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12 Attorneys for Plaintiff

13  
14 **UNITED STATES DISTRICT COURT**  
15 **CENTRAL DISTRICT OF CALIFORNIA**  
16 **SOUTHERN DIVISION**  
17

18 JANE DOE on behalf of herself and all  
19 others similarly situated,

20 Plaintiff,

21 v.

22 MINDGEEK USA INCORPORATED,  
MINDGEEK S.A.R.L., MG FREESITES,  
LTD (D/B/A PORNHUB), MG  
23 FREESITES II, LTD, MG CONTENT RT  
LIMITED, AND 9219-1568 QUEBEC,  
24 INC. (D/B/A MINDGEEK),

25 Defendants.

Case No. 8:21-cv-00338

**CLASS ACTION**

**THIRD AMENDED  
COMPLAINT FOR VIOLATION  
OF FEDERAL SEX  
TRAFFICKING LAWS**

**JURY TRIAL DEMANDED**

**NATURE OF THE ACTION**

1  
2 1. Plaintiff brings this proposed class action for damages and injunctive  
3 relief on behalf of herself and all persons who were under the age of 18 when they  
4 appeared in a video or image that has been uploaded or otherwise made available for  
5 viewing on any website owned or operated by Defendants in the last ten years.

6 2. As alleged below, over the course of the last decade, Defendants have  
7 knowingly benefited financially from thousands—if not millions—of videos posted  
8 to their various websites featuring victims who had not yet reached the age of  
9 majority. Rather than address this horrifying and pervasive trend, for years,  
10 Defendants took almost no action, refusing to so much as institute any semblance of  
11 an age-verification, or other, policy that would prevent the uploading of this deeply  
12 problematic content.

13 3. The reason for Defendants’ inaction is simple: greed. As Pornhub’s  
14 own Senior Community Manger publicly acknowledged via a Reddit post, **age**  
15 **verification would be a “disaster”** for Pornhub because it **“costs us money to**  
16 **verify”** and would result in a **50% reduction in traffic.**





1 either directly or through intermediary companies also under the control MindGeek  
2 S.A.R.L.

3 9. Defendant MindGeek S.A.R.L. is a foreign entity (a Société à  
4 responsabilité limitée) organized and existing under the laws of Luxembourg and  
5 conducting business in the United States, including in this District. Although  
6 incorporated in Luxembourg, MindGeek S.A.R.L.'s principal place of business is  
7 Montreal, Canada, and has satellite offices in, among other places, Los Angeles,  
8 California.

9 10. Defendant MG Freesites, Ltd. (d/b/a Pornhub) is a company  
10 incorporated in the Republic of Cyprus and conducting business in the United States,  
11 including in this District. Upon information and belief, MG Freesites, Ltd. is a  
12 wholly owned subsidiary of MindGeek S.A.R.L., either directly or through  
13 intermediary companies that are also under the control of MindGeek S.A.R.L. Upon  
14 information and belief, MG Freesites, Ltd. is predominantly under the control of and  
15 operated by directors, officers, and employees working in MindGeek's offices in the  
16 United States and Canada, with little business operations being conducted within the  
17 Republic of Cyprus.

18 11. Defendants MG Freesites II, Ltd. is a company incorporated under the  
19 laws of the Republic of Cyprus conducting business throughout the United States,  
20 including within this District.

21 12. Defendant MG Content RT Limited is a company organized under the  
22 laws of Ireland conducting business throughout the United States, including within  
23 this District.

24 13. Defendant 9219-1568 Quebec, Inc. (d/b/a MindGeek) is a company  
25 organized and existing under the laws of Canada with a principal place of business  
26 located in Montreal, though it conducts business throughout the United States,  
27 including within this District.

28



1 the California Secretary of State, MindGeek USA Incorporated also maintains a  
2 business, mailing, and street address at 21800 Oxnard Street, Suite 150, Woodland  
3 Hills, California 91367. Collectively, Defendants transmit millions upon millions of  
4 videos and images to and from this State on an annual basis. And according to  
5 analytics Defendants recently posted on Pornhub.com, Los Angeles, California is the  
6 fourth city by volume of Pornhub.com usage.

7 21. Defendants have also purposefully availed themselves of this Court’s  
8 jurisdiction, including in the case of MindGeek S.A.R.L. and MindGeek USA, Inc.,  
9 by having litigated in this District. *See Preservation Technologies, LLC v. MindGeek*  
10 *USA, Inc. and MindGeek S.A.R.L.*, Case No. 2:17-cv-08906-DOC-JPR (C.D. Cal.).

11 22. Jurisdiction is further appropriate under 18 U.S.C. §1596, which  
12 provides for jurisdiction over any offender, in addition to any “domestic or extra-  
13 territorial jurisdiction otherwise provided by law,” where the offender is “present in  
14 the United States, irrespective of the nationality of the alleged offender.”

15 23. Venue is proper in this district pursuant to 28 U.S.C. § 1391 because a  
16 substantial part of the events or omissions giving rise to the claims asserted in this  
17 action occurred in the judicial district where this action was brought. Venue is also  
18 appropriate in this district because defendant MindGeek USA, Inc. maintains a place  
19 of business in this district.

20 **I. SEX TRAFFICKING AND CHILD PORNOGRAPHY ON THE**  
21 **INTERNET**

22 24. Sex trafficking and the proliferation of child pornography are rapidly  
23 growing problems in the United States. Human trafficking is a 150-billion-dollar  
24 industry. Out of an estimated 40.3 million victims, 25% are children.<sup>1</sup>

25 25. The rise of the Internet and e-commerce has facilitated the rapid growth  
26 of the market for child pornography online. The Internet and digital technologies

27 \_\_\_\_\_  
28 <sup>1</sup> <https://coil.com/p/RileyQ/Child-Trafficking-What-You-Need-To-Know/mj4WEwhW7>

1 have created new models for sexual exploitation and trafficking, which are hidden  
2 and protected by cryptocurrency, laundered money, foreign Internet servers and  
3 anonymous messaging applications. The Child Rescue Coalition alone has identified  
4 71 million unique IP addresses worldwide sharing and downloading sexually explicit  
5 images and videos of children.<sup>2</sup>

6 26. The Internet is the number one platform for customers to buy and sell  
7 sex with children in the United States. Many sex buyers use the Internet to identify  
8 and connect with sellers and victims. Traffickers, in turn, use online networks, social  
9 media, websites, and dating tools to disguise their identities while identifying  
10 potential victims, which reduces traffickers' chances of being caught by law  
11 enforcement.

12 27. Americans are some of the top consumers and producers of child  
13 pornography. According to the U.S. Department of Justice, "Federal law defines  
14 child pornography as any visual depiction of sexually explicit conduct involving a  
15 minor (persons less than 18 years old)."

16 28. According to the National Center for Missing & Exploited Children  
17 ("NCMEC"), their cyber tip line has received more than 50 million reports of  
18 suspected child exploitation from 1998 through 2019, with 18.4 million reports in  
19 2018 alone. The vast majority of these reports contain child sexual exploitation  
20 material ("CSEM"), most of which is on the Internet. North America now hosts 37%  
21 of child sexual exploitation content and children under the age of 10 now account for  
22 22% of online porn consumption among those under the age of 18, while 10-14 year-  
23 olds make up 36%.<sup>3</sup>

24 29. The link between sexual exploitation and pornographic videos is  
25 undeniable. According to an article by Melissa Farley, 49 percent of sexually

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26 <sup>2</sup> *Id.*

27 <sup>3</sup> <https://www.prnewswire.com/news-releases/enough-is-enough-calls-on-doj-to-investigate-mindgeek-for-a-trifecta-of-potential-us-law-violations-child-abuse-material-trafficking-videos-and-obscene-content-301196447.html>

1 exploited women say pornographic videos of them were made while they were being  
2 sold for sex.<sup>4</sup>

3 30. Survivors of CSEM are significantly impacted—emotionally, mentally,  
4 and physically—as a result of their abuse, and experience continuing and pervasive  
5 symptoms such as feelings of shame and humiliation, powerlessness, hopelessness,  
6 fear, anger, anxiety, and depression, as well as sleeping disturbances, body image  
7 disturbances, self-harm behaviors, eating disorders, and suicidal ideation. According  
8 to one study, survivors of CSEM are likely to be re-victimized and to receive  
9 blackmail and threats as a result of their initial victimization via CSEM.<sup>5</sup>

## 10 **II. THE TVPA AND TVPRA**

11 31. In response to the growing problem of sex trafficking, in 2000, Congress  
12 passed the Trafficking Victims Protection Act (“TVPA”), which laid the groundwork  
13 for the federal response to human trafficking.

14 32. In 2003, Congress reauthorized the TVPA and passed the Trafficking  
15 Victims Protection Reauthorization Act of 2003, Pub. L. No. 108-193, § 4(a)(4)(A),  
16 117 Stat. 2875, 2878 (2003) (“TVPRA”). Under the TVPRA, trafficking victims can  
17 sue their traffickers in federal court.

18 33. In 2008, Congress amended the TVPRA to make it easier for victims of  
19 trafficking violations to bring civil suits. First, the civil remedy was expanded to  
20 include enterprise liability. It was likewise expanded to include anyone who  
21 “knowingly benefits, financially or by receiving anything of value from participation  
22 in a venture which that person knew or should have known has engaged  
23 in an act in violation of this chapter.” 18 U.S.C. § 1595(a). Second, Congress  
24 expanded the statute’s reach to include extraterritorial jurisdiction for certain  
25

26 <sup>4</sup> “Renting an Organ for Ten Minutes: What Tricks Tell Us about Prostitution,  
27 Pornography, and Trafficking,” in *Pornography: Driving the Demand in  
28 International Sex Trafficking*, ed. David E. Guinn and Julie DiCaro (Bloomington,  
IN: Xlibris, 2007), 145.

<sup>5</sup> [https://protectchildren.ca/pdfs/C3P\\_SurvivorsSurveyFullReport2017.pdf](https://protectchildren.ca/pdfs/C3P_SurvivorsSurveyFullReport2017.pdf)



1 trafficking offenses. *Id.* The statute of limitations is ten years, or ten years after the  
2 victim turned 18 if the victim was a minor. *See id.* § 1595(c).

3 34. Commercialization of sex acts involving minors is a violation of the  
4 TVPRA. Under the TVPRA,

5 (a)Whoever knowingly—

6 (1) in or affecting interstate or foreign commerce, or within the special  
7 maritime and territorial jurisdiction of the United States, recruits, entices,  
8 harbors, transports, provides, obtains, advertises, maintains, patronizes, or  
9 solicits by any means a person; or

10 (2) benefits, financially or by receiving anything of value, from participation  
11 in a venture which has engaged in an act described in violation of paragraph  
12 (1), knowing, or, except where the act constituting the violation of paragraph  
13 (1) is advertising, in reckless disregard of the fact, that means of force, threats  
14 of force, fraud, coercion described in subsection (e)(2), or any combination of  
15 such means will be used to cause the person to engage in a commercial sex  
16 act, or that the person has not attained the age of 18 years and will be caused  
17 to engage in a commercial sex act, shall be punished as provided in subsection

18 (b).

19 18 U.S.C. §1591(a). Under §1595(a), not only perpetrators who act “knowingly”  
20 under §1591, but also “whoever knowingly benefits, financially or by receiving  
21 anything of value from participation in a venture which that person knew or should  
22 have known has engaged in an act in violation of this chapter” is civilly liable.

23 35. Defendants knowingly benefit from CSEM on their websites. By  
24 encouraging sensational and illegal content to be posted on their websites,  
25 Defendants receive substantial advertising revenues. By encouraging and benefitting  
26 from CSEM, Defendants participate in the venture and indeed facilitate the conduct  
27 of sex traffickers, including those sex traffickers who deal specifically with children  
28 and child pornography.

1           36. In 2018, in response to platforms such as those run by Defendants  
2 knowingly allowing human trafficking to occur and profiting from it, Congress  
3 passed the Allow States and Victims to Fight Online Sex Trafficking Act/Stop  
4 Enabling Sex Traffickers Act (FOSTA/SESTA). Pornhub and other tube sites run  
5 by Defendants previously sought to use Section 230 of the Communications Decency  
6 Act to whitewash their liability. FOSTA/SESTA was enacted to close that perceived  
7 loophole, including for website BackPage.com, which “for years, ha[d] been accused  
8 of accepting classified ads promoting prostitution which allegedly resulted in sex  
9 trafficking of . . . minors.”<sup>6</sup> Because “section 230” was “never intended to provide  
10 legal protection to websites that unlawfully promote and facilitate . . . traffickers,”  
11 and—under the purported shield of Section 230—websites had been “reckless in  
12 allowing the sales of sex trafficking victims and *have done nothing to prevent the*  
13 *trafficking of children*,” Congress “clarifi[ed]” Section 230. PL 115-164, 132 Stat  
14 1253 (2018) (emphasis added).

15           37. The statute now makes it clear that websites and other platforms may be  
16 held liable for, among other things, knowingly assisting, facilitating, or supporting  
17 sex trafficking, and clarifies the Communications Decency Act’s Section 230 safe  
18 harbors to authorize enforcement of federal or state sex trafficking laws.

19           **III. DEFENDANTS’ BUSINESS MODEL**

20           38. Defendants constitute a series of privately held companies that operate  
21 many popular pornographic websites, including, among others, Pornhub, RedTube,  
22 and YouPorn. Defendants also operate many adult film production companies,  
23 including Brazzers, Digital Playground, Men.com, Reality Kings, Sean Cody, and  
24 WhyNotBi.com.

25           39. As explained by Defendants’ leadership in a recently authored letter to  
26 the Canadian Parliament:

27 \_\_\_\_\_  
28 <sup>6</sup><https://www.forbes.com/sites/larrymagid/2018/04/06/doj-seizes-backpage-com-weeks-after-congress-passes-sex-trafficking-law/?sh=42687f0350ba>

1 Our flagship video sharing platform is Pornhub. Created  
2 in 2007, Pornhub is a leading free, ad-supported, adult  
3 content hosting and streaming website, offering visitors  
4 the ability to view content uploaded by verified users,  
5 models, and third-party adult entertainment companies.  
6 Pornhub Premium, our subscription service, provides  
7 subscribers with additional exclusive studio-produced  
8 content in an ad-free environment.<sup>7</sup>

9 40. In 2019, Pornhub had roughly 42 billion visits, an average of 115 million  
10 visits per day. This made Pornhub the eighth most visited website in the United  
11 States, falling just behind such household names as: Google.com (1st), YouTube.com  
12 (2nd), Facebook.com (3rd), Amazon.com (4th), Yahoo.com (5th), Twitter.com (6th),  
13 and Instagram.com (7th). And beating out such other household names as:  
14 Wikipedia.org, Zillow.com, and Zoom.us.<sup>8</sup>

15 41. Further, according to analytics Defendants have posted on  
16 Pornhub.com, the United States is the top country by volume of Pornhub.com usage  
17 and, Los Angeles, California is the fourth city by volume of the same.

18 42. Defendants' leadership, of course, is aware of its massive success. In  
19 their letter to Canadian Parliament, Defendants' executives wrote:

20 Demand for online adult entertainment is as old as the  
21 internet. Demand for MindGeek's content rivals that of  
22 some of the largest social media platforms. For example,  
23 in 2020, Pornhub averaged over 4 million unique user  
24 sessions per day in Canada alone, equivalent to over 10%  
25 of the adult Canadian population.<sup>9</sup>

26 <sup>7</sup><https://www.ourcommons.ca/Content/Committee/432/ETHI/Brief/BR11079307/br-external/MindGeek-e.pdf>

27 <sup>8</sup><https://www.similarweb.com/top-websites/united-states/>

28 <sup>9</sup><https://www.ourcommons.ca/Content/Committee/432/ETHI/Brief/BR11079307/br-external/MindGeek-e.pdf>

1           **A. Defendants’ Business Embraces User-Generated Uploads of**  
2           **Commercial Sex Acts**

3           43. The most popular feature on Pornhub is a searchable library. As of  
4 December 1, 2020, Pornhub had about 14,000,000 pornographic videos in its free  
5 video library.

6           44. Pornhub and many of the other websites operated by Defendants are  
7 “tube sites.” Meaning, Pornhub’s interface is similar to YouTube, with individual  
8 users—not formal studios—uploading much of the content and comments available  
9 for viewing.

10          45. Pornhub depends heavily on this community of user-creators. Until  
11 recently, in order to upload a video or image to Pornhub, all a user need do was create  
12 an account, click on the upload button next to the search bar, upload their content,  
13 and decide whether the content should be shown in standard or high definition.<sup>10</sup>

14          46. The process takes less than ten minutes. A user can post any video or  
15 image of any person doing anything without any consequences. The user does not  
16 have to demonstrate that he or she owns the copyrights in the content, that those  
17 depicted in the content have consented, or that those depicted in the content are of  
18 majority age.

19          47. Defendants make it easy for users to upload to its network of websites  
20 to maximize their exposure, which includes Pornhub , Redtube, and YouPorn.

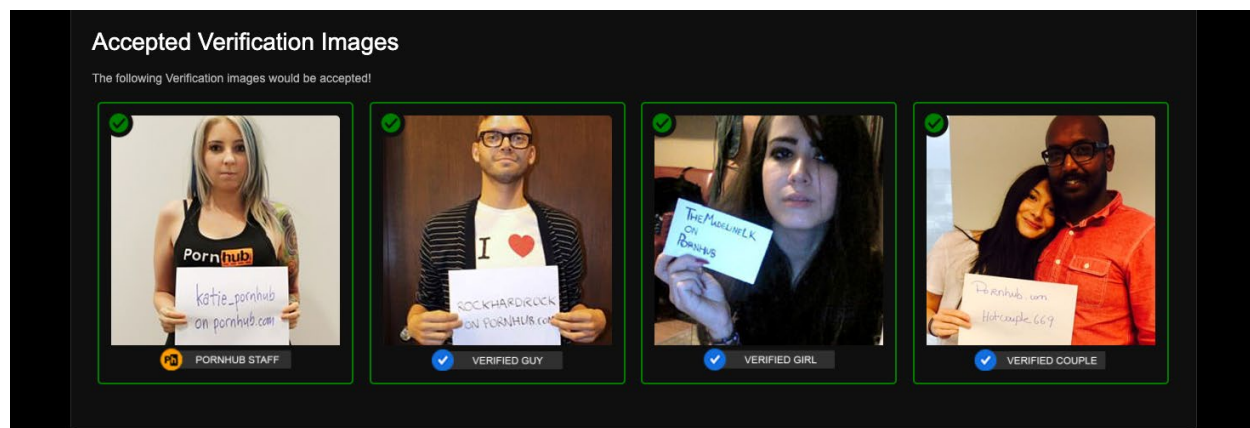
21          48. Defendants also have mechanisms for users to participate in the profits  
22 from their content. For example, to the extent a user is hoping to participate in the  
23 earnings from their uploads to Pornhub, Pornhub has a Model Program, in which  
24 users get “verified” by Pornhub staff and are paid a percentage of the ad revenue  
25 made on their verified content. Participating users are paid as much as 80% of the  
26

27  
28 <sup>10</sup> <https://help.pornhub.com/hc/en-us/articles/229817547-How-do-I-upload-videos->

1 advertising revenue generated by their videos, based on the number of video views  
2 and performance of the advertisements by clicks, user country, and sales.<sup>11</sup>

3 49. Getting verified in Pornhub’s Model Program only requires a user to  
4 upload a photo purportedly of himself or herself showing their username. In  
5 describing verification, Pornhub encouraged users to “prove that you are real, stand  
6 out and attract more attention from other Pornhub community users!” But all that is  
7 needed is a Pornhub account, an avatar uploaded to the user’s account, and a  
8 verification image. The verification image requires only that the user hold up a photo  
9 with his or her username and pornhub.com written on it (or written on the user’s  
10 body). Pornhub requires that the video show a picture of the user’s face and required  
11 that the user not wear a mask or sunglasses in the picture.

12 50. The below are actual examples given by Pornhub showing all that has  
13 been required for a user to become verified with Pornhub’s “Model Program.”

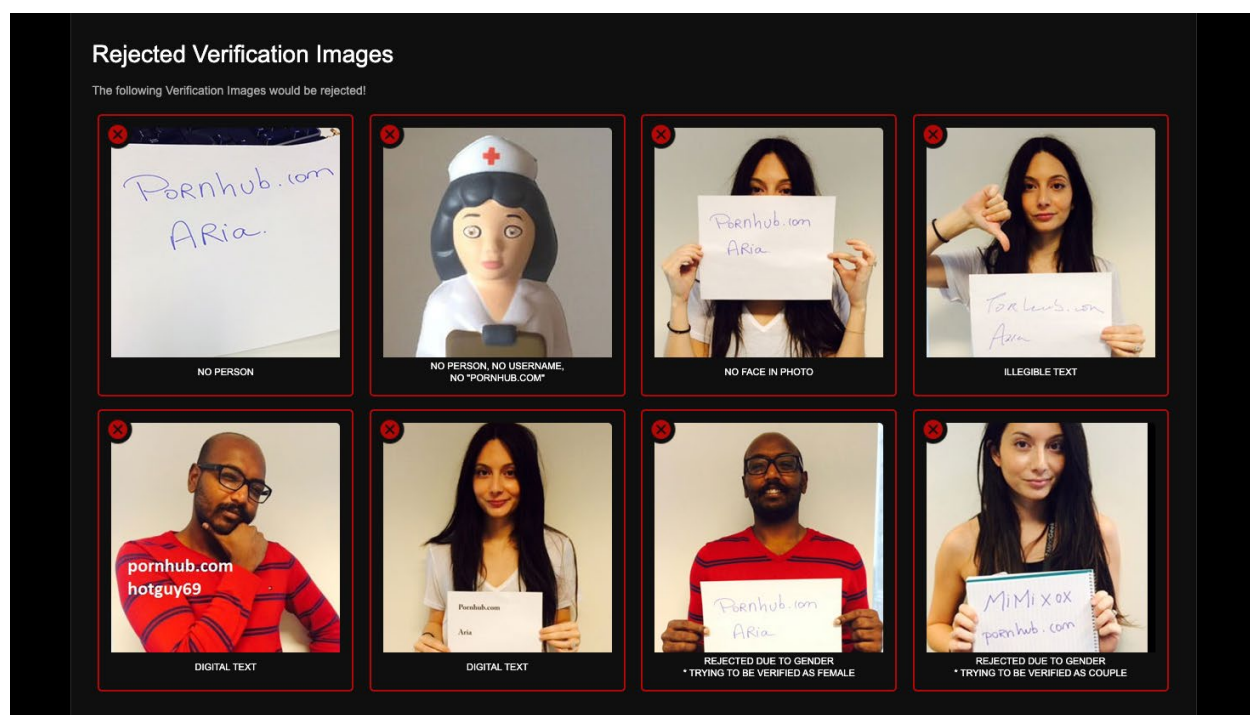


21 51. In order to sign up in Pornhub’s Model Hub program, a user is not even  
22 required to list his or her birthdate. If a user clicks through the signup process, he or  
23 she is only alerted if they fail to note their gender on the Model Hub application.

24 52. Indeed, Pornhub lists many reasons on their site why a Model Hub  
25 Verification Image might be rejected. The fact that an applicant may not be 18 years  
26 old is not one of the reasons. The only reasons described on Pornhub’s site are: (1)

27  
28 <sup>11</sup><https://help.pornhub.com/hc/en-us/articles/360046090414-Earnings-and-Payments>

1 the photo does not show a person, (2) the photo does not show a username, (3) the  
2 photo does not say “pornhub.com,” (4) the model’s face is not in the photo, (5) the  
3 text is illegible, (6) the text is digital (vs. handwritten), (7) the applicant tries to be  
4 verified using a gender other than what is listed on their application, and (8) the  
5 applicant tries to be verified as a couple when the applicant is a single person:



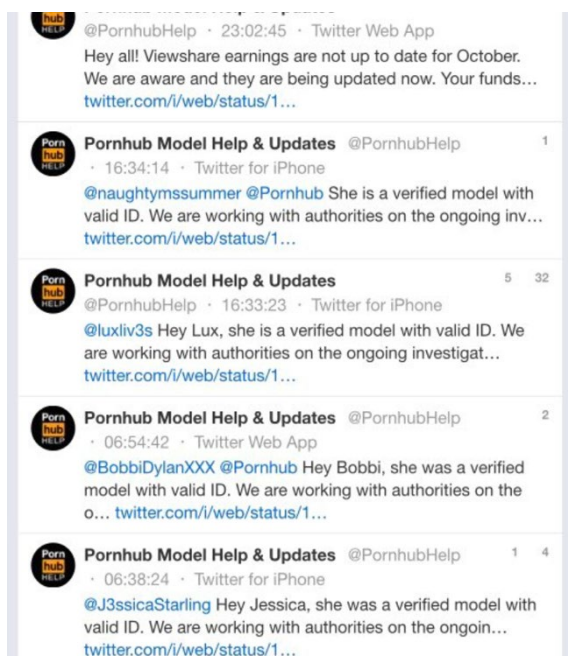
17 53. In short, no age verification exists. The only time age is even referenced  
18 in the process is when Pornhub requires a user to check a box indicating that they are  
19 over the age of 18 when uploading their photograph. Defendants take no action to  
20 confirm the age of the model applicant in the submission process.

21 54. There is also the other problem that even if a Model Hub applicant  
22 posted a legitimate photo of themselves where they were over the age of 18 in order  
23 to obtain Pornhub’s “verification” checkmark, there is nothing to stop Model Hub  
24 users from uploading videos of someone else who is not over the age of 18.

25 55. For “verified” Model Hub users, the name is obviously deceptive, as the  
26 only thing MindGeek verifies is that someone can hold up a piece of paper with  
27 writing on it. There is no requirement to use government-issued identification. And  
28

1 the verification process has nothing to do with the people **appearing** in the videos or  
2 images, whose age, as described more below, also went entirely unverified.

3 56. Clearly, the so-called “verification” process associated with Modelhub  
4 does nothing to protect victims of child sex trafficking. Pornhub acknowledged as  
5 much when it admitted to giving its “seal of approval” for 58 videos in which a 15-  
6 year-old girl was repeatedly assaulted, allowing Pornhub and the victim’s traffickers  
7 to profit from her repeated rape.



20 57. Another way in which MindGeek stands out is that, until very recently,  
21 any user of MindGeek could also download videos and images from its websites.  
22 This meant that even if victims could convince a website to take down a video  
23 depicting child pornography, their videos were frequently uploaded anew and/or  
24 recirculated on other websites by users who had already downloaded the content.

25 58. Defendants permit their users to send each other private, direct  
26 messages. Users use such private, direct messages to send each other information  
27 about how to access CSEM. Defendants also permit users to create their own private  
28

1 folders to privately upload and share videos and images—including CSEM—  
2 privately.<sup>12</sup>

3 59. Defendants also created their own VPN to make it even more difficult  
4 for law enforcement to locate traffickers. Pornhub also supports the use of  
5 cryptocurrency on its site.<sup>13</sup>

6 60. Pornhub has also created a tor site to anonymize web traffic and prevent  
7 law enforcement from tracking users' activities.<sup>14</sup>

8 **B. Defendants Create and Produce Their Own Content**

9 61. In addition to permitting users to upload content to Defendants'  
10 websites, Defendants create and produce their own content. In a 2017 interview,  
11 MindGeek's Fabian Thylmann acknowledged that Pornhub was producing and  
12 creating content, especially live content, noting that "in terms of money making,  
13 live content can't be copied and it can't be stolen in the end because it's all on the  
14 live at that point so it's not interesting anymore so therefore that is a huge driver  
15 for the business and it's a very important one and it completely changes the kind  
16 of hosting you need and so on."<sup>15</sup>

17 62. When asked "Does that also mean . . . *you've got to go more*  
18 *upstream into the production end* of it it's not just distribution and serving it's  
19 *creating* the content now if it's all live, is that a fair assumption in terms of  
20 business model evolution?" Mr. Thylmann responded, "Yes, I mean to make  
21 money either way to make real good money you need to either way, or even back  
22 then I just had a good mix of it so this was the strength of Manwin that it had the  
23 mix of both creation and and and tube sites but it's getting more and more  
24 important today so the big companies the real money makers in the business if

25 \_\_\_\_\_  
26 <sup>12</sup> See, e.g., <https://financialservices.house.gov/uploadedfiles/hhrg-117-ba10-wstate-mickelwaitl-20210325.pdf>

27 <sup>13</sup> <https://www.theverge.com/2018/5/24/17382144/pornhub-launches-vpn-vpnhub>

28 <sup>14</sup> <https://www.pcmag.com/news/pornhub-is-now-available-as-a-tor-site-to-protect-users-privacy>

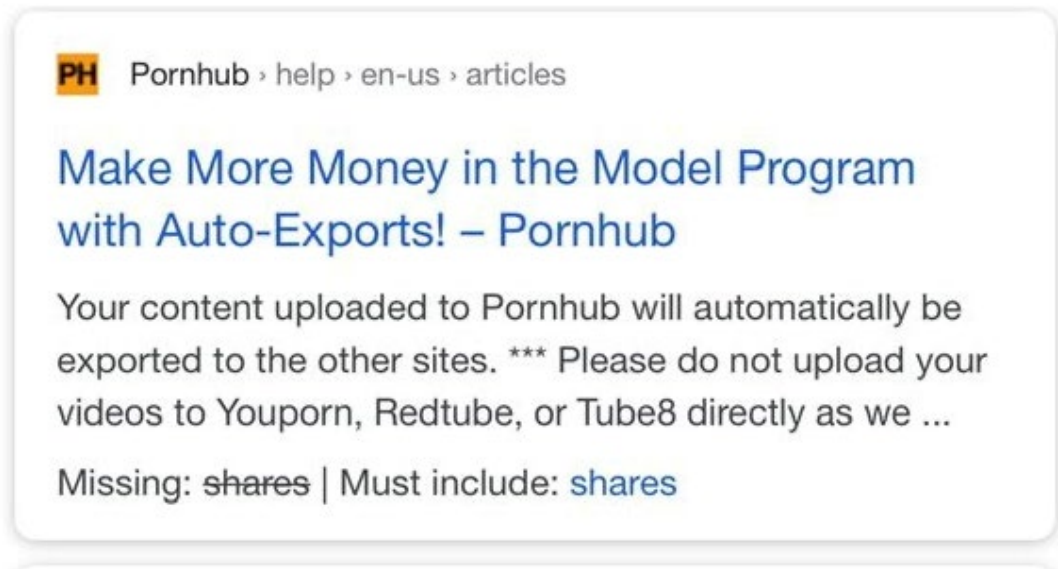
<sup>15</sup> <https://youtu.be/ILKW9PNQAbM>



1 you look at a single websites they are without a question the live things and not  
2 necessarily the ones that have the traffic. They make obviously good money but  
3 if you look at the amount of money that the live systems make it's a lot better, so  
4 so that's the more important part.”<sup>16</sup>

5 63. “Teen” is one of Defendants’ top live content categories.

6 64. Defendants also upload content from Pornhub to other websites,  
7 including YouPorn, RedTube, and Tube8. Indeed, for users in Defendants’ revenue-  
8 sharing Model Program, Defendants automatically upload content from Pornhub to  
9 their other websites such as YouPorn, RedTube, and Tube8, and share revenue from  
10 advertisements on videos on those sites with their users.



21 65. Defendants own a number of other sites, including movie studios, reality  
22 sites, and managed sites, including Brazzers, Babes.com, Reality Kings, Digital  
23 Playground, Twistys, Men, Mofos.com, mydirtyhobby, SexTube, .webcam, Wicked,  
24 Lesbea.com, and Playboy.<sup>17</sup>

25  
26  
27 <sup>16</sup> *Id.*

28 <sup>17</sup> <https://financialservices.house.gov/uploadedfiles/hhrg-117-ba10-wstate-mickelwaitl-20210325.pdf>

1           **C.    Defendants Knowingly Benefit From Child Sex Trafficking**

2                   **1.    Defendants Have Earned Enormous Profits**

3           66.    Defendants make money from trafficking with premium subscriptions,  
4 advertising, and selling user data.

5           67.    For \$9.99/month, users can pay for a “premium” subscription, which  
6 lets them access content behind a paywall that is different from the content free users  
7 can see.<sup>18</sup>

8           68.    Defendants also sell banner and sidebar advertisements, as well as  
9 advertisements that appear before and after videos.<sup>19</sup> Defendants place those  
10 advertisements on videos featuring CSEM.<sup>20</sup>

11           69.    Defendants generate substantial advertising revenue by hosting  
12 advertisements on their sites using their TrafficJunky ad network and other sites,  
13 which receive billions of ad impressions on a daily basis.

14           70.    Defendants also harvest and monetize vast amounts of user data that  
15 they share with advertisers and other companies.<sup>21</sup>

16           71.    Defendants also make deals with sex traffickers by featuring videos of  
17 trafficked minors in exchange for a cut of the proceeds. For example, Pornhub takes  
18 a cut of users’ earnings from the Modelhub program. Under the Modelhub program,  
19 which had 98,000 “amateur” models in 2019, “verified” users can sell their videos  
20 and Pornhub takes a 35% cut of all sales. Models can also select to include their  
21 videos on Pornhub Premium and earn a share of revenue from video views. They  
22 can create subscription services of their fans, called a “Fan Club,” for which Pornhub  
23 takes a 20% cut of revenue, and can also make “custom clips” in response to requests

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25 <sup>18</sup><https://financialservices.house.gov/uploadedfiles/hhrg-117-ba10-wstate-mickelwaitl-20210325.pdf>

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27 <sup>20</sup><https://financialservices.house.gov/uploadedfiles/hhrg-117-ba10-wstate-mickelwaitl-20210325.pdf>

28 <sup>21</sup><https://financialservices.house.gov/uploadedfiles/hhrg-117-ba10-wstate-mickelwaitl-20210325.pdf>

1 by “fans,” for which Pornhub takes a 35% cut of all sales. Models can also receive  
2 direct “tips” on their Pornhub or Modelhub profile, and Pornhub takes a 20% cut of  
3 all tip revenue.<sup>22</sup>

4 72. There’s no question that financial considerations drive the content on  
5 MindGeek’s websites. MindGeek collects money from ads featured with its unpaid  
6 videos, and shares some of that revenue with the users that post the content. It also  
7 collects subscriptions from premium users of its websites. Those subscriptions  
8 generated \$1.3 billion in revenue between 2012 and 2018.<sup>23</sup> Following an  
9 investigation from the *New York Times* revealing the extent of child pornography  
10 featured on Pornhub’s website, multiple financial institutions, including Visa,  
11 Mastercard, and Discover, stopped processing transactions for Pornhub. Within  
12 days, Pornhub removed 10 million videos, nearly two-thirds of the videos on its site.  
13 After the *New York Times* investigation, MindGeek’s auditor, Grant Thornton,  
14 resigned.<sup>24</sup>

15 73. Pornhub has since made modifications to its website, like limiting  
16 content to that posted only by “verified” users in its Model Hub program. Of course,  
17 as described above, restricting content on Pornhub to only “verified” users is  
18 meaningless because Pornhub has no age verification process in place to confirm that  
19 “verified” users are over the age of 18. Nor does Pornhub have a mechanism in place  
20 to confirm that the user posting the video or photograph is the same as the user  
21 depicted in the video or photograph.

22 74. In April 2021, Pornhub published its first “transparency report,”  
23 detailing its supposed efforts to, for example, locate and remove CSEM from its  
24 website.<sup>25</sup> In that report, Pornhub claims to use a variety of automated image-

25 <sup>22</sup> [https://financialservices.house.gov/uploadedfiles/hhrg-117-ba10-wstate-](https://financialservices.house.gov/uploadedfiles/hhrg-117-ba10-wstate-mickelwaitl-20210325.pdf)  
26 [mickelwaitl-20210325.pdf](https://financialservices.house.gov/uploadedfiles/hhrg-117-ba10-wstate-mickelwaitl-20210325.pdf)

27 <sup>23</sup> [https://www.irishtimes.com/business/economy/grant-thornton-resigns-as-auditor-](https://www.irishtimes.com/business/economy/grant-thornton-resigns-as-auditor-to-firms-owned-by-pornhub-operator-1.4480517)  
28 [to-firms-owned-by-pornhub-operator-1.4480517](https://www.irishtimes.com/business/economy/grant-thornton-resigns-as-auditor-to-firms-owned-by-pornhub-operator-1.4480517)

<sup>24</sup> *Id.*

<sup>25</sup> <https://help.pornhub.com/hc/en-us/articles/1260803955549-Transparency-Report>

1 recognition technologies used for detecting child pornography. Companies like  
2 Pornhub are legally required to report CSEM to NCMEC, which maintains a database  
3 of known CSEM.<sup>26, 27</sup> From that database, NCMEC creates unique “hashes” that  
4 represent the CSEM, and can be used with image-recognition technologies to  
5 automatically identify other instances (or near instances) of those same images and  
6 videos.<sup>28</sup> For example, “PhotoDNA is able to compare the attributes of any given  
7 images with those of illegal images to seek out matches,” and “much of the process  
8 is entirely automated and hands-off.”<sup>29</sup>

9 75. PhotoDNA has been available, for free, to qualified organizations since  
10 2014.<sup>30</sup> On information and belief, Defendants did not begin using PhotoDNA, or  
11 any other well-known and long-available image-recognition technologies to identify  
12 and remove CSEM, until it disclosed that use for the first time in the 2021 Pornhub  
13 “transparency report.”

## 14 2. Defendants Facilitate Child Sex Trafficking By Encouraging 15 Users To Target Underage Content

16 76. In an effort to attract attention and revenues (for themselves and  
17 Defendants), users post content that generates traffic. Often this content is child  
18 pornography.

19 77. Defendants also capitalize on the ability of CSEM to drive traffic to their  
20 sites. Even after the National Center for Missing and Exploited Children has called  
21 for the removal of CSEM, Defendants have left the links to the videos on their sites  
22 (with only the videos removed) to continue to drive web traffic.

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25 <sup>26</sup> <https://www.justice.gov/opa/pr/acting-ag-and-five-country-statement-temporary-derogation-eprivacy-directive-combat-child>

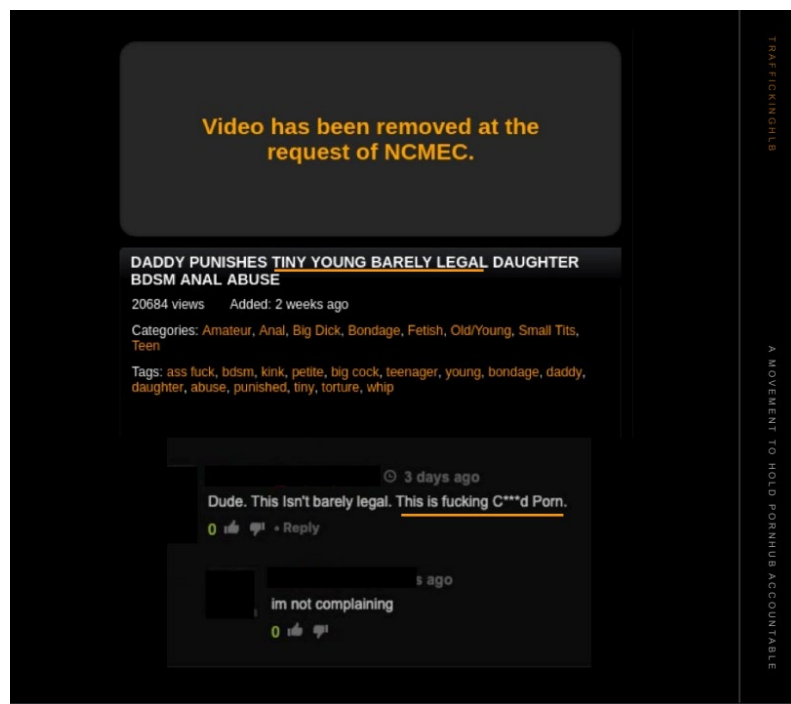
26 <sup>27</sup> <https://en.wikipedia.org/wiki/PhotoDNA>

27 <sup>28</sup> <https://en.wikipedia.org/wiki/PhotoDNA>

28 <sup>29</sup> <https://betanews.com/2015/07/17/microsoft-photodna-weeds-out-illegal-child-porn-and-abuse-images/>

<sup>30</sup> <https://en.wikipedia.org/wiki/PhotoDNA>

1 78. In one instance, a prepubescent victim was anally raped in a video  
2 featured on Pornhub. The video was uploaded to the site three times. There is  
3 documented evidence the video was reported but Pornhub did not act until someone  
4 reported the content to National Center for Missing and Exploited Children. Even  
5 after Pornhub was forced to remove the video, it left the link, title, and tags on the  
6 site to continue to drive traffic.<sup>31</sup>

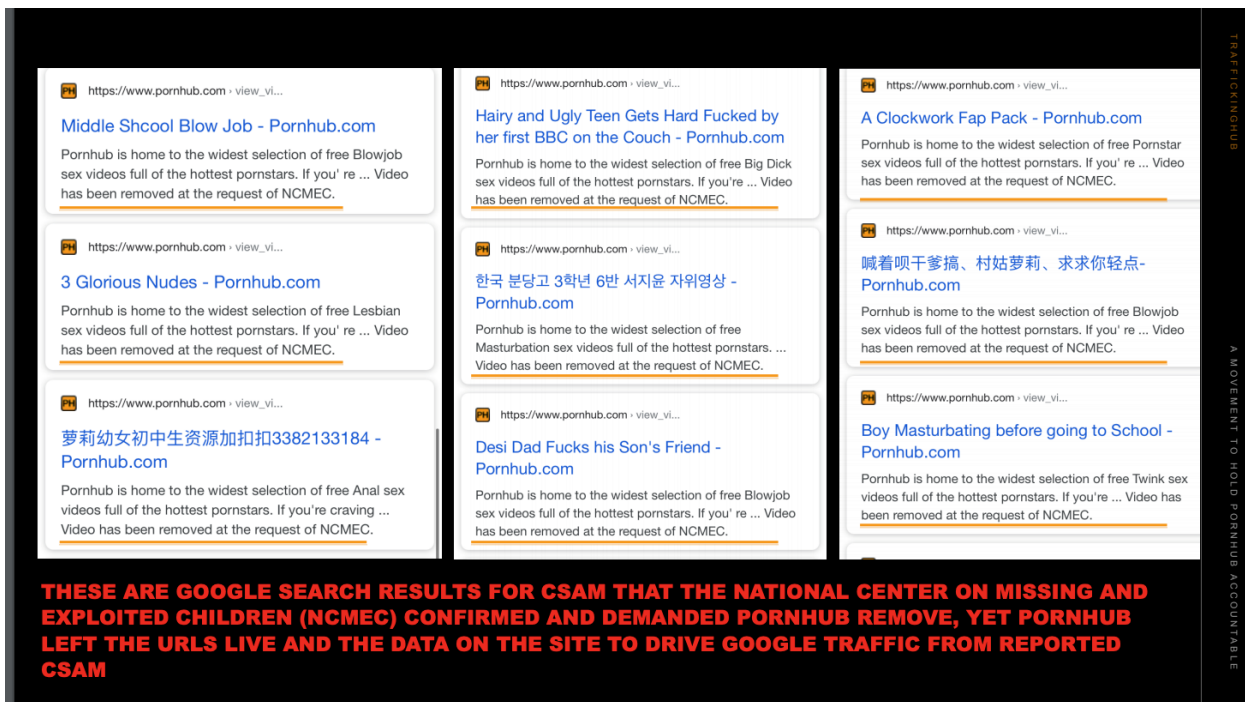


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18 79. This is not an isolated incident. There are countless other examples  
19 where Pornhub has left up links, titles and tags to videos for which NCMEC  
20 demanded removal.<sup>32</sup>

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80. Pornhub also “featured” a video called “Hidden camera – girls in the toilet at the prom 2,” which was clearly intended to target users interested in CSEM.<sup>33</sup>

81. Defendants knowingly participate in and capitalize on this user interest. In December of 2020, searches of Pornhub for terms like “girlunder18” or “14yo” lead to more than 100,000 videos.<sup>34</sup> What’s more, Pornhub has recently offered playlists with names like “less than 18,” “the best collection of young boys,” and “under---age” in an effort to entice users who would like to see, and/or upload, content featuring underage victims.<sup>35</sup> Pornhub also allows members with names like “13yoboyteen” to post videos.<sup>36</sup> And Defendants have intentionally deleted words from video titles that describe criminal content, but left the actual videos on its site.

82. Defendants also use the massive quantity of data they collect about their users to facilitate the distribution of child pornography. By collecting data about its users, Defendants are able to track users’ preferences. When a user signs up to for a

<sup>33</sup><https://financialservices.house.gov/uploadedfiles/hhrg-117-ba10-wstate-mickelwaitl-20210325.pdf>

<sup>34</sup> <https://www.nytimes.com/2020/12/04/opinion/sunday/pornhub-rape-trafficking.html>

<sup>35</sup> *Id.*

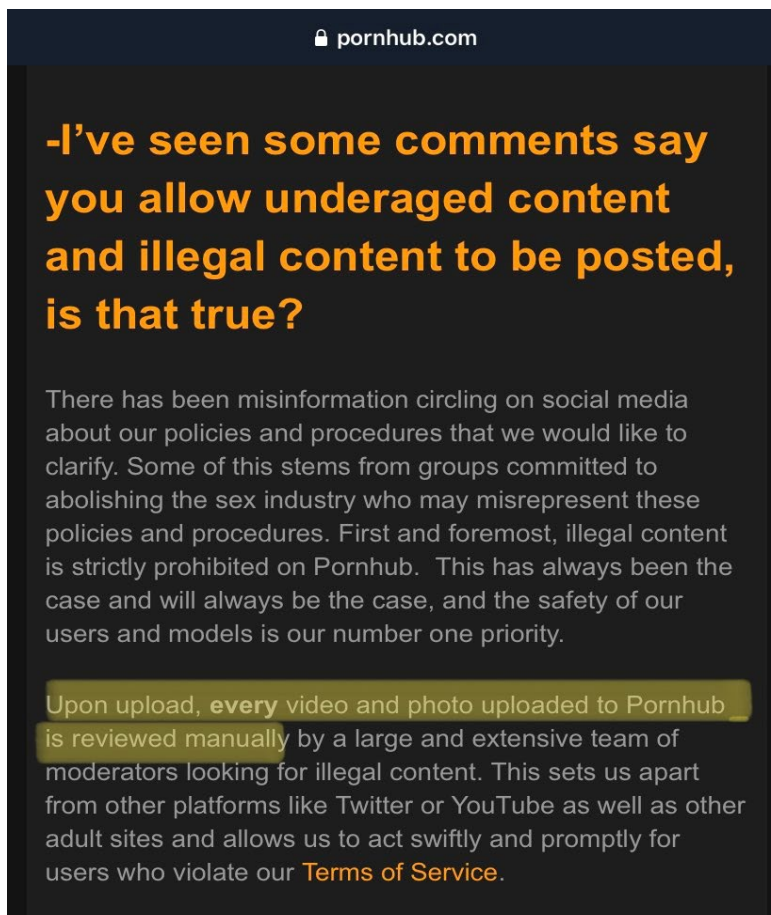
<sup>36</sup> *Id.*

1 Pornhub account, he or she is directed to fill out a survey describing their preferences,  
2 including hair, color, body art, ethnicity, and breast size. The user describes their  
3 sex, sexual preference, and whether they are single or part of a couple. The user is  
4 also presented with dozens of Pornhub categories to choose from, including  
5 “babysitter,” “college,” and “school” categories. Pornhub also recommends that  
6 users sign up to follow certain channels, “pornstars,” and community members to  
7 better target the content they receive. And, of course, Pornhub asks whether a user  
8 prefers to view “professional” or “homemade” videos. Pornhub then uses this  
9 information to target users with videos that suit their preferences.

10 83. Even for users who don’t voluntarily provide all of this data to Pornhub,  
11 Pornhub acquires a significant amount of data. Whenever a user views a page on  
12 Pornhub, the website automatically receives their IP address, how full their battery  
13 is, what browser version they are using, their time zone, their system fonts, their  
14 screen resolution, and what plugins they have installed.<sup>37</sup> This allows Pornhub to  
15 create a digital fingerprint that tracks users over time and across websites. As  
16 Pornhub learns more about its users’ preferences, it suggests videos it thinks they  
17 will like. So if a user indicates a preference for child pornography, Pornhub  
18 intentionally directs that user to its illegal content.

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28 <sup>37</sup> <https://www.vice.com/en/article/kzmmpa/pornhub-xhamster-data-about-you>

1 84. Besides the entirely inadequate verification process described above,  
2 until very recently, Defendants’ only “protection” against the posting of underage  
3 content and other illegal content is that they hire certain moderators who view “every  
4 video and photo uploaded to Pornhub.”



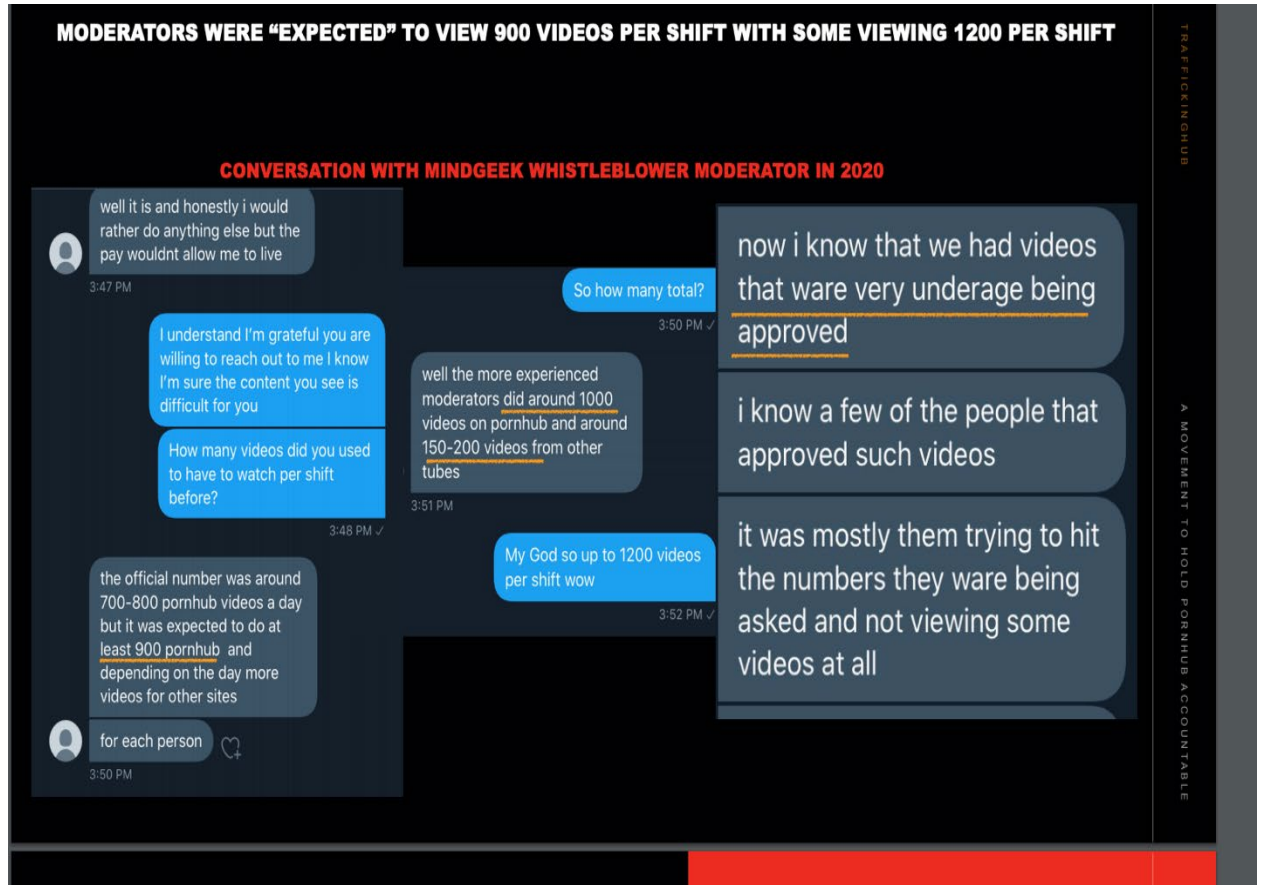
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20 85. Although Defendants claim the goal of content moderation is to locate  
21 and prevent the streaming of child pornography and other illegal material, the truth  
22 is that “the goal for a content moderator is to let as much content as possible go  
23 through” because Defendants’ focus is maximizing revenue.<sup>38</sup>

24 86. Former Pornhub moderators have confirmed that videos of “very  
25 underage” victims were approved because of the pressure to view as many videos as  
26 possible, upwards of 1,200 videos per shift.

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28 <sup>38</sup> <https://www.nytimes.com/2020/12/04/opinion/sunday/pornhub-rape-trafficking.html>

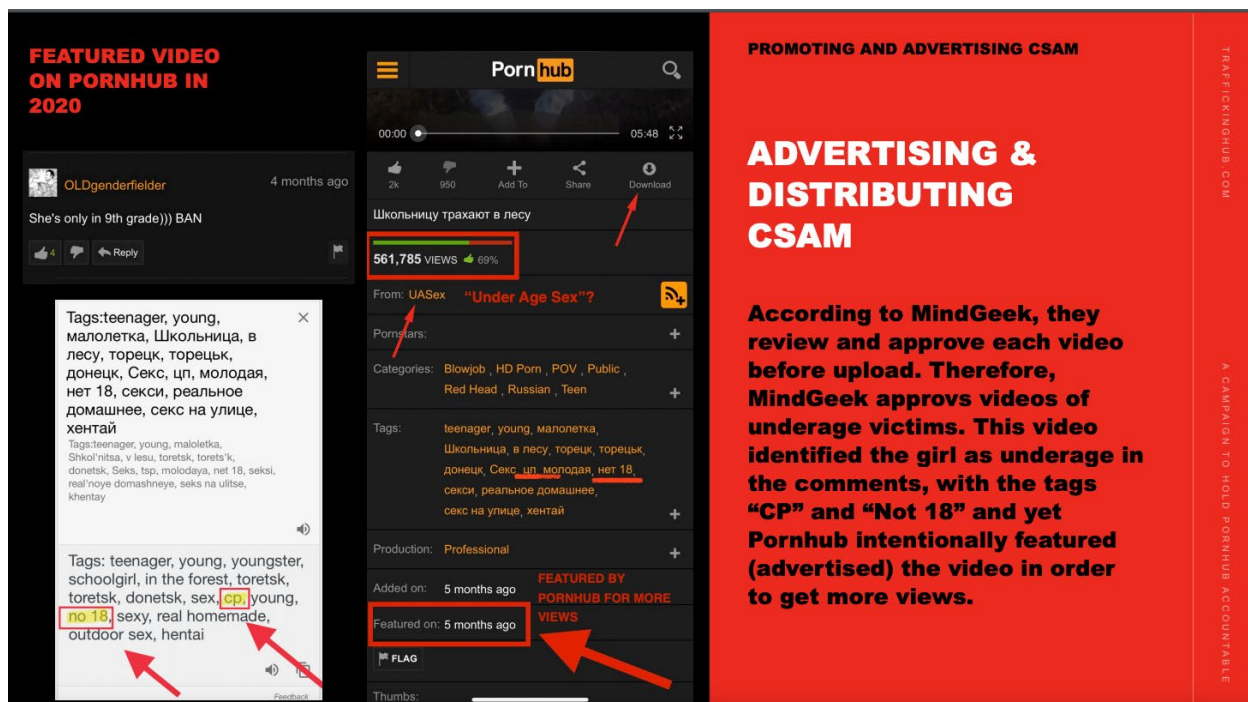


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87. By way of example, in one video, the comments indicated that the girl featured in the video was “only in ninth grade” and the tags used in advertising the video contained the phrases “cp,” “no18,” “young,” and “youngster.” Not only was this video on Pornhub’s website, but this was a “featured video,” which means that Pornhub chose to advertise this video as a means to get additional views.

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88. Defendants’ profit-maximizing goal is made plain by the following: Despite the fact that 1.36 million new hours of video are uploaded each year to Pornhub, Defendants employ only 80 moderators across all of its websites worldwide.<sup>39</sup> By contrast, Facebook has 15,000 moderators.<sup>40</sup>

89. On information and belief, only around ten people on Defendants’ moderator team are working at any given time throughout the day. They also lack any specialized training.

90. Looking just at the year 2019, according to Pornhub there were approximately 18,000 videos uploaded to that website daily, with an average length of approximately 11 minutes each.<sup>41</sup> Assuming each of the 10 moderators were focused solely on Pornhub, and worked a full 8-hour shift, they would be required to review 1,800 11-minute videos every day, where they are screening for not just child pornography but other inappropriate content such as bestiality and even murder.

<sup>39</sup> *Id.*

<sup>40</sup> *Id.*

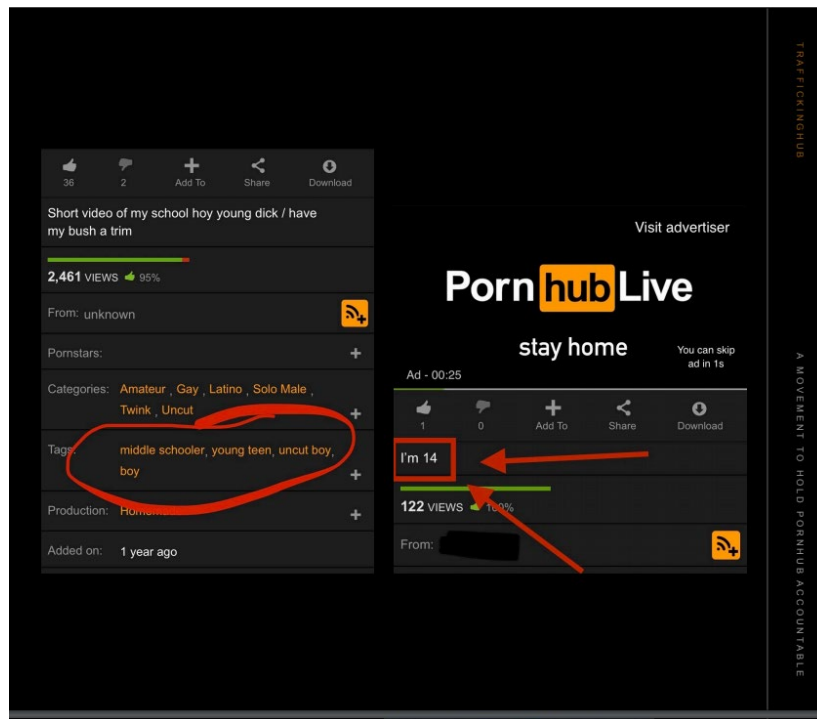
<sup>41</sup> <https://www.pornhub.com/insights/2019-year-in-review>

1 That’s 19,800 minutes upload every day, meaning a single moderator is somehow  
2 required to view 2,475 minutes per hour.

3 91. Defendants know that that is an impossible task, and that it necessarily  
4 leads to moderators quickly fast forwarding through, or even skipping videos/images  
5 entirely.

6 92. But Defendants’ business model profits from sexual videos and images  
7 featuring underage victims, and Defendants’ claim that it acts “swiftly and promptly”  
8 when users violate its Terms of Service is belied by the many stories of victims whose  
9 photos and videos have been streamed on Pornhub for years with no action.

10 93. Moderators have reviewed and approved videos with CSEM, including  
11 videos that say “I’m 14” and have tags like “middle schooler,” “young teen,” “boy,”  
12 and “uncut boy.”<sup>42</sup>



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1           94. Notably, on Pornhub’s Modelhub page, Defendants advertise their  
2 ability to use DMCA and fingerprinting to protect pirating of videos. Meaning, when  
3 it comes to preserving revenue, Defendants have long since demonstrated both an  
4 interest and technical ability to monitor and protect against access. Despite being  
5 fully aware of the problem of child trafficking, until very recently, Defendants did  
6 not employ similarly advanced methods to filter for underage or other illegal  
7 content.<sup>43</sup>

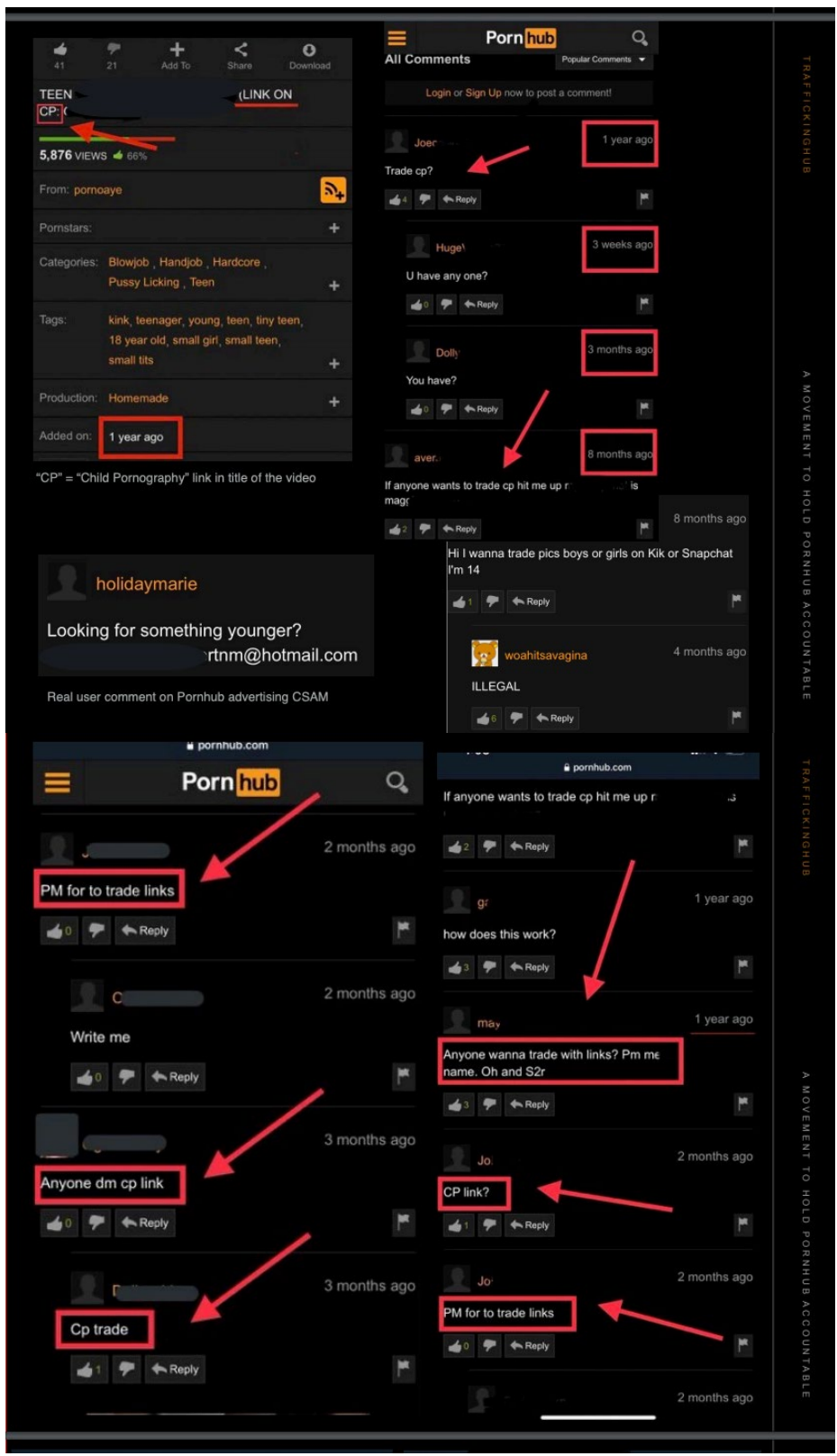
8                           **3. Child Sex Trafficking is Distributed and Monetized on**  
9                           **Pornhub**

10           95. Countless videos have been labeled on Pornhub as “CP,” which is a  
11 well-known abbreviation for child porn, sometimes featured in the title of the video  
12 that was reviewed by moderators. There are also many examples of users offering to  
13 trade child porn with one another on the site.<sup>44</sup>

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26 <sup>43</sup> [https://www.pornhub.com/partners/models?\\_ga=2.200643118.1816855087.1613736072-62734983.1613736072](https://www.pornhub.com/partners/models?_ga=2.200643118.1816855087.1613736072-62734983.1613736072)

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1                   **4. Defendants Have Admitted That Videos Featuring Underage**  
2                   **Persons Are Some Of The Most Popular/Sought-After**  
3                   **Content In Its Entire Library**

4           96. In its explanation of “How to Succeed,” on Defendants’ Pornhub  
5 website, Defendants direct users to use up to 16 tags that describe the video and  
6 performers; select up to 8 relevant categories; when applicable, use niche specific  
7 categories to ensure content is visible to the “right” fans; write a creative title that  
8 describes the scene, and add a stage name to the title of the video. These tactics are  
9 all designed to generate as much traffic as possible. The more sensational the video,  
10 the more likely it is to be streamed and generate revenues. Defendants’ categories  
11 demonstrate how it is specifically targeting viewers who are interested in child  
12 pornography, with categories like “teen,” “school,” “babysitter” and “old/young.”<sup>45</sup>  
13 On the page explaining video categories, Defendants acknowledged that Teen is one  
14 of its most popular categories.<sup>46</sup>

15           97. Defendants’ description of what titles to use similarly reflects their  
16 instructions to users to make titles “enticing” so that “users will be curious enough  
17 to click!”<sup>47</sup> For example, in its explanation of a bad vs. good title selection,  
18 Defendants describe how adding that a student is a participant in the video will entice  
19 users to click.<sup>48</sup>

20                   **D. Defendants Know That Its Websites Are Known For Child Sex**  
21                   **Trafficking Activity**

22           98. This is not a situation where Defendants can credibly claim ignorance.  
23 There are numerous ways in which Defendants have been made aware of the fact that  
24 its websites have become a go-to home for child pornography and sex trafficking.  
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27 <sup>45</sup> <https://help.pornhub.com/hc/en-us/articles/115007986887-Video-Categories>  
<sup>46</sup> *Id.*  
28 <sup>47</sup> <https://help.pornhub.com/hc/en-us/articles/115007986747-Video-Titles>  
<sup>48</sup> *Id.*

1                   **1. The Presence Of Child Sex Trafficking Is Obvious From**  
2                   **Language On Defendants’ Own Websites**

3           99. To start, Defendants need go no further than the language used on their  
4 own websites.

5           100. For example, until very recently, a simple search of Pornhub revealed  
6 countless examples of the presence—and indeed aggressive marketing—of underage  
7 pornography.

8           101. As just one example, the *New York Times* recently reported that, as of  
9 December 4, 2020, a search on Pornhub for “girlunder18” led to more than 100,000  
10 videos.<sup>49</sup>

11           102. Similarly, as of December 4, 2020, a search on Pornhub for “14yo” led  
12 to more than 100,000 videos.<sup>50</sup> And a search for “13yo” led to approximately  
13 155,000 videos.<sup>51</sup> “Girl with braces” turned up 1,913 videos and suggested to also  
14 try searching for “exxxtra small teens.”<sup>52</sup>

15           103. Promoted and suggested search terms on Pornhub demonstrate that  
16 Pornhub is enabling sex trafficking. In 2020, promoted and suggested search terms  
17 on Pornhub included “young girls,” “middle school girls,” “middle school sex,”  
18 “middle schools,” and “middle student.”<sup>53</sup>

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<sup>49</sup> <https://www.nytimes.com/2020/12/04/opinion/sunday/pornhub-rape-trafficking.html>

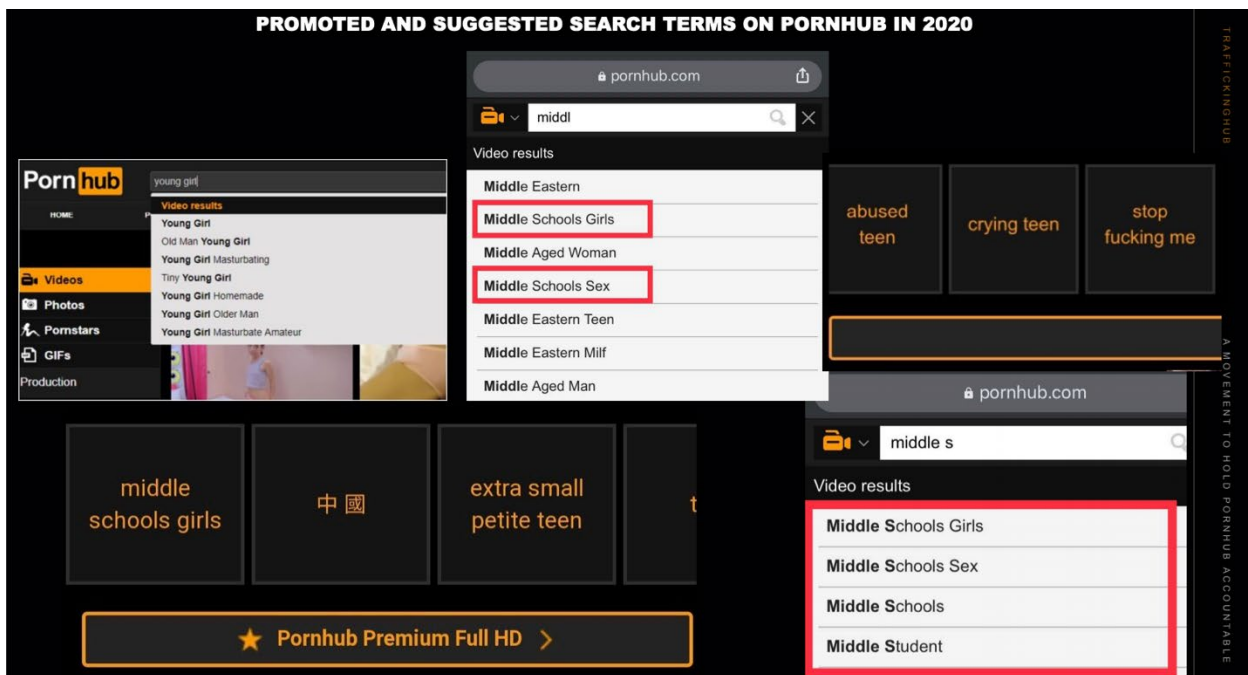
<sup>50</sup> <https://www.nytimes.com/2020/12/04/opinion/sunday/pornhub-rape-trafficking.html>

<sup>51</sup> <https://www.nytimes.com/2020/12/04/opinion/sunday/pornhub-rape-trafficking.html>

<sup>52</sup> <https://www.nytimes.com/2020/12/04/opinion/sunday/pornhub-rape-trafficking.html>

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104. The *Sunday Times* similarly reported that, as of November 2019, while Pornhub had blocked users from searching terms such as “underage” and “child porn”, synonyms including “jailbait”, “very young girl”, and “lolita” could still be used to locate content.<sup>54</sup>

105. Beyond the searches, Defendants have allowed members with usernames such as “13yoboyteen” to post videos to Pornhub, and recently promoted “playlists” with names such as “less than18,” “the best collection of young boys” and “under—age.”

**2. The Presence of Child Sex Trafficking Has Been Brought to Defendants’ Attention by Law Enforcement**

106. Defendants have been made aware of sex trafficking involving their content partners, including GirlsDoPorn and Czech Casting.

107. GirlsDoPorn was a popular content partner of Pornhub where victims of sex trafficking were widely distributed and monetized. Even as of October 2020,

<sup>54</sup><https://www.thetimes.co.uk/article/unilever-and-heinz-pay-for-ads-on-pornhub-the-worlds-biggest-porn-site-knjzlmwzv>



1 after GirlsDoPorn boss Michael Pratt was charged with federal sex trafficking  
2 crimes, a user could search “GDP” on Pornhub and find over 300 videos.<sup>55</sup>

3 108. Similarly, Czech police recently arrested the owners of another Pornhub  
4 partner channel, Czech Casting, for sex trafficking. Czech AV, the company running  
5 the channel, had almost one billion views on Pornhub.<sup>56</sup> The women were mostly  
6 college students.<sup>57</sup>

7 **3. The Presence Of Child Sex Trafficking Has Been Brought**  
8 **To Defendants’ Attention Via Victims**

9 109. Victims and their families have also notified Defendants of the presence  
10 of child pornography on their websites.

11 110. Serena Fleites. Ms. Fleites, aged just 14, was recorded in a sexually  
12 explicit video that was then uploaded to PornHub.<sup>58</sup> In testimony before the House  
13 of Commons ethics committee, she explained; “The titles would always be something  
14 like ‘preteen,’ ‘young teen.’”

15 111. Ms. Fleites further testified that it took Pornhub more than a week to  
16 remove the video, which it only agreed to do after she was asked multiple times to  
17 prove that it was, in fact, her video and that she was underage. As she put it: “It was  
18 very obvious it was a child in the video . . . Even if I wasn’t the girl in that video,  
19 they could still tell that was a child in that video and they were still dragging out that  
20 process.”<sup>59</sup>

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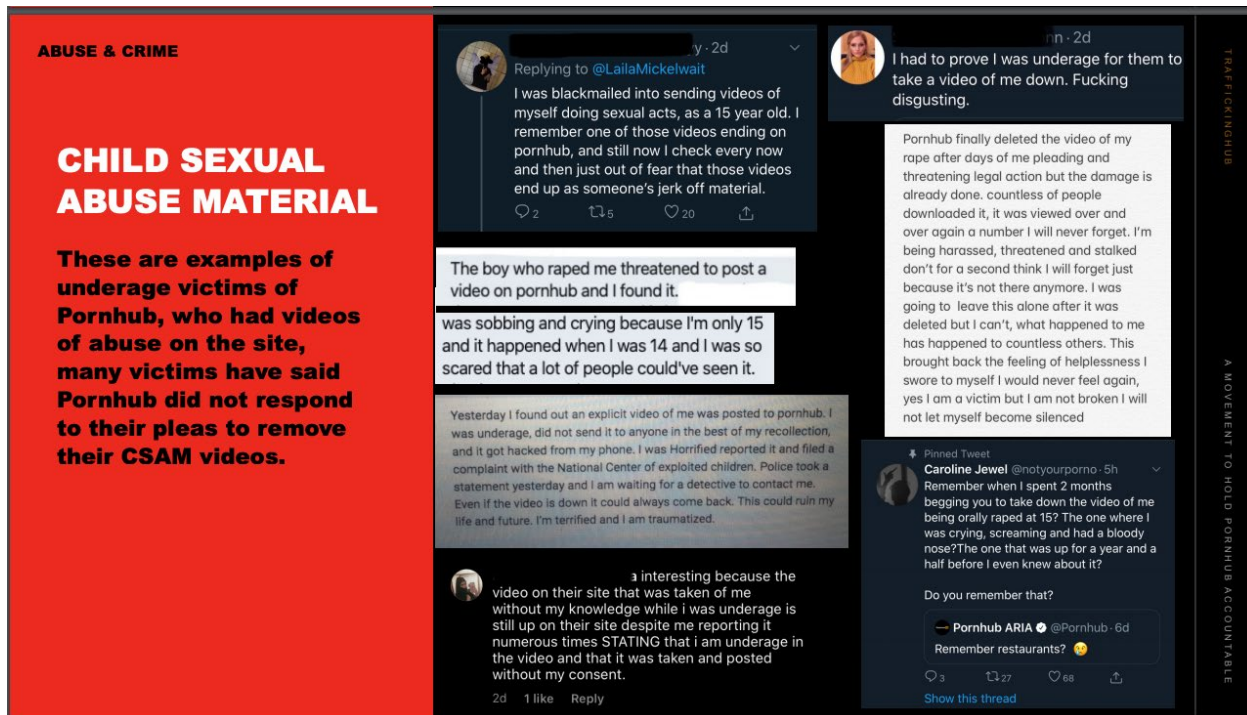
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26 <sup>57</sup> <https://praguemorning.cz/czech-casting-women-lured-by-modeling-gigs-manipulated-into-porn/>

27 <sup>58</sup> <https://www.thestar.com/news/canada/2021/02/01/child-porn-victim-testifies-during-day-1-of-pornhub-discussions-at-committee.html>

28 <sup>59</sup> <https://www.thestar.com/news/canada/2021/02/01/child-porn-victim-testifies-during-day-1-of-pornhub-discussions-at-committee.html>

112. There are countless instances of users reporting CSEM to Pornhub, with Pornhub failing to take action.<sup>60</sup>



113. MindGeek users have left repeated comments on videos on Defendants' website indicating that the videos feature CSEM. Defendants have discouraged users to report CSEM on their websites to law enforcement authorities.<sup>61</sup>

<sup>60</sup> <https://financialservices.house.gov/uploadedfiles/hhr-117-ba10-wstate-mickelwaitl-20210325.pdf>

<sup>61</sup> See, e.g., <https://financialservices.house.gov/uploadedfiles/hhr-117-ba10-wstate-mickelwaitl-20210325.pdf>

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**code147** 2 years ago  
is this girl even old enough to be up on this type of videos??? that dude looks like a prick.... feeding on the innocent.... this c\*\*\*d abuse!!! really!

**Zeb50** 3 years ago  
Lool at this face at 5:40, it's says "Free me please, enough of that". I can't jerk on that, even if she is gorgeous. Ridiculous depressing channel :/

**luvsasianwhores** 3 months ago  
Best part. He should have pulled her hair, choked her a bit the rougher then better. Torture these little fucktoys

I probably could do without the crying.

**Whoa she looks like she's 12.**

**bluelight6742**  
Jfc she looks like she's 14

**somewhat\_angery**  
SHE LOOKS WAY UNDE\*\*\*E SMH

**REAL USER COMMENTS ON PORNHUB**

**ENABLING & FACILITATING BAD ACTORS**

**IGNORING CLEAR WARNING SIGNS FROM USERS**

**In 2019, 11.5 million comments were made by users about videos on Pornhub.**

**Many of these comments express distress or concern, flagging what appears to be actual crimes filmed in the videos. Many also demonstrate sadistic, misogynistic, and violent attitudes of malevolent and predatory sexual behavior.**

TRAFFICKINGHUB.COM  
A CAMPAIGN TO HOLD PORNHUB ACCOUNTABLE

**seanmahem** 3 years ago  
She looks like 14 and I love it  
20 likes

**pornfire2017** 1 year ago  
its a c\*\*\*d porn

**vitomod** 2 years ago  
I honestly believe this is too young. No matter what country  
35 likes

**Minecraftmachine** 6 months ago  
She is actually 15.. I know this girl in real life and I also know her dad...  
6 likes

**jongen18** 1 year ago  
I know she looks 13 or something  
2 likes

**zxanaxxz** 5 days ago  
Wtf she's like 15  
0 likes

**M26f28m** 1 year ago  
disgusting she looks like a c\*\*\*d. remove that shit  
42 likes

**Post nut clarity hit and now I'm crying for the girl I just got off to.**

**Whoa she looks like she's 12.**

**Wait that's illegal**

**REAL USER COMMENTS ON PORNHUB**

**ENABLING & FACILITATING BAD ACTORS**

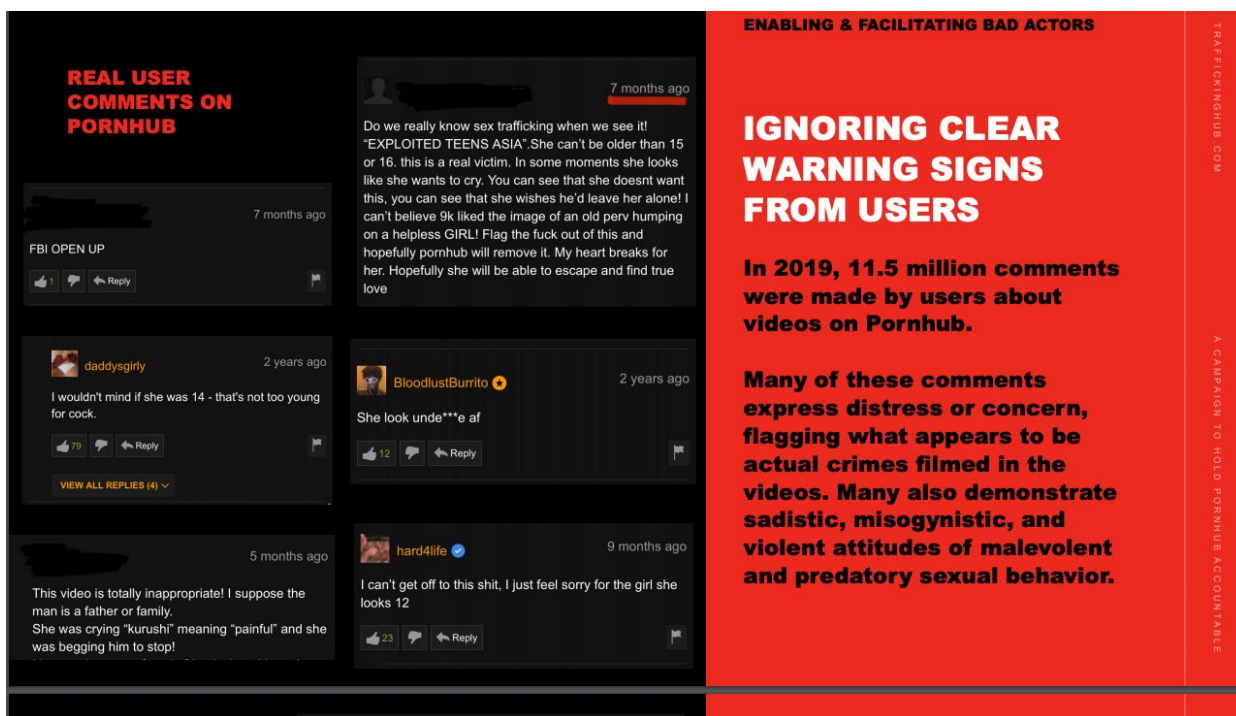
**IGNORING CLEAR WARNING SIGNS FROM USERS**

**In 2019, 11.5 million comments were made by users about videos on Pornhub.**

**Many of these comments express distress or concern, flagging what appears to be actual filmed crime including CSAM, trafficking and rape.**

TRAFFICKINGHUB.COM  
A CAMPAIGN TO HOLD PORNHUB ACCOUNTABLE

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114. Indeed, although Defendants are required to report CSEM to NCMEC, Defendants have utterly failed to report known instances of CSEM. For example, NCMEC publishes an annual report of reports of incidents of apparent CSEM, and although Defendants’ websites were rife with CSEM at that time, MindGeek and PornHub made zero reports in 2019.<sup>62</sup>

#### 4. The Presence Of Child Sex Trafficking Has Been Brought To Defendants’ Attention Via Third-Party Reporting

115. Numerous media outlets have also notified Defendants of the presence of child pornography on their websites.

116. In October of 2018, numerous print outlets ranging from the *New York Post*<sup>63</sup> to the *Mercury News*<sup>64</sup> reported that an investigation was launched after a high school student recognized his classmate—a 14-year-old girl—in a video uploaded to

<sup>62</sup> <https://www.missingkids.org/gethelpnow/cybertipline>

<sup>63</sup> <https://nypost.com/2018/10/26/videos-on-pornhub-showed-female-teacher-having-sex-with-teen-girl-cops/>

<sup>64</sup> <https://www.mercurynews.com/2018/10/26/pornhub-videos-lead-to-redwood-city-womans-arrest/>

1 Pornhub. The video depicted the young girl being sexually assaulted by a substitute  
2 teacher. The classmate notified the principal, who in turn contacted authorities.

3 117. Just one month later, in November 2019, the *Sunday Times* of London  
4 published an investigation in which it questioned Pornhub’s claim that it “bans  
5 content showing under-18s and removes it swiftly.”<sup>65</sup> It reported that, in just minutes  
6 of searching on the website, it was able to find dozens of examples of illegal material.  
7 Including an entire account called “Candid teen asses,” devoted to posting covertly  
8 filmed “creepshots” of girls in their school uniforms.<sup>66</sup> And then there were the  
9 videos featuring victims as young as three years old.<sup>67</sup>

10 118. Many of the videos the newspaper located had more than 350,000 views,  
11 and had had been on the platform for years.<sup>68</sup>

12 119. Even after the *Sunday Times* flagged certain specific videos for  
13 Defendants, three of the worst clips remained on Pornhub some 24 hours later.<sup>69</sup>

14 120. In September 2020, a man in Tuscaloosa was charged with monetizing  
15 child exploitation on Pornhub, producing porn involving a 16-year-old girl.<sup>70</sup> The  
16 video was on Pornhub for two years and viewed 2,447 times before it was finally  
17 taken down.

18 121. In 2018, Dawn Gianni sexually assaulted a 14-year-old girl and the  
19 videos were uploaded to Pornhub.<sup>71</sup>

22 \_\_\_\_\_  
23 <sup>65</sup> [https://www.thetimes.co.uk/article/unilever-and-heinz-pay-for-ads-on-pornhub-  
the-worlds-biggest-porn-site-knjzlmwzv](https://www.thetimes.co.uk/article/unilever-and-heinz-pay-for-ads-on-pornhub-the-worlds-biggest-porn-site-knjzlmwzv)

24 <sup>66</sup> *Id.*

25 <sup>67</sup> *Id.*

26 <sup>68</sup> *Id.*

27 <sup>69</sup> *Id.*

28 <sup>70</sup> [https://abc3340.com/news/local/pornhub-account-tied-to-tuscaloosa-mans-arrest-  
for-producing-porn-with-a-  
minor#:~:text=Court%20records%20show%2027%2Dyear,with%20bond%20set%  
20at%20%2475%2C000.](https://abc3340.com/news/local/pornhub-account-tied-to-tuscaloosa-mans-arrest-for-producing-porn-with-a-minor#:~:text=Court%20records%20show%2027%2Dyear,with%20bond%20set%20at%20%2475%2C000.)

<sup>71</sup> [https://www.mercurynews.com/2018/10/26/pornhub-videos-lead-to-redwood-  
city-womans-arrest/](https://www.mercurynews.com/2018/10/26/pornhub-videos-lead-to-redwood-city-womans-arrest/)

1 122. News reports also indicated that images of Megan Guthrie when she was  
2 17 years old were featured on Pornhub and her name was trending on the site.<sup>72</sup>

3 123. More recently, *New York Times* columnist Nicholas Kristof wrote a  
4 lengthy article entitled: “The Children of Pornhub: Why does Canada allow this  
5 company to profit off videos of exploitation and assault?” That article is described  
6 in more detail below.

7 **5. The Presence of Child Sex Trafficking Has Been Brought To**  
8 **Defendants’ Attention Via Advocacy Groups**

9 124. Numerous advocacy groups have devoted significant resources to  
10 bringing attention to the ubiquitous problem of child pornography on Defendants’  
11 various websites.

12 125. The Internet Watch Foundation, which assesses and works to remove  
13 from the internet child sexual abuse images and videos every year, reported that it  
14 found 118 instances of child sexual abuse imagery on Pornhub between 1 January  
15 2017, and 29 October 2019.<sup>73</sup>

16 126. TraffickingHub has also launched a worldwide campaign to bring  
17 attention to Defendants’ bad acts, including gathering over 2 million signatures for a  
18 petition to shut down Pornhub and hold its executives accountable for aiding  
19 trafficking.<sup>74</sup>

20 **6. The Presence of Child Sex Trafficking Has Been Brought to**  
21 **Defendants’ Attention Via Government-Led Investigations**

22 127. The governments of multiple countries have also become involved in  
23 this issue, launching investigations into the Pornhub’s wrongdoing.

24 128. In the United States, Senator Ben Sasse wrote to U.S. Attorney General  
25 Bill Barr, calling for a federal investigation into Pornhub and its owner MindGeek

26 \_\_\_\_\_  
27 <sup>72</sup><https://www.buzzfeed.com/cameronwilson/tiktok-underage-nudes-leaked-harassment>

28 <sup>73</sup> <https://www.iwf.org.uk/news/pornhub-data-out-of-context-tells-us-nothing>

<sup>74</sup> <https://traffickinghub.com/>

1 for their involvement in streaming videos of raped and exploited women and  
2 children. In his letter he explained:

3 In several notable incidents over the past year, Pornhub  
4 made content available worldwide showing women and  
5 girls that were victims of trafficking being raped and  
6 exploited. Indeed, the problem of Pornhub streaming  
7 content featuring women and children victims of sex  
8 trafficking reached the point in November that Paypal cut  
9 off services for Pornhub, refusing to facilitate this abuse  
10 any longer... Pornhub must not escape scrutiny. I  
11 therefore request that the Department open an  
12 investigation into Pornhub and its parent entity MindGeek  
13 Holding SARL for their involvement in this disturbing  
14 pipeline of exploiting children and other victims and  
15 survivors of sex trafficking.<sup>75</sup>

16 129. The same calls for action are being heard in Canada, where Canadian  
17 Members of Parliament from four parties sent an open letter to Canada's Minister of  
18 Justice, Attorney General David Lametti, along with Prime Minister Justin Trudeau,  
19 demanding a government response to what is happening on Pornhub.<sup>76</sup>

20 **E. The New York Times Investigation**

21 130. Despite their apparent knowledge of this growing problem, for over a  
22 decade, Defendants took no action.

23 131. Then, in December 2020, Nicholas Kristof of the *New York Times*  
24 published a detailed investigation that chronicled all the ways Pornhub monetizes  
25 child rapes and revenge pornography.<sup>77</sup> "The site is infested with rape videos,"

26 <sup>75</sup> [https://www.sasse.senate.gov/public/\\_cache/files/06557325-43d1-4aed-8e34-27cf8cbdfb13/3-10-20-sasse-letter-to-ag-barr.pdf](https://www.sasse.senate.gov/public/_cache/files/06557325-43d1-4aed-8e34-27cf8cbdfb13/3-10-20-sasse-letter-to-ag-barr.pdf)

27 <sup>76</sup> <https://twitter.com/ArnoldViersen/status/1331647921692041216?s=20>

28 <sup>77</sup> <https://www.nytimes.com/2020/12/04/opinion/sunday/pornhub-rape-trafficking.html>

1 Kristof wrote. “It monetizes child rapes, revenge pornography, spy cam videos of  
2 women showering, racist and misogynist content, and footage of women being  
3 asphyxiated in plastic bags.”

4 132. Kristof wrote that there are more than 6.8 million new videos posted on  
5 Pornhub each year, many of which depict child abuse.

6 133. The story referenced a woman named Cali who was forced to appear in  
7 pornographic videos beginning at the age of nine, many of which ended up on  
8 Pornhub and regularly reappear there. Kristof described how he came across many  
9 videos on Pornhub featuring unconscious girls, with rapists opening the eyelids of  
10 the victims and touching their eyeballs to demonstrate that they were, in fact,  
11 unconscious.

12 134. Kristof wrote: “In the last few days as I was completing this article, two  
13 new videos of prepubescent girls being assaulted were posted, along with a sex video  
14 of a 15-year-old girl who was suicidal after it went online. I don’t see how good-  
15 faith moderators could approve any of these videos.”

16 135. Of course, the problem is that the moderators are not acting in good  
17 faith. They are trying to get as much content through as possible to ensure traffic,  
18 because traffic equals profits.

19 **F. Financial Institutions Cut Ties with Defendants**

20 136. Kristof’s article called for Visa, Mastercard, and American Express to  
21 suspend cooperation with Pornhub. Mastercard launched its own investigation into  
22 Kristof’s claims and said it found them to be substantiated. In a statement,  
23 Mastercard said: “The use of our cards at Pornhub is being terminated. Our  
24 investigation over the past several days has confirmed violations of our standards  
25 prohibiting unlawful content on their site. As a result, and in accordance with our  
26  
27  
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1 policies, we instructed the financial institutions that connect the site to our network  
2 to terminate acceptance.”<sup>78</sup>

3 137. Visa followed suit. Although its investigation is ongoing, Visa  
4 suspended Pornhub’s acceptance privileges while its investigation is underway and  
5 instructed the financial institutions who serve Defendants to suspend processing of  
6 payments through the Visa network.<sup>79</sup>

7 138. Discover also cut ties with Pornhub. “We require our financial  
8 institution partners to monitor for and prevent card acceptance at merchants that  
9 allow illegal or any other prohibited activities that violate our operating standards,”  
10 Discover said in a statement. “When Discover determines merchants are offering  
11 prohibited activity, we promptly terminate card acceptance through the offending  
12 merchant's financial institution.”<sup>80</sup>

13 **G. Defendants Remove Millions of Videos from Their Sites**

14 139. Within days of the financial institutions cutting ties with Pornhub,  
15 Defendants finally took some action. Most notably, they removed all content  
16 previously uploaded to its Pornhub website by unverified users, bringing the total  
17 number of videos on that one site down from 13 million to 4 million.<sup>81</sup> On  
18 information and belief, they did nothing, however, to confirm that any of the  
19 individuals featured in any of the 4 million videos that remained on the website were  
20 of consenting adults.

21 140. Defendants also announced that they were removing the ability for users  
22 to download content from Pornhub (with the exception of paid downloads from the  
23 “verified” Model Program), along with other changes. Despite these announcements,  
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25 \_\_\_\_\_  
26 <sup>78</sup> <https://www.cnn.com/2020/12/14/business/mastercard-visa-discover-pornhub/index.html>

27 <sup>79</sup> *Id.*

28 <sup>80</sup> *Id.*

<sup>81</sup> <https://www.theguardian.com/technology/2020/dec/14/pornhub-purge-removes-unverified-videos-investigation-child-abuse>

1 as evidenced in paragraphs 47-54 above, nothing substantive appears to have  
2 changed because the Model Program has no age verification requirement.<sup>82</sup>

3 **IV. JANE DOE’S EXPERIENCE AS A VICTIM OF DEFENDANTS’ SEX**  
4 **TRAFFICKING**

5 141. Jane Doe was in high school when her boyfriend created four videos of  
6 the two of them engaging in sexual intercourse. She was sixteen years old at the time  
7 the videos were recorded, and some of the videos were recorded without her  
8 knowledge let alone consent. She was induced to perform the sex acts depicted in the  
9 videos.

10 142. The relationship ended when Jane Doe’s boyfriend pushed her out of his  
11 moving car onto the street, dragging her until she was able to free herself.

12 143. After the relationship ended, Jane Doe learned from a mutual friend that  
13 her ex-boyfriend has posted multiple videos online of the two of them engaging in  
14 sexual intercourse. Jane Doe is clearly identifiable in the videos, which were posted  
15 to various websites, including Pornhub.com and Redtube.com, from the period of  
16 December 2019 to the present.

17 144. The postings were accompanied by crude, disparaging, misogynistic  
18 and/or racist remarks.

19 145. After allowing the videos to be uploaded to Pornhub, Defendants loaded  
20 at least one of the videos to Redtube. The video contained the name “teen” in the  
21 title, was tagged with the word “teen” and was categorized as “teen” porn to enable  
22 users who were interested in child pornography to locate the video. The video has  
23 been viewed more than 30,000 times and was featured alongside Traffic Junky  
24 advertisements.

25 146. What’s more, not only did Defendants upload this video to Redtube,  
26 they actually *featured* it on the front page of Redtube in order to drive traffic.

27  
28 <sup>82</sup> <https://www.pornhub.com/blog/11422>

1 147. The circulation of the videos and images has caused Ms. Doe great  
2 anxiety, distress and sleeplessness. She has had recurring thoughts of contemplating  
3 suicide and feelings of hopelessness, resulting in withdrawing from school and  
4 seeking therapy. Ms. Doe has spent money on counseling resulting from her distress.

5 148. The videos were on Pornhub for nearly a month before Jane Doe was  
6 made aware of them. Ms. Doe immediately reached out to Pornhub to have the  
7 videos taken down on March 26, 2020. While Pornhub ultimately removed the  
8 videos, they warned Ms. Doe: “We have taken it upon ourselves to fingerprint the  
9 content with Vobile on your behalf. This should effectively block future uploads of  
10 the videos. Please note that we offer no guarantee. We do not operate the Vobile  
11 service. Furthermore we recommend that you educate yourself on their services and  
12 the limitations of digital fingerprinting technology.”

13 149. Apparently it is on Ms. Doe to ensure that the videos are never uploaded  
14 anew to Pornhub, or any of Defendants’ numerous other websites, again.

15 150. Jane Doe No. 1’s trafficker has victimized other young women as well.  
16 After law enforcement authorities arrested her trafficker, they located more than 500  
17 images and videos that had been uploaded to Pornhub, Redtube, and other websites.

18 151. Defendants financially benefitted from Jane Doe No. 1’s trafficking in  
19 the form of increased traffic and advertising revenue.

20 152. Defendants made money on the videos featuring Ms. Doe’s image and  
21 likeness without her permission or consent.

22 153. Ms. Doe suffered economic injury because she was not compensated for  
23 Defendants’ use of her image and likeness for commercial gain.

24 **CLASS ACTION ALLEGATIONS**

25 154. Plaintiff brings this action on her own behalf, and on behalf of a class  
26 pursuant to Rule 23(a) and (b)(3) of the Federal Rules of Civil Procedure. The Class  
27 is defined as:  
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1 all persons who were under the age of 18 when they appeared in a video  
2 or image that has been uploaded or otherwise made available for  
3 viewing on any website owned or operated by Defendants in the last ten  
4 years.

5  
6 155. Plaintiff also brings this action on behalf of: all persons residing in  
7 California who were under the age of 18 when they appeared in a video or image that  
8 has been uploaded or otherwise made available for viewing on any website owned or  
9 operated by Defendants in the last ten years (the “California Subclass”).

10 156. The members of the Class are so numerous that joinder of all members  
11 is impracticable. While the exact number of Class members is unknown to Plaintiff  
12 at this time and can only be ascertained through appropriate discovery, Plaintiff  
13 believes that there are many thousand members of the Class. Absent members of the  
14 Class may be notified of the pendency of this action using a form of notice similar to  
15 that customarily used in purchaser class actions.

16 157. Plaintiff’s claims are typical of the claims of the members of the Class,  
17 as all members of the Class were similarly affected by Defendants’ wrongful  
18 common course of conduct complained of herein.

19 158. Plaintiff will fairly and adequately protect the interests of the members  
20 of the Class and has retained counsel competent and experienced in class action  
21 litigation.

22 159. Common questions of law and fact exist as to all members of the Class  
23 and predominate over any questions solely affecting individual members of the Class.  
24 Among the questions of law and fact common to the Class are:

25 (a) Whether Defendants knowingly benefitted from child  
26 trafficking;

27 (b) Whether user-generated uploads on Defendants’ websites  
28 feature underage victims;

- 1 (c) Whether Defendants knew or should have known that there were
- 2 videos and/or images of underage victims on its websites; and
- 3 (d) Whether Defendants' age verification system prevents users
- 4 from uploading child pornography.
- 5 (e) Whether Defendants have earned profits from child trafficking;

6 160. A class action is superior to all other available methods for the fair and  
7 efficient adjudication of this controversy, since joinder of all members is  
8 impracticable. The damages suffered by individual Class members may be relatively  
9 small, the expense and burden of individual litigation makes it virtually impossible  
10 as a practical matter for members of the Class to redress individually the wrongs done  
11 to them. There will be no difficulty in the management of this action as a class action.

12 **FIRST CLAIM FOR RELIEF**  
13 **TRAFFICKING VICTIMS PROTECTION ACT**  
14 **18 U.S.C. §§ 1591, 1595**  
15 **(Against All Defendants)**

16 161. Plaintiff incorporates each and every allegation set forth above as if fully  
17 set forth herein.

18 162. Defendants knowingly used the instrumentalities of interstate commerce  
19 to violate 18 U.S.C. § 1595.

20 163. Defendants knowingly benefit from child trafficking by benefitting  
21 financially from videos/images viewable on their websites that depict victims who  
22 are underage. Defendants make substantial profits with almost three billion ad  
23 impressions each day, many of which are attributable to content posted of underage  
24 victims.

25 164. Defendants recruit, entice, harbor, transport, provide, obtain, advertise,  
26 maintain, patronize, or solicit videos and images depicting CSEM on their websites.

27 165. Defendants knew or should have known that the videos and images  
28 featured on their websites depicted CSEM. Defendants have repeatedly been made

1 aware of the child pornography on their websites by victim’s complaints, third-party  
2 reporting, advocacy groups, and government investigations. Defendants knew or  
3 should have known that their websites are known for child sex trafficking based on  
4 all of this information.

5 166. Defendants monetized child trafficking on their websites through  
6 revenues generated by subscriptions and advertisements.

7 167. Rather than take action to combat the problem of child sex trafficking,  
8 Defendants intentionally catered their websites to facilitate sex trafficking and make  
9 it easier for traffickers to monetize underage victims in commercial sex acts.

10 168. Defendants not only maintained affiliations with sex traffickers by  
11 enabling the posting of child pornography on their websites, they have strengthened  
12 those affiliations by making it easier to connect traffickers with those who want to  
13 view child pornography. Defendants create playlists that target those interested in  
14 child pornography; feature categories on their websites that target users interested in  
15 child pornography; instructs users to describe their videos using categories like  
16 “teen” to drive traffic; and decline to take down child pornography that generates  
17 significant streams.

18 169. Defendants have repeatedly featured victims who have not attained the  
19 age of 18 years in videos/images on its websites. The victims have engaged in  
20 commercial sex acts because all of the videos featured on its websites generate  
21 revenue for Defendants and/or traffickers and depict sex acts.

22 170. Defendants had a reasonable opportunity to observe the victims featured  
23 on its websites, including because their moderators had the opportunity to view all of  
24 the content posted thereon.

25 171. Defendants’ conduct has harmed the Class by causing physical,  
26 psychological, financial, and reputational harm.

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**SECOND CLAIM FOR RELIEF**

**RECEIPT AND DISTRIBUTION OF CHILD PORNOGRAPHY**

**18 U.S.C. §§ 2252A, 2255**

**(Against All Defendants)**

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5 172. Plaintiff incorporates each and every allegation set forth above as if fully  
6 set forth herein.

7 173. Defendants knowingly and intentionally offer, operate, maintain and  
8 advertise child pornography on their websites. Defendants also knowingly and  
9 intentionally encourage traffic on their websites and encourage advertisers to  
10 purchase advertisement space thereon.

11 174. Defendants knowingly received and distributed child pornography  
12 depicting Plaintiff and the Class on their websites in violation of 18 U.S.C. § 2252A.  
13 Accordingly, Plaintiff and the Class are entitled to bring a civil action under  
14 18 U.S.C. §§ 2252A(f), 2255(a).

15 175. Defendants’ receipt and distribution of child pornography occurred in  
16 or affected interstate or foreign commerce.

17 176. As a proximate result of Defendants’ violation of 18 U.S.C. § 2252A,  
18 Plaintiff and the Class have suffered serious harm including, without limitation,  
19 physical, psychological, financial, and reputational harm.

20 177. Defendants’ conduct was malicious, oppressive, or in reckless disregard  
21 of Plaintiff’s rights and the Class’ rights and Plaintiff and the Class are entitled to  
22 injunctive relief, compensatory, liquidated, statutory and punitive damages, and the  
23 costs of maintaining this action. 18 U.S.C. §§ 2252A(f), 2255(a).

24 178. Defendants’ liability for knowingly violating 18 U.S.C. § 2252A is not  
25 limited by 47 U.S.C. § 230 because nothing in Section 230 “shall be construed to  
26 impair the enforcement of [ ] chapter [ ] 110 (relating to sexual exploitation of  
27 children) [ ] or any other Federal criminal statute.” 47 U.S.C. § 230(e)(1).  
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**THIRD CLAIM FOR RELIEF**  
**DISTRIBUTION OF PRIVATE SEXUALLY EXPLICIT**  
**MATERIALS, CAL. CIV. CODE § 1708.85**

**(Against All Defendants)**  
**(On behalf of California Subclass)**

179. Plaintiff incorporates each and every allegation set forth above as if fully set forth herein.

180. Defendants intentionally distributed child pornography.

181. Plaintiff and the Class did not consent to the online distribution of the videos and images depicting them.

182. Defendants knew Plaintiff and the Class had a reasonable expectation that the videos depicting them would remain private.

183. The videos depicted on Pornhub exposed intimate body parts of Plaintiff and the Class.

184. Plaintiff and the Class were harmed by Defendants’ knowing and intentional distribution of child pornography and Defendants’ conduct was a substantial factor in causing harm to Plaintiff and the Class.

**FOURTH CLAIM FOR RELIEF**  
**VIOLATION OF CALIFORNIA’S UNFAIR COMPETITION LAW (“UCL”)**

**Cal. Bus. & Prof. Code § 17200**

**(Against All Defendants)**  
**(On behalf of California Subclass)**

185. Plaintiff incorporates each and every allegation set forth above as if fully set forth herein.

186. Defendants have violated the UCL by engaging in unlawful, unfair, and fraudulent business acts and practices.

187. Defendants knowingly had inadequate age verification systems in place that enabled users to upload child pornography to Defendants’ websites.



1 188. Defendants profited by selling advertising space to display  
2 advertisements alongside Plaintiff's and the Class's videos, images, and likenesses  
3 without their consent (or the consent of their parents or legal guardians).

4 189. Defendants profited by featuring Plaintiff's and the Class's videos,  
5 images, and likenesses without their consent to drive user traffic to their websites.

6 190. Defendants' conduct constitutes an unlawful, unfair, and fraudulent  
7 business act and practice.

8 191. Plaintiff and the Class have a financial interest in the use of their videos,  
9 images, and likenesses.

10 192. As a result of Defendants' use of their videos, images, and likenesses  
11 without their consent, Plaintiff and the Class lost money to which they were entitled.

12 193. As a result of Defendants' use of her videos, image, and likeness without  
13 their consent, Plaintiff and the Class suffered financial harm in the form of costs for  
14 therapy.

15 194. Plaintiff and the Class seek restitution of all amounts to which  
16 Defendants have been unjustly enriched as a result of their unlawful, unfair, and/or  
17 fraudulent acts.

18 **FIFTH CLAIM FOR RELIEF**

19 **VIOLATION OF CALIFORNIA'S TRAFFICKING VICTIMS**

20 **PROTECTION ACT**

21 **Cal. Civ. Code § 52.5**

22 **(On behalf of California Subclass)**

23 195. Plaintiff incorporates each and every allegation set forth above as if fully  
24 set forth herein.

25 196. By knowingly maintaining and profiting from CSEM on its websites,  
26 Defendants have caused minors to engage in commercial sex acts.

27 197. Defendants intend to, and do, distribute CSEM, which depicts minors  
28 engaged in and/or simulating sexual conduct, through their websites.

1 198. Defendants’ websites are available all over the country, including in  
2 California.

3 **SIXTH CLAIM FOR RELIEF**

4 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

5 199. Plaintiff incorporates each and every allegation set forth above as if fully  
6 set forth herein.

7 200. Defendants’ conduct toward Plaintiff and the Class, as described herein,  
8 was outrageous and extreme.

9 201. A reasonable person would not expect a company like Defendants to  
10 knowingly tolerate child sex trafficking and pornography on its websites.  
11 Defendants’ callous indifference to the child sexual abuse occurring on its websites  
12 goes beyond all possible bounds of decency.

13 202. Defendants acted with reckless disregard of the likelihood that Plaintiff  
14 and the Class would suffer emotional distress, including humiliation and anxiety.  
15 Defendants knew, or recklessly disregarded, that Plaintiff and the Class were harmed  
16 by the illegal CSEM featuring them on Defendants’ websites, but did nothing to help  
17 them, and instead tacitly encouraged the proliferation of CSEM on its websites.

18 203. As a direct and proximate result of Defendants’ conduct, Plaintiff and  
19 the Class suffered severe emotional distress and are accordingly entitled to  
20 appropriate damages.

21 204. No reasonable person in Plaintiff’s situation would be able to adequately  
22 endure the distress engendered by Defendants’ profit-driven indifference to, and  
23 encouragement of, her plight.

24 **PRAYER FOR RELIEF**

25 WHEREFORE, Plaintiff prays for judgment, as follows:

26 A. Determine that this action is a proper class action under Rule 23 of the  
27 Federal Rules of Civil Procedure and appointing Plaintiff’s counsel as Class counsel;  
28

1 B. Award injunctive relief sufficient to bring Defendants' policies in  
2 compliance with applicable law.

3 C. Award compensatory, liquidated, statutory, and punitive damages,  
4 disgorgement, and restitution in favor of Plaintiff and the Class against all  
5 Defendants, jointly and severally, for all damages sustained as a result of defendants'  
6 violations of the law, in an amount to be proven at trial, including prejudgment  
7 interest thereon.

8 D. Award Plaintiff and the Class reasonable attorneys' fees, costs and  
9 expenses incurred in this action, including expert fees.

10 E. Award such other and further relief as the Court may deem just and  
11 proper.

12 Dated: May 5, 2023

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14 KRYSTA KAUBLE PACHMAN  
15 TAMAR LUSZTIG  
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**JURY DEMAND**

Pursuant to Fed. R. Civ. P. 38(b), Plaintiff demands trial by jury of all of the claims asserted in this complaint so triable.

Dated: May 5, 2023

DAVIDA BROOK  
KRYSTA KAUBLE PACHMAN  
TAMAR LUSZTIG  
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