



SOCIAL MEDIA ADDICTION

Litigation on Behalf of School Districts

Social Media Addiction constitutes a public nuisance – requiring schools to hire additional counselors, devote valuable classroom time to training students and staff on the harm associated with excessive social media use, and deploying additional resources to address issues such as self-harm and body dysmorphia. These costs should be covered by the Big Tech social media companies that profit off of your students.

LEVIN PAPANTONIO RAFFERTY

PROCTOR | BUCHANAN | O'BRIEN | BARR | MOUGEY | P.A.

THE HARM CREATED BY SOCIAL MEDIA

Social media platforms, like Facebook, Instagram, TikTok, Snapchat, and YouTube, are facing a mounting wave of lawsuits over their products' addictive features that prey on the vulnerabilities of minor users. The social media companies have intentionally designed their platforms to be addictive by utilizing features that increase user engagement.

These features include:

- **inadequate age verification measures**
- **insufficient parental controls**
- **lack of self-limiting tools**
- **constant notifications**
- **endless scrolling**
- **intermittent variable rewards**
- **emoji reactions**
- **targeted algorithms**



Schools have been uniquely impacted by their student's addictive use of social media. Excessive screen time is harmful to student's mental health, sleep patterns, and emotional wellbeing and schools are being forced to actively address these challenges. Children afflicted by these mental health challenges perform worse in school, and are more prone to absenteeism, substance abuse, and behavioral problems. Teachers, school counselors, academic advisors, coaches, and other staff bear witness daily to the devastating toll these products have taken on their students. Schools find themselves grappling with the overwhelming task of providing resources to abate the harms caused by student's excessive social media use. Schools are expending significant resources to implement policies, procedures, and provide services to address the devastating impacts of social media addiction at their schools.

WHAT SPECIFIC CLAIMS ARE CURRENTLY BEING FILED?

With schools facing the challenge to remedy and abate the harms caused by social media addiction, school districts are stepping forward, and adding their voice to the wave of discontent by filing lawsuits against the social media companies. The lawsuits are rooted in claims of public nuisance and negligence. Public nuisance claims have proven effective in addressing various public health crises, with notable successes in litigations related to the JUUL e-cigarette epidemic and the opioid crisis.

Public Nuisance – Social Media companies must bear the responsibility for abating the nuisance cause by their addictive platforms.

Negligence – Big Tech social media companies must be held accountable for designing their products in an addictive way that is harmful to children.

School districts recovered more than \$500 million in public nuisance litigation against JUUL alternative smoking devices.

Levin Papantonio Rafferty believes that school districts should have the opportunity to recover funds to allow them to provide the resources needed to protect and educate their students regarding the harms associated with addictive and excessive social media use. Because schools are in the frontline of the mental health crisis, school districts are uniquely positioned to oppose the social media companies' conduct. By joining this litigation school districts will send a powerful message to social media companies that profits should not be prioritized over the safety and well-being of our children.



Emmie Paulos
Shareholder
Court Appointed Leadership in Federal
Social Media Addiction Litigation
epaulos@levinlaw.com



Jeff Gaddy
Shareholder
jgaddy@levinlaw.com

We welcome the opportunity to work together on this important matter and hope you join us in the call for accountability, urging social media companies to make affirmative changes to make their products safer for children to use.

If you would like additional information, please contact our team at socialmediaaddiction@levinlaw.com or call (850) 435-7009.

GOVERNMENTAL ENTITY LITIGATION

Levin Papantonio Rafferty is committed to holding social media companies accountable for the mental health crisis impacting our nation's youth. Our law firm has been appointed to the leadership team in the case *In Re Social Media Addiction*, currently pending in the Northern District of California. Our pursuit of these cases against social media companies builds on the work done by our firm in litigating matters involving child sexual exploitation, childhood social media addiction, and the complex legal issues under the Communications Decency Act. Our work in this area has led to us filing amicus briefs in the Ninth Circuit and the U.S. Supreme Court where we argued on behalf of minors and against defenses raised by social media companies.

In addition to our firm's specific involvement in social media litigation, we have a long history of representing state and local governmental entities on a broad range of public health issues including the opioid crisis, PFAS environmental contamination, and insulin price-fixing litigations.

GOVERNMENTAL ENTITIES DEPARTMENT CO-CHAIRS



Troy Rafferty
Senior Partner



Peter Mougey
Senior Partner



Jeff Gaddy
Shareholder

Since 1955, Levin Papantonio Rafferty has successfully represented nearly 2,000 states, tribes, counties, municipalities, and pension systems. Our firm is synonymous with next-level courtroom talent and is routinely selected to try some of the country's most complex cases.

Our Governmental Entity Department focuses this talent and experience on fighting to recover damages for governmental bodies that have been impacted by corporate negligence or wrongdoing.

Our firm is committed to supporting governmental entities. With decreasing budgets and shrinking resources, Levin Papantonio Rafferty is uniquely situated to bring a deep and highly sophisticated trial bench to investigate and litigate any industry sector in collaboration with governmental entities.

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