no longer talking about aging up. We are a platform for all ages."⁹⁰ He also revealed that developers had started to "build specific 17-plus experiences."⁹¹ This progress was praised by Wall Street investment banks, who noted that aged-up experiences were a promising indicator of "potential sustainable growth tailwinds for Roblox," reinforcing the company's pivot toward maximizing profitability.⁹²

91. Despite Roblox's deliberate targeting of older users, it failed to implement any meaningful restrictions on contact between adult and child users or limit the mature content and experiences it solicited from developers to attract older audiences. When asked by an equity research analyst about aged-13-and-up experiences for older users, CEO Baszucki admitted, "I want to highlight right now that *we don't have any only 13 and up experiences*. We have 28% of the top thousand experiences having a majority of 13-plus [users] but *those are still experiences that are open to all ages*."⁹³ Similarly, despite urging developers to build more mature experiences, Roblox continued to allow users to set up accounts without any type of age verification.⁹⁴ Even investors recognized the connection between older users and the increased risks for children, questioning how Roblox planned to prevent inappropriate content from reaching younger users.⁹⁵

⁸⁹ Roblox Developers Conference 2023 Keynote (Sep. 8, 2023), <https://www.youtube.com/watch?v=CwLThCghzA4>.

⁹⁰ Q2 2023 Earnings Call (Aug. 9, 2023).

⁹¹ Q2 2023 Earnings Call (Aug. 9, 2023).

⁹² Benjamin Black et al., *Bookings Back on Track*, Deutsche Bank (Nov. 4, 2024).

⁹³ Q3 2021 Earnings Call (Nov. 9, 2021) (emphasis added).

⁹⁴ Q4 2022 Earnings Call (Feb. 15, 2023).

⁹⁵ Q3 2021 Earnings Call, *supra* note 111.

92. Not only did Roblox seek to increase adult users while knowing the risks that strategy posed to children, but it also sought to encourage relationships between users. At Roblox’s 2023 Developers Conference, CEO Baszucki revealed Roblox’s strategy to facilitate “real-life relationships” between users—*i.e.*, dating. While he deliberately avoided the word “dating,” he then announced plans to build a product to support it: “I’m not going to use the D word but subsequent[] real-life relationships is going to happen, okay? And we’re going to build a platform to support that.”⁹⁶

93. By the next year, in 2024, Baszucki explicitly acknowledged this strategy. He first acknowledged that online dating is “edgy” but then mocked his own safety team’s concerns about the dangers—“the policy and safety team told me [dating and real-life relationships] isn’t within our current policy right now”—to which the audience responded with laughter.⁹⁷

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

2. Roblox facilitates grooming for violence through the design of its app, inadequate safety features, and refusal to invest in basic safety protections.

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

96. Roblox designed its app so that anyone can easily communicate with children, creating a virtual world where children are vulnerable to social pressure from violent extremists with virtually no parental input. Until November 2024, adult strangers could “friend” and chat with children of any age via direct messages and chat with them in an experience through direct

⁹⁶ Roblox Developers Conference 2023 Keynote (Sep. 8, 2023), <https://www.youtube.com/watch?v=CwLThCghzA4>.

⁹⁷ Roblox Developers Conference 2024 Keynote (Sep. 6, 2024); <https://www.youtube.com/watch?v=HwbcWc2CwnM>.

messages even if they were not friends. While Roblox offered some adjustable parental controls for users under the age of 13, these children could bypass those controls simply by creating an alternate account falsely identifying as a 13+-year-old user. By designing its app this way, Roblox stripped parents of basic protective options to protect their children from dangerous communications online.

97. This practice contrasts sharply with other gaming products like Nintendo, which use preprogrammed dialogue options to tightly control user interactions.⁹⁸ By adopting a similar approach, Roblox could have significantly reduced—if not eliminated—the grooming for violence facilitated by its app because anyone targeting children would not be able to solicit the personal information that allows them to deepen their ties with minor users across other platforms.

98. Roblox allows links to Discord to be posted in game descriptions and in Roblox groups, which are user-created communities on Roblox. Indeed, Roblox lists Discord as one of only a handful of external apps that users are allowed to link to: “When using Roblox, you may not link to any external websites or services, except for: YouTube, Facebook, Discord, X (formerly Twitter), Guilded, and Twitch.”⁹⁹ Roblox could have prevented users from linking to Discord. In fact, the company previously did not allow its users to link to Discord because it could not “risk unfairly exposing underage users to platforms such as Discord.”¹⁰⁰

99. Roblox also encourages users to communicate on Discord by allowing users to include their Discord usernames in their Roblox profiles.¹⁰¹ This relationship created a shared ecosystem where users toggling between both apps benefited both companies. Roblox profited from interactions on Discord, where exchanges about how to use Roblox to replicate mass shooting events directed users back to Roblox to apply their new designs. Discord profited from

⁹⁸ Carville & D’Anastasio, *supra* note 8.

⁹⁹ Roblox, Roblox Community Standards, <https://en.help.roblox.com/hc/en-us/articles/203313410-Roblox-Community-Standards> (last visited Oct. 13, 2025).

¹⁰⁰ Roblox, Reminder Regarding Permissible Links (Nov. 2017), <https://devforum.roblox.com/t/reminder-regarding-permissible-links/61736>.

¹⁰¹ YouTube, *How to Add Discord to Roblox Profile*, <https://www.youtube.com/watch?v=tOd-W3kdm44>.

the traffic driven by interest in these Roblox experiences and the content they produced. Anything that keeps users engaged benefits both companies, and by fostering this interconnectivity, Roblox prioritized engagement and mutual profit over the safety of its users, enabling harmful behavior to flourish across both apps.

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

101. Roblox could have also required children to provide their names and email addresses and obtain parental approval—a fundamental protection against predators—but refused to do so. This decision allowed the company to bypass certain protections that are mandated by federal law and designed to protect children. The Children’s Online Privacy Protection Act (“COPPA”) prohibits companies like Roblox from collecting, using, or disclosing the personal information of children under 13 without verifiable parental consent. COPPA was enacted because Congress recognized the heightened vulnerability of children on the internet. As the Federal Trade Commission (“FTC”) noted, children under 13 lack the capacity to “understand fully the potential serious safety and privacy implications” of sharing their personal information.¹⁰²

102. The FTC has outlined clear and acceptable methods for obtaining verifiable parental consent. These include: (a) providing a form for parents to sign and return; (b) requiring the use of a credit card or online payment that notifies parents of each transaction; (c) connecting parents to trained personnel via video conference; (d) offering a staffed toll-free number for

¹⁰² 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>.

parental verification; (e) asking knowledge-based questions to confirm identity; or (f) verifying a parent's photo-ID by comparing it to a second photo using facial recognition technology.¹⁰³

103. Yet instead of implementing safeguards to comply with COPPA, Roblox chose to bypass these protections altogether. Roblox intentionally avoids requesting a name or email address during sign-up to sidestep the requirement of verifiable parental consent. In fact, former employees revealed that Roblox considered requiring verifiable consent but ultimately resisted its implementation out of fear that such requirements might drive users away.¹⁰⁴ Consequently, creating a Roblox account is alarmingly easy, requiring less than sixty seconds and no meaningful oversight—a choice that prioritizes growth over the safety of Roblox's youngest users.¹⁰⁵

104. Another easy-to-implement feature that would have improved safety is adding pop-up safety notices within chats and games to warn users about their behavior or the dangerous behavior of others. But Roblox executives also rejected this change.¹⁰⁶

105. Additionally, although Roblox knew that predators routinely operate dozens of Roblox accounts at the same time, the company chose not to implement basic blocking of digital identifiers—both the unique network addresses that track internet connections (Internet Protocol or IP addresses) and the permanent hardware identification numbers assigned to devices (Media Access Control or MAC addresses) that could prevent predators from creating multiple accounts.¹⁰⁷

106. Similarly, Roblox chose not to require adult users to verify phone numbers—which would create significant barriers to predators creating multiple accounts—despite knowing that this enables predators to easily create numerous anonymous accounts to target children.¹⁰⁸

¹⁰³ Federal Trade Commission, *Complying with COPPA: Frequently Asked Questions*, July 2020, <https://www.ftc.gov/business-guidance/resources/complying-coppa-frequently-asked-questions>.

¹⁰⁴ Hindenburg Research, *supra* note 1.

¹⁰⁵ Scott Tong & James Perkins Mastromarino, *Roblox Attempts to Bar Child Predators as Short Sellers Target the Popular Game Platform*, WBUR (Oct. 21, 2024), <https://www.wbur.org/hereandnow/2024/10/21/roblox-child-predators-safety>.

¹⁰⁶ Carville & D'Anastasio, *supra* note 8.

¹⁰⁷ *Id.*

107. Roblox also opted not to require users to verify their age by uploading a picture of either their or their parents' ID, a practice that many other applications employ. Doing so would have restricted the content available to young users and prevented predators from easily misrepresenting their identity when targeting children.

108. Roblox likewise could have created a separate, gated platform for younger children that excludes adults. If supported by age verification using facial recognition (a service that is widely commercially available), the company could create a space for young children to enjoy Roblox games with very few, if any, adults present. Many digital service companies have adopted separate platforms for children of young ages, including (for example) Amazon and Netflix.

109. Roblox could have placed a higher age rating on its application in the iOS App Store and other app stores, to signal to parents that the app presented risks for children. Roblox likewise could have provided clear warnings to parents about the presence of sexual predators on the platform, so that parents could make an informed decision about allowing their child on the platform and/or educate their child on how to stay safe on the platform. Roblox could also have provided clear warnings to children about the presence of sexual predators on the platform and instructed children on how to stay safe on the platform.

110. Despite these glaring failures, Roblox aggressively markets and promotes itself as an "industry leader" when it comes to child safety.¹⁰⁹ Central to this self-serving narrative is its "accomplishments" of investing in artificial intelligence ("AI") and machine learning systems supposedly designed to scan and monitor all communications on the app and prevent the sharing of inappropriate content and personally identifiable information.¹¹⁰

111. Yet this technology has proven grossly inadequate and insufficient to protect children. For example, Roblox's filters have inexplicable omissions. While Roblox blocks certain

¹⁰⁹ Q1 2021 Earnings Call (May 11, 2021).

¹¹⁰ Roblox, *Safety Features: Chat, Privacy & Filtering*, <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).

words, like “Snap” and “Snapchat,” to supposedly prevent off-app communications, it allows workarounds such as the use of the ghost emoji (👻), which is widely recognized as a symbol for Snapchat, or alternative spellings, like “Snappy” or “apchat.” Similarly, while the word “Discord” is blocked, users can bypass this filter by using the disc emoji (🎮) or typing variations, like “iscord” or “cord.”¹¹¹ That Roblox selectively blocks the words “Snap,” “Snapchat,” and “Discord” reveals that Roblox is fully aware of the dangers of off-app inappropriate communications yet chooses not to close these loopholes. And while Roblox prevents users from sharing phone numbers in numerical format, it does nothing to stop users from spelling out the numbers.¹¹²

112. Similarly, while Roblox attempts to block words like “Columbine,” or usernames referencing mass shootings, its algorithm still directs searchers to violent content or permits users to adopt the same names with minor edits.¹¹³

113. Beyond Roblox’s ineffective technology, the company also employs a woefully inadequate number of human moderators to analyze and manage content on its platform. Roblox employs only about 3,000 moderators. Roblox’s moderators, many of them overseas contractors, report being overwhelmed by an unmanageable volume of child safety reports, making it impossible to address all concerns effectively and leaving countless safety issues unresolved.¹¹⁴

114. Roblox also boasts that just “0.0063% of [its] total content was flagged for violating” policies. But Roblox itself controls the systems responsible for identifying and flagging violative content.¹¹⁵ These lower percentages are thus a reflection not of safety but of Roblox’s ability to minimize the appearance of problems through its own inadequate reporting and

¹¹¹ Edwin Dorsey, *Problems at Roblox (RBLX) #5*, The Bear Cave (Oct. 17, 2024), <https://thebearcave.substack.com/p/problems-at-roblox-rblx-5>.

¹¹² *Id.*

¹¹³ *See supra* IV.C.

¹¹⁴ Carville & D’Anastasio, *supra* note 8.

¹¹⁵ Vikki Blake, *Roblox Reported Over 13,000 Incidents to the National Center for Missing and Exploited Children in 2023*, GamesIndustry.biz (Jul. 23, 2024), <https://www.gamesindustry.biz/roblox-reported-over-13000-incidents-to-the-national-center-for-missing-and-exploited-children-in-2023>.

enforcement mechanisms. By hiding behind self-serving metrics and refusing to take meaningful action, Roblox has fostered an environment where children are subjected to irreparable harm while the company continues to reap financial rewards.

115. The very existence of Roblox’s trust and safety “data” on inappropriate communications to train its AI systems contradicts its claims about the platform’s safety. This data exists only because countless instances of abuse, exploitation, and predatory interactions have already occurred. Roblox’s reliance on this data to train its AI systems exposes the reality that its so-called safety measures are not designed to prevent these atrocities but to react to them after the damage has been done. Instead of creating a secure environment where such harm never occurs and ensuring that such interactions never happen in the first place, Roblox uses the suffering and trauma of children as the foundation for its trust and safety systems. This cycle underscores the company’s prioritization of optics over genuine protection, leaving its youngest users at the mercy of its neglect.

116. Roblox’s own developers even admit that Roblox is unsafe for children.¹¹⁶ Online forum discussion posts are replete with developers writing that they would not allow their own children to use the platform, citing pervasive issues with Roblox’s child safety policies. Many of these posts highlight the platform’s systemic failures and suggest straightforward changes Roblox could implement to create a safer environment but has consistently ignored—for example:

- a. “Unfortunately, it is worse now due to Roblox’s moderation being so abysmal and Roblox being a far more widespread platform. Creeps flock aplenty when before the creep: kid ratio was much much lower . . . Roblox has no interest in actually fixing the issues so long as the bad press doesn’t end up viral.”¹¹⁷

¹¹⁶ Edwin Dorsey, *Problems at Roblox (RBLX)* #5, The Bear Cave (Oct. 17, 2024), <https://thebearcave.substack.com/p/problems-at-roblox-rblx-5>.

¹¹⁷ *Id.*

- b. “No. Roblox is not safe for children. The amount of NSFW [Not Safe for Work] I see on this platform on a daily basis is unbelievable. I’m surprised COPPA hasn’t taken any action.”¹¹⁸
- c. “I believe they need to automatically rate these games for older audiences, if not, you know, removing them entirely. I could keep going on about this issue, but it’s just beating a dead horse at this point.”¹¹⁹

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

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

118. After years of mounting pressure, Roblox recently announced changes to its child safety features. These changes were prompted not by the years of police reports and widespread media coverage but by a scathing report published by a well-known short seller accusing the platform of being a “pedophile hellscape for kids.”¹²⁰ Released on October 8, 2024, the report sparked public outrage, detailing many of the issues described above that Roblox had long ignored.

119. A little more than a month later, Roblox announced a series of changes, including permanently removing the ability to message others outside of games on its app for under 13-year-old users;¹²¹ giving parents a separate dashboard where they can monitor a child’s Roblox account, view the child’s friend list, set spending control, and manage screen time;¹²² preventing

¹¹⁸ *Id.*

¹¹⁹ *Id.*

¹²⁰ Hindenburg Research, *supra* note 1.

¹²¹ *Roblox Tightens Messaging Rules for Under-13 Users Amid Abuse Concerns*, Reuters (Nov. 18, 2024), <https://www.reuters.com/technology/roblox-tightens-messaging-rules-under-13-users-amid-abuse-concerns-2024-11-18/>.

¹²² Robert Booth, *Roblox to Give Parents More Control Over Children’s Activity After Warnings 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>.

games from using chalkboard writings where people could get around the censoring of communications;¹²³ and implementing restrictions to stop under 13-year-old users from accessing new Roblox games that are awaiting maturity ratings.¹²⁴

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

121. And these changes are little more than window dressing—too little, too late, and woefully inadequate. Most fundamentally, Roblox *still allows* adults to contact and message children. Roblox only banned user-to-user messaging for users under the age of 13 *outside of games*. Predators can still message children on public chats while playing games; indeed, Roblox has left the blueprint for finding children on the application intact since predators have always found children by playing games they know that children will frequent.

122. Roblox also failed to address core issues like the app’s lack of age verification and refusal to require parental consent to make an account. The restrictions described above only work if children correctly state their age during sign-up. Any child can easily bypass them—including parental controls and limits on messaging—by lying about their birthday. Roblox likewise did not commit to hiring more moderators or increasing its trust and safety budget, nor did it implement any sort of identity check to prevent registered sex offenders from making accounts.

123. In fact, recently, in April 2025, a research firm in the U.K. demonstrated just how easy it still is for predators to find children and move the conversation to another application, such as Snapchat or Discord, despite Roblox’s ban on direct messaging with users under the age of 13.¹²⁵ Because Roblox still allows adult users to message children *in games*, predators can use the public chat functions in games to groom child users and ask for their usernames on other platforms. And, for chat within games, Roblox’s default settings for children under the age of 13

¹²³ *Id.*

¹²⁴ *Id.*

¹²⁵ Revealing Reality, *A Digital Playground: The Real Guide to Roblox* (Apr. 13, 2025), <https://think.revealingreality.co.uk/roblox-real-guide>.

is to allow “everyone” to chat with these children, seamlessly facilitating predators’ access to children.¹²⁶ The key findings from this report included that “[a]dults and children can chat with no obvious supervision” and that “[t]he safety controls that exist are limited in their effectiveness and there are still significant risks for children on the platform.”¹²⁷

124. Just as Roblox rolled out these changes, it simultaneously introduced a new “Parties” feature in an attempt to counteract any potential loss in user engagement.¹²⁸ Because Roblox knew that users often turned to other apps like Discord to communicate while playing video games and because Roblox knew that its safety changes would reduce key user engagement metrics, it sought to capture that traffic (and revenue) and replace any loss of engagement with the Parties feature. While the Parties feature is currently available only for users aged 13 and older, such limitations are hollow without robust age verification. And the fact that Roblox has stated that it is exploring making such a feature available to younger users demonstrates that, far from prioritizing safety, Roblox’s real focus is protecting its bottom-line.¹²⁹

125. Roblox has also engaged in a deceptive public relations campaign using ostensibly independent online safety organizations to influence the narrative around these changes. For instance, Roblox has leveraged its ties to groups like the Family Online Safety Institute (“FOSI”). An online parenting magazine favorably quoted Stephen Balkam, FOSI’s CEO, as endorsing Roblox’s new features as a win for child safety.¹³⁰ What the article omitted, however, is that Roblox’s own Vice President of Civility and Partnerships, Tami Bhaumik, serves as FOSI’s board chair—an obvious conflict of interest.¹³¹ This calculated relationship exposes how Roblox

¹²⁶ Parental Controls Overview, Roblox, <https://en.help.roblox.com/hc/en-us/articles/30428310121620-Parental-Controls-Overview> (last accessed May 10, 2025).

¹²⁷ Revealing Reality, *supra* note 128.

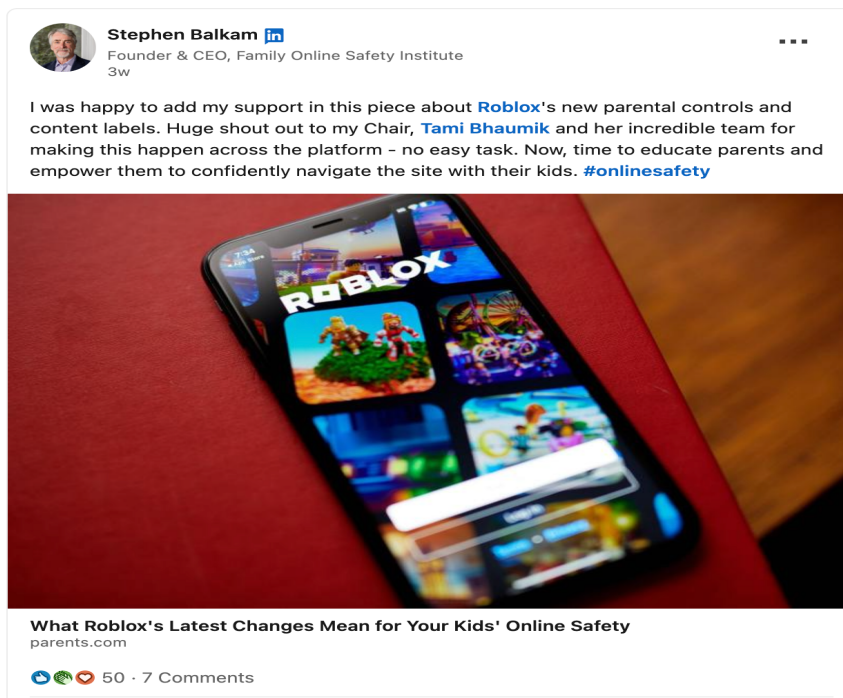
¹²⁸ Rebecca Ruiz, *Roblox’s New Party Feature Makes Discord Obsolete*, Mashable (Dec. 2, 2024), <https://mashable.com/article/roblox-party-discord>.

¹²⁹ *Id.*

¹³⁰ 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>.

¹³¹ *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>.

manipulates public perception by using seemingly independent safety organizations as mouthpieces to shape the narrative in its favor.



Stephen Balkam's LinkedIn post revealing his connection to Roblox in a post praising Roblox's changes.¹³²

126. Most recently, in April 2025, Roblox repeated this same deceptive playbook of bragging about new safety features that, in reality, are glaringly deficient. This update included three new features: first, allowing parents to block children from playing specific games; second, granting parents the power to block people on their child's friends list; and third, giving parents visibility into the games that their child spends the most time in.¹³³

127. None of these parental controls address the underlying deficiency with Roblox that facilitates grooming and predation on children—adult access to and communication with children. Without allowing parents to see who their child is messaging and what the messages say, parents

¹³² LinkedIn, Stephen Balkam's Post, https://www.linkedin.com/posts/stephenbalkam_what-robloxs-latest-changes-mean-for-your-activity-7264409332950220801-WCDF (last visited Jan. 6, 2025).

¹³³ Matt Kaufman, *New Tools for Parents to Personalize Their Child's Experience on Roblox*, ROBLOX (Apr. 2, 2025), <https://corp.roblox.com/newsroom/2025/04/new-parental-controls-on-roblox>.

lack the information necessary to determine which accounts to block on their child's friend list. A list of the top twenty games that a child plays does not tell a parent which games children are interacting with adults in. Moreover, blocking specific games is ineffective when, as discussed above, inappropriate games are re-posted as soon as they are taken down. Indeed, barely a week later, the U.K. research firm discussed above demonstrated just how easy it is for adults to continue to find children, groom them, and then move the communications off Roblox, even after Roblox announced these safety updates.¹³⁴

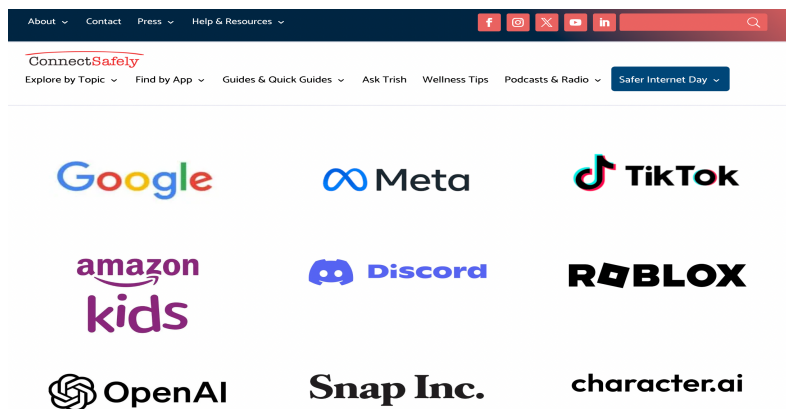
128. And, yet again, all of these controls could have been introduced *years ago*, as none are facilitated by previously unavailable technology.

129. Roblox's deceptive playbook would not be complete without a misleading public relations campaign, where industry-funded safety "experts" praise Roblox's safety update. For example, Roblox's press release announcing these updates quotes Larry Magid, the CEO of ConnectSafely, as saying, "Roblox has consistently provided parents with tools that enable their children to enjoy the platform, while helping protect them against online risks. These new friend- and experience-blocking tools provide parents with even more ways to help ensure their children are using it safely. Safety, fun, and adventure are not mutually exclusive."¹³⁵ What the press release did not say is that ConnectSafely—a non-profit ostensibly focused on educating people about internet safety—is funded by tech companies and lists Roblox as one of its "supporters."¹³⁶

¹³⁴ *A Digital Playground: The Real Guide to Roblox*.

¹³⁵ Matt Kaufman, *New Tools for Parents to Personalize Their Child's Experience on Roblox*.

¹³⁶ ConnectSafely, *Supporters*, <https://connectsafely.org/about-us/supporters/> (last accessed May 10, 2025).



ConnectSafely's list of supporters on its website.

130. A few weeks later, Magid was quoted again in praise of Roblox, this time in a *Newsweek* article championing Roblox as a “trusted playground” for kids: “I would put them very high up on the list of companies that seem to care. They actually have a vice president of civility. It’s unheard of to have somebody at that level of the company that focuses on civility. They really work very hard to make it a friendly, comfortable, civil environment for young people.”¹³⁷ Again, this article made no mention of Magid’s organization’s financial ties to Roblox.

131. FOSI CEO Stephen Balkam was also quoted in the *Newsweek* piece, claiming that Roblox was “top-of-class” for its safety features and even repeating Roblox’s own party line that safety is “part of [Roblox’s] DNA.”¹³⁸ Again, this article omitted FOSI’s ties to Roblox, financial and otherwise, thereby deceptively pushing a narrative of Roblox as a “safe” application for kids.

FACTUAL ALLEGATIONS AS TO DISCORD

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

132. Discord is a communications app that allows users to chat over voice, video, and text messaging. Discord is organized into chat groups called “servers,” which are topic-based virtual spaces that users can join to engage in conversations with others. Servers are organized into subtopics called “channels,” which are divided into text and voice channels. In text channels,

¹³⁷ Katherine Fung, *How Roblox Became a Trusted Playground for Millions of Kids*, *Newsweek* (Apr. 23, 2025), <https://www.newsweek.com/how-roblox-became-trusted-playground-millions-kids-2057601>.

¹³⁸ *Id.*

users post messages, upload files, and share images. In voice channels, users communicate through voice or video chat and screen share. Users can also send private messages via voice, video, or text.

133. Launched in 2015, Discord quickly became the top app for gamers looking to communicate while playing videogames. The company's founders shared a love of video games and created a service for gamers to seamlessly communicate with each other. Discord has since expanded to include a wider audience of anyone looking to communicate with others about an endless array of topics. As Discord puts it, "Discord is now where the world talks, hangs out, and builds relationships;" "Discord lets anyone create a space to find belonging."¹³⁹

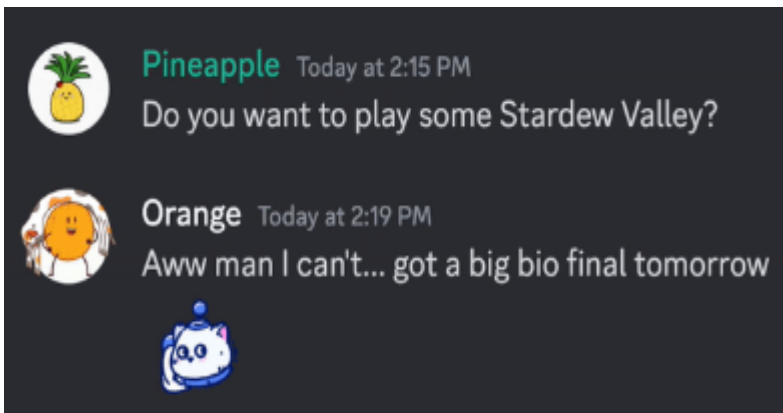
134. Although many users on Discord are adults, Discord directly markets its app to young users. For example, Discord advertises its functionality for school clubs and offers "Student Hubs," which are "dedicated places for students on Discord that make it easy to meet classmates from your own school, discover their communities on Discord, and share your servers for your fellow classmates to join."¹⁴⁰ Discord also markets to young users with features such as "custom emoji, stickers, soundboard effects and more to add your personality to your voice, video or text chat."¹⁴¹ According to Discord, these features are designed to "make your group chats more fun."¹⁴²

¹³⁹ Discord, *Create Space for Everyone to Find Belonging*, <https://discord.com/company> (last visited Feb. 11, 2025).

¹⁴⁰ 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>.

¹⁴¹ Discord, *Create Space for Everyone to Find Belonging*, <https://discord.com/company> (last visited Feb. 11, 2025).

¹⁴² *Id.*



*Example of a custom emoji from Discord's website.*¹⁴³

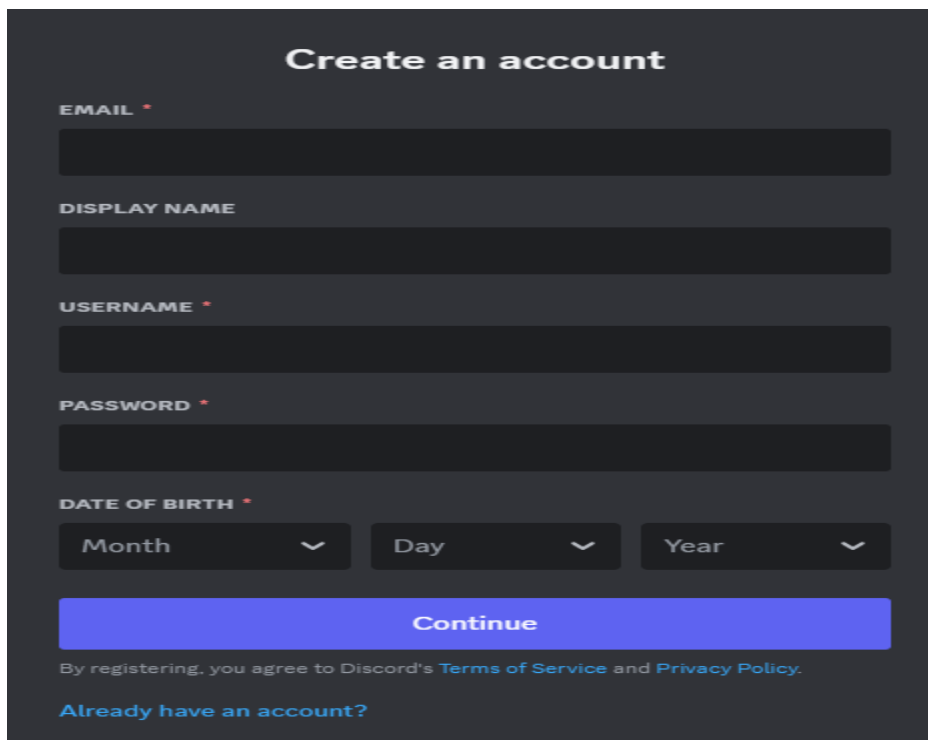
135. In recent years, Discord has exploded in popularity among young users, driven in part by the pandemic. As The New York Times explained in its article *How Discord, Born from an Obscure Game, Became a Social Hub for Young People*, “While adults working from home flocked to Zoom, their children were downloading Discord to socialize with other young people through text and audio and video calls in groups known as servers.”¹⁴⁴ Given this influx of young people, which has only grown since the pandemic, the average age of a Discord user is 16 years old.¹⁴⁵

136. 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.

¹⁴³ Discord, *Custom Emojis*, https://support.discord.com/hc/en-us/articles/360036479811-Custom-Emojis#h_01H06JVDAV2VKZBTRGJDY8NBV7 (last visited Feb. 11, 2025).

¹⁴⁴ 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>.

¹⁴⁵ Super League, *An Introductory Look into Discord*, <https://www.superleague.com/post/an-introductory-look-into-discord>.

A screenshot of the Discord account creation interface. The background is dark gray. At the top, the text "Create an account" is centered in white. Below this, there are five input fields, each with a label and a red asterisk: "EMAIL", "DISPLAY NAME", "USERNAME", "PASSWORD", and "DATE OF BIRTH". The "DATE OF BIRTH" field is a date picker with three dropdown menus for "Month", "Day", and "Year". Below the input fields is a large blue button labeled "Continue". At the bottom, there is a line of text: "By registering, you agree to Discord's [Terms of Service](#) and [Privacy Policy](#)." followed by a link: "[Already have an account?](#)".

Discord Sign-up Screen

137. 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.¹⁴⁶

138. 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.

139. 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

¹⁴⁶ 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>.

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

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

140. Since its inception, Discord has assured parents that its app provides a safe place for children to spend their time interacting with others. According to Discord, “in May 2015, Discord began as a way for us to all play games together, better. And Safer.”¹⁴⁷ “We’ve always wanted Discord to be a place where one could safely play games with friends.”¹⁴⁸

141. For years, Discord has promised to maintain a hardline policy against content promoting violent extremism. Since its first publicly issued Transparency Report, covering the first quarter of 2022, Discord has claimed “to ensure that violent extremism does not have a home on Discord.”¹⁴⁹ Since its second quarterly Transparency Report, Discord has made express assurances that, “[f]or some high-harm issues such as Violent Extremism . . . we do not issue warnings but rather immediately disable the account and remove the content.”¹⁵⁰ After the tragic shooting at a Buffalo grocery store in 2022, Discord pledged to redouble its efforts to monitor such content, writing that “[w]e created Discord to be a place for people to find belonging, and hate and violence are in direct opposition to our mission.”¹⁵¹

142. Discord similarly promises to maintain a strict policy against content promoting self-harm, stating in unambiguous terms that “[w]e do not allow the coordination or the graphic

¹⁴⁷ Discord, *Discord Safety Boost* (Mar. 28, 2017), <https://discord.com/blog/discord-safety-boost>.

¹⁴⁸ *Id.*

¹⁴⁹ Discord, *Discord Transparency Report: January – March 2022*, <https://discord.com/blog/discord-transparency-report-q1-2022>.

¹⁵⁰ Discord, *Discord Transparency Report: April – June 2022*, <https://discord.com/blog/discord-transparency-report-q2-2022>.

¹⁵¹ Discord, *Our Response to the Tragedy in Buffalo* (May 20, 2022) <https://discord.com/safety/our-response-to-the-tragedy-in-buffalo>.

depiction of self-harm or of suicide” and that content promoting suicide or self-harm “is not allowed under any circumstance.”¹⁵²

143. Discord promises parents that its app is different from other communication products when it comes to child safety, assuring parents that “[w]e built Discord to be different and work relentlessly to make it a fun and space for teens.”¹⁵³ Discord claims to be “Design[ed] for Safety,” and that “[s]afety is at the core of everything we do and a primary area of investment as a business.”¹⁵⁴

144. Discord specifically assures parents that its app is designed to keep children safe and that it defaults to safety. Discord, for instance, in a website post titled “Settling into School with Discord,” informs parents that “[m]any teams across Discord work together to ensure your teen finds belonging by building products and policies with safety by default.”¹⁵⁵ And in a website post titled “Discord’s Commitment to Teen and Child Safety,” Discord promises parents that “[w]e make our products safe spaces by design and default. Safety is and will remain part of Discord’s core experience.”¹⁵⁶

145. Likewise, according to Discord’s 2023 “Parent’s Guide to Discord,” “Discord has default settings designed to keep minors safe, such as automatically scanning direct messages for explicit images and videos.”¹⁵⁷ Those default settings, according to Discord, include “Teen Safety

¹⁵² Discord, *Suicide and Self-Harm Policy Explainer* (Aug. 29, 2025), <https://discord.com/safety/suicide-self-harm-policy-explainer>.

¹⁵³ Discord, *Discord’s Commitment to Teen and Child Safety* (July 11, 2023), <https://discord.com/safety/commitment-to-teen-child-safety>.

¹⁵⁴ *Id.*; see also Discord, *Discord’s Commitment to a Safe and Trusted Experience* (May 12, 2022), <https://discord.com/safety/360043700632-discords-commitment-to-a-safe-and-trusted-experience>.

¹⁵⁵ Savannah Badalich, *Settling into School with Discord*, Discord (Sept. 28, 2021), <https://discord.com/safety/settling-into-school-with-discord>.

¹⁵⁶ Discord, *Discord’s Commitment to a Safe and Trusted Experience* (May 12, 2022), <https://discord.com/safety/360043700632-discords-commitment-to-a-safe-and-trusted-experience>; <https://discord.com/safety/commitment-to-teen-child-safety>.

¹⁵⁷ 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).

Assist,” which (1) “automatically blur[s] media that may be sensitive in direct messages and group direct messages with friends, as well as in servers,” and (2) sends “safety alerts” to teen users when they receive a direct message from a user for the first time.¹⁵⁸

146. While Discord represents that its app is designed to default to safety, it simultaneously instructs parents on how to *change* the default safety settings to keep their child safe. For years, Discord has consistently assured parents that they can use the company’s “tools to protect [their children] from inappropriate content or unwanted contact.”¹⁵⁹ Discord, for example, tells parents they can turn on an “explicit image filter” that will “[a]utomatically block direct messages that may contain explicit images.”¹⁶⁰ Discord also informs parents that they can disable the direct message setting that allows anyone in a server to privately message their children. Discord also promises parents that they can change their child’s “Friend request settings” to limit who can send them a friend request—*i.e.*, “Everyone,” Friend of friends,” or “Server members.”¹⁶¹

147. Discord’s CEO and co-founder Jason Citron recently reiterated many these assurances nearly verbatim in his January 31, 2024 testimony to the U.S. Senate as part of its hearing on “Big Tech and the Online Child Sexual Exploitation Crisis.” Citron emphasized Discord’s “multi-pronged approach” to child safety, including the company’s “approach to product development, whereby we implement a rigorous ‘safety by design’ practice when

¹⁵⁸ Savannah Badalich, *Building a Safer Place for Teens to Hang Out*, Discord (Oct. 24, 2023), <https://discord.com/safety/safer-place-for-teens>.

¹⁵⁹ 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-your-teen-stay-safe-on-discord> (archived July 11, 2023).

¹⁶⁰ Discord, *Helping 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).

¹⁶¹ *Id.*

developing products.”¹⁶² As Citron elaborated, “[b]ecause safety is critical to our core mission, Discord takes a ‘safety by design’ approach to our work.”¹⁶³

148. Citron also highlighted Discord’s “sophisticated tools” for parents to keep their children safe, as well as the company’s “features designed to keep teens safe on our platform,” such as Teen Safety Assist, which flags “potentially unwanted conversations to teen users in Discord” and “automatically blur[s] potentially sensitive media to teens in DMs, GMS, and in servers.”¹⁶⁴

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

149. 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 predators rampantly target children to groom them for violence against themselves and others through coercion, emotional manipulation, and social pressure. The result has been devastating, with countless children and others suffering irreversible harm.

150. Discord’s appeal to extremist subcultures has been known and made apparent to its founders from early on.¹⁶⁵ In 2017, for example, white nationalists used Discord servers to plan the “Unite the Right” rally in Charlottesville, Virginia,¹⁶⁶ sharing schematics for the rally and advice on body armor,¹⁶⁷ as well as jokes about the killing of a counter-protester (Heather

¹⁶² *Id.*

¹⁶³ *Id.*

¹⁶⁴ *Id.*

¹⁶⁵ Joseph Bernstein, *A Thriving Chat Startup Braces For The Alt-Right*, BuzzFeed (Jan. 23, 2017), <https://www.buzzfeednews.com/article/josephbernstein/discord-chat-startup-braces-for-the-alt-right>.

¹⁶⁶ Aaron Sankin and Scott Pham, *In chat rooms, Unite the Right organizers planned to obscure their racism*, Reveal (Oct. 31, 2017), <https://revealnews.org/article/in-chat-rooms-unite-the-right-organizers-planned-to-obscure-their-racism/>; see also, “Mostly Peaceful”: Countering Left-Wing Organized Violence: Hearing Before the Subcomm. on Oversight, Investigations, and Accountability, 118 Cong. 13 (2023) (Statement of Amy Spitalnick).

¹⁶⁷ *Id.*

Heyer) in a car attack and conspiracy theories that the car attack had been a “false flag” operation.¹⁶⁸

151. Discord is and was aware of these dangers. A 2022 inquiry from the Senate Judiciary Committee to then-CEO Jason Citron described Discord’s connection to the Charlottesville rally, as well as to the 2022 Buffalo shooting.¹⁶⁹ Indeed, after Charlottesville, Discord itself announced that it would be working with the Southern Poverty Law Center to address hate groups on the platform.¹⁷⁰ Those purported efforts have been complete failures.

152. According to a 2021 report by the Institute for Strategic Dialogue, Discord currently serves as an “entry point” for young users to encounter extremist ideologies.¹⁷¹ A recent study found that Discord servers accessible to minors contained “full length videos of mass casualty shootings, nazi iconography and instructions to ‘troll muslims’ and ‘troll jews.’”¹⁷² United Nations research on counterterrorism has identified Discord as a platform rife with extremist beliefs, which are shared with and encouraged among young users through “gamified” systems of points, badges, and leaderboards on the platform.¹⁷³ These tactics of social pressure

¹⁶⁸ *Id.*

¹⁶⁹ Letter from Chair of the Senate Judiciary Committee Dick Durbin to Discord Chief Executive Officer Jason Citron (May 19, 2022), <https://www.judiciary.senate.gov/imo/media/doc/Letter%20from%20Chair%20Durbin%20to%20Jason%20Citron.pdf>.

¹⁷⁰ April Glaser, *An Online Hub for Gamers Is Allowing Groups That Deify School Shooters to Flourish*, Slate (Mar. 7, 2018), <https://slate.com/technology/2018/03/steam-an-online-hub-for-gamers-is-allowing-groups-that-deify-school-shooters-to-flourish.html>.

¹⁷¹ Aoife Gallagher et al., *The Extreme Right on Discord*, Institute for Strategic Dialogue (Aug. 4, 2021), <https://www.isdglobal.org/wp-content/uploads/2021/08/04-gaming-report-discord.pdf>; see also, Richard Adams, *From ‘study guides’ to trolling raids: how UK far-right groups target children online*, The Guardian (Aug. 3, 2022), <https://www.theguardian.com/politics/2022/aug/03/study-guides-trolling-raids-how-uk-far-right-groups-target-children-online>.

¹⁷² Ayad and Frances Wright, *supra* note 42.

¹⁷³ Schlegel and Amarasingam, *supra* 50.

allow predators to target socially vulnerable children and to indoctrinate them by appealing to child-like imagery and providing a sense of belonging.

153. Discord is also popular with the True Crime Community, the aforementioned extremist subculture that valorizes school shooters. TCC groups stimulate fixations on figures like the perpetrators of the Columbine and Parkland massacres and thus pose a serious danger to impressionable young users.¹⁷⁴

154. When moderators on other platforms crack down on these groups, Discord provides an alternative forum for the so-called “dark fandoms” that follow everything from school shooters’ music tastes to haircuts.¹⁷⁵ Discord users share advice on building mass-casualty simulators and designing videogame avatars, including Roblox avatars, that resemble the Columbine shooters.¹⁷⁶

155. Members of some TCC groups borrow extensively from white-supremacist tropes and imagery, leading children as young as 12 or 13 to use phrases like “gas the Jews” or “TND,” short for “total n-word death,” on members-only channels self-described as “toxic.”¹⁷⁷ Users advertise “toxic” Discord servers over third-party websites with tags that explicitly reference TCC, Columbine, and other terms with violent and extremist connotations.

156. Exposure to TCC and similar violent content on Discord is increasingly leading to devastating real-world consequences as users encourage each other to develop and act on violent and self-destructive fantasies.

157. Between 2022 and 2023, three school shootings in Brazil were found to be connected to the perpetrators’ activities on Discord. Two organized their attacks on the platform,

¹⁷⁴ Dina Temple-Raston, ‘Cruzers’ and the Dark World of School-Shooter Culture Online, *Intelligencer* (Apr. 6, 2018), <https://nymag.com/intelligencer/2018/04/cruzers-are-fans-of-school-shooter-nikolas-cruz.html>.

¹⁷⁵ Jessica Guynn and Will Carless, *supra* note 49.

¹⁷⁶ *Id.*

¹⁷⁷ Katherine Dee, *Adam Lanza Fan Art*, *Tablet* (Oct. 8, 2024), <https://www.tabletmag.com/feature/adam-landa-fan-art>.

while a third was part of a TCC forum on Discord where he broadcast his plans before the attack.¹⁷⁸

158. The perpetrator of the January 2024 school shooting in Perry, Iowa, was reportedly active on a Discord server dedicated to discussing school massacres.¹⁷⁹ Directly before the attack, he posted racial slurs and comments about “gearing up” to Discord.¹⁸⁰ The perpetrator of the September 2024 shooting in Barrow County, Georgia, had been similarly active on Discord, where he “honored” the Sandy Hook school shooter.¹⁸¹

159. Outside of schools, the New York Attorney General issued a report on the Buffalo shooter’s extensive use of Discord, where he shared his plans shortly before the attack.¹⁸² The perpetrator of a 2020 shooting at a gas station in Springfield, Missouri, which left four dead, was also active on a Discord server where he participated in military simulations and made Nazi references.¹⁸³

160. Discord also facilitates self-harm, including through content that induces teenagers to kill or seriously injure themselves. Among other things, groups of Discord users, often adults, use blackmail and physical threats to coerce teenagers to engage in self-harm and even suicide on camera.¹⁸⁴ In one example, such threats caused an Oklahoma teen to cut herself and behead the

¹⁷⁸ Mariana Ribeiro, *From Chans to Chaos: Gamer Spaces and School Attacks in Brazil*, Purpose, <https://www.purpose.com/from-chans-to-chaos-gamer-spaces-and-school-attacks-in-brazil/>.

¹⁷⁹ Sunny Sone, *Iowa Shooter Was Reportedly Active on Discord and Posted Before Attack*, The Trace (Jan. 9, 2024), <https://www.thetrace.org/newsletter/perry-iowa-school-shooting-discord/>.

¹⁸⁰ *Id.*

¹⁸¹ Andrea Cavallier, *Georgia suspect Colt Gray honored Sandy Hook killer via Discord and kept writings on school shooters*, The Independent (Sept. 5, 2024), <https://www.the-independent.com/news/world/americas/crime/georgia-shooter-colt-gray-adam-lanza-discord-b2607931.html>.

¹⁸² Office of the New York State Attorney General, *Investigative Report on the role of online platforms in the tragic mass shooting in Buffalo on May 14, 2022* (Oct. 18, 2022), <https://ag.ny.gov/sites/default/files/buffaloshooting-onlineplatformsreport.pdf>.

¹⁸³ Jillian Peterson et al., *How Mass Public Shooters Use Social Media: Exploring Themes and Future Directions*, Social Media + Society, 9(1) (2023).

¹⁸⁴ Shawn Boburg et al., *On popular online platforms, predatory groups coerce children into self-harm*, The Washington Post (Mar. 14, 2024),

family's pet hamster live on camera.¹⁸⁵ The victim's mother believes her daughter only narrowly escaped death by suicide when the mother intervened and contacted authorities.

161. Such incidents are well known to Discord, too. In recent years, they have been the subject of an FBI warning¹⁸⁶ and an investigative letter from the U.S. Senate.¹⁸⁷ The FBI warning highlighted that violent groups often target minors, especially those who are racial minorities, part of the LGBTQ community, or suffering from severe preexisting mental-health issues such as suicidal ideation.

D. Discord Knowingly Causes and Facilitates Grooming Children for Violence.

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

1. Discord prioritizes growth over the safety of children.

163. Although Discord began as a communications app for gamers, its co-founders Jason Citron and Stanislav Vishnevskiy soon realized that Discord appealed to a much broader audience and sought to expand its user base. "We saw an opportunity to make communications easier for everyone, not just gamers," Citron explained.¹⁸⁸ So the company changed its motto from

<https://www.washingtonpost.com/investigations/interactive/2024/764-predator-discord-telegram/>.

¹⁸⁵ Federal Bureau of Investigation, *Violent Online Groups Extort Minors to Self-Harm and Produce Child Sexual Abuse Material* (Sep. 12, 2023), <https://www.ic3.gov/PSA/2023/PSA230912#fn3>.

¹⁸⁶ *Id.*

¹⁸⁷ Letter from U.S. Senator Mark Warren to Discord Chief Executive Officer Jason Citron (Aug. 12, 2024), https://www.warner.senate.gov/public/_cache/files/d/9/d9faafdf-657a-4a74-8978-5fd060ed5c52/D55A0E686723F2E80EC002807DA8F833065E2B0C7B0233BB2E0126909391D4CB.discord-letter---violent-predatory-groups.pdf

¹⁸⁸ Nathan Latka, *Discord's \$879M Revenue: 25 Moves to \$25B Valuation*, LATKA-B2B Saas Blog (Jan. 15, 2025), <https://blog.getlatka.com/discord-revenue/>.

“Chat for gamers” to “A new way to chat with your communities and friends” and became hyper-focused on transforming into a universal communication product.¹⁸⁹

164. Discord has since grown exponentially. In 2019, the company had 56 million monthly active users.¹⁹⁰ But with Discord’s shift away from gaming in 2020, combined with its pandemic-driven explosion in popularity among young users, the company grew its monthly active users to 150 million by 2022.¹⁹¹ As of 2024, Discord boasted over 200 million monthly active users.¹⁹²

165. As Discord has grown, private investors have poured money into the company. In June 2020, Discord raised \$100 million at a \$3.4 billion dollar valuation.¹⁹³ Just five months later, the company raised another \$100 million at more than double the valuation (\$6.90 billion).¹⁹⁴ In early 2021, Discord rebuffed an acquisition offer from Microsoft of at least \$10 billion.¹⁹⁵ Later that year, it raised another \$500 million at a staggering valuation of \$14.5 billion.¹⁹⁶ While Discord has remained privately held so far, the company is expected to go public this year.¹⁹⁷

166. A primary reason for investors’ interest in Discord is its user growth, putting enormous pressure on the company to prioritize growing its users above all else. Growing its users is critical to the company’s revenue and future profitability. Discord generates most of its revenue

¹⁸⁹ 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>.

¹⁹⁰ HelpLama, *Discord Revenue and Usage Statistics 2025*, <https://helplama.com/discord-statistics/>.

¹⁹¹ *Id.*

¹⁹² 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>.

¹⁹³ Equitybee, *Discord Funding History*, <https://equitybee.com/companies/company?company=discord> (last visited Feb. 11, 2025).

¹⁹⁴ *Id.*

¹⁹⁵ Sarah E. Needleman, *Discord Ends Deal Talks with Microsoft*, Wall. St. J. (Apr. 20, 2021), <https://www.wsj.com/articles/discord-ends-deal-talks-with-microsoft-11618938806>.

¹⁹⁶ *Id.*

¹⁹⁷ Chris Morris, *These Are the Most Anticipated IPOs to Watch in 2025*, FastCompany (Dec. 30, 2024), <https://www.fastcompany.com/91243719/most-anticipated-ipos-to-watch-in-2025>.

from its subscription service called Nitro, which provides users with benefits such as custom emojis, unlimited “super reactions,” and HD video streaming. As the company expanded its user base, its revenue skyrocketed from \$150 million in 2020 to \$600 million in 2024.¹⁹⁸ And while for years Discord shunned advertising on its app, the company recently started selling advertisements to boost revenue by capitalizing on its massive and growing user base.¹⁹⁹

167. Discord’s growth strategy has focused on a user-centric approach that prioritizes user preferences over child safety. As Discord CEO and co-founder Jason Citron put it, “We focus on what our users love, and that drives everything we do.”²⁰⁰ In practice, that has resulted in Discord elevating the privacy of its users over protecting children in order to attract as many users to its app as possible. For example, Discord continues to allow people to chat using fake names and does not require individuals to enter their real names when registering for an account, ensuring that predators will continue to flock to Discord because they can remain anonymous.

168. Discord even prioritizes user privacy over child safety with a feature it recently added to supposedly allow parents to monitor their children’s Discord use. In 2023, Discord created its “Family Center for Parents and Guardians”—a “completely opt-in feature” that is “not mandatory for teens.”²⁰¹ While this feature permits parents to monitor some of their children’s activity on Discord, it prohibits parents from accessing the most important information on their accounts—the contents of their messages. As Discord tells children, “We value your privacy which is why connected accounts will not have access to the contents of your messages.”²⁰²

¹⁹⁸ 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>.

¹⁹⁹ Equitybee, *Discord Funding History*, <https://equitybee.com/companies/company?company=discord> (last visited Feb. 11, 2025).

²⁰⁰ Nathan Latka, *Discord’s \$879M Revenue: 25 Moves to \$25B Valuation*, LATKA-B2B Saas Blog (Jan. 15, 2025), <https://blog.getlatka.com/discord-revenue/>.

²⁰¹ Discord, *What Is Family Center?*, <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).

²⁰² *Id.*

Discord also assures children that, with Family Center, “you have control over whether or not you use this feature, how long you want to use it for, and who you connect your account to.”²⁰³ By putting children in charge of this parental feature, Discord seeks to preserve growth of this key demographic.

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

170. Moreover, Discord refuses to take steps to assist law enforcement, such as by adopting a policy permitting access to the deleted accounts of mass shooters, a measure that law-enforcement experts have called for in the wake of attacks like the one in Perry, Iowa.²⁰⁴

2. Discord facilitates grooming for violence through the design of its app, inadequate safety features, and refusal to invest in basic safety protections.

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

172. Discord designed its app so that anyone can easily communicate with children, creating a virtual world where predators can freely target children and exploit their vulnerability and isolation to groom them for violence. Despite its repeated assurances to parents that its app “defaults” to safety for child accounts, Discord, in fact, designed its app to default to settings that facilitate the targeting of children.

173. Discord, for example, defaults to settings that allow predators to send direct messages to children. Predators can freely join servers that are populated with kids. By default, Discord allows any two people who share a server to direct message each other, providing

²⁰³ *Id.*

²⁰⁴ Discord, *What Is Family Center?*, <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).

predators with an easy means of contacting and communicating with children. By default, Discord permits children to receive friend requests from “Everyone,” meaning children can receive and accept friend requests from individuals whom they do not know and with whom they have no connection.

174. Although parents can change Discord’s permissive default settings to more restrictive ones, that option is meaningless because Discord enables children to modify these safety settings without parental approval. So, a parent might modify the default settings so that their child cannot exchange direct messages with other server members or cannot receive friend requests from “Everyone,” only to have their child simply change those settings to allow these unfettered interactions. As Discord puts it, “[o]ur product architecture provides each user with fundamental control over their experience on Discord including who they communicate with, what content they see, and what communities they join or create.”²⁰⁵ By doing so, Discord strips parents of basic protective options that would prevent adult strangers from targeting and exploiting their children. As one parent explained in calling Discord an “EXTREMELY dangerous app,” Discord does not provide “any way for parents to set settings that can’t simply be undone by kids.”²⁰⁶

175. Discord also refused to implement other simple measures that would have protected children using its product. For example, despite having the ability to do so, Discord does not require users to verify their age and identity when creating an account. Doing so would have prevented predators, such as previously banned users, from remaining on the platform or creating fake profiles and pretending to be children, which is a preferred approach in targeting children.

176. Age and identity verification would also have prevented individuals under 13 from creating accounts on Discord. By requiring ID verification during the account sign-up process—

²⁰⁵ Discord, *Discord Parent Hub*, <https://discord.com/safety-parents> (last visited Feb. 11, 2025).

²⁰⁶ National Center on Sexual Exploitation, *The Dirty Dozen List '24: Roblox*, <https://endsexualexploitation.org/roblox/> (last updated Dec. 4, 2024).

a practice that other online products employ—Discord could prevent children from even using its app. But it chooses not to, despite knowing for years that children under 13 operate freely on its application and are targeted by predators.

177. Discord also could have placed a higher age rating on its application in the iOS App Store and other app stores to signal to parents that the app presented risks for children. Discord likewise could have provided clear warnings to parents about the presence of predators on the platform, so that parents could make an informed decision about allowing their child on the platform and/or educate their child on how to stay safe on the platform. Discord could also have provided clear warnings to children about the presence of predators on the platform and instructed children on how to stay safe on the platform.

178. Discord is also famously slow and ineffective at responding to child-safety issues. One mother, for example, told CNN that Discord essentially refused to help her after she reported contact between her daughter and a child predator.²⁰⁷ Following the mother’s report, Discord sent her an automated message asking for “the message links to the reported content for the team to review and take appropriate action.”²⁰⁸ After the mother sent the requested links, Discord never responded. “There was no help at all,” she said.²⁰⁹

PLAINTIFF-SPECIFIC ALLEGATIONS

179. Plaintiff’s daughter, Audree Heine, was a vibrant and creative young girl who loved art and sports. In December 2024, just a week after her 13th birthday, she died by suicide after being exposed to harmful and violent influences, including the True Crime Community, through Defendants’ platforms.

180. Audree began using Roblox and Discord when she was 8 years old. These platforms were widely used among Audree’s peers, and Plaintiff trusted the platform’s assertions

²⁰⁷ 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>.

²⁰⁸ *Id.*

²⁰⁹ *Id.*

that their safety and community standards kept the platform safe for children. Plaintiff set parental controls on Audree's Roblox and Discord accounts, believing that these would ensure safety.

181. Despite their assurances, Defendants' platforms were a conduit for predatory and harmful content and interactions. Defendants failed to screen abusive users, provide effective parental controls, and implement other measures that were readily available and necessary to prevent harm to children like Audree.

182. Audree was bullied and felt socially isolated, leaving her vulnerable to predators and harmful influences online. Through Roblox, Audree encountered other users, including members of the TCC, who glorified violence and espoused self-harm as a response to real-life hardship. These groups, which Audree encountered before even becoming a teenager, led to a particular fixation on the Columbine shooters.

183. The grooming for violence continued on Discord, where predators continued to exploit Audree's emotional vulnerabilities with violent rhetoric, manipulation, and social pressure. These forces affected Audree's behavior and mental health—in the end, fatally.

184. Audree's exposure to homophobic and violent content exacerbated her feelings of isolation and despair. As her mental health deteriorated, Audree recorded a countdown in her journal. The platforms facilitated this deterioration with their inadequate safety mechanisms, which failed to prevent Audree's harmful interactions. Despite the parental controls that Plaintiff had attempted to place on Audree's accounts, the platforms allowed predators to contact Audree and allowed these relationships to flourish until her death.

185. Plaintiff was unaware until after Audree's death that her daughter had been exposed to these toxic communities and predators. Predators instilled the fear and shame that led Audree to meticulously hide her interactions with them from Plaintiff.

186. Audree suffered substantial harm leading to her death, and Plaintiff has suffered irreversible harm from the loss of her daughter. Defendants are directly responsible for these harms. If these platforms had lived up to their promises of safety and put effective safeguards in place, Audree would still be alive today.

CAUSES OF ACTION

FIRST CAUSE OF ACTION

FRAUDULENT CONCEALMENT AND MISREPRESENTATIONS

(By Plaintiff Against Each Defendant)

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

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

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

190. Each Defendant was under a duty to tell the public, users, and their parents the truth and to disclose the defective conditions of its app and that the app posed serious safety risks to child users because each Defendant possessed superior knowledge about the dangers of its app through internal reviews, external studies known to each Defendant, and parent and police reports made to each Defendant. Instead of disclosing the truth, each Defendant engaged in a widespread public campaign to tout the safety of its app in the media, and in the materials provided to potential users of the app, as described above.

191. Each Defendant made numerous false representations about the safety of its app, as described above, which were specific and widespread. Plaintiff and the public at large relied on each Defendant's false representations in deciding to allow children to play on the app.

192. Each Defendant breached its duty to the public, users, and their parents by concealing and failing to disclose the serious safety risks presented by its app. Even though each Defendant knew of those risks based on its internal reviews, external studies known to each Defendant, and parent and police reports made to each Defendant, each Defendant intentionally concealed those risks to not lose users and revenue, and to induce parents to allow their children to use its app. Such risks were known only to each Defendant, and the public, users, and their parents, including Plaintiff, could not have discovered such serious safety risks.

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

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

195. Each Defendant knew that its concealment, omissions, and misrepresentations were material. A reasonable person, including Plaintiff, would find information about the risks associated with Defendants' platforms—including grooming for violence—to be important when deciding whether to allow children to use them.

196. Each Defendant intended to deceive the public, users, and their parents, including Plaintiff's mother, by making misrepresentations and concealing the defects in the design of its app, which made the app unsafe.

197. As a direct and proximate result of each Defendant's concealment of material information and misrepresentations, Plaintiff was not aware and could not have been aware of the facts that each Defendant concealed, and therefore justifiably and reasonably believed that each Defendant's app was safe for children to use.

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

199. As a direct and proximate result of each Defendant's concealment of material information and misrepresentations, Audree sustained serious injuries and harm.

200. Defendants' concealment and misrepresentations were a substantial factor in causing harm to Audree.

201. Each Defendant's conduct, as described above, was intentional, fraudulent, willful, wanton, reckless, malicious, fraudulent, oppressive, extreme, and outrageous, and displayed an entire want of care and a conscious and depraved indifference to the consequences of its conduct, including to the health, safety, and welfare of its customers, and warrants an award of punitive damages in an amount sufficient to punish Defendants and deter others from like conduct.

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

SECOND CAUSE OF ACTION
NEGLIGENT MISREPRESENTATIONS
(By Plaintiff Against Each Defendant)

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

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

205. As set forth in more detail above, each Defendant knew about the defective conditions of its app and that the app posed serious safety risks to child users. Instead of disclosing the truth, each Defendant engaged in a widespread public campaign to tout the safety of its platform in the media, and in the materials provided to potential users of the app, as described above.

206. Each Defendant made numerous false representations about the safety of its app, as described above, which were specific and widespread. Plaintiff and the public at large relied on each Defendant's false representations in deciding to allow children to play on the app.

207. Each Defendant was under a duty to tell the public, users, and their parents the truth and to disclose the defective conditions of its app and that the app posed serious safety risks to child users because each Defendant possessed superior knowledge about the dangers of its app through internal reviews, external studies known to each Defendant, and official government inquiries sent to Defendants.

208. Each Defendant breached its duty to the public, users, and parents of minor users by concealing, failing to disclose, and making misstatements about the serious safety risks presented by its app. Even though each Defendant knew of those risks based on its internal reviews, external studies known to each Defendant, parent and police reports, and official government inquiries sent to Defendants, each Defendant intentionally concealed those risks to not lose users and revenue, and to induce parents to allow their children to use its app.

209. By making numerous material representations downplaying any potential harm associated with its app and reassuring the public, users, and their parents, including Plaintiff, that its app was safe, each Defendant negligently misled the public, users, and their parents, including Plaintiff, into believing its app was safe for children to use.

210. Each Defendant had no reasonable grounds for believing that its misrepresentations that its app was safe for children to use were true.

211. By concealing and failing to disclose, or failing to take reasonable care to disclose, the defects, each Defendant negligently misled the public, users, and their parents, including Plaintiff, into believing that its app was safe for children to use.

212. By making numerous material misrepresentations downplaying any potential harm associated with its app and reassuring the public, users, and their parents, including Plaintiff, that its app was safe, each Defendant negligently misled the public, users, and their parents, including Plaintiff, into believing that its app was safe for children to use.

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

214. As a direct and proximate result of each Defendant's material omissions, misrepresentations, and concealment of material information, Audree sustained serious injuries and harm.

215. Each Defendant's concealment and Plaintiff's reliance on each Defendant's representations about the safety of its app were substantial factors in causing harm to Audree.

216. Each Defendant's conduct, as described above, was intentional, fraudulent, willful, wanton, reckless, malicious, fraudulent, oppressive, extreme, and outrageous, and displayed an entire want of care and a conscious and depraved indifference to the consequences of its conduct, including to the health, safety, and welfare of their customers, and warrants an

award of punitive damages in an amount sufficient to punish them and deter others from like conduct.

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

THIRD CAUSE OF ACTION

NEGLIGENCE – GENERAL

(By Plaintiff Against Each Defendant)

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

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

220. At all relevant times, each Defendant developed, set up, managed, maintained, operated, marketed, advertised, promoted, supervised, controlled, and benefited from its respective app used by Audree.

221. Each Defendant owed Audree a duty to exercise reasonable care in the development, setup, management, maintenance, operation, marketing, advertising, promotion, supervision, and control of its app and not to create an unreasonable risk of harm from and in the use of its app, including an unreasonable risk of grooming for violence, as well as associated physical or mental injuries; to protect Audree from unreasonable risk of injury from and in the use of its app; and not to invite, encourage, or facilitate youth, such as Audree, to foreseeably engage in dangerous or risky behavior through, on, or as a reasonably foreseeable result of using its app. These duties govern Defendants' own specific actions and are based on direct actions Defendants took in developing their apps and features.

222. In addition, each Defendant owed a special relationship duty to Audree to protect her against harm caused by its app and employees or by other users. This special relationship duty is based on the following:

- a. As businesses, Defendants owe a duty to protect customers against reasonably foreseeable criminal acts of third parties and other dangers known to Defendants on their apps;
- b. Audree, as a minor, was vulnerable and dependent on Defendants for a safe environment on their apps, and Defendants have superior ability and control to provide that safety with respect to activities that they sponsor or control;
- c. Audree relied upon Defendants for protection against third-party misuse or misconduct;
- d. The special relationship Audree had with Defendants substantially benefits Defendants through profits and growth in users and user activity. Defendants could not successfully operate without the growth in users and user activity generated by children;
- e. Defendants were far more to Audree than a business. Defendants provided Audree with opportunities for social interaction and a discrete community of other users. Audree was dependent on Defendants to provide structure, guidance, and a safe environment;
- f. Defendants have superior control over their app environments and the ability to protect their users. Defendants impose a variety of rules and restrictions to supposedly maintain a safe and orderly environment. Defendants employ internal staff to enforce these rules and restrictions and can monitor and discipline users when necessary. Defendants have the power to influence Audree's values, consciousness, relationships, and behaviors; and
- g. Defendants have voluntarily undertaken a responsibility to keep children safe on their apps. As alleged above, Defendants have publicly stated that they take steps to keep children safe on their apps and therefore have undertaken a duty to act reasonably in taking such steps.

223. Audree was a foreseeable user of each Defendant's app.

224. Each Defendant knew that minors such as Audree would use its app.

225. Each Defendant invited, solicited, encouraged, or reasonably should have foreseen the fact, extent, and manner of Audree's use of its app.

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

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

228. Each Defendant knew, or by the exercise of reasonable care, should have known, that ordinary child users of its respective app, such as Audree, would not have realized the potential risks and dangers of using the app, including a risk of grooming for violence, which foreseeably can lead to a cascade of negative effects, including but not limited to physical injury, damage to self-worth, stigma and social isolation, reduced academic performance, increased risky behavior, 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, eating disorders, death, and other harmful effects.

229. Each Defendant's conduct was closely connected to Audree's injuries, which were highly certain to occur, as evidenced by the significance of Audree's injuries.

230. Each Defendant could have avoided Audree's injuries with minimal cost, including, for example, by not including certain features in its respective app which harmed Audree.

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

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

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

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

- a. Including features in their apps that, as described above, are currently structured and operated in a manner that unreasonably creates or increases the foreseeable risk of grooming youth, including Audree, for violence;
- b. Including features in their apps that, as described above, are currently structured and operated in a manner that unreasonably creates or increases the foreseeable risk of harm to the physical and mental health and well-being of youth users, including Audree, including but not limited to physical injury, damage to self-worth, stigma and social isolation, reduced academic performance, increased risky behavior, 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, eating disorders, death, and other harmful effects;
- c. Maintaining unreasonably dangerous features in their apps after notice that such features, as structured and operated, posed a foreseeable risk of harm to the physical and mental health and well-being of youth users;

- d. Facilitating unsupervised and/or hidden use of their respective apps by youth, including by adopting protocols that allow youth users to change their own safety settings or parental controls, and create multiple and private accounts; and
- e. Inviting young children on its app and marketing to young children when Defendants knew that their apps, as designed, were not safe for young children.

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

- a. Failing to implement effective parental controls;
- b. Failing to implement effective parental notifications, such as when a child messages another user, particularly an adult user, or when a child interacts with accounts that have been blocked by other users or suspended in the past;
- c. Failing to require adult users to provide a phone number when signing up for an account;
- d. Failing to implement pop-up safety notices within chats and games to warn users about inappropriate behavior;
- e. Failing to ban IP and MAC addresses of accounts associated with known abusers;
- f. Failing to set default safety settings to the most protective options;
- g. Having an open chat function;
- 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 predators to victimize, abuse, coerce, 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;
- l. Failing to place reasonable age restrictions on the platforms;
- m. Failing to separate adults from children on the platforms by, for example, creating a separate app for children;
- n. Failing to adequately fund their trust and safety programs; and
- o. Others as set forth herein.

236. 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 Audree.

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

238. As a direct and proximate result of each Defendant's breach of one or more of its duties, Audree was harmed. Such harms include the exploitation of Audree by online predators 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, attachment issues, identity confusion, and profound mental health issues such as depression, anxiety, and other harmful effects.

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

240. Audree was injured from using both of Defendants' defective apps through no fault of her own. The fact that Audree 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.

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

242. Each Defendant's conduct, as described above, was intentional, fraudulent, willful, wanton, reckless, malicious, fraudulent, oppressive, extreme, and outrageous, and displayed an entire want of care and a conscious and depraved indifference to the consequences of their conduct, including to the health, safety, and welfare of their customers, and warrants an award of punitive damages in an amount sufficient to punish the Defendants and deter others from like conduct.

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

FOURTH CAUSE OF ACTION

NEGLIGENCE – FAILURE TO WARN

(By Plaintiff Against Each Defendant)

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

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

246. At all relevant times, each Defendant designed, developed, managed, operated, tested, produced, labeled, marketed, advertised, promoted, controlled, sold, supplied, distributed, and benefited from its app used by Audree.

247. Audree was a foreseeable user of each Defendant's app.

248. Each Defendant knew, or by the exercise of reasonable care, should have known, that use of its app was dangerous, harmful, and injurious when used in a reasonably foreseeable manner by minors.

249. Each Defendant knew, or by the exercise of reasonable care, should have known, that ordinary minor users, such as Audree, would not have realized the potential risks and dangers

of its app, including a risk of grooming for violence, 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, 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.

250. Had Audree received proper or adequate warnings about the risks of each Defendant's app, Audree would have heeded such warnings.

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

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

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

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

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

- a. Defendants fail to require that children have parental approval before signing up for an account;
- b. New users of Defendants' apps can identify themselves as minors, begin to use the app, and do so indefinitely, without ever receiving a safety warning, and without ever having to provide information so that Defendants can warn 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 and groom them for violence;
- h. Defendants' apps enable and increase risk of exposure to predators and can result in grooming for violence, as well as resultant physical and mental injuries;
- i. Usage of Defendants' apps can increase risky and uninhibited behavior in children, making them easier targets for adult predators to groom them for violence;
- j. Usage of Defendants' apps can normalize the belief that violence towards oneself or others is a desirable reaction to real-life hardship, leading children

to harm themselves or other children either contemporaneously or later when the children are older;

- k. The likelihood and severity of harm is greater for children;
- l. The likelihood and intensity of these harmful effects is exacerbated by the interaction of each app's features with one another;
- m. Defendants fail to verify ages, allowing adult predators to pose as children on Defendants' apps;
- n. Defendants' failure to verify ages allows children to bypass parental controls, safety features, and default settings; and
- o. Others as set forth herein.

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

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

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

259. Audree was injured from using both of Defendants' defective apps through no fault of her own. The fact that Audree 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.

260. 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.

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

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

FIFTH CAUSE OF ACTION

NEGLIGENCE – UNREASONABLE DESIGN

(By Plaintiff Against Each Defendant)

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

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

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

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

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

268. Each Defendant knew, or by the exercise of reasonable care, should have known, that ordinary minor consumers such as Audree would not have realized the potential risks and dangers of its app. Those risks include grooming for violence, which can lead to a cascade of

negative effects, including but not limited to physical injury, damage to self-worth, stigma and social isolation, reduced academic performance, increased risky behavior, 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.

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

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

271. Audree was a foreseeable user of each Defendant's app.

272. Each Defendant knew that minors such as Audree would use its app.

273. Each Defendant breached its respective duty in designing its app.

274. Each Defendant breached its respective duty by failing to use reasonable care in the design of its app by negligently designing the app with features that specifically allow predators to find and groom them for violence, as described herein.

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

276. Each Defendant breached its respective duty by failing to use reasonable care in the design of its app by negligently designing its app with features as described above that created or increased the risk grooming for violence for children, which can lead to a cascade of negative effects, including but not limited to physical injury, damage to self-worth, stigma and social isolation, reduced academic performance, increased risky behavior, 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.

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

- a. Requiring children have parental approval and a parent's email address to sign-up for an account;
- b. Effective parental controls;
- c. Effective parental notifications, including notifying parents any time a child messages another user, particularly an adult user, or notifying parents when 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. Banning IP and MAC addresses of accounts associated with known abusers;
- h. Controlled chat option;
- i. Providing a transcript of a child's communications to the parent;
- j. Implementing reporting protocols to allow users or visitors of Defendants' apps to report predatory content and accounts specifically without the need to create or log in to the apps prior to reporting;
- k. Robust age and identity verification;

- l. Reasonable age restrictions;
- m. Separating adults from children by, for example, creating a separate app for children; and
- n. Others as set forth herein.

278. 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 minors like Audree.

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

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

281. As a direct and proximate result of each Defendant's breached duties, Audree was harmed. Each Defendant's design of its respective app was a substantial factor in causing Audree's harms and injuries.

282. Audree was injured from using both of Defendants' defective apps through no fault of her own. The fact that Audree 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.

283. 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 each Defendant's app.

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

of punitive damages in an amount sufficient to punish each Defendant and deter others from like conduct.

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

SIXTH CAUSE OF ACTION

NEGLIGENT UNDERTAKING

(By Plaintiff Against Each Defendant)

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

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

288. Each Defendant rendered parental control services and account safety services to Plaintiff.

289. Each Defendant made numerous statements, as outlined above, claiming in substance that its parental controls and account safety services were highly effective at protecting users from the types of harms Audree suffered.

290. Each Defendant knew, or reasonably should have known, that effective parental control and account safety services were necessary for the protection of minor users.

291. Each Defendant's conduct was closely connected to Audree's injuries, which were highly certain to occur, as evidenced by the significance of Audree's injuries.

292. Each Defendant could have avoided Audree's injuries with minimal cost, including, for example, by implementing parental control and account safety services that were effective and that would prevent child users from being contacted by adult accounts or strangers' accounts generally.

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

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

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

296. Plaintiff relied on each Defendant exercising reasonable care in undertaking to render parental control and account safety services.

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

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

299. Each Defendant's failure to exercise reasonable care increased the risk of and was a substantial factor in causing harm to Audree.

300. Audree was harmed by Plaintiff's reliance on Defendants to provide effective parental control and account safety services.

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

302. Audree was injured from using both of Defendants' defective apps through no fault of her 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.

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

304. The conduct of each Defendant, as described above, was intentional, fraudulent, willful, wanton, reckless, malicious, fraudulent, oppressive, extreme, and outrageous, and displayed an entire want of care and a conscious and depraved indifference to the consequences

of their conduct, including to the health, safety, and welfare of its customers, and warrants an award of punitive damages.

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

SEVENTH CAUSE OF ACTION
STRICT LIABILITY – DESIGN DEFECT
(By Plaintiff Against Each Defendant)

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

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

308. 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 Audree.

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

310. 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.

311. 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").

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

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

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

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

316. Each Defendant defectively designed its product to appeal to adult predators by making it easy to find children and groom them for violence, including Audree.

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

318. Each Defendant's product is defective in design and poses a substantial likelihood of harm for the reasons set forth herein, because the products fail to meet the safety expectations of ordinary consumers when used in an intended or reasonably foreseeable manner, and because the products are less safe than an ordinary consumer would expect when used in such a manner. Children and teenagers are among the ordinary consumers of Defendants' products. Indeed, each Defendant markets, promotes, and advertises its respective product to pre-teen and young consumers. Pre-teen and young consumers, and their parents and guardians, do not expect Defendants' products to expose them to predators when the products are used in their intended manner by their intended audience. They do not expect the features embedded by Defendants in their products to make it easy for predators to sign-up for accounts, find children, and groom them for violence. They do not expect Defendants' revenue and profits to be directly tied to predators' exploitation of children.

319. Each Defendant's product is likewise defectively designed in that it creates an inherent risk of danger; specifically, a risk of grooming for violence, 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, 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.

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

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

- a. Requiring children have parental approval and a parent's email address to sign-up for an account;
- b. Effective parental controls;
- c. Effective parental notifications, including notifying parents any time a child messages another user, particularly an adult user, or notifying parents when 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. Banning IP and MAC addresses of accounts associated with known abusers;

- h. Controlled chat option;
- i. Providing a transcript of a child's communications to the parent;
- j. Implementing reporting protocols to allow users or visitors of Defendants' products to report predatory content and accounts specifically without the need to create or log in to the products prior to reporting;
- k. Robust age and identity verification;
- l. Reasonable age restrictions;
- m. Separating adults from children by, for example, creating a separate app for children; and
- n. Others as set forth herein.

322. Alternative designs were available that would prevent predators from finding children and grooming them for violence, and which would have served effectively the same purpose of Defendants' products while reducing the gravity and severity of danger posed by those products' defects.

323. Audree used Defendants' respective products as intended or in reasonably foreseeable ways.

324. The physical, emotional, and economic injuries of Audree were reasonably foreseeable to Defendants at the time of their products' development, design, advertising, marketing, promotion, and distribution.

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

326. As manufacturer, designer, and seller, each Defendant had a duty to inform themselves with the best knowledge of the risks and the defects of its product and each Defendant had such knowledge. Their victims, including Audree, were powerless to protect themselves against unknown harms, and Defendants should bear the costs of their injuries.

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

328. As a direct and proximate result of each Defendant's respective product's defective design, Audree suffered serious and dangerous injuries.

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

330. The nature of the fraudulent and unlawful acts that created safety concerns for Audree are not the type of risks that are immediately apparent from using Defendants' respective products.

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

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

EIGHTH CAUSE OF ACTION

STRICT LIABILITY – FAILURE TO WARN

(By Plaintiff Against Each Defendant)

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

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

335. 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 Audree.

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

337. 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.

338. 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").

339. Each Defendant sold and distributed its respective product to Audree 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 for violence, 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, 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.

340. Defendants were in the best position to know the dangers their products posed to consumers, including Audree, 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, marketing, promotion, advertising and distribution. Defendants had exclusive control of their products at all times relevant to this litigation.

341. Each Defendant's respective product is dangerous, to an extent beyond that contemplated by the ordinary user who used Defendants' products, because they enable predators to find children and groom them for violence.

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

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

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

- a. Predators use Defendants' products to find children and groom them for violence with alarming frequency;
- b. Defendants' products are designed in a way that enables and increases risk of exposure to predators and resulting grooming for violence;
- c. Defendants' products cause grooming for violence and its resultant physical and mental injuries;
- d. Use of Defendants' products can increase risky and uninhibited behavior in children, making them easier targets for adult predators to groom them for violence;
- e. Use of Defendants' products can normalize the belief that violence towards oneself or others is a desirable reaction to real-life hardship, leading children to abuse themselves or other children either contemporaneously or later when the children are older;
- f. New users of Defendants' product can identify themselves as minors, begin to use the product, and do so indefinitely, without ever receiving a safety warning, and without ever having to provide information so that Defendants can warn the users' parents or guardians;

- g. Defendants' failure to verify ages allows children to bypass parental controls, safety features, and default settings;
- h. The likelihood and severity of harms is greater for children;
- i. The likelihood and intensity of these harmful effects is exacerbated by the interaction of each product's features with one another; and
- j. Others as set forth herein.

345. Audree was a foreseeable user of each Defendant's product.

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

347. Had Audree received proper or adequate warnings or instructions as to the risks of using each Defendant's product, Audree would have heeded the warnings and/or followed the instructions.

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

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

350. 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' products.

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

award of punitive damages in an amount sufficient to punish each Defendant and deter others from like conduct.

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

NINTH CAUSE OF ACTION

WRONGFUL DEATH (Ky. Rev. Stat. § 411.130)

(By Plaintiff Against Each Defendant)

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

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

355. Under Ky. Rev. Stat. § 411.130(2)(d) and § 411.133, Defendants are liable to Plaintiff for the wrongful death of her minor daughter, Audree Heine, resulting from Defendants' wrongful and negligent acts and omissions as described herein, as well as for the personal injuries that Audree suffered before her death.

356. As a direct and proximate result of Defendants' conduct, Plaintiff has also suffered and will continue to suffer personal damages, including those recoverable under Ky. Rev. Stat. § 411.130 and § 411.135 for the loss of her daughter's love, companionship, comfort, affection, society, and moral support; the loss of financial support, household services, and other economic contributions that her daughter would have provided; and funeral expenses that Plaintiff incurred.

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

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

PRAYER FOR RELIEF

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

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

JURY DEMAND

Plaintiff demands a jury trial on all issues.

Date: October 20, 2025

Respectfully submitted,

/s/ Tad Thomas

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**Pro Hac Vice* motions forthcoming