

1 Susan Lloyd
2 929 E Main St #101
3 Mt Joy, PA 17552
4 213 321 9999

FILED
DEC 29 2021
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA
⑤
ISS
EMC

CV21-10075

6 Plaintiff

8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA

10 SAN FRANCISCO DIVISION

11 Susan Lloyd,

~~CV21-10075~~ 9

12 Plaintiff

Case No C-

13 v

Judge

14 Facebook, Inc.

COMPLAINT

15 1601 Willow Rd

DEMAND FOR JURY TRAIL

16 Menlo Park, CA 94025

17 AND

18 Meta Platforms, Inc

19 1601 Willow Rd

20 Menlo Park, CA 94025

21 AND

22 Mark Zuckerberg

23 1601 Willow Rd

24 Menlo Park, CA 94025

25

26

1 LLOYDS COMPLAINT FOR ADA VIOLATIONS, VIOLATIONS OF SECTION 508 OF
2 THE REHABILITATION ACT OF 1973, VIOLATIONS OF UNRUH ACT, FRAUD AND
3 INTENTIONAL MISREPRESENTATION, VIOLATIONS OF CALIFORNIA
4 CONSTITUTION ARTICLE 1, SECTION 1 AND DATA PROTECTION ACT
5 VIOLATIONS, INVASION OF PRIVACY, BREACH OF CONTRACT, NEGLIGENCE
6 AND NEGLIGENT INFLECTION OF EMOTIONAL DISTRESS
7
8 JURISDICTION

9 1. Plaintiff claims Federal jurisdiction pursuant to Article III 2
10 which extends the Jurisdiction to cases arising under the US
11 Constitution. US Constitution and Federal laws were violated and
12 the amount in controversy exceeds 75,000.00. Under 28 USC 1332,
13 federal courts may hear cases in which a Citizen of one state sues
14 a citizen of another state and the amount at stake is more than
15 75,000.00. In that kind of case, no Defendant may be a citizen of
16 the same state as any Plaintiff which is the case here.

17
18 2. This court has subject matter jurisdiction over this action
19 pursuant to 28 USC 1331 and 1343(a)(4)

20 The court has personal jurisdiction over Defendants because their
21 principal place of business or residence is in California and they
22 conduct and continue to conduct a substantial and significant
23 amount of business in California.

24
25 VENUE

26 3. Venue is proper in California pursuant to 28USC1391(b)(1) as
27 this court has personal jurisdiction over the Defendants.

28 INTRADISTRICT ASSIGNMENT

1 4. This lawsuit should be assigned to the San Francisco Division
2 because the Defendants principal place of business is in this
3 Division.

4 PARTIES

5 5. Plaintiff Susan Lloyd is a Pennsylvania resident who is a
6 protected class who has been disabled under the ADA since 2006.

7 6. Defendant Facebook Inc is an online social media and social
8 networking service owned by Meta Platforms.

9 7. Defendant Meta Platforms Inc is formerly known as Facebook and
10 is a multinational technology conglomerate. They are the parent
11 organization of Facebook, Instagram and other subsidiaries.

12 8. Defendant Mark Zuckerberg is the cofounder of Meta Platforms,
13 formerly known as Facebook, and serves as its chairman, chief
14 executive officer and controlling shareholder. He launched
15 Facebook on February 4, 2004.

16
17
18 FACTS

19 Defendants maintain a website called "Facebook" which they
20 use to make money through third party ads. They illegally track
21 users even when the user is logged off of Facebook. They also are
22 not accessible under the ADA, Rehab Act and the Unruh Act. They
23 also have a long history of not abiding by their own Rules which
24 have allowed many people including Lloyd to be abused and
25 threatened by other users on Facebook including threats to rape
26 and murder Lloyd. Any attempt to resolve this conflict by other
27 means including reporting these other users have failed.
28

1 Defendants have allowed this to occur for 5 plus years now on a
2 continued repeated basis. Defendants refuse to abide by their own
3 Rules or any other federal or state law causing Lloyd to fear for
4 her safety and suffer over 100,000.00 in injuries.

5 CAUSES OF ACTION

6 I. VIOLATION OF AMERICANS WITH DISABILITIES ACT
7

8 Lloyd states the following and includes but not limited to
9 all of the above:

10 9. Under the ADA, websites must be accessible to users with
11 disabilities. California also has state law which requires
12 websites to be accessible. Disabled people have the right to equal
13 access to the goods and services that fellow citizens enjoy.

14 10. Defendants website is not accessible to anybody who has no
15 arms, problems with vision, cannot be viewed in both landscape and
16 portrait orientations, font cannot be made bigger, the color
17 combinations are not high contrast enough to be used by
18 individuals with vision impairments, text cannot be resized and/or
19 be readable when resized, form fields do not have visible labels,
20 users are not made aware of any incorrect, missing or errors
21 entered into fields, images, gifs or videos cannot be disabled to
22 prevent seizures, language tabs are not added, there is no
23 accessibility statement, under display and accessibility there is
24 only an option to do dark mode or to make font smaller there is no
25 other accessibility options. All of this violates the ADA.
26
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1 11. Furthermore, Defendants use ads and allow other third parties
2 to advertise on their sites which discriminate against disabled
3 people such as housing which is not ADA accessible and does not
4 allow service dogs.

5 12. Defendants are responsible for any content on their site and
6 they refuse to comply with the ADA.
7

8 13. Defendants also allow other users to harass disabled people
9 and make fun of disabilities on their website. Defendants refuse
10 to remove these posts even after they are reported stating they do
11 not violate their community standards so Defendants are stating it
12 is okay to harass and make fun of disabled people.

13 Therefore, Lloyd should be awarded damages for this cause of
14 action.
15

16 II.VIOLATIONS OF SECTION 508 OF THE REHABILITATION ACT OF 1973

17 AGAINST ALL DEFENDANTS

18 Lloyd repeats the above and includes but not limited to the
19 following:

20 14. Under the Rehab Act, websites must be accessible to users with
21 disabilities. California also has state law which requires
22 websites to be accessible. Disabled people have the right to equal
23 access to the goods and services that fellow citizens enjoy.
24

25 15. Defendants website is not accessible to anybody who has no
26 arms, problems with vision, problems with hearing, cannot be
27 viewed in both landscape and portrait orientations, font cannot be
28 made bigger, the color combinations are not high contrast enough

1 to be used by individuals with vision impairments, text cannot be
2 resized and/or be readable when resized, form fields do not have
3 visible labels, users are not made aware of any incorrect, missing
4 or errors entered into fields, images, gifs or videos cannot be
5 disabled to prevent seizures, language tabs are not added, there
6 is no accessibility statement, under display and accessibility
7 there is only an option to do dark mode or to make font smaller
8 there is no other accessibility options. All of this violates the
9 Rehab Act.
10

11 16. Furthermore, Defendants use ads and allow other third parties
12 to advertise on their sites which discriminate against disabled
13 people such as housing which is not ADA accessible and does not
14 allow service dogs and violates the Rehab Act.
15

16 17. Defendants are responsible for any content on their site and
17 they refuse to comply with the ADA and violates the Rehab Act.

18 18. Defendants also allow other users to harass disabled people
19 and make fun of disabilities on their website. Defendants refuse
20 to remove these posts even after they are reported stating they do
21 not violate their community standards so Defendants are stating it
22 is okay to harass and make fun of disabled people.
23

24 Therefore, Lloyd should be awarded damages for this cause of
25 action.

26 III. VIOLATIONS OF CALIFORNIA UNRUH ACT

27 Lloyd repeats the above and includes but not limited to the
28 following:

1 19. California Unruh Act states that all persons are free and
2 equal and no matter what their disability is they are entitled to
3 full and equal accommodations, advantages, facilities, privileges,
4 or services in all business establishments of any kind.

5 20. By not having their website ADA accessible, Defendants
6 violated the Unruh Act

7 Lloyd is entitled to damages for this claim.

8 IV. FRAUD AND INTENTIONAL MISREPRESENTATION

9 Lloyd repeats all of the above and includes but not limited to the
10 following

11 21. Fraud under California law occurs when a Defendant
12 represented to another a fact that was not true, the
13 representation was actually false, the Defendant knew the
14 representation was false, the Defendant intended the other person
15 to rely on the representation, the other person did rely on the
16 representation, the other person was harmed by the reliance, the
17 Plaintiffs reliance was a substantial factor in the harm
18 suffered.

19 22. Facebook Statement of Rights and Responsibilities, states
20 that Facebook enables people to connect with each other, build
21 communities and grow businesses. In order to use Facebook, you
22 must use the same name that you use in everyday life, create only
23 one account, not share your password, give access to your Facebook
24 account to others or transfer your account to anyone else. You
25 are not allowed to share content that is at the expense of safety
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1 and well being of others or the integrity of the community. You
2 may not violate the Community Standards. You may not post
3 information that is unlawful, misleading, discriminatory, or
4 fraudulent or that infringes on someone else's rights. Facebook
5 states they take seriously their role in keeping abuse off of
6 their service. Facebook states they are committed to making
7 Facebook a safe place and expression that threatens people has the
8 potential to intimidate, exclude or silence others and is not
9 allowed. Facebook also states they are committed to protecting
10 privacy and information. Facebook also states that people will
11 respect the dignity of others and not harass or degrade others.
12 Facebook also states they can disable accounts and contact law
13 enforcement when there is a risk of physical harm or personal
14 safety. They also state they do not allow organizations or
15 individuals that proclaim a violent mission to have presence on
16 Facebook. They also regulate the sell of firearms on their site.
17 They also will remove any content that depicts, threatens or
18 promotes sexual violence, sexual assault or sexual exploitation.
19 They also state they remove content that's meant to degrade, shame,
20 bully or harass private individuals. They also state they will
21 not allow others to post personal or confidential information
22 about yourself or others. They will remove content that shares,
23 offers or solicits personally identifiable information. They will
24 also not allow hate speech among other things.
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1 23. All of the above is fraudulent and intentional
2 misrepresentation by the Defendants. Facebook has allowed since
3 2016 for over 500 people to harass and bully Lloyd on Facebook,
4 led by Joshua Thornsbery. Many of these people do not use their
5 real names such as Robin White who goes by Harley Angel. They
6 also create multiple accounts, share their passwords and have
7 testified that they give access to other people for their
8 accounts. They share content to threaten Lloyd. They post about
9 illegal drugs they use and they post about firearms they are
10 attempting to purchase. They have threatened to rape and murder
11 Lloyd for over five years and each time they have been reported,
12 Lloyd and others were told it does not violate community
13 standards. They have threatened on Facebook to shoot Lloyd in the
14 chest with a gun, choke Lloyd to death, blow up Lloyds house, they
15 post Lloyds picture and Lloyds address. They brag about
16 hallucinating from drug use. They post pictures of guns and state
17 Lloyd will be in a cemetery. They organize through facebook
18 events so they could come to Lloyds house and further harass
19 Lloyd. Thornsbery admits to organizing over 500 of his facebook
20 friends to threaten to harass Lloyd for over a 5 year period.
21 Thornsbery admits that he uses Facebook to threaten Lloyd. They
22 use Facebook to make fun of Lloyds ADA protected disabilities such
23 as Lloyds scooter and oxygen. They also use Facebook to body
24 shame Lloyd and make fun of Lloyds weight gain. They also state
25 they will get the Hells Angels to harass Lloyd and post pictures
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1 of themselves at the Hells Angels events for Portage County Ohio.
2 The Department of Justice on April 29, 2021 states Outlaw
3 Motorcycle Gangs (OMGs) are organizations whose members use their
4 motorcycle clubs as conduits for criminal enterprises. OMGs are
5 highly structured criminal organizations whose members engage in
6 criminal activities such as violent crime, weapons trafficking,
7 and drug trafficking. There are more than 300 active OMGs within
8 the United States, ranging in size from single chapters with five
9 or six members to hundreds of chapters with thousands of members
10 worldwide. The Hells Angels, Mongols, Bandidos, Outlaws, and Sons
11 of Silence pose a serious national domestic threat and conduct the
12 majority of criminal activity linked to OMGs, especially activity
13 relating to drug-trafficking and, more specifically, to cross-
14 border drug smuggling. Because of their transnational scope, these
15 OMGs are able to coordinate drug smuggling operations in
16 partnership with major international drug-trafficking
17 organizations (DTOs).

20 And yet, Facebook allows the Hells Angels to have pages on their
21 site where they can organize and have gatherings. Mr Thornsbery
22 and over 500 of his friends belong to many motorcycle gangs
23 including the Hells Angels. They threaten to have the Hells
24 Angels murder Lloyd.

26 Besides threatening to murder Lloyd, they also allow Thornsebry
27 and over 500 of his friends to threaten to rape Lloyd on their
28 site. They allow them to also post where Lloyd is so others can

1 show up and harass Lloyd such as Staci Dalton Liddle who posted
2 that Lloyd was at Streetsboro Ohio library. They allow Thornsbery
3 and his friends to post lloyds picture, Lloyds address, pictures
4 of Lloyds property among many other things so others know where
5 Lloyd lives so they can also harass Lloyd. They even post that
6 they will sit in front of Lloyds house to harass Lloyd. This has
7 gone on for 5 years and Defendants refuse to ban these 500 people
8 from their sites and they allow this behavior to continue towards
9 Lloyd, a disabled person. They even allow them to brag on
10 facebook that they pissed on Lloyds fence, damaged Lloyds fence,
11 blow cigarette smoke at Lloyd while she is on oxygen, post
12 pictures of Lloyds cameras and state how they can get around
13 Lloyds security system and how they can use signal jammers to
14 block Lloyds cameras which they did, forcing Lloyd to reinstall
15 wired cameras. They even brag on Facebook about having large
16 massive illegal fires which were determined to be illegal by the
17 EPA and they do this to harass Lloyd knowing Lloyd has breathing
18 troubles. They even state they will all go to Thornsberys to
19 maliciously and purposefully harass Lloyd. They even talk about
20 other ways they can murder and injure Lloyd. They brag about
21 revving up motorcycles in the middle of the night to harass Lloyd
22 and they brag about other ways they can injure Lloyd on Facebook.
23 There is hundreds if not thousands of posts all dedicated to Lloyd
24 and how they will injure, murder and harass Lloyd. It is truly
25 frightening and the majority of these people have severe criminal

1 records including Thornsbery who stated he will choke Lloyd to
2 death on Facebook. He has a 20 year history of throwing a woman
3 to the ground twice, punching holes in his mothers walls and other
4 violent crimes and yet Defendants allow him to organize well over
5 500 people and counting to threaten to rape and murder Lloyd,
6 bully and harass Lloyd since 2016. Thornsbery admits to owning
7 over 50 deadly weapons and admits to organizing these people to
8 harass and threaten Lloyd and admits this is ongoing through
9 Facebook.
10

11 24. As a direct result of the Defendants allowing this to
12 continue for 5 plus years, Lloyd fears for her safety and has fled
13 the State of Ohio. Thornsbery however, admits to hacking into
14 Lloyds Facebook page and found out Lloyd is residing in the state
15 of Pennsylvania where he admits to still having well over 500 of
16 his friends organized through Facebook to harass Lloyd.
17

18 25. It is clear Defendants represented to Lloyd a fact that was
19 not true, the representation was actually false, the Defendant
20 knew the representation was false, Defendants intended Lloyd to
21 rely on the representation, Lloyd did rely on the representation,
22 Lloyd was harmed by the reliance, Lloyds reliance was a
23 substantial factor in the harm suffered.
24

25 26. These posts by Thornsbery and over 500 of his friends
26 directed towards Lloyd has been reported hundreds of times over
27 the past 5 years. Defendants violate their own Regulations by
28 allowing this behavior to go on for 5 plus years after being made

1 aware of this in 2016. Since Defendants have refused to stop this
2 behavior, Thornsbery and others have been able to recruit even
3 more people to threaten Lloyd through the use of Facebook. They
4 even organize others to gang stalk Lloyd through the use of
5 Facebook who state they will sit outside Lloyds house and watch
6 Lloyd.
7

8 Therefore, Lloyd is entitled to damages for this claim.

9 V. VIOLATIONS OF CALIFORNIA CONSTITUTION ARTICLE 1, SECTION 1 AND
10 DATA PROTECTION ACT VIOLATIONS

11 Lloyd repeats all of the above and states the following which
12 includes but not limited to

13
14 27. California Constitution Article I, Section I states that each
15 citizen has an inalienable right to pursue and obtain privacy. It
16 is even a crime in California to access and without permission
17 use, misuse, abuse, damage, contaminate, disrupt or destroy a
18 computer. California law also requires a business to notify any
19 person whose information was acquired by an unauthorized person.
20 It is also illegal to record any telecommunications without
21 permission.
22

23 28. Lloyd never gave Facebook any permission to track her while
24 she is on her computer or any other electronic device and not
25 logged into Facebook.

26 29. Facebook has no authority to track Lloyd on her computer or
27 electronic devices when she is not logged into Facebook.
28

1 30. Facebook continues to track Lloyd when she is not logged into
2 facebook and is using other third party sites such as Chewy.com,
3 Target. Com, etc.

4 31. The minute Lloyd logs back into her Facebook account, ads
5 from these other third party sites immediately show up on Lloyds
6 facebook account.

7
8 32. Lloyd never gave permission for this to occur and it is
9 illegal for Defendants to do this.

10 Therefore, Lloyd should be awarded damages for this claim

11 VI. INVASION OF PRIVACY

12 Lloyd repeats all of the above and includes but not limited to the
13 following

14 33. A person is liable for constructive invasion of privacy when
15 they capture, any type of visual image, sound recording or other
16 physical impression of the Plaintiff engaging in a private,
17 personal or familial activity, through the use of any device, when
18 this could not have been achieved without a trespass unless the
19 device was used.

20
21 34. A person who commits this act is liable for up to three times
22 the amount of any damages.

23 35. A person who causes another person to violate this provision
24 is also liable for damages.

25
26 36. Defendants have used an illegal device to track Lloyd on her
27 computer and other electronic devices so they can make money off
28 of ads they then show Lloyd on her Facebook page. This illegal

1 device is used when Lloyd is signed off of Facebook and is on
2 other third party sites such as Chewy.com, Target.com, etc

3 37. Defendants are also liable for third parties invasion of
4 privacy by allowing Thornsbery and over 500 of his Facebook
5 friends to post Lloyds address, post pictures of Lloyd, post
6 pictures of Lloyds property, post about Lloyds disabilities, post
7 about Lloyds medical conditions including Lloyds scooter and
8 oxygen, post Lloyds location, so others would threaten and harass
9 Lloyd. Defendants have known about this behavior since 2016 and
10 refuse to stop it.
11

12 Therefore, Lloyd is entitled to damages for this claim.

13 VI. BREACH OF CONTRACT

14 Lloyd repeats all of the above and includes but not limited
15 to the following:

16 38. Facebook Statement of Rights and Responsibilities, states that
17 Facebook enables people to connect with each other, build
18 communities and grow businesses. In order to use Facebook, you
19 must use the same name that you use in everyday life, create only
20 one account, not share your password, give access to your facebook
21 account to others or transfer your account to anyone else. You
22 are not allowed to share content that is at the expense of safety
23 and well being of others or the integrity of the community. You
24 may not violate the Community Standards. You may not post
25 information that is unlawful, misleading, discriminatory, or
26 fraudulent or that infringes on someone elses rights. Facebook
27
28

1 states they take seriously their role in keeping abuse off of
2 their service. Facebook states they are committed to making
3 facebook a safe place and expression that threatens people has the
4 potential to intimidate, exclude or silence others and is not
5 allowed. Facebook also states they are committed to protecting
6 privacy and information. Facebook also states that people will
7 respect the dignity of others and not harass or degrade others.
8 Facebook also states they can disable accounts and contact law
9 enforcement when there is a risk of physical harm or personal
10 safety. They also state they do not allow organizations or
11 individuals that proclaim a violent mission to have presence on
12 Facebook. They also regulate the sell of firearms on their site.
13 They also will reomve any content that depicts, threatens or
14 promotes sexual violence, sexual assault or sexual exploitation.
15 They also state they remove content thats meant to degrade, shame,
16 bully or harass private individuals. They also state they will
17 not allow others to post personal or confidential information
18 about yourself or others. They will remove content that shares,
19 offers or solicits personally identifiable information. They will
20 also not allow hate speech among other things.

21
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23
24 39. Defendants refuse to abide by their own rules and
25 regulations. Even after being made aware of Violations by other
26 third parties, Defendants refuse to take action for the past five
27 years.
28

1 40. As a direct result Lloyd is a victim of harassment and
2 threats to murder her due to Defendants reckless behavior. This
3 has led Lloyd to fear for her safety for 5 plus years.

4 Therefore, Lloyd should be awarded damages for this claim

5 VII. NEGLIGENCE AND NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

6 Lloyd repeats all of the above and includes but not limited
7 to the following:
8

9 41. Under California Law, emotional distress damages can be
10 claimed by someone who is a victim of anothers wrongful act.

11 Serious emotional distress exists if an ordinary reasonable person
12 would be unable to cope with the mental stress engendered by the
13 circumstances. The Defendant must exhibit negligent conduct and
14 the Plaintiff suffered as a result.

15 42. Defendants were negligent by violating their own contract
16 with Lloyd. Defendants state that Facebook will be a safe place
17 for all to use. Instead, they have allowed over 500 people to
18 talk about drug abuse on Facebook to the point they hallucinate,
19 and then threaten to murder and rape Lloyd. They also allow
20 organized crime activities such as the Hells Angels to have
21 organized activities on Facebook and to discuss their meetings on
22 facebook. This same group has threatened to murder Lloyd.

23
24
25 Lloyd fears for her safety, has had severe emotional distress to
26 the point she is undergoing counseling and will never be the same
27 again as a direct result of the Defendants allowing 500 people and
28 counting to threaten to rape and murder Lloyd. Any reasonable

1 person would fear for their safety as a result of the Defendants
2 negligence.

3 Therefore Lloyd should be entitled to damages for this claim
4

5 JURY TRAIL DEMAND

6 Lloyd demands a jury trail for all causes of actions
7

8 ARTICLE III COURT DEMAND

9 Lloyd declines a magistrate and requests this case be in an
10 Article III court at all times.

11 DEMAND
12

- 13 1. Permanent ban of Joshua Thornsebry and any and all of his
14 Facebook friends who have bullied, harassed, and threatened
15 Lloyd
- 16 2. Compensatory damages well in excess of 100,000.00 including
17 lawyers fees, actual damages, punitive damages
- 18 3. Force Defendants to make their websites ADA compliant
- 19 4. Force Defendants to make their websites safe for all users
20 and to use a system of real people and not computer
21 algorithms to investigate complaints.
- 22 5. Force Defendants to not invade their users privacy when they
23 are logged off of Facebook.
24

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1 I declare under penalty of perjury under the laws of the State of
2 California that the foregoing is true and correct. Today's Date:

3 December 27 2021

4 Susan Lloyd PRINT YOUR NAME

5 [Signature] SIGN YOUR NAME

7 Susan Lloyd [Signature]

8 929 E main St #101

9 Mt Joy, PA 17552

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